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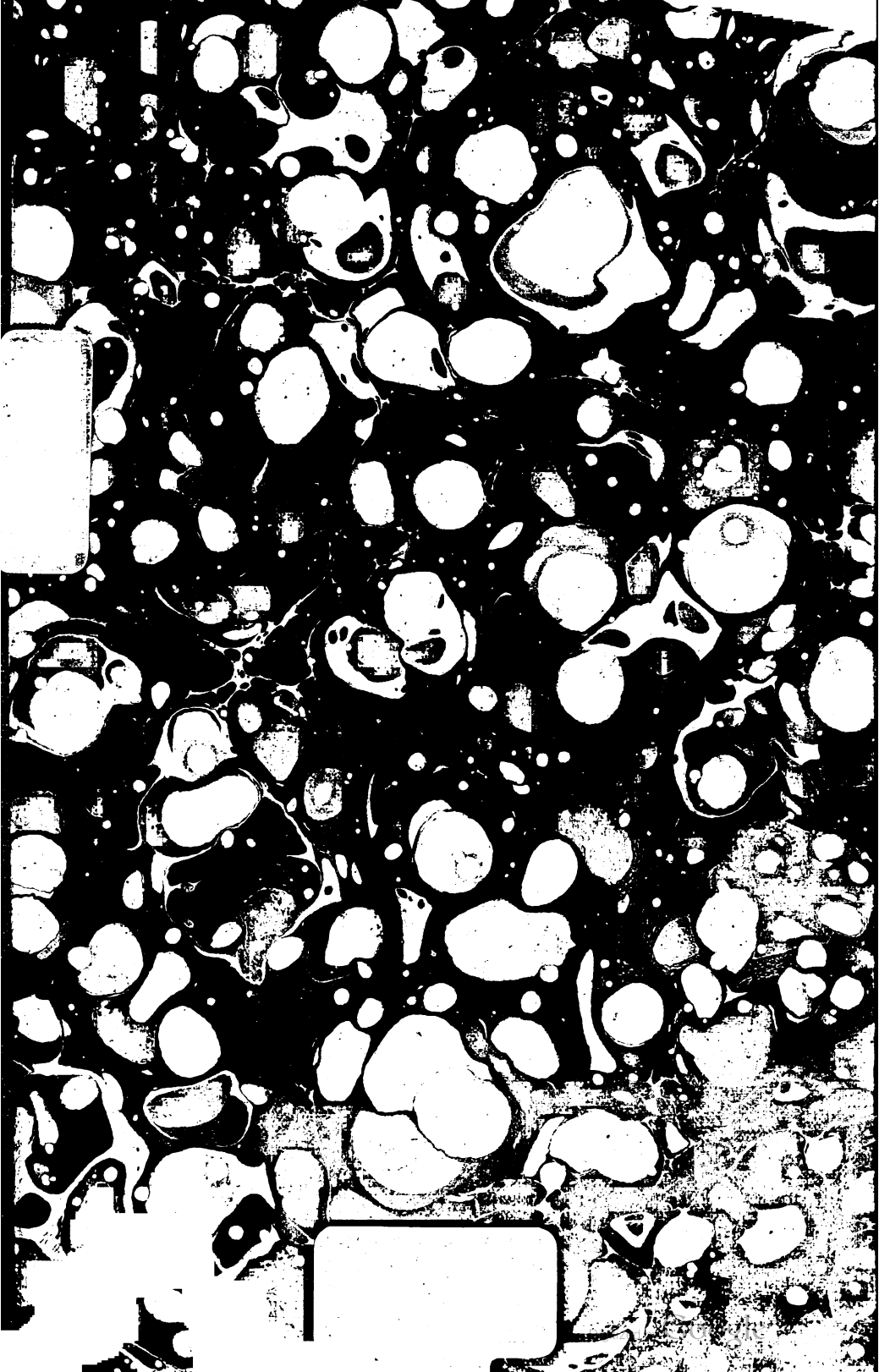
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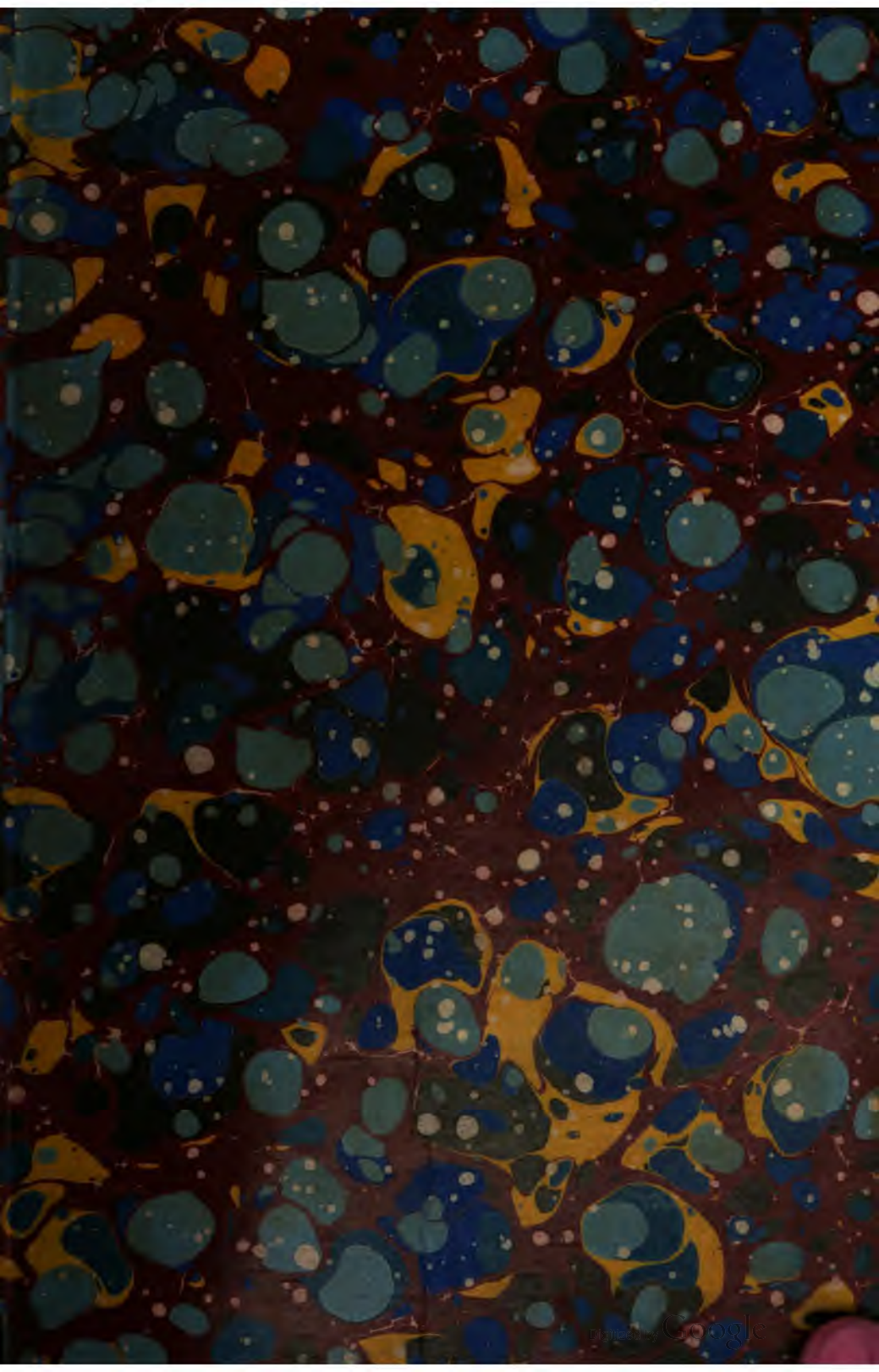
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24th Jan 1885

Sir

I beg to present to the
Bodleian Library a collection
of papers relating to the family
of Stapleton which have
been reprinted from the
Yorkshire Archaeological
Journal - The work before
mentioned to you by Bookpost

Yours faithfully

H. J. Stapleton

CHRONICLES
OF THE
YORKSHIRE FAMILY
OF
STAPELTON.

BY
H. E. CHETWYND-STAPYLTON.

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THE STAPELTONS OF YORKSHIRE.

By H. E. CHETWYND-STAPYLTON.

It has been said that every family in the Kingdom is descended from illustrious ancestors, if they could only prove it. It has been argued that, in King John's time for instance, the population of England did not exceed a million; but as everybody has two grandfathers and two grandmothers, he must have had upwards of a million ancestors twenty generations back, among whom he might reckon on finding nearly every notable person in the Kingdom at that time.¹

On this principle the late Lord Farnham has traced back his own family and his wife's (she was Anna Stapleton, daughter of the 22nd Lord Le Despencer), first to the Plantagenet Kings, and from them to Alfred the Great, William the Conqueror, the Cid, Brian Boroihme King of Ireland, Dermot MacMurrough King of Leinster, and other remote roots.² But the reverse is usually the more interesting process—viz., to commence with the first who "bore a local habitation and a name," and to clothe the dry bones of a pedigree with whatever public or private evidences can be found.

Some families are fortunate in the possession of old papers or private chartularies. The Stapeltons have neither the one nor the other that we are aware of. The following Chronicles have been compiled from documents or books in the public Libraries or Record Office, accessible to everybody. The Escheat Rolls and Charter Rolls, &c., in Fetter Lane, prove every step in the pedigree from King John's time; and Monkish Chronicles, County Histories, the more recent publications of local archæological societies, and above all, a very complete series of Wills, commencing in 1372, preserved in the Registries at York and Norwich, many of which have been published by the Surtees Society and the Norfolk Archæological Society, help to fill in the details.

¹ *Saturday Review*, 1877.

² Farnham Descents.

From the old Richmondshire stem of Stapelton sprang various branches. The two nearest the root were the "Despencer" branch, as it may be called, and that of Cudworth. The former took root in Ireland and spread into France and Spain. The original stem, after it was ennobled, ended with an heiress, who carried away most of the lands to the Methams, but dropped the name. The Bedale line then became the leading shoot, branching out in Carlton, Wighill, and Myton. Lord Beaumont and the Carlton family now represent the oldest surviving House, but in modern Peerages the lineage of Stapelton is too often set aside for that of the more illustrious House of Beaumont. Wighill comes second, having a common ancestor with Lord Beaumont in Sir Brian de Stapelton, Knight of the Garter, *temp.* Richard ii. ; and Myton is a branch of Wighill in the time of the Stuarts. Each of these three families has passed into the female line once and only once, after an unbroken male descent of several centuries. The Carlton family gave their name to the Erringtons of Northumberland at the death of Sir Miles Stapilton, Bart., in 1707 ; Wighill gave it to the Chetwynds of Staffordshire, in 1783 ; and Myton to the Brees, in 1817.

The Irish family, now represented by Sir Francis Stapelton, Bart., of Grey's Court in Oxfordshire, and the Baroness Le Despencer, Viscountess Falmouth, emigrated to Ireland *temp.* Henry ii. Whether the Stapeltons of Cudworth, who were settled in the West Riding about the same date, but are now long since extinct, were connected with them, we shall endeavour to decide. The Barony of Stapelton, created by Writ of Summons in the reign of Edward the Second, has been claimed by the Dolmans of Oxfordshire, as inheriting from the Methams. The two daughters with whom the Bedale or Norfolk branch ended never took the name, and their Yorkshire property reverted to the Carlton family. The Stapiltons of Quarmby and Rempston were younger branches of Carlton ; those of Cottingham, Wath, and Warter were branches of Wighill, but they are all now extinct.

Too much importance must not be attached to the spelling of a name. That of Shakspeare is still a vexed question. In old times, when writing was a rare accomplishment, and a man "sealed with the seal of myn armes," the spelling was determined by the "clerici" (whether law-

clerks or clergy), who drew up the deeds; just as the Clergyman at the present day settles it for uneducated people in the Parish Register. The original form of "Stapelton" has undergone many variations. We find Stapilton, Stapulton, Stapyhton, Stapleton, and even Stabileton. The Norfolk branch first used the "u" or "y," towards the end of the fourteenth century, and Carlton and Wighill took the "i." But for the last two centuries Carlton may generally be distinguished by the spelling "Stapleton," Myton by "Stapyhton," and Wighill by "Stapilton," till the close of the last century, when they adopted the "y."

THE STAPELTONS OF RICHMONDSHIRE

The Stapeltons of Richmondshire derive their name from Stapelton-on-Tees, a village on the road between Richmond and Darlington, where they were originally settled.

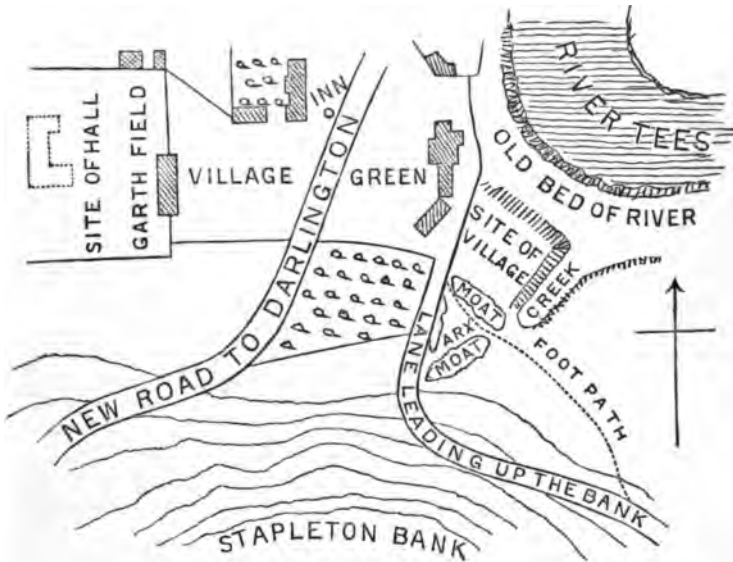
The name Stapelton (as it was invariably spelt before Richard the Second's time) is Anglo-Saxon. It means a "trading village;" "stapel," a *pile* or *heap*, denoting a place where goods were collected and stored for sale—Dr. Johnson defines it, a "mart or emporium"—and "tun," an inclosure, or town. It was appropriate to a village like Stapelton, conveniently situated for commerce, on the border between two provinces, at a point where the river was passable. But it is to be observed that the term "stapel," or "staple," has long since lost its former signification. From being first applied to the *place* where goods were sold, it was next given to the *merchandise* sold there, and is now usually understood to mean the product for which the place is best known. The "tun" was surrounded by an earthen mound tipped with a stockade or quickset hedge, with a ditch outside, and each township was thus a ready-made fortress in time of war.³

The present village is merely a cluster of cottages round a little green, which stands high enough above the Tees to be out of the reach of floods. In front is a sharp bend of the river, which has been a ford or a ferry from time immemorial. It is still indicated by the "Bridge" Inn, with a huge elm-tree standing in front. A steep escarpment of hill rises immediately behind the village, through which a good road has recently been cut, and crossing the village green, joins a new bridge at Blackwell, half a mile higher up the stream.

There were, not so long ago, indications of extensive buildings about the village. In the "Garth Field," on the north side of the green, there was a large house, standing within living memory (pulled down about 1820), probably built by the Methams, who, having acquired the manor by marriage with the heiress of the last Baron Stapelton, were lords there

³ Old Yorkshire, by Wm. Smith, F.S.A.S., pub. 1881, p. 123; Green's Making of England, p. 180.

for nearly three hundred years.⁴ Every vestige of this building has disappeared, but on visiting it in 1879, one Richard Johnson, the "oldest inhabitant," whose family have been tenants of the Garth Field for two hundred years, pointed out to us the position of the house, and a "fish-pond," or rather a moat, at the back. He recollected the house well, and described it as very large and substantial, "more like a castle than a house," the walls being five or six feet thick. It was shaped like the letter "L," the base of the letter facing the hill, and the top line representing a chapel at the other end, with a large east window facing the village. The house was of stone, two storeys high, with great square windows divided by oak mullions, and gables over. A heavy door stood in the inside corner of the "L," studded with great nails "like a church door." There was an "immense kitchen, with a great chimney," probably the Hall. The whole was in a ruinous condition. The staircase



had fallen in; two poor families occupied the lower rooms; and "our cowbyre," said the old man, rested against the chapel. Extensive garden walls were found in front, when the new road was made across the Green. The "Garth Field" was bought by the Duke of Cleveland about 1850, for the benefit of the poor of Staindrop. But though the name marks the trading station, there are also indications of a fortified post. On the other side of the Green, in a meadow which has fortunately escaped levelling, are distinct traces of an earlier settlement, and there we venture to place the *nidus* of the family which took its name from the village. In the narrowest part between the hill and the river is a triangular field, rough with moats and mounds. Here was the *Arx*, or citadel—it can only be a matter of conjecture—perhaps a small pele tower of large uncemented stones. There, across a little moat, on a

⁴ Inq. p. m. (Metham) 81 H. viii.



STAPELTON ON TEES, 1879.

[To face p. 4.]

rugged plateau, with smooth shelving banks (evidently the river bank at a former period, for the river now runs in a lower bed some fifty yards away), stood the little Saxon village of the "stapel," with the "timbered hall" of the laird or chief rising in the midst,⁵ reminding us of the little walled towns upon the Rhine. A deep broad creek, now dry, entering the river at right angles, and connecting it with a deep moat, formed a good line of defence against an enemy advancing from the east, who would probably, as we know the Danes did, come up the river side, because the higher ground was covered with forest.

In the Domesday Survey (1085), "Staplendon," as it is called, is described, "Among the lands of Earl Alan, of Richmond. In Staplendon Tor had, in the Confessor's time, a manor of five carucates [about 500 acres], liable to tax, and as many more which might be made so [*poss'e'e*, i.e., by cultivation]. Emsan now holds it of the Earl, and it is waste. In the Confessor's time it was worth xs. a year. The whole is nearly two miles long [ii. leug.] and half a mile wide."⁶

Tor was an English Thane, whose lands were given to Earl Alan at the Conquest. The Survey tells us he had a Hall at Barningham,⁷ in Gilling West. Emsan Musard was one of the Conqueror's companions, the first Constable of Richmond Castle, appointed by Alan Fergaunt, the founder. The small value of 500 acres in the Confessor's time, and the words "it is waste," tell a tale of the desolate condition of all Tees' side. It had suffered in the long wars before the Conquest, and when Edwin the Saxon Earl, whose stronghold was at Gilling before Richmond Castle was built, made his last stand in 1070, it was again laid waste by the Norman William. "Towns and villages were harried and burnt, their inhabitants slain or driven over the Scottish border. Harvest, cattle, the very implements of husbandry, were so mercilessly destroyed that the famine which followed is said to have swept off more than a hundred thousand victims."⁸ For nine years at least no attempt was made to till the soil (*lata ubique solitudo patebat per novem annos*).⁹ Between York and Durham the land was everywhere uninhabited.

Nevertheless many of the English kept possession of their lands. Of mixed English and Danish blood, and living on the borderland of Dane-lagh, as the country between the Tees and Thames below London was called, the men of Tees' side were a hardy and intelligent race, "tilling, judging, and fighting for themselves."¹⁰ In many parts of England free tenants no longer existed. They had been driven to seek protection from their Theyns against their enemies. Under "Dane-law" first commenced a system of "socage," in which the services were fixed and honourable, and the tenants were regarded as freemen.¹¹ Tees' side was peopled with an unusual number of "Soemen," tenants by hereditary right, who cultivated their own lands with their own villeins, and lived upon the profits. Though they owed suit in their lord's court, and were bound to garrison his castles, their tenure was as good as freehold.¹² But in the Domesday Survey there is no mention of "sochemanni," or "villani," or even "bor-

⁵ Green's Making of England, p. 160.

⁶ Translation of Domesday by Rev. W. Bawdwen.

⁷ Yorkshire Archæol. and Top. Journal, v. 326.

⁸ Green's English People, p. 79, Hove-

den.

⁹ Freeman's Norman Conquest, iv. 298.

¹⁰ Green's Making of England, p. 153.

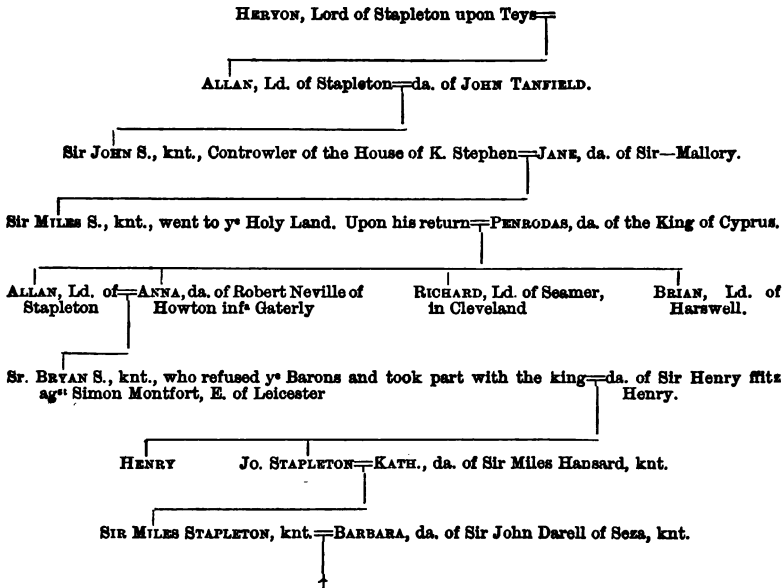
¹¹ Steph. Blackstone, i. 206.

¹² Pearson's Hist. of England, i. 287.

darii" (cottagers), on Tees' side,¹³ for the land was waste, and the inhabitants had fled. When more peaceful times returned, men came back by degrees to claim their lands under their new Norman masters. As their families increased, they adopted surnames, which became hereditary, for there were no hereditary surnames before the Norman Conquest.¹⁴ Family names, such as Cleasby, Wicliffe, Stapelton, &c., derived from villages on Tees' side, are pretty sure evidence that those who bore them were of Old English or Saxon descent.

Before hereditary surnames came into use, it is almost impossible to trace a pedigree with any certainty. The early history of every family depends in great measure upon Tradition. Randle Holme has collected many such traditions in his "Pedigrees of Yorkshire Families." He was a Herald Painter in Chester (*circ.* 1645), much employed in arranging pageants and funerals all over the country.¹⁵ His occupation gave him great opportunities of investigating genealogies and collecting family legends, and his Pedigree of the Stapeltons,¹⁶ though manifestly incorrect in some particulars, has been adopted by Thoresby, Collins, and Lodge in the last century, and by Betham, Clarkson, Ord, and Burke in the present.

It commences as follows :



Mr. Ord, in his History of Cleveland (pub. 1846), adds, "Heryon, or Heron, was seized of the manor or lordship of Stapylton-on-Teys, in 1052, and was father of Allan of Stapylton liv. 1080."¹⁷ There is some

¹³ Sir H. Ellis' Introduction to Domesday, i. 69.

¹⁴ Freeman, v. 568.

¹⁵ Edmondson's Heraldry.

¹⁶ Randle Holme's Pedigrees of Yorkshire Families, Harl. MS. 2118.

¹⁷ Pedigree of Stapelton, Ord's Hist. of Cleveland, p. 558.

reason in these dates. The first was in Edward the Confessor's reign, when William of Normandy came over on a visit to England; the second was ten years after the Norman devastation, when the inhabitants of Tees' side, as we have supposed, began to return to their desolate homes.¹⁸ The Domesday Commissioners had special instructions to enquire how the land was held "in King Edward's time," as well as in the Conqueror's. The name Heron, or Heryon, or Herman, may merely mean the Chief or Laird (A.-S. *hera*, the lord; Germ. *herr-mann*). Allan is evidently the Norman Alan, from Alan Niger, the first Earl of Richmond, son of Count Eudo, of Bretagne. After the Norman Conquest, Englishmen of all classes cast aside their old names to give their children names after the new foreign pattern.¹⁹ John of Tanfield was one of the Gernegans, whose estates went to the Marmions²⁰ by marriage, in the time of King John. The "Controwler" of the House of K. Stephen more likely held that office under Earl Stephen of Richmond,²¹ son of Alan Niger, than under the king of that name. The Le Despencer Stapletons are said to be descended from a Sir John Stapleton, who went to Ireland with Strongbow, Earl of Pembroke, in the following reign. The Mallorys were Norman, ancestors of the family afterwards settled at Studley Royal. The story of the knight who went to the Holy Land, and afterwards married the daughter of the King of Cyprus, seems to point to that Cypriote Princess, daughter of Isaac Comnenus, "Emperor" of Cyprus, whose beauty brought so much trouble on Richard Cœur de Lion.

The story is told by several of the old rhyming chroniclers, and, more recently, by Miss Strickland,²² and Mrs. Green.²³ After Richard's marriage to Berengaria, at Limoussa, and the defeat of Comnenus, his daughter, the "melancholy, dark-eyed Greek maiden,"²⁴ became the companion of the Queen of England and her sister-in-law, Joanna, Queen of Sicily, during their sojourn in Palestine. Admiration for the little Princess is said to have caused an estrangement between the King and his newly-married Queen; and while the three royal ladies returned to Europe by way of Sicily and Rome, Richard, sailing by Trieste, fell into the hands of the Archduke of Austria. Leopold was himself one of the family of the Comneni, and made it one of the conditions of the English King's ransom that the Cypriote lady should be given up to him. Accordingly, she was on her way out with Baldwin de Betun, the King's Justiciar, when she was released by Leopold's death, and returned to France. We find her at Rouen, in 1194, still a girl,²⁵ on her way to the castle of Chinon, which then belonged to the English kings. Among the king's expenses in 1195 is a charge of £168 12s. for "the daughter of the Count of Brittany, and the daughter of the Emperor of Cyprus, and their household, and of Robert de Wancie, and Walter de Ely, who had them in their custody."²⁶ But after this we lose sight of her altogether.

To return to Randle Holme. The notice of "Sir Bryan who refused

¹⁸ *Supra*.

¹⁹ Freeman, v. 561.

²⁰ Camden Brit. p. 920.

²¹ Whitaker's Hist. of Richmondshire, Preface to vol. i.

²² Queens of England, i. 304.

²³ Hist. of the Princesses, i. 350.

²⁴ Mrs. Green, i. 350, "Juvencula parvula," Itin. Ric. i. p. 204.

²⁵ "Puella," Hoveden, iii. 89.

²⁶ Rot. Scacc. Norm. ed. T. Stapleton, F.R.S. vol. i. p. cxlvii.

the Barons"²⁷ merely shows that the family took the Royalist side in the Barons' War, like most of the Northern families.²⁸ The name Bryan does not occur till after Sir Brian fitzAlan.²⁹ "Sir Henry fitzHenry" is evidently Aucher fitzHenry, who married the sister of Sir Miles' first wife, Sibill de Bella Aqua;³⁰ and "Barbara, dau. of Sir John Darell of Seza," seems to be some confusion with Sir Miles' second wife.

So far tradition. Henceforward we get upon the surer ground of documentary evidence. A Chartulary of Fountains Abbey shows that Stapelton-on-Tees had already given its name to a family in the middle of the twelfth century.

"Stapelton. Here two carucates make a knight's fee. Martin de Cowton gave an oxgang here, and half an acre in Ramire, which were confirmed by Galfrid, son of Werre de Appleby, Benedict de Stapelton, Roger, Archbishop of York, and Ranulph, Earl of Chester."³¹

The date is between 1154 and 1181, while Roger was Archbishop, who built the finest parts of York Minster and Ripon Cathedral. Ranulph, Earl of Chester, was third husband of Constantia, Countess of Richmond, the heiress of Earl Conan. Benedict was lord of Stapelton when Conan de Aske had the care of the Wapentakes in 1184,³² and Werre was probably his tenant. A family of the name of Werre, or Orre, were long tenants at Stapelton. Alanus Orre held half a carucate there of Nicholas Stapelton, in 1285.³³ And twenty years later, "Johes, fil. Steph. del W'ra," was a tenant of John de Stapelton, turned out of his farm for felony (*relegatus pro feloniam*).³⁴ Can the last-named be "Stephanus dictus Milesman de Stapelton—serviens dni Milonis de Stapelton"³⁵ in 1313, mentioned in the Clervaux Chartulary? Benedict was still living in 1208, for "Bādēus de Stapelton" was one of the "pledges" (or sureties) of Roald fitzAlan, Constable of Richmond Castle, and paid five marks³⁶ to Hugh de Nevile, "the Forester," an officer of the King's Exchequer. Nichol de Stapelton, who seems to have been Benedict's heir, was joined with him as a surety in the same amount.³⁷ It was a remnant of the old Saxon law of Frank-pledge, which required every free man, as soon as he attained the age of twelve years, to be enrolled in some tything, and made responsible for the good conduct of his fellows, and the payment of fines, &c.³⁸ We shall find another instance a hundred years later. When the dykes at Haddlesey were destroyed,³⁹ and the offenders could not be discovered, the repair of the damage was charged upon the adjoining district. The same law holds good still, and is occasionally put in force. Roald, who was mesne-lord of Stapelton, cut off part of the manor to confer it on his grandfather's new foundation at Easby. In 1184 (30 H. ii.) Benedict has only three carucates of land at Stapelton (he pays 9½d. to the sheriff for three),⁴⁰ though he had

²⁷ Randle Holme's Pedigree, *supra*.

²⁸ Blaauw's Barons' War, p. 248, note.

²⁹ *Infra*.

³⁰ *Infra*.

³¹ Burton Mon. Ebor. p. 201.

³² Gale's Honor of Richmond, p. 22.

³³ Kirby's Inquest (Surtees Soc.), p. 178.

³⁴ Rot. Claus. 33 E. i. m. 22.

³⁵ Note by Mr. Longstaffe, in Tonge's

Visitation (Surtees Society).

³⁶ Hardy's Rot. de Oblatis et Finibus, 9

Joh. p. 444.

³⁷ *Ibid.*

³⁸ Hallam's Mid. Ages, ii. 291—3;

Stubb's Const. Hist. ii. 289.

³⁹ Abb. placit. coram dno Rege, Trin. 15 E. i. rot. 3.

⁴⁰ Gale's Honor of Richmond (Cotton Library), 22 b.

previously had five.⁴¹ The missing "two carucates and a messuage at Stapelton, which formerly belonged to Benedict de Stapelton," are mentioned in a Concord of Fine between Ralph de Bellerby and Henry Abbot of St. Agatha, in 1245-6, as held by the Abbot.⁴²

This Nicholas de Stapelton, "filius Galfridi," as he is described in a charter of Jervaulx Abbey, "gave an oxgang of land in Barton [next Stapelton-on-Tees], and five oxgangs in Merske [on the Swale above Richmond],⁴³ to the monks of Jorevall, which Henry iii. and the Duke of Brittany confirmed,"^{44a} [when the king came of age].

"Gaufridus de Stapeltune" was one of the witnesses to a charter of Adam, fil. Ilberti, restoring to the monks of the Priory at Durham a moor at Moorsley, near Houghton-le-Spring, which they had granted to his father Ilbert, "cementarius" (a mason or builder), probably in payment for work done by him at the new Priory buildings, the moor containing limestone fit for mortar.⁴⁴ And "Nicholaus de Stapeltone, miles," who seems to be conversant with the business of the Priory Court (*juratus et requisitus de curia de placitis placitatis in curia Prioris*), gave evidence on behalf of the Prior against the Bishop in respect of certain lands of St. Cuthbert.⁴⁵ Sir Nicholas and his father seem both to have been interested in the Priory. It may have been as a "benefactor" that masses were put up for the soul of his grandson, Sir Miles, after his death at Bannockburn.⁴⁶ Galfridus, or Geoffrey, was a common name at this time, taken from Geoffrey Plantagenet, second son of Henry ii., husband of Lady Constantia, Countess of Richmond. Geoffrey de Stapelton may have been the knight who served with Richard i. in Palestine, and, marrying the Cypriote princess,⁴⁷ dedicated his eldest son to the patron saint of sailors and Crusaders. Certain it is that for several generations after this the firstborn of the family always bore the name of Nicholas. We shall find several traces of some old tradition of the Crusades and royal favour, which may account for the rapid advancement of an English family at a time when the Normans kept most of the good things for themselves.

At any rate Nicholas, "son of Geoffrey," was Benedict's heir (perhaps his nephew), and succeeded him in his lands at Stapelton. His father was apparently dead, and Nicholas still only a youth, when he was joined with Benedict among the "pledges" of Roald fitz Alan in 1208.⁴⁸ In 1216, Benedict has disappeared, and Nicholas is again one of the sureties of Reuland (Roald) fitz Alan, "for the payment of a fine of 200 marks, to be admitted to the King's Peace (*pro hēnda benevolencia sua*), and for the peace of his men who had been taken in the castle of Richmond;" and also "for another 200 marks which he owed before."⁴⁹ Roald had evidently been in rebellion against the King, as so many others had been. The "200 marks which he owed before" refer to 1208, when, having been

⁴¹ *Ibid.* 24 a.

⁴² Feet of Fines Ebor. 30 H. iii. MS. Index in Record Office.

⁴³ Probably a small farm called Feldom, Yorkshire Arch. and Top. Journal, vol. vi.

^{44a} Burton Mon. Ebor, pp. 267 and 369.

⁴⁴ Feod. Prioratus de Durham (Surtees

Soc.), ii. 127.

⁴⁵ *Ibid.* p. 281.

⁴⁶ *Infra.*

⁴⁷ *Supra.*

⁴⁸ *Supra.* Hardy's Rot. de Finibus, p. 444.

⁴⁹ Hardy's Rot. de Fin. and Oblatis, p. 603.

ordered by letters patent signed "Geoffrey fitz Peter," the King's Justiciar, at York, 27 May 1206,⁵⁰ to deliver up the Castle of Richmond to Hugh de Nevile "the Forester," during pleasure, he was afterwards restored in 1208, on giving security for the payment of a fine, as we have seen.⁵¹ Roald seems to have been again deprived, and again restored in 1216.

The last quarrel between the King and his Barons began by the Northern men refusing to follow him to France in 1213. Among them were Eustace de Vesci, Richard de Perci, Peter de Brus, Nicholas de Stuteville, William de Moubray, and others.⁵² In May, 1215, he reluctantly signed the Charter at Runnymede, but though pretending to acquiesce, began borrowing money secretly on all sides, to fortify his castles. After harvest, he laid siege to Rochester with an army of mercenaries. Quitting it on the 6th Dec., he entered Yorkshire at the new year (1216), and reached Berwick on the 14th Jan.⁵³ Nicholas de Stapelton, with Roald his liege lord, and fitz Henry of Ravenswath and Roger de Aske of Gilling, and other Richmondshire Knights, had given in their adhesion the week before, and obtained the "King's Peace" at Newcastle on Tyne, 8 Jan.⁵⁴ The following day the Constable of Richmond had orders to release all Roald's Knights and men-at-arms who had been taken in the Castle,⁵⁵ and to give up his lands and chattels (*catalla*). Nevertheless the castle was retained for the present by Robert de Vipont and Philip de Ulecot, for the same orders are repeated in July.⁵⁶ Staying only a week at Berwick, the King turned South to Barnard Castle (30 Jan.), and swept across the whole breadth of Yorkshire by Skelton to Scarborough, and then back to York and Knaresborough.⁵⁷ At Knaresborough, Stapelton was rewarded with the Governorship of Middleham Castle. The Proclamation of the King's Peace on the 8th Jan. ran as follows:—

"The King to all &c.—Know that We have taken into favour (*suscipimus in grām et benevolentiam nrām*) Our beloved and faithful Nicholas de Stapelton, and that he may suffer no injury by reason of the war between Us and our barons, We have made these letters patent."⁵⁸

It was followed by Orders to the Constable of Richmond, sent by the hand of Geoffrey de Nevile, the King's Chamberlain, son of Hugh the Forester, dated 17 Feb. 1216,

"To deliver up the Castle of Middleham to Nicholas de Stapelton to keep, and to give him such men as may be deemed expedient, to hold it for the honour and advantage of the King, so that the King may be obeyed in both castles."⁵⁹

This Roald de Richmond or de Burton, of Burton Constable, mesne-lord of Stapelton on Tees, rendered Ward in Richmond Castle for thirteen Knights' fees. His ancestors had held the office of Constable almost without intermission from the time of Emsan Musard, the first Constable. "Castle Guard" had not yet been commuted for a money payment, and was still a matter of personal service. The men of Stapel-

⁵⁰ Calend. Rot. Pat. 8 Joh.

⁵¹ *Ibid.* 9 Joh.

⁵² Stubb's Const. Hist. ii. 540.

⁵³ Itinerary of K. John, and Preface to Cal. of Patent Rolls, by Sir T. D. Hardy.

⁵⁴ Rot. Pat. 17 Joh.

⁵⁵ Calend. Rot. Pat. 17 Joh.

⁵⁶ *Ibid.*

⁵⁷ Itinerary of K. John, Sir T. D. Hardy's Patent Rolls.

⁵⁸ Rot. Pat. 17 Joh.

⁵⁹ Rot. Claus. 17 Joh.

ton took their turn every year in the months of February and March,⁶⁰ and as personal service could not be exacted from a priest, they paid half a mark besides,⁶¹ for the lands at Stapelton which Roald had given to the Abbot of St. Agatha. The disposition of the tenants on guard at Richmond is shown in a mediæval drawing engraved by Gale and Clarkson.⁶² Roald's banner is seen hoisted on the great tower, over the semicircular fore-court or barbican at the entrance gate. Ranulph son of Robert, Lord of Middleham, had his post in the tower now called "Robin Hood's." Brian fitzAlan Lord of Bedale, occupied the great hall of Scolland; and Torphinus, an ancestor of the Marmions, Randolph fitzHenry Lord of Ravenswath, Conan son of Elias Lord of Kirkby Fletham, Thomas de Burgh the Seneschal, and Walter of Eggescliffe, all had their stations assigned them along the castle walls.

Like most of the great Richmondshire castles, Richmond owes its origin to the frequent absence of the Earl, being also Duke of Brittany.⁶³ The Conqueror had met with vigorous opposition in the North. Edwin Earl of Mercia, who was Lord of the Honor of Richmond, rallied round him the flower of the Saxon nobility, and made a gallant stand at York; but the Saxons being defeated, Alan Niger, a younger son of Count Eudo de Bretagne, was rewarded with Edwin's lands. Alan built the Castle of Richmond, and in feudal manner distributed lands among his followers,⁶⁴ who also built castles and imitated the liberality of their benefactor.⁶⁵ The great Norman keep, which is still the glory of Richmond, was built by Alan's grandson Conan the fourth Earl (1146—1171), father of Constantia Countess of Richmond.

Middleham Castle was founded by Robert fitzRanulph (living 1206). His grandfather Ribald was a brother of Alan Niger, from whom he received the first grant of the lordship of Middleham, though he was afterwards "shorn a monk" of St Mary's Abbey at York.⁶⁶ It was subsequently confirmed to his son Ranulph fitzRibald, surnamed Taylboys, who married Agatha, daughter of Robert Brus, Lord of Skelton Castle. Their son Robert fitzRanulph, the founder, married Helewise de Glanvill, daughter of Henry the Second's great Justiciary. This "Lady of Middleham Castle" being left a widow in 1190, founded a monastery of Præmonstratensian Canons at Swainby, on the other side of Bedale; but her son, having quarrelled with the monks, transferred it in 1214, with his mother's remains, to a new House in Coverdale, nearer Middleham. Ranulph son of Robert was of full age in 1209, for in that year (7 Joh.) he paid a fine to the King, for livery of the third part of the inheritance of William de Stuteville in Braham and Leyburn, and was lord of Middleham. He married Mary, daughter of Roger Bigot Earl of Norfolk, and dying in 1251, left a son Ralph, whose daughter, "Mary of Middleham," carried it to the Nevilles of Raby.⁶⁷ How long Stapelton continued Governor of Middleham—indeed, how long he lived—is unknown. A grant to Byland Abbey in the 28th Henry iii. shows that he was living in 1244. But the fact that no other Governor is mentioned, though the Civil War continued, may be presumptive evidence that Sir Nicholas held

⁶⁰ Gale's Honor of Richmond, p. 36.

⁶¹ *Ibid.* p. 31.

⁶² Clarkson's Hist. of Richmond, p. 52, Harl. MS. 4219.

⁶³ Preface to Richmondshire Wills, by

Canon Raine (Surtees Society), p. vi.

⁶⁴ *Ibid.*

⁶⁵ *Ibid.* p. vii.

⁶⁶ Whitaker's Richmondshire, i. 343.

⁶⁷ *Ibid.* i. 332.

Middleham in the reign of Henry. We shall find that one branch of the family at least bore the arms of Fitz Ranulph for a time.⁶⁸ Lord Ranulph was evidently more disposed to the peaceful pursuit of looking after the monks he had established at Coverham than fighting the King's battles. Whitaker seems to have had him in view when he says, "at that time great lords loved to have some religious house immediately dependent on themselves, where they were received with solemn processions, and feasted with every delicacy the domain could supply. From these houses they issued with their horses and hounds, to enjoy the pleasures of the chase, and here, after death, their bones reposed in tombs."⁶⁹ Two cross-legged effigies, still to be seen in the garden at Coverham (removed from their original position in the Chapter-house), are said to represent Ranulph the founder and his son Ralph the hunting Baron (who died in 1270),⁷⁰ and his three greyhounds.⁷¹

Attempts were made to destroy the castle by gunpowder in the Civil War of the 17th century, but the great keep is still as perfect an example of a Norman fortress as any in England. Like the great castle of the Scopes higher up the same valley (though Bolton was not built till near 200 years later), Middleham stood out all alone on the bare hillside without moat or earthworks, trusting only to the thickness of its walls for defence. The absence of any substantial remains of an outer court or barbican at the entrance gate, both here and at Richmond, may be explained by their having been usually formed of palisade and timber. So it was at Front de Bœuf's castle in "Ivanhoe," which was burnt.⁷² It was not till Richard the Second's time that the Nevilles added the surrounding buildings. These, though now much more dilapidated than the Norman keep, were better suited for the requirements of a Court, when the castle became a stronghold of the Earl of Warwick and a favourite residence of Richard iii.⁷³

Like Bolton, the keep at Middleham is a massive square, but there is no courtyard inside. It has four large corner towers, and projecting garde-robe turrets in the centre of two of its sides. The bases of the latter have been fearfully undermined by gunpowder, and seem to be supported only by hanging to the adjoining walls. The gap enables the curious visitor to examine their interior construction. On the east side are some remains of a steep incline which led up to the great entrance, twenty feet above the ground. Opposite the great door, on the same high level, is the chapel, standing out into what was formerly the fore-court or barbican, with two vaulted storeys below for the priests, communicating by a staircase with the chapel above. There is enough of the walls and the groining of the chapel roof remaining to show its dimensions and its purpose.

The inside of the keep is divided into two nearly equal parts, the Great Hall and "My Lady's Bower." By the great door at the top of the incline we enter at once into a hall about 72 feet long by 24 broad. It is lighted by five narrow windows, widely splayed inside, along one side, and two others at each end. The window next the great door is

⁶⁸ *Infra*.

⁶⁹ Whitaker's *Richmondshire*, i. 354.

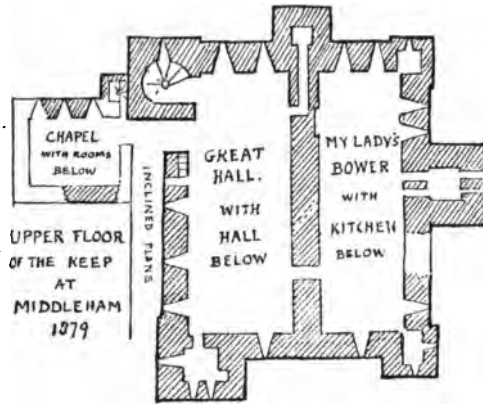
⁷⁰ Murray's *Handbook of Yorkshire*, p. 287.

⁷¹ Longstaffe's *Guide to Richmond*.

shire, p. 77.

⁷² Sir Walter Scott's *Ivanhoe*, ii. 89.

⁷³ Murray's *Handbook of Yorkshire*, p. 286.



THE KEEP OF MIDDLEHAM CASTLE.

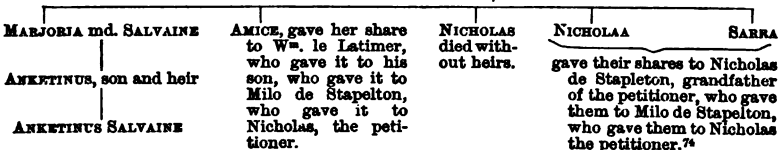
[To face p. 12.]

smaller than the others, and has a narrow stair leading up to it inside the wall, "to speak with the enemy at the gate." Half-way down the steep approach is a "Warder's Bower," where a guard was mounted to prevent surprise. The inside walls are of squared stone neatly jointed, with a plain corbel-table running round the top. The roof has long since fallen in. "My Lady's Bower" seems to have been subdivided into two or three rooms. The furthest has a fireplace with a square chimney, and by the side of it is a large oval chimney belonging to the kitchen below, both built in the thickness of the partition wall, and of course co-eval with the foundation.

By the side of the great entrance door is a broad "newel" staircase large enough for horses, leading down to the basement. This floor is also similarly divided. The vaulted roof of the lower hall has been supported by a row of six stone pillars, but nearly the whole of it has fallen in. It is lighted by narrow windows placed high up in the wall, but has no communication with the outside except by the staircase and the great entrance door. There are cupboards or lockers round the walls. Under "My Lady's Bower" are the offices, and the kitchen with its huge fireplace. A funnel-shaped scullery drain to keep out intruders runs through the wall at the ground level into a stone tank outside. On both floors there are stone water drains for washing the floors, very small outside but gaping like huge three-cornered mouths within.

There seems to be no reason for interposing another Nicholas here, between the Governor of Middleham and the Judge, as Mr. Foster has done in his "Yorkshire Pedigrees," marrying him to a Mallory; relying apparently on a plea-roll of Edward ii. From this plea-roll we learn that in the 5th Edw. ii., many years later, Anketin Salvayn and Nicholas de Stapelton, great grandson of the Governor of Middleham, disputed the right to present to the church of Tyverington or Terrington, near Malton, the one claiming by marriage, the other by deed of gift. Anketin Mallory, the original possessor, had left a son who died without issue, and four daughters, who thus became entitled to the right of presenting in turn. One of these daughters married a Salvayn, two others gave their turns to Nicholas Stapelton the Judge, and the fourth gave hers to William le Latimer, from whom it passed to the Stapeltons. The subjoined pedigree (in Latin) is set out on the record:—

ANKETINUS MALORE, temp. H. III. — SARRA



It is much more likely that Nicholas de Stapelton of Middleham married a Salvain (perhaps Margery's daughter), as is indeed suggested in a MS. pedigree in the British Museum.⁷⁵ This hypothesis would also

⁷⁴ Nichols' Coll. Topog. et Genealogica, i. 258.

Yorkshire, Harl. MS. 4198, fo. 98. Also in the pedigree of 1660.

⁷⁵ The Trew and Perfect Visitation of

account for possession of the demesne at North Duffield, when the Stapeltons had a grant of free warren there in 1272, for the Salvains of Harswell were formerly lords of Duffield. One of the Stapeltons, it will be remembered, is styled "lord of Harswell," in Randle Holme's Pedigree.⁷⁶

Gerard Salvain, Robert de Stapylton, and William de Medilton, the sheriff, were all witnesses to a grant, made by Nicholas de Stapelton in 1244 (28 H. iii.), of half his wood at Wilsenden to the Abbey of Byland.⁷⁷ Wilsden, which lay out on the moor near Keighley, still belonged to Byland at the Clipston Inquest in 1316.⁷⁸

Contemporary with the Governor of Middleham, and probably his brother, was Roger de Stapelton, afterwards sheriff of Yorkshire. There was another Roger at Cudworth in the W. Riding, at the same time, and care must be taken here to distinguish between the two families. The name of Roger, which now first appears, seems to have been derived from the Moubrays, Lords of Gilling Castle,⁷⁹ from whom the Richmondshire Stapeltons held Wath (near Gilling) and Austwick, probably for some special military service in bygone days. Roger de Moubray, son of Nigel de Albini, was one of the chief commanders at the Battle of the Standard in 1138, though under age at that time. Ten years afterwards he accompanied Lewis King of France to the Holy Land, and at a later date he founded the Abbey of Byland and the Priory of Newburgh. He was also a benefactor to Fountains and Jervaulx.⁸⁰ His son Nigel took a journey to the Holy Land, 3 Richard i., but died before landing. Nigel's son William had relief of his lands in the 6th R. i. (1195),⁸¹ and Roger de Stapelton was witness to a charter signed "W. Nigel de Moubrai," granting an exchange of lands to the monks of Byland.⁸² The same Roger de Stapelton gave to the monks of Fountains one oxgang of land (about 15 acres) at Horton in Ribblesdale (part of Austwick), "with Yvo his native⁸³ and all his family," which Thomas son of Walter de Sic'ling de Masham confirmed.⁸⁴ It will be observed that Yvo was *given* with the land to look after it. Villeins and Bordarii owed their service to the land, and could not quit without leave of the lord, but neither could they be sold off the soil like slaves, into service of a different kind.⁸⁵ The same Roger witnessed a grant made to Fountains by Adam de Pountayse⁸⁶ of a mill at Kirby Wisk; and a charter of Thomas de Colville—one of the "Colviles of the Dale"⁸⁷—when he gave his meadow of Iselbrugge to Byland Abbey.⁸⁸ He was also witness to a grant of a toft and croft at Fletham made by Henry Gayner of Fencotes to Marrig Abbey.⁸⁹

In the last-mentioned deed he is styled "Dñs Rogus de Stapelton;" Dñs Franciois, or Fraunceys, lord of Fencotes,⁹⁰ being another witness.

⁷⁶ *Supra*, p. 70.

⁷⁷ Registrum de Byland, Burton Mon. Ebor. 237, 238.

⁷⁸ Kirkby's Inquest, ed. Skaife (Surtees Society), p. 361.

⁷⁹ Camden's Brit. 918.

⁸⁰ Dugd. Baronage.

⁸¹ *Ibid.*

⁸² Torre MSS.

⁸³ *i.e.* his villein. Ellis. Introd. to Domesday, i. 76.

⁸⁴ Burton Mon. Ebor. p. 171.

⁸⁵ Pearson's Hist. of England, i. 384.

⁸⁶ Burton Mon. Ebor. p. 175.

⁸⁷ Murray's Handbook of Yorkshire, p. 219.

⁸⁸ Torre MSS.

⁸⁹ Nichols' Collect. Top. et Gen. v. p. 106.

⁹⁰ Kirkby's Inquest (Surtees Society), p. 157.

Hence it is presumed that Roger was already lord of the manor of Kirkby juxta Fletham, as the next Sir Nicholas the Judge certainly was, but how Roger became possessed of it there is no evidence to show. At the Domesday Survey Kirkby and Fletham were two distinct places.⁹¹ The termination "by" indicates a Danish settlement. Kirk-by is the village with a church, but the Danish church had disappeared in 1085, and the Domesday Book only mentions "a priest and a church," at Fletham.⁹² All trace of the church at Fletham has now vanished, and the parish church again stands on the site of the ancient vill of Kirkby,⁹³ a mile further north. It contains Norman portions, and a fine Norman south door; so it was built before Roger de Stapelton's time.⁹⁴ The rest of the present edifice is Decorated.

The Domesday record tells us that Eldred the Saxon had "i manor at Cherchebi, in the Confessor's time." He was among the few Saxons who retained their estates after the Conquest, holding under the Earl of Richmond "in demesne," i.e. in his own occupation, "one carucate of land (about 100 acres) with six villeins, and two carucates besidea." These last may have been wood or waste, but the extent, three carucates in all, is just what Sir Nicholas, who succeeded Roger, had there two hundred years after Eldred.⁹⁵

As Kirkby marks the Danish village, Fletham marks the Saxon—Flete-ham, the "village by the flats," of the river Swale. The Saxon owners of Fletham, Gamul and Uchtred, were dispossessed at the Conquest, and their lands given to a Norman, Odo, "a man of the Earl's," his chamberlain. Odo had also the hamlet of Fencotes.⁹⁶

In 1237 and 1238 Roger de Stapelton was joint Sheriff of Yorkshire with Brian fitzAlan.⁹⁷ The Sheriff occupied a position of importance and profit, but by one of the articles of the Great Charter he was required to be "knowing in the law of the Realm."⁹⁸ His duties were both financial and judicial, and the office was sometimes duplicated or divided. Brian fitzAlan was one of the great Barons of Richmondshire, and had previously held the office of Sheriff in Northumberland (12 H. iii.). As Sheriff, he collected all the revenues of the county, and paid them in to the King's Exchequer, after defraying the cost of the execution of justice, the wages of the keepers of the King's castles, pensions and alms, transport of treasure, &c. He also held the Sheriff's "Tourn" and Court Leet twice a year, when the "pledges" were called out.⁹⁹ But a Deputy (*vicarius*), learned in the law, attended to the administration of justice, and Stapelton presided at the trial of prisoners and the County Courts.

Whether the Stapeltons of Cudworth were a branch of the Richmondshire family is a question we shall have to consider. The learned historian of the Deanery of Doncaster says they must not be confounded with the more famous house in the North Riding,¹⁰⁰ but we

⁹¹ Whitaker's Richmondshire, ii. 61.

⁹² Gale's map places it on Fletham Green, Gale's Honor of Richmond.

⁹³ Kirkby's Inquest (Surtees Society), p. 149, n.

⁹⁴ Chronol. Table of styles, Rickman's Architecture.

⁹⁵ Kirkby's Inquest (Surtees Society),

p. 149.

⁹⁶ Whitaker's Richmondshire, ii. 61.

⁹⁷ Drake's Ebor. 351.

⁹⁸ Stubbs' Const. Hist. i. 538.

⁹⁹ Stephen's Blackstone, iv. 386.

¹⁰⁰ Hunter's Deanery of Doncaster, ii. 398.

shall be able to show that at least they bore the same arms. The Cudworth family held their lands under the Lacies of Pontefract, and are best known for their numerous gifts to religious houses. The Lacies were great church-builders. They were the chief benefactors, if not the founders, of St. Oswald's at Nostel, and of Kirkstall.¹⁰¹ Robert de Lacy founded the Priory of Pontefract in 1159, and Robert de Stapelton was present as a witness when his younger son Henry de Lacy confirmed a grant to the same monks of the "Church of Dardington and the Chapel of Stapelton."¹⁰² "Stapeltone" next "Darumtone" (Darrington), as it is written in Domesday, now Stapleton Park, was of the fee of Lacy, and Robert was one of the knights of Yorkshire in 1166,¹⁰³ holding two knight's fees of Henry de Lacy.¹⁰⁴ He gave lands at Cudworth (*terram de chudwerda*) to the neighbouring priory of Monks Bretton in 1186,¹⁰⁵ and some more at Armley, near Leeds, to Kirkstall Abbey.¹⁰⁶ In another grant of Stapelton chapel to the monks of Pontefract, Sir Robert (3), is styled "filius Willi (2), fil. Hugonis de Stapelton (1)," ¹⁰⁷ and in a subsequent confirmation of the same grant, his grandson Robert calls himself "Robertus (5), fil. Willi. (4), fil. dñi Roberti (3), avi mei." Thus we get a pedigree of five descents. Their principal residence was at Cudworth. The first Sir Robert's widow Clarcicia and her son William (4) made a covenant with the parson of Roreston (Royston), their parish church, to have a chapel in the Hall at Cudworth, for which they gave six acres of land, and the name of Robert de Stapelton is to be put in the martyrology of the church.¹⁰⁸

The last Sir Robert (5) was one of the superior officers of the Honor of Pontefract in 1250,¹⁰⁹ and held his Court there. He gave the Canons of Nostel twelve acres of land in Cudworth;¹¹⁰ and in 1255 received a grant of free warren from the King in all his demesne lands in Stapelton (Stapleton Park), Thorpe-Stapelton, and Cudworth.¹¹¹ He was deceased in 1284-5, for at Kirkby's Inquest, "Thorpe sub Rothwell Haught" (Haye or Hayne being the pale which surrounded the ancient park of the Lacies in Rothwell parish), was held by "the heirs of Robert de Stapilton." At the end of Edward the First's reign, Thorpe-Stapelton belonged to the Scargills,¹¹² a North Riding family. A writer in the "Herald and Genealogist"¹¹³ tells us Warine Scargill married Clara de Stapleton; and in the north window of the choir of Rothwell Church, "Dodsworth noticed the arms of Scargill, ermine, a *saltier gu.* paled with the arms of Stapleton, *arg. a lion rampant, sa.*"¹¹⁴ The same arms of Stapelton were also found in the neighbouring churches of Swillington and Whitkirk.¹¹⁵ We shall find them on seals of the Richmondshire family about the same date, 1300.

The evidence of a supposed difference between the two families ¹¹⁶

¹⁰¹ Murray's Handbook of Yorkshire, p. 336.

¹⁰² Dugd. Monast. v.; Yorkshire Archæol. and Topog. Journal, v. 306.

¹⁰³ Glover's Visitation, Harl. MS. 1415.

¹⁰⁴ Liber Niger.

¹⁰⁵ Burton Mon. Ebor. p. 198.

¹⁰⁶ *Ibid.*, p. 289.

¹⁰⁷ Gervase Hollis' Collections, Lansd. MS. 207 A, p. 616.

¹⁰⁸ Hunter's Deanery of Doncaster, i.

398.

¹⁰⁹ Liber Niger; Nichols' Herald and Genealogist, iv. 227.

¹¹⁰ Hunter's Doncaster, ii. 398.

¹¹¹ Rot. Cart. 39 H. iii.

¹¹² Thoresby's Leeds, p. 225.

¹¹³ Herald and Geneal. iv. 237.

¹¹⁴ Herald and Geneal. iv. 104.

¹¹⁵ *Ibid.* p. 235.

¹¹⁶ Hunter's Deanery of Doncaster, ii.

398.

seems to rest principally on a seal of Robert de Stapelton, of Cudworth, attached to a grant of land to the monks of Bretton, about 1186,¹¹⁷ mentioned above. "His seal eppendent being y^e fess indented."¹¹⁸ A pen and ink drawing in the Leeds Library,¹¹⁹ represents a *chief* indented, with the words "Sigill. Roberti de Stapelton" round it. The date of the latter is about 1206. A shield *az., with a chief indented, or,* in the windows of York Minster, is attributed to Fitz Ranulph,¹²⁰ the founder of Middleham Castle.¹²¹ It would be interesting to know if the Stapeltons of Richmondshire did not also bear the same arms, the "chief indented," before they took those of Bruce.

The ruins of the "medieval residence of the Scargills"¹²² at Thorpe-Stapelton, whether it was built by the Scargills or Stapeltons, are still to be seen on the left bank of the Aire below Leeds. They consist of a large



square pele-tower, still standing, and two courts, each about forty yards square, of which the smaller buildings were demolished by Sir Arthur Ingram, of Temple Newsom, in the reign of Charles I.

Roger de Stapelton of Cudworth, the contemporary of Roger the Sheriff, confirmed a grant of land in Darthington to the monks of Kirkstall, in which he is described as "Roger (3), son of Robert (2), son of Gregory de Stapyton (1), and by descent nephew and heir of Richard son of Alan Nohel de Smitheton,"¹²³—apparently Kirk Smeaton, close to Stapleton Park.

Eudo de Stapelton, a prisoner taken at the siege of Carrickfergus in 1210,¹²⁴ who was ordered to be set at liberty by King John, when he

¹¹⁷ Burton Mon. Ebor. 198.

¹¹⁸ Torre MSS. See also a paper on Holy Trinity Priory, Arch. Inst. York. p. 64.

¹¹⁹ MS. volume of Yorkshire Pedigrees, p. 224.

¹²⁰ Drake Ebor. p. 534.

¹²¹ Gale's Honor of Richmond.

¹²² Murray's Handbook of Yorkshire, p. 354.

¹²³ Burton's Mon. Ebor. p. 293.

¹²⁴ Cf. Eyton's Salop, x. 86.

visited Pontefract, 13 Sept. 1213,¹²⁵ was probably another of the same family, though it appears that he was confined in Richmond Castle, for the order is addressed to Ph. de Ulecoot,¹²⁶ who was Governor there.

Notwithstanding the victory at Evesham, violent disorder marked the close of Henry the Third's reign. A few months before the king's death another Nicholas de Stapelton received a grant of free warren (1 June, 1272) "in all his demesne lands" at Stapelton, Kirkeby, Wath, North Duffield, and Oustwyk, co. York.¹²⁷ It was given at Westminster under the King's hand "at the instance of the venerable father William Archbishop of York," according to the form then in use, "forbidding all persons to enter on the lands specified, without leave and license of the owner, under a penalty of ten pounds." The fine, representing about £200 of our money, is only a mild example of the extreme severity of the Forest Laws. In the following reign offenders were liable for taking game, to "three years' imprisonment, to pay damages, and to make a fine with the King."¹²⁸

This Nicholas (heir of "Nicholas filius Galfridi," governor of Middleham Castle) was one of the Judges of the Curia Regis. He seems to have inherited Stapelton and North Duffield from his father and mother respectively, and Kirkby Fletham from his uncle Roger. Little is known of his early youth, but two extracts from the public records will at least show the rough manners of the period, if they do not inculcate the future Judge and his brother. In the Patent Rolls of the 52 H. iii., about four years before he was raised to the judicial bench, is a royal edict, as follows:—

"Know all men &c.—That We have pardoned Our beloved and faithful Nicholas de Stapelton for having, as is alleged, cruelly maimed a friar, one Roger Landry of Norbury (? Newburgh), and for other transgressions which the said friar has charged against him, but of which he has cleared himself [*de quibus rectatus est*]."¹²⁹

The friar seems to have committed some grave offence, and Stapelton had taken the law into his own hands. Instances of "mayhem," or maiming, are not uncommon,¹³⁰ but the penalty was very severe,¹³¹ and Nicholas was fortunate in having sufficient influence at Court to obtain a pardon, without being brought to trial at the assizes. The King was evidently not forgetful of past services in the late civil war.

The other case was one of illegally rescuing a debtor and his goods out of the sheriff's custody. The offenders were all of gentle blood, the two principals being probably nearly related to the late sheriff and his deputy. Brian fitzAlan was lord of Melsonby, and afterwards Viceroy of Scotland. Adam de Nairford was his tenant.¹³²

"Henry de Midleton [the sheriff] charged one Brian fitzAlan, Gilbert de Stapilton, and others, at York Assizes in 1266-7, for that they had lately come to the manor of Melshamby, which is in his custody, and took and carried away his goods and chattels there to the value of £20,

¹²⁵ Rot. Pat. 15 Joh.

¹²⁶ *Vide supra*, p. 74.

¹²⁷ Rot. Cart. 56 H. iii.

¹²⁸ Stubbs' Const. Hist. iii. 538.

¹²⁹ Rot. Pat. 52 H. iii. m. 16.

¹³⁰ Whitaker's Richmondshire, i. 344.

¹³¹ Stephen's Blackstone, iv. 150.

¹³² Kirkby's Inquest (Surtees Soc.), p. 170.

and also [carried away] one Adam son of Hugh de Nairford who was in his custody. To which the parties did not appear."¹³³

The case was sent to the assizes, but leniently dealt with. The decision of the Court endorsed on the Record, "Orders to the Sheriff to distrain," shows that they were let off with a fine. Gilbert was probably a brother of Nicholas, and died the same year as the Judge, for in 1291 there is an order to the Treasurer and Barons of the Exchequer "to take possession of the lands of Aymer de Valence Earl of Pembroke, John Lovel of Tychemersh, and Gilbert de Stapelton, and their heirs."¹³⁴

At the death of Henry the Third, his successor being abroad on his way home from Palestine, and no regency appointed, the late King's Council kept office until the new King's return. Walter de Merton, the founder of the college of that name at Oxford, which he had just removed from Malden in Surrey, continued as Chancellor, and Nicholas de Stapelton was one of the King's Justices.¹³⁵ In the Exchequer Roll of 1 Edward i., there is an order for payment "to Nicholas de Stapelton, one of the King's Justices assigned to hold pleas before the King, 20 marks this time, in discharge of his expenses for the time he remained in the King's service in the office aforesaid . . . until the King's return to England."¹³⁶

Edward remained abroad two years after his father's death. He had no sooner landed at Dover in August, 1274, than he sent Stapelton and Roger de Mortimer as Justices Itinerant to enquire into a riot at Winchester. Andrew the late Prior, having been excommunicated by the Bishop of Ely, had appealed to Rome, and on his return had attempted to enter the Cathedral by force. It was only by the King's Justices that the riot was stopped.¹³⁷ Visitations for general gaol delivery were as yet made only at irregular intervals.¹³⁸ In 1275, Stapelton was the chief of four Justices itinerant into Worcestershire. But the judges of the Curia Regis had also to attend the King on his long journeys, riding through forest and fen on hired packhorses,¹³⁹ led by country guides. The Itineraries of two of our early Kings, which have been published,¹⁴⁰ show how restless was the activity which possessed the Court in those days, when the King in person performed the duties of Chief Judge.

Great legal reforms, which have gained for Edward the title of the "English Justinian,"¹⁴¹ were already beginning. Burnel was now Chancellor. The King had two excellent advisers in Hengham and Britton, and he had also brought over Francesco Accursi,¹⁴² the son of the great legist of Bologna. The majority of English judges were still only priests by education. Hengham himself had received the tonsure, and was a canon of St. Paul's.¹⁴³ Stapelton is said to have been bred a lawyer,¹⁴⁴

¹³³ *Placita coram Rege*, 51 H. iii. rot. 10, 16 dors.

¹³⁴ *Reddi seisine*, Abb. rot. orig. 19 E. i. no. 10.

¹³⁵ *Foss' Judges*, iii. 156.

¹³⁶ *Devon's Issues of the Exchequer*, 1. E. i.

¹³⁷ *Ann. Monastici*, Winton, iv. p. 17 (Record Office Series).

¹³⁸ *Stubbs' Const. Hist.* ii. 270.

¹³⁹ *Longman's Lectures on English History*.

¹⁴⁰ H. ii. by Eyton, and King John by Sir T. D. Hardy.

¹⁴¹ *Stubbs' Const. Hist.* ii. 105.

¹⁴² *Ibid.*; Dante, *Inferno*, Canto xv.

¹⁴³ *Lord Campbell's Chief Justices*, i. 72.

¹⁴⁴ *Foss' Lives of the Judges*, iii. 156.

perhaps tutored by his uncle Roger the Sheriff. A new division of the Courts was made, the King's Bench comprising Ralph de Hengham, Nicholas de Stapelton, and Walter de Wimburne, who were paid a salary of only 60, 50, and 40 marks per annum respectively.¹⁴⁶ They were allowed a small pittance more to purchase robes, and fees on the causes they tried, "to stimulate their industry."¹⁴⁶

The council of the previous reign was continued as part of the general system of government. It travelled about with the King, and assisted him in hearing suits and receiving petitions. Some cases were answered by the King himself, others were referred to one or more of the Judges, who were members of the council by virtue of their office, and some were heard "in full council."¹⁴⁷ In 1276, Nicholas de Stapelton was present in full council, when judgment was given for the King against Gilbert de Clare, Earl of Gloucester, who, having been one of the most turbulent of the barons at the end of the late King's reign,¹⁴⁸ now claimed the castle and borough of Bristol as a condition of his allegiance to Edward.¹⁴⁹ The council on this occasion comprised the Archbishop of Canterbury, four bishops, three earls, eleven barons, and seventeen judges and clerks. Two foreigners, Francesco Accursi and the Bishop of Verdun, were also present.¹⁵⁰ Two years later (Sept., 1278), Nicholas took part in a great state ceremony, when Alexander, King of Scots, the King's brother-in-law, having first held out at the coronation for his claim to the kingdom of Scotland, now became alarmed for the safety of his English fiefs, and offered unconditional homage "in the King's Chamber at Westminster, in presence of the Parliament."¹⁵¹ An ancient limning, formerly in the College of Arms, represents this council.¹⁵² The English King is seated on a throne raised on a marble seat, twelve feet long by three wide, at the upper end of Westminster Hall, called, from this particular dignity, "the King's Bench."¹⁵³ Alexander and Llewellyn, on either side, sit below him on the "Bench," and the two archbishops outside the Kings. In front are the peers of parliament in two rows round the chamber. The mitred abbots number nineteen; there are only eight bishops present, and twenty temporal peers. The Chancellor and Judges are seated on wooolsacks in the centre.¹⁵⁴ Llewellyn was afterwards killed in a skirmish near Builth. The trial of his brother David was the occasion of another assembly to which Stapelton was summoned, "among the justices and others of the council," to Parliament at Shrewsbury, on the morrow of St. Michael (30 Sept., 1283).¹⁵⁵ Eleven earls, ninety-nine barons, and nineteen other men of note, judges, councillors, and constables of castles, were called up by special writ, and the sheriffs were further charged to return two elected knights for each county, and two representatives of boroughs.¹⁵⁶ David was sentenced to be hung, drawn,

¹⁴⁶ Rot. Claus. 6 E. i. m. 6. Palgrave's Writs.

¹⁴⁶ Lord Campbell's Lives of the Ch. Justices, i. 72.

¹⁴⁷ Stubbs' Const. Hist. ii. 262.

¹⁴⁸ Hume's Hist. of England, ii. 219.

¹⁴⁹ Stubbs' Const. Hist. ii. 94; Sayer's Memorials of Bristol, ii. 75.

¹⁵⁰ Stubbs' Const. Hist. ii. 262 n.

¹⁵¹ Rot. Claus. 6 E. i. m. 5, dors. Palgrave's Parl. Writs.

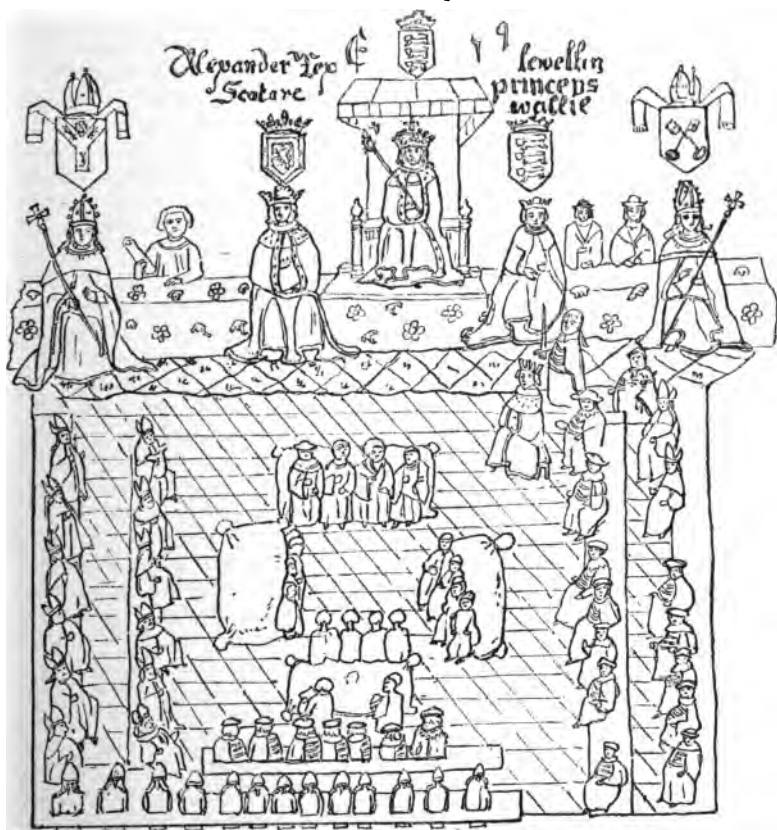
¹⁵² Longman's Lectures on English History, p. 106, where it is engraved.

¹⁵³ Stanley's Memorials of Westminster Abbey, p. 50.

¹⁵⁴ The names are given in Rymer, tom. ii. 126.

¹⁵⁵ Palgrave's Writs, Rymer Fœd. ii. 249.

¹⁵⁶ Stubbs' Const. Hist. (Lib. Edition), ii. 126.



PARLIAMENT AT WESTMINSTER, 1278.

[To face p. 20.]

and quartered. The Curia Regis were his judges; the barons watched the trial as his peers. A few days later the Statute of Acton Burnell was enacted at a little town ten miles off, from which circumstance this has sometimes been called the first parliament of Acton Burnell.¹⁵⁷ The King heard suits there, and received petitions as usual, some of them being referred to the Judges. A question of liability to repair certain quays and bridges at Spalding in the fens, which had been destroyed by the sea breaking in, was referred to Sir Nicholas to decide.¹⁵⁸ A month afterwards he was summoned to another Council at Westminster, when the Prior of Malvern and the Bishop of Worcester¹⁵⁹ "entered into an agreement." (Nov. 8, 7 E. i.)

Edward spent the Christmas of 1284 at Bristol, where he restored to the citizens their charter, which they had forfeited by refusing to supply the garrison with provisions.¹⁶⁰ It was left to the Chief Justice and Stapelton to determine how many fish of each sort the fishermen were bound to supply.¹⁶¹ From 1286 to 1289, the King was in Gascony. The nobles grumbled at his absence, and refused to grant him supply till he returned.¹⁶² His cousin, the Earl of Cornwall, was left in charge of the kingdom, and Stapelton was summoned to Westminster, at Michaelmas 1288, to advise the Earl in Council.¹⁶³ Sir Nicholas also signed the Pleas in Norfolk and Suffolk (in 1287) with the other Judges, as "holding the place of our Lord the King."¹⁶⁴

But a storm was ready to burst over the whole Bench. The King was besieged with complaints on his return. It was said the Judges allowed the highest personages in the realm to influence their decisions. We have seen a case of maiming, and of rescuing out of the sheriff's custody overlooked;¹⁶⁵ and a recent attack on the fair at Boston by gentlemen of position, and other similar riots, showed that such persons could reckon on immunity from punishment as easily as in the previous reign. A commission was appointed to hear complaints at Westminster, and nearly all the Judges were convicted of corruption. The two Chief Justices Hengham and Weyland were removed, and others were heavily fined.¹⁶⁶ Stapelton seems to have escaped; his name is not even mentioned. The last we hear of him sitting in court is at the Penrith Assizes the year before (Trin. 1289), when Amice, the wife of Thomas de Holbeche, quit-claimed certain lands to Richard Musgrave.¹⁶⁷ That he enjoyed the confidence of the Court is evident from his being put in charge of the Honor of Richmond during the absence of the Earl, after the death of his wife. The Princess Beatrice had died very unexpectedly in her 30th year, only a few days after her brother's coronation,¹⁶⁸ to the great grief of the whole nation. A letter from the Queen-mother to the King, her son, on behalf of the Earl, is still preserved. It is dated at Lutgershall in Sussex, 8 Oct., 1282, and commences,

"Por ce que Jehan de Bretagne nostre filz est en Estrange pais
Vos prions et requirons que Vos voillez granter que mon Sire Nichol de

¹⁵⁷ Hallam's Middle Ages, iii. p. 31 n.

¹⁵⁸ Placita coram Dño. Rege apud Acton Burnell, 11 & 12 E. i.

¹⁵⁹ Palgrave's Writs.

¹⁶⁰ Sayer's Memorials of Bristol, ii. 75.

¹⁶¹ Plac. coram Dño. Rege, 13 E. i.

¹⁶² Stubbs, ii. 119.

¹⁶³ Palgrave's Writs.

¹⁶⁴ Abbrev. placit. 15 E. i.

¹⁶⁵ *Supra*.

¹⁶⁶ Stubbs' Const. Hist. ii. 120.

¹⁶⁷ Plac. coram Dño Rege, Westm., Trin. 17 E. i.

¹⁶⁸ Miss Strickland's Queens, i. 410.

Stapelton peusse entendre a ses besoignes en cest pays, et voillez maunder a li par vestre lettre que il i entende.¹⁶⁹

Miss Strickland¹⁷⁰ has translated "mon Sire" rather too literally, "*my* Sir Nichol." The Judge may have been a favourite of the Queen without being italicised in a letter. The title "mon Sire" is merely equivalent to "my Lord," as Judges are still addressed by the Bar to the present day.

Sir Nicholas died in 1290. His last act was to petition Parliament¹⁷¹ for leave to give Ulveston windmill to the Prior of Newburgh, a valuable property in those days, when none could be erected without the king's licence.¹⁷² May we not charitably suppose he was moved thereto to make amends for the injury he had formerly done to a brother of that house ?¹⁷³

It is only from his son's reply to a writ of "quo warranto"¹⁷⁴ that we learn the name of his wife. Sir Nicholas married a daughter of Milo de Basset. Philip de Basset, lord of Wycombe, a branch of the Bassets of Hedendon (Headington co. Oxon),¹⁷⁵ sheriff of four counties, and constable of nearly as many castles, and afterwards the King's High Justiciary in 45 H. iii., took for his second wife Ela, daughter of William Longespé Earl of Salisbury and widow of Thomas Earl of Warwick, who, surviving both her husbands, became a great benefactor to the University of Oxford. Warwick had the Manor of North Morton in Berkshire at his death,¹⁷⁶ and it formed part of his widow's dowry. Milo de Basset had it after her, and from him it passed to the Stapeltons. Miles Basset had "free warren in all his demesne lands at North Morton" in 1264, as well as at East and Middle Haddlesey in Yorkshire,¹⁷⁷ which also came to the Stapeltons. The circumstances attending this grant deserve notice. The charter is addressed "To the Archbishops" and other magnates of Parliament, as usual, and is "given under the King's hand at Canterbury, 1st Oct., 1264." The date was only a few months after his defeat at Lewes, when Henry retained only the semblance of a king, in the hands of his barons. The witnesses who composed his Court on the occasion were five of them insurgents, one monk, and only one Royalist. The grantee, Basset, must have been a Royalist like Sir Philip, though the Bassets were divided. Philip was the King's Justiciary, but his son-in-law, Hugh le Despenser, was the Justiciary recognised by the barons. The Bassets of Drayton and Sapercote were insurgents.¹⁷⁸

It does not appear that Sir Nicholas himself ever came into possession of Basset's estates, though he was a party to a concord of fine in respect of a messuage at North Morton in 1279.¹⁷⁹ Probably Basset outlived him. But he had another small estate at West Haddlesey, a fee farm rent in a messuage and five bovates of land, which he recovered in the King's Bench (1281) against one Robert de Crepping,¹⁸⁰ paying for it 40s. annually into the King's Exchequer. Crepping was a Yorkshireman who had been one of the King's Escheators beyond Trent in the previous

¹⁶⁹ Rymer's *Fœdera*, Lond. 1705, tom. ii. p. 221.

¹⁷⁰ *Queens*, i. 410.

¹⁷¹ Rot. Parl. A.D. 1290.

¹⁷² Parker's *Dom. Architecture*, ii. 148.

¹⁷³ *Supra*, p. 82.

¹⁷⁴ *Placita de Quo Warranto*, 21 E. i. p. 204.

¹⁷⁵ Dugd. *Baronage*.

¹⁷⁶ *Inq. p. mort.* 26 H. iii.

¹⁷⁷ Rot. Cart. 48 H. iii.

¹⁷⁸ *Blauuw's Barons' War*, p. 370.

¹⁷⁹ *Feet of Fines, Index in Record Office*.

¹⁸⁰ Rot. Pal. 9 E. i. m. 29.

reign.¹⁸¹ The extent of the estate was only about sixty acres. An order of Court in 1287 seems to show that it was on the low-lying banks of the river Aire, where Haddlesey House now stands. We have already cited this order as one of the incidents of frank-pledge.¹⁸²

"Certain mischievous persons [*malefactores pacis*] having thrown down a dyke [*fossatum*] of Nicholas Stapelton's at Weeschachelsay, and it not being known who they were, the sheriff is to distraint the adjoining townships to put it up again at their own cost."¹⁸³

The Judge left five children,

1. A son, probably another Nicholas, a Knight Templar, who died in his father's lifetime, of whom more presently.
2. Miles, who succeeded his father.
3. Gilbert, a priest,¹⁸⁴ Master of St. Leonard's Hospital at York.
4. Emma de Stapelton, Prioress of Keldholme near Kirkby Moorside. She was "confirmed 7 March, 1308," and retired on account of ill-health (*cessit ob infirmit. corporis*), in 1317.¹⁸⁵
5. Julian, the first wife of Richard de Windsor, of Hanwell, Middlesex, Knight of the Shire for Berks in 1295, and Middlesex in 1309; and ancestor of the Earls of Plymouth. She died 1325-6 (19 E. ii.).¹⁸⁶

At Kirkby's Inquest (1285), Sir Nicholas' estates comprised three carucates at Stapelton (Roger and Geoffrey de Stapelton and Alanus de Orr holding under him as tenants);¹⁸⁷ three carucates at "Kirkby and Fleteham"; and four carucates at South Duffield, held of the Bishop of Durham; with one carucate at Wath next Hovingham, one at Muscotes, and four at Wymbleton, all in Ryedale, and lands at Austwick near Settle, all held in demesne of the fee of Mowbray.

Dom. Mylo de Stapelton de Richmondsheyr, "soldier, statesman, and churchman," as he has been called, succeeded his father in 1290, as his eldest surviving son.

In order to secure the rights and possessions of the Crown, a writ of "Quo warranto" was sometimes issued, under a recent statute,¹⁸⁸ to enquire by what authority estates were held, and Miles was called upon, in 1293, to prove his title before Hugh de Cressingham and the Judges at York. From his replies in Court we learn that Milo de Basset was his grandfather, from whom he had inherited his lands at East and Middle Haddlesey and North Morton.¹⁸⁹ Ten years later, at an Inquest taken previously to levying an Aid for marrying the King's eldest daughter (31 E. i.), his estate at Haddlesey was found to comprise one-fourth of a Knight's fee of 13 carucates, another carucate at Brayton near Selby, held by Walter Basset, and one in Beghby close to Templehurst.¹⁹⁰ North Morton was valued at a Knight's fee of £20, or about 400 acres at one shilling an acre.¹⁹¹ It was not till near the close of his life that he had Kentmere and Carlton, by demise from his eldest son.

¹⁸¹ Foss' Judges, iii. 82.

¹⁸² *Supra*.

¹⁸³ Abb. Plac. cor. Dño. Regs, Trin. 15 E. i. rot. 3.

¹⁸⁴ Ped. of Christopher Stapelton, Harl. MS. 1412.

¹⁸⁵ Abp. Grenfeld's Register, Burton Mon. Ebor. p. 381

¹⁸⁶ Collins' Peerage, iv. 62; Nichols'

Herald and Geneal. viii. p. 212.

¹⁸⁷ Kirkby's Inquest (Surtees Soc.), p. 178.

¹⁸⁸ 6 Edw. i. c. 1.

¹⁸⁹ Plac. de Quo Warranto, p. 204.

¹⁹⁰ Kirkby's Inquest (Surtees Soc.), p. 214.

¹⁹¹ Inq. a. q. damnum, 27 E. i.

At the Judge's death, Miles was already married to Sibill, daughter and one of the co-heirs of John de Bella Aqua or Bellew. Her mother was Laderina, sister and co-heir of Peter Brus "the third" (as some northern families were styled, in regal fashion), Lord of Skelton Castle in Cleveland, and Kendal Castle, Westmoreland.

Peter Brus had been one of the Justices Itinerant of Yorkshire, and Constable of Scarborough Castle. At his death in 1268, his four sisters became heirs to his extensive possessions. Agnes, the eldest, married Walter de Fauconberg, and had Skelton. Lucy married Marmaduke de Thweng of Kilton Castle, and had Brotton near Yarm; her granddaughter married William le Latimer, from whom she was divorced in 1312. Margaret married Robert de Roos of Ingmanthorpe, and had Kendal; and Laderina, the youngest, had Kentmere and Carlton,¹⁹² which were afterwards divided between her daughters Sibill de Stapelton and Joanna FitzHenry. The old castle of the Bruces at Skelton, "from which remote corner," says a grandiloquent local historian,¹⁹³ "sprang mighty Moparchs, Queens, High Chancellors, Archbishops, Earls, Barons, Ambassadors, and Knights, and above all, the immortal Robert Bruce," was built in 1140, and stood for six centuries, until an ancestor of the present owner nearly pulled it down in 1788, and made a modern house of it.¹⁹⁴



This Milo de Stapelton was the first who bore the lion rampant on his coat of arms, "Portavit in clypeo argenteo Rapientem et Rugientem Leonem nigrum," said to be the *insigne militare* of Ida, the Saxon King of Bernicia,¹⁹⁵ when he entered Britain in 547, and reared the capital of his northern kingdom on the rock of Bamborough.¹⁹⁶ In the British Museum there are several charters relating to the estates of Stapelton (circ. 1300), with wax seals bearing the lion rampant on a shield encircled with the letters M. I. L. S.¹⁹⁷ The lion rampant was an old bearing of the elder branch of the Bruces. Adam de Brus of Skelton Castle, who

¹⁹² Abb. placit. coram Dño. Rege, apud Acton Burnel, 1233.

¹⁹³ Quoted in Walter White's Month in Yorkshire, p. 132.

¹⁹⁴ Ord's Hist. of Cleveland, p. 253.

¹⁹⁵ Tonge's Visitation (Surtees Soc.), note by Longstaffe.

¹⁹⁶ Green's Hist. of the English People, p. 15.

¹⁹⁷ Harl. Charters, 84A, 44 and 45

had 15 Knights' fees in Yorkshire, *temp.* H. ii., bore the lion rampant.¹⁹⁸ The same is found on charters of the Bruces in the reign of King John.¹⁹⁹ His younger brother, Robert Brus of Annandale, from whom the King of Scotland was descended, bore the arms, *or, a saltier and chief gu.*,²⁰⁰ as worn by the Ailesbury family at the present day. The Stapeltons seem to have sometimes borne both.²⁰¹ Similarly, Margaret de Brus, another sister, the wife of Robert de Roos, bore the arms of Bruce. Her seal (date about 1280) exhibits her in an ermine mantle supporting two shields, that of de Roos in her dexter hand, and the lion rampant in her left.²⁰² Sir Miles, therefore, took the arms of his wife's ancestors. By this marriage the Stapeltons not only became possessed of Carlton, which is still the principal residence of Lord Beaumont, but had also the "one-eighth share" of the ancient barony of Bruce, which was afterwards revived in the persons of Sir Miles and his brother-in-law, Aucher FitzHenry.

All who held £40 a year in land directly from the King (*in capite*) were bound to take up Knighthood, or at least to render military service of forty days a year.²⁰³ If it was for a longer period or to go abroad, they were paid wages. Stapelton took foreign service with Roger de Mowbray, his superior lord at Austwick and Wath, for which Mowbray gave him sixteen acres of "waste" at Hovingham, adjoining Wath and Gilling; and the King's tenants having been summoned to meet at Portsmouth,²⁰⁴ Edward confirmed the grant by special licence at Motesfunt in Wilts, 12th September, 1294.²⁰⁵ A long-standing quarrel between the King and his barons on this question of foreign service²⁰⁶ delayed the expedition, and it was not till the following year that it sailed for Gascony, under the command of John de Bretagne, afterwards Earl of Richmond.

On his return home, Sir Miles had repeated summons to the war in Scotland. The exploits of Sir William Wallace brought the King home from Flanders in 1298, and Stapelton had orders from the Parliament, then sitting at York, to join the army at Roxburgh, on St. John Baptist's Day²⁰⁷ (24 June). The great event of this campaign was the battle of Falkirk. Wallace was encamped there, and Edward prepared to attack him. The English lay out on a heath near Linlithgow the night before; each soldier slept upon the ground, and each horseman had his horse tethered by his side.²⁰⁸ The Scots as usual fought on foot, armed with long spears; and after pouring in a shower of arrows, Edward resolved to ride them down. It was the heavily-armoured knights who won the battle for the English.²⁰⁹ They pursued the enemy to Stirling, but found it a heap of ruins. They rode on to Perth, but found it in ashes, and were compelled to return to England for want of provisions.^{209a} Wallace lay concealed in Scotland seven years after this, before he was captured by Sir John Menteith.

¹⁹⁸ Carta Ranulphi, fil. Walteri, Harl. MS. 1415.

¹⁹⁹ Torre MS. iv. p. 44; Surtees' Durham, vol. i. *ad fin.*

²⁰⁰ Harl. MS. 1415.

²⁰¹ Monuments at Wighill and Myton. &c.

²⁰² Laing's Early Seals of Scotland, engraved in Boutell's Heraldry, p. 164.

²⁰³ Stubbs' Const. Hist. ii. 261.

²⁰⁴ *Ibid.*

²⁰⁵ Rot. Pat. 22 E. i. no. 10.

²⁰⁶ Stubbs, ii. 127.

²⁰⁷ Dugd. Baronage, Palgrave's Writs.

²⁰⁸ Hemingford, Tytler's Hist. of Scotland, i. 167.

²⁰⁹ Sir Walter Scott's Tales of a Grandfather, i. 93.

^{209a} Longman's Lectures, p. 317.

Dñs Milo de Stapelton, being "returned from the Wapentake of Ridale as holding lands or rents of the King to the amount of £40 yearly value,"²¹⁰ had another summons as a liegeman of the fee of Mowbray, to muster at Carlisle. The day fixed was again the feast of the Nativity of St. John Baptist (24th June, 1300). A curious old metrical poem in French²¹¹ gives a stirring description of the gay little band of Knights, led by the King in person, who marched out of Carlisle on the 1st July, on their way to Carlaverock:—

Many a knight with painted shield,
Richly decked on fresh-blazoned field,
Many a burnished helm and cap,
Many a linked haubert²¹² wrap
Their limbs, or quilted for the fray
Many a silken wamboys²¹³ gay;
In varying guise and colours bright
The throng pressed onward into sight.²¹⁴

The banners of the chiefs are described in the poem, and have been engraved by Sir H. Nicolas. Several of them will become familiar to us in these pages. Alongside the King rode his favourite nephew, John de Bretagne, junior, who had served in Gascony.²¹⁵ Near him was the handsome Brian FitzAlan, "full of courtesy and honour," lately Viceroy of Scotland; with Hugh de Bardolph, William le Vavasour, Thomas de Furnival, John Grey of Rotherfield, William Latimer, Edmond Deincourt, Thomas de Richmond the Constable, and the two Bassets from Gloucestershire. The arms of the Yorkshire Knights who served for pay (*stipendia merebant*) in these campaigns are also set out in a MS. in the British Museum.²¹⁶ Sir Miles bears the lion rampant. In the same MS. we find the arms of Swillington and Scargill,²¹⁷ and the Stapeltons of "Ednall" or Edenhall, in Westmoreland.²¹⁸

Stirling was the last of the Scottish fortresses to hold out. "Thirteen great engines of all the realm the best"²¹⁹ were brought to bear upon the fortifications. Huge leaden balls, great stones, and javelins were hurled against the walls. Greek fire is said to have at last compelled the little garrison to surrender.²²⁰ Sir Miles was there in the Prince of Wales' household (*de l'ostel le Prince*).²²¹ A letter from young Edward, dated 4th October, 1305, makes it appear that he was the Prince's Governor or Steward. Lacy, Earl of Lincoln, having been ordered out to the Court of Rome, asks to be allowed to leave Stapelton in charge of his household at home; to which the Prince replies that "he would willingly allow him any Knight or Esquire in his household, but as to Sir Miles, he has no power to give him leave without the command of the King, who had charged him with the direction of the Prince's household and affairs," so that the Earl must speak to the King himself.²²²

²¹⁰ Palgrave's Writs.

²¹¹ The Siege of Carlaverock, ed. by Sir Harris Nicolas.

²¹² Coat of chain mail.

²¹³ A tunic wadded with tow or cotton, over which was the surcoat of arms.

²¹⁴ Translated by Mr. Blauuw, *Barons' War*, p. 193 n.

²¹⁵ *Supra*, p. 89.

²¹⁶ Harl. MS. 1420, fo. 255.

²¹⁷ *Ibid.*, fo. 244.

²¹⁸ *Ibid.*, fo. 255.

²¹⁹ Langtoft's Chronicle, quoted in Tytler's Hist. of Scotland, i. 194.

²²⁰ *Ibid.*

²²¹ Palgrave's Documents illustrative of Scottish History, p. 271.

²²² Printed in App. ii. of 9th Report of the Dep. Keeper of the Public Records, p. 249.

Whether Lacy obtained his request or not, Sir Miles and the Earl were strong friends. Just before his death, Lacy gave him the wardship and marriage of one of the daughters of Brian FitzAlan, the late Viceroy (he d. 1301), and Sir Miles at once contracted his second son Gilbert to the little lady in marriage. Sir Miles had previously affianced his eldest son, then a youth of 15, to the daughter of the Earl of Richmond, his old companion-in-arms—"John de Bretagne, junior," as he was called before he obtained the Earldom in 1305—second son of the Duke of Brittany by the Princess Beatrice, daughter of King Henry III. The Earls of Richmond were lords of Kirkby Fletham, and we have evidence that Sir Miles had recently acquired some addition to his paternal estate there. In a Charter granted at Dumfermline, 1 Jan., 1304—while the King was keeping Christmas there, surrounded by a brilliant Court, among whom were the Earls Warrenne of Surrey, Thomas of Lancaster, Monthermer, Gloucester, and Warwick, John de Bretagne, junior, and others, whose names are subscribed as witnesses—it is recited:—

"Whereas my father of illustrious memory gave Nicholas de Stapelton, father of Sir Miles, free warren at Stapelton, Kirkeby, Wath and Oustwyk, which his son and heir still retains, in regard (*intuitu*) of long and laudable service; We, wishing to reward our beloved and faithful Milo de Stapelton still more (*facere uberiozem*), have confirmed the former charter, and granted him free warren in all his demesne lands 'at Kirkby Fletham and Fletham.'"²²³

This addition evidently represents the marriage portion of the Earl's daughter. Sir Miles seems to have had immediate possession, probably on condition of maintaining the young couple during their minority, as was done in a similar case on an alliance with the Plumpton family.²²⁴ He also, on his part, made a suitable settlement on his son, as we shall see; and received another grant of free warren at West Haddlesey, South Duffeld, and Wiganthorpe next Terrington, 21 June, 1304.²²⁵

Stapelton was no less eminent as a civilian. The records of the time abound in tales of robbery and violence. The story of Robin Hood and the outlaws of Sherwood is well known. Knaresborough Forest, which reverted to the Crown at the death of the Earl of Cornwall in 1299, was another resort of thieves and deer-stealers. Milo de Stapelton and John de Insula (de Lisle), of Rougemont, opposite Harewood, were made Constables of the Forest. Their instructions were "to enquire concerning malefactors and those that sport without license within the chace; and to hear and determine according to law, and to commit the offenders to prison within the Castle of Knaresborough till their fines be paid."²²⁶ Stapelton was also Steward of the Forest (*seneschallus*), and had orders to cut timber to the value of £40. He was strict in maintaining the rights of the Crown. A complaint was laid before Parliament that his bailiffs and foresters hindered the brotherhood of St. Robert of Knaresborough from digging turves.²²⁷ Another petition from Alyne, widow of John de Bretton, prays that Stapelton may be made to surrender the custody of

²²³ Rot. Cart. 32 E. i. no. 100.

²²⁴ Plumpton Correspondence (Camden Society). Preface, p. xlv.

²²⁵ Rot. Cart. 31 E. i. no. 32.

²²⁶ Rot. Pat. 31 E. i.; Hist. of Harrogate by W. Grange.

²²⁷ Abb. Rot. Orig. p. 145; Ryley's Plac. Parl. p. 229.

her eldest son, which had been given her by the King. The parties were ordered to appear before the Exchequer Court, "that justice might be done."²²⁸

Bands of trailbastons (trail-bâtons or clubmen) infested other parts of the country, robbing the caravans of merchants and traders, and ready to hire themselves to the rich to avenge private quarrels, or to levy blackmail on timid people for protection against their own accomplices. To put an end to these nuisances, Milo de Stapelton and John de Byron were appointed "Trailbastons" (as they were familiarly called) for Lancashire, with all the powers of Justices Itinerant, 13 Mar., 1305. The ballads of the time show that they exercised their powers with becoming severity,²²⁹ but a more general commission was issued soon after, in which their names do not appear.

When the young prince came to the throne in July, 1307, as Edward II. (he was then only 23), he retained his old friend and counsellor in his service. His father's ministers were most of them discarded, and Gaveston made head of the administration. Stapelton was made Lord Steward. He had occupied a similar post in the Prince's household.²³⁰ It was a high position; the Chancellor, the Lord Privy Seal, the Chamberlain, and the Steward of the Household formed the King's "continual" or smaller Council, who sat daily for despatch of business.²³¹ A royal marriage had been arranged in the late King's lifetime, and the Lord Steward was sent abroad to make preparations.

"Milo de Stapelton, Steward of Our household (*senescallus hospicii nri*), who is going abroad in attendance on Us, and on Our business, is to have letters of protection till Easter.—By order of the King at Canterbury, 2 Jan., 1308."²³²

Sir Miles took his countryman John de Mauleverer with him;²³³ his youngest son John was out with the Earl of Lincoln on the same business.²³⁴ The marriage took place at Boulogne on the 25th January, in the presence of four Kings and as many Queens, with the nobles of their Courts. The ceremonial was very magnificent. High feasts and tournaments followed, and the festivities lasted nearly a fortnight.²³⁵ Embarking afterwards on the 7th Feb., they landed at Dover the same day; and the coronation took place on the 25th at Westminster, with unusual splendour.²³⁶ It was the duty of the Lord Steward—"the Steadward," or "Ward of the King's Stead"—to preside at the Coronation;²³⁷ but Gaveston put himself foremost in the whole ceremony, carrying the crown before all the magnates of the realm,²³⁸ and taking on himself the whole management.²³⁹ Nevertheless, Stapelton received many substantial marks of royal favour. Six weeks after his accession the King appointed his brother Gilbert Master of the great Hospital of St. Leonard's at York. His sister Emma became Prioress of Keldholme in Ryedale, "confirmed

²²⁸ Plac. 35 E. i. pp. 333 and 339.

²²⁹ Foss, iii. 31, quoting Wright's Political Songs, p. 319.

²³⁰ *Supra*, p. 90.

²³¹ Sir H. Nicolas' Proceedings of Council, vol. i. Preface, p. iii.

²³² Rot. Pat. 1 E. ii. ps. i. m. 2.

²³³ *Ibid.*

²³⁴ *Ibid.*

²³⁵ Miss Strickland's Queens, i. 473.

²³⁶ *Ibid.*, 474. Mrs. Green's Princesses, ii. 394.

²³⁷ Stanley's Memorials of Westminster Abbey, p. 36.

²³⁸ *Ibid.*, p. 57.

²³⁹ Miss Strickland's Queens, i. 474.

Mar., 1308."²⁴⁰ And his youngest son John, who was in the retinue of the Earl of Lincoln, had a grant of free warren in all his demesne lands at Melsonby, though not yet of age.²⁴¹ But Sir Miles was no longer Steward. Robert fil. Pagani is the new "Sen. hospicii ñri" on the 28th Nov., 1308, when the last-mentioned charter was granted. The King's inability to pay his Coronation bills or even his household, and the impetuosity of the Queen, must have sadly troubled the Lord Steward; and this, with Gaveston's insolence, may have caused his withdrawal from the Court: While he was in favour, the royal manor of Brustwyk in Holderness, which had fallen into the hands of the Crown by escheat,²⁴² had been committed to him, but he had to give it up to Gaveston and his wife before the 7th July, 1308.²⁴³ It was, however, restored to him after Gaveston's death, with an additional grant of "the custody of the King's vill of Kyngeston sup. Hull."²⁴⁴

A few scattered notices are all we find to show what part he took in the subsequent troubles. When the Scots, encouraged by the difficulties of the English King, rallied round Robert Bruce, and war seemed imminent (1311), Milo de Stapelton was summoned to a general muster at Roxburgh.²⁴⁵ The mild tone of the King's appeal shows that Stapelton was one of those he still thought he could depend on.

"Knowing how the expedition weighs upon Our mind, as We believe it does also on yours, We affectionately request you (*vos affectuose rogamus et requirimus*) to hasten to the parts of Scotland with all the men and arms you can collect."²⁴⁶

The muster was adjourned, and it is not very clear whether it ever took place, for Gaveston re-appeared while the King was keeping his Christmas at York, and the animosity of the barons broke out afresh. The following June (1312), Stapelton and his neighbours, Adam de Birkyn and William Roos of Ingmanthorpe, received a much more peremptory summons:—

"Commanding them, by the fealty and love by which they were bound to the King, and under pain of forfeiting all they had, to join him immediately at Battlebridge on the following Wednesday, with all the Horse and Arms they could muster."²⁴⁷

Very few obeyed this hasty summons. The Earl of Lancaster marched to York, to find the King removed to Tynemouth, and the favourite escaped to Scarborough. Gaveston was murdered on the 1st July,²⁴⁸ and the King retired to Berwick, vowing vengeance against all who had been engaged in compassing the death of his friend. The following year, "less constant in his enmities than in his friendships,"²⁴⁹ he granted a general amnesty to the Earls and 469 minor offenders, of whom the majority were men of the Northern Counties.²⁵⁰ Stapelton had already been partially restored to favour, for the manor of Brustwyk was again his, and he had been summoned to Parliament in the interval. But he is nevertheless (Oct. 1313) included, with his wife Joan and his three

²⁴⁰ Burton Mon. Ebor. p. 331.

²⁴¹ Rot. Cart. 2 E. ii.

²⁴² Pouldsen's Hist. of Holderness, ii.

355.

²⁴³ Rymer, iii. 83.

²⁴⁴ Abb. rot. orig., 6 E. ii. p. 154a.

²⁴⁵ Rymer, iii. 272.

²⁴⁶ Rot. Scot. 5 E. ii. m.5 dors.;

Palgrave's Writs.

²⁴⁷ Rot. Claus. 5 E. ii. m.3 dors.;

Palgrave's Writs.

²⁴⁸ Hume, ii. 336.

²⁴⁹ *Ibid.*

²⁵⁰ Stubbs' Const. Hist., ii. 334.

sons, in the list of adherents of the Earl of Lancaster who were "pardoned for the murder of Gaveston."²⁵¹

This year (1313), he was thrice summoned to Westminster as a Baron of Parliament. The first summons was dated at Windsor, on the 8th Jan., when the Parliament sat from the 18th March to the 7th April; the second was issued from Dover 23rd May; and the third on the 26th July, the Parliament sitting from the 23rd Sept. till the 18th Nov. Under the provisions of Oxford, three parliaments were intended to be holden every year, but Edward II. assembled them only on urgent occasions.²⁵² The urgency for which the King exercised his power of adding to the House of Lords on this occasion was the war in Scotland, as it is set out in the summons.²⁵³

In reference to this Barony, which it was endeavoured to revive in 1840, we may adopt Mr. Hallam's general remarks on Summons by Writ. The only baronies known for two centuries after the Conquest were incident to the tenure of land immediately from the Crown; and under the charter of King John, all Tenants in chief were entitled to a summons. In the reign of Henry III., Tenure and Summons together were necessary to make a lord of Parliament; and it is very doubtful whether, even in Edward II.'s reign, a Writ of Summons was good, without baronial tenure.²⁵⁴ The Bruces were barons by tenure, but the barony had been divided amongst the four heiresses. Stapelton held only one-eighth part; his grandson paid relief for so much in 1347.²⁵⁵ Aucher fitz Henry had another eighth part, and Stapelton and fitz Henry were both summoned to Parliament. But the mere summons, even with tenure, does not confer hereditary nobility. The modern doctrine is that no one is ennobled, unless he can also prove the taking of the seat in Parliament.²⁵⁶ The Roll for 1313 (7 E. ii.) is unfortunately missing; indeed only four rolls of this reign are extant—viz., the 8th, 9th, 12th, and 14th.²⁵⁷ John de Bella Aqua, his wife's father, is said to have been summoned with the double qualification of tenure and writ; but it was one of the earliest writs, and it has been held doubtful whether it was a regular summons.²⁵⁸ Aucher fitz Henry was summoned from 4 Mar. 2 E. ii. (1309) to 10 Oct. 19 E. ii. (1325), and died 1340. He was a younger son of Henry fitz Randolph, lord of Ravenswath Castle, an ancestor of the Lords Fitzhugh.²⁵⁹

Sir Miles did not long survive his new dignity. King Robert the Bruce found himself strong enough to invest Stirling, where Philip de Mowbray was shut up, and Edward called out the whole military force of the kingdom to meet at Berwick, 11 June, 1314. Thirty thousand horsemen are said to have answered to the call. As they advanced from Falkirk they found the enemy posted in four "battles," or divisions, behind the little river Bannock. Bruce's standard was hoisted in the centre, on a rock still pointed out as the "borestone." Early in the morning a body of 800 horse under Sir Robert Clifford had been sent

²⁵¹ Rymer, iii. 444.

²⁵² Stubbs' Const. Hist. ii. 614.

²⁵³ Dugd. Sum. to Parl.

²⁵⁴ Hallam's Middle Ages, iii. 122.

²⁵⁵ Reliefs, 1347-8, Harl. MS. 34, fo. 72.

²⁵⁶ Hallam, iii. 125.

²⁵⁷ Sims' Manual of Genealogy, p. 150.

²⁵⁸ Sir H. Nicolas' Historic Peerage, tit. Clevedon.

²⁵⁹ *Ibid.*, tit. Fitzhugh.

forward towards Stirling. They had reached Newhouse, when they were attacked by Randolph's foot soldiers, and forced to retire. Sir William Dayneourt was the first to fall. Two large stones still mark the spot.²⁶⁰ Next day the English archers advanced, led by the Earl of Gloucester; but after expending their arrows, they were attacked in flank by a body of 500 horse under Sir Robert Keith, and thrown into confusion. The English cavalry galloped up to their assistance, but "hundreds of brilliant horsemen" were soon floundering into pits, which had been dug in front of the Scottish line. The Earl of Gloucester made a stand at the "Bloody Fold," and died fighting gallantly at the head of his military tenants. Edward himself escaped to Dunbar with about 500 knights, but the flower of the knighthood fell on the field of battle.²⁶¹ Nicholas Trivet, a contemporary historian, gives a list of the slain. Among them were the Earl of Gloucester, John Lovel "The Red," Edmund de Hastynge, Milo de Stapelton, and many others.²⁶²

Masses were said for Sir Miles at Durham. It is stated in the records of the Cathedral:—"Memo:—that on the 23^d Dec. 1314 the Lord Bishop (*dominus*) granted eleven days' pardon (indulgence) for the souls of Miles de Stapelton, knt., and Cecilia [Sibilla] formerly his wife."²⁶³ He seems to have died intestate. A note in the registry of Archbishop Grenfeld, at York, "18 Sept., 1314. Relaxatio sequestr. in bonis dñi Milonis de Stapelton,"²⁶⁴ shows that the Archbishop had taken possession of his goods, but afterwards released them to the heirs.

Several years before his death, he had rebuilt the Chapel of St. John at Haddlesey, and endowed it two years later to the memory of his first wife, Sibill. "Seriously considering," says Dodsworth, "that his tenants at Hathelsay, and other inhabitants of the towns of Est Hurst and Temple Hurst, being often tymes in the yere prevented from attending the mother church at Birkyn, 'for the inundacion,'²⁶⁵ had built at their proper charges a certain decent Chapel for celebration of divine worship,"²⁶⁶—he paid a fine of 20*s.* to the King (1310-11) for licence to give certain lands in East and West Haddlesey for building the chapel of St. John anew (*de novo construendo*); and on the 29th Aug., 1313, he further granted a messuage and lands next the Chapel, and other lands at East and West Haddlesey, "to the lord William de Calthorn, chaplain, and his successors for ever, to celebrate divine service for his late wife's soul, in the said chapel."

It has been said that Sir Miles was a Churchman, or at any rate a Church-builder. The evidence of his Church building will help to support the theory of an elder brother, mentioned above.²⁶⁷

The fine church at Kirkby Fletham, so munificently restored by Mr. Waller, the present squire, has Norman portions, but part of it was evidently built about this time. Whether by Sir Miles or not, there can be no doubt the monument of the Knight Templar is at least due to his

²⁶⁰ Sir W. Scott's *Lord of the Isles*, note 3 M. *et seq.*

²⁶¹ Green's *History of the English People*, 207.

²⁶² Trivet, *Ann. Contin.*, p. 14.

²⁶³ *Registrum Kellawe* (Durham Registers), ii. 681.

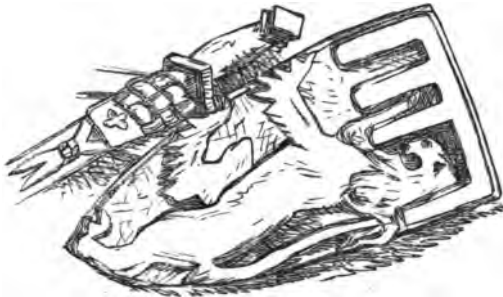
²⁶⁴ *Tonge's Visitation* (Surtees Society), note by Mr. Longstaffe; *Registrum Grenfeld*.

²⁶⁵ Report of Commrs. temp. E. vi., *Colleges and Chauntries*, cat. 69, no. 14.

²⁶⁶ *Dodsworth's Notes*, Harl. MS., 795.

²⁶⁷ *Supra*, p. 87.

pious care. The figure, which is engraved by Whitaker,²⁶⁸ formerly reposed under an arch in the North wall of the Nave, and was only removed into the chancel at the recent restoration. It represents a Knight in armour. The pointed shield is charged with the arms of Stapelton with a "label," denoting an eldest son during his father's life. A comparison of this monument with that of Sir Brian fitzAlan at Bedale shows that they are nearly contemporary; Sir Brian died in 1301. Both figures are bareheaded; "a mode by no means common." In both "the surcoat is bound round the waist with a small girdle, from whence it flows over the thighs reaching almost to the feet."²⁶⁹ The crossed legs indicate one who had been to the Crusades, or at least had made a vow to go. The notion that they were merely Templars is long since exploded.²⁷⁰ But Sir Miles' gifts to the Order seem to prove that the Knight of the monument was a Templar as well. "Milo de Stapelton, knt., granted to God and the Blessed Virgin and the Master and Brethren of the Knights of the Temple in England, a croft and a windmill in East Hathelsay, opposite the gate of Templehurst,"²⁷¹ &c. &c.



The Chapel of St. Nicholas, or "Stapelton's Chantry," at North Morton in Berks, near the Great Western Railway between Didcot and Wallingford, is another example of Sir Miles' churchwork. This "gem of Decorated Architecture" stands on the south side of the parish church, opening into the Chancel by three Early English arches. The Chantry is a complete church, or rather a college chapel, in itself, having an altar and a large East window of five lights, and four large windows and an outer door, along the south side. There is a good example of an "angle piscina" in the corner of the south-east window, engraved by Rickman.²⁷² An Inquisitio ad quod damnum before the King's Escheator and a Jury on the 16th March, 1299, in full assembly of the county of Berks (*in pleno comitatu*), shows that the Chantry was then recently built. The enquiry was held to ascertain whether any loss would result to the King as Lord Paramount, or to anyone else, if Stapelton was allowed to give and assign "one messuage, one virgate of land, and two acres of meadow at North Morton, for the endowment of

²⁶⁸ Hist. of Richmondshire. ii. 63.

²⁶⁹ Brian FitzAlan's Tomb, Blore's Monumental Remains.

²⁷⁰ Mills' Hist. of the Crusades, ii. 9 n.

²⁷¹ Cart. Harl. 84 A. 44; Inq. a.q.d. 31 E. i; Rot. Pat. 31 & 32 E. i; Cart. Harl. 83 C. 39.

²⁷² Rickman's Architecture, 166.



MONUMENT AT KIRKBY FLETHAM.

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THE STAPELTON CHAVNTRY, NORTH MORTON, BERKS.

two chaplains and their successors, to celebrate mass daily in the Chapel of St. Nicholas there."²⁷³ The Jurors found there would be no damage to the King, but only to the lady Joan de Valence, widow of William Earl of Pembroke, the late King's half-brother, of whom it was held by service of one knight's fee. The Lady Joan made no objection, and hence it has been supposed that she was rebuilding the church, or at any rate the chancel at the same time, having lost her husband in the battle of Bayonne in 1296; and accordingly, ten days afterwards, Sir Miles had a licence from the King, "as a mark of special favour," to set aside the Statute of Mortmain, and to carry his pious intention into effect.²⁷⁴ Another monument was erected to De Valence's memory in Westminster Abbey by his son Aymer.²⁷⁵

The value of the grant is set out in the Inquisition :—

"The message is worth *xiii*d. a year, the virgate of land *xxx*s., and the two acres of meadow *iv*s. per annum; and the other lands and tenements which remain to Sir Miles after the grant are worth *lxix*l. per annum."²⁷⁶

Twenty pounds therefore constituted a knight's fee at North Morton. Assuming a virgate to be about 20 acres, the agricultural land is assessed at a shilling an acre, the meadow at two shillings, and the total extent of Stapelton's manor was about 400 acres. A meadow of 17 acres at the back of the "Church farm," enclosed on two sides by an ancient moat, is still tithe free, and is evidently part of the land given by Sir Miles. The value was trebled at the Reformation, but the chaplaincy had become a sinecure. The Commissioners in the reign of Edward VI. valued it at "*lxv*s. *viii*d. ; for the Kyngs ma^{ties} Tenth *vi*s. *viii*d.—and so remaineth *l*x*s.*, whiche Syr Richard Nyelson clerke doth receyve, doynge no servyce therfore, as they ought to do by the foundation."²⁷⁷

Sir Miles was clearly the founder of the Chantry; the east window explains his motive. Mr. Winston, who restored the glass in 1856, fixes the date between 1300–10, and adds "it is a very fine specimen of the period; its colours are magnificent."²⁷⁸ In the head tracery "a sable lion still lingers on its argent shield," though it has unfortunately been reversed in the process of restoration, so that it is now heraldically wrong. Mr. Powell's drawings²⁷⁹ in the British Museum show that the lion formerly faced the other way. When Mr. Powell visited the church the whole window was "much shattered and neglected," but the letters "M. I. L." and "the shattered figure of a Templar on a horse of mail," still indicated the founder and his intention. These have all now disappeared, but legends of St. Nicholas, the story of the three children raised to life, the preaching of the Saint, and his enthronement, still occupy one compartment. From these various evidences at Kirkby Fletham and North Morton we venture to draw the conclusion that Sir Miles had an elder brother who bore the name of their Patron Saint, but, joining a crusade, died in his father's lifetime. It is well known that crusades were still popular towards the close of Henry the Third's reign.

²⁷³ *Inquis ad quod damnum*, 27 E. i.

²⁷⁴ *Rot. Pat.* 29 E. i. m. 84.

²⁷⁵ *Stanley's Memorials*, p. 116.

²⁷⁶ *Inq. a.q.d.* 27 E. i.

²⁷⁷ *Augmentation Office*, "Colleges

and Chantries"—(*Record Office*).

²⁷⁸ *Archæological Journal*, xiii. 278

and xvii. 152.

²⁷⁹ *Topog. Collections*, Addl. MSS., No.

17, 457.

At a meeting at Bermondsey, no less than five hundred knights were "crossed."²⁵⁰ Prince Edward himself sailed for Palestine in 1270 with 18 lords, of whom William de Valence above-mentioned was one, and took 19 knights with him. They suffered severely from Syrian fever at Acre, and many of them died there.²⁵¹

We have noticed Sir Miles' gifts to the Knights Templars. His predecessor had also given them lands "*in subsidium Terræ Sanctæ.*" This great Order, settled at Hurst in 1152 by a grant of Henry de Lacy, was rapidly approaching dissolution. After the loss of Palestine their wealth made them objects of envy, and dreadful stories got about, now known to be untrue. Throughout France they were suddenly arrested on the 13th Oct., 1307. On the 3rd Jan., 1308, they were arrested everywhere in England, and their property seized into the young king's hands.²⁵² An inquest was held by the sheriff, Sir John Crepping, at Potterlawe (in Kelington), on the 2nd March, to ascertain the value of their possessions at Templehurst,²⁵³—which were delivered to Sir Miles Stapelton a few weeks later (17th April).

Sir Miles seems to have been one of the "Guardians of the lands of the Templars,"²⁵⁴ appointed to administer their income and render account to the Exchequer. A few items may be selected from the inventory.²⁵⁵ Oats were valued at 20*d.* a quarter, wheat (*frumentum*) at 4*s.*, fine flour (*siligo*) at 3*s.*, packhorses (*jumenta*) at 7*s.* each, oxen at 10*s.*, cows at 7*s.*, sheep at 10*d.*, and ewes (*oves matres*) at 18*d.*, sows at 2*s.*, and hoggets at 8*d.* There were ploughs, carts, and harrows (?) (*herice*), tools (*vangoes et t'bul*), pitchforks (*pro garbis levandis*), and *furcæ finales* (? *fecales*), troughs (*alvei*) for salting meat, pipkins (*poscenneti*) and brass pots (*ollæ*); i brass dortor val. 2*s.*, i cantaber 2*s.* 6*d.*, i cresett 4*d.*, and i cracla (? *ceracula*) 4*d.*, ii kitchen knives 3*d.*, a flesh hook (*creagr.*) 1*d.*, and a mill (*mola pro calc.*) 6*d.* In the chapel, a chalice valued at 13*s.*, a missal 6*s.* 8*d.*, a breviary in two vols. (*portifor. in ii volumibus*), a psalter 2*s.*, a vestment for Sundays 8*s.*, and one for festivals, with ii blessed towels (*tualli bédict.*), and i frontal 10*s.*; iii surplices, a rochet, a thurible, and a boat for incense (*navicla pro thur*) 12*d.* At the river side were two boats, valued at 20*s.* and 6*s.* 8*d.*, i great net, and iii round, and i seine net (*sighen*). The "capital message within a close, with a pigeon-house," was valued at 20*s.* a year, say £15 nowadays.

The remains of the little Preceptory, now a farmhouse, are visible from the Great Northern Railway between Doncaster and Selby. On a level space in front as we approach, the imagination may picture the deadly combat between Sir Brian de Bois-Gilbert and the Black Knight of Ivanhoe, while the deep bell of Kelington Church strikes upon the ear from across the water as it did erewhile on Friar Tuck's.²⁵⁶ Two old barns running back at right angles, whose foundations may have formed part of the house, make two sides of a courtyard. On the fourth, a square detached building may represent the site of the colum-

²⁵⁰ Mills' Hist. of the Crusades, ii. p. 259.

²⁵¹ *Ibid.* p. 264, *Archæological Journal*, viii. p. 46.

²⁵² Addison's Hist. of the Knts. Templars, p. 202.

²⁵³ Haddlesey Past and Present, by Rev. J. N. Worsfold. Addl. MSS. (Brit. Mus.) No. 6165, p. 325.

²⁵⁴ Addison, p. 202.

²⁵⁵ Addl. MSS., No. 6165, p. 328.

²⁵⁶ Ivanhoe, ii. 377.



KIRKBY FLETHAM HALL AND CHURCH, 1879.

[To face p. 35.]

bare. The walls are of unusual thickness. At one angle is an hexagonal tower enclosing a staircase of solid timber logs. Facing the courtyard, an Early-English doorway with semicircular heading and deep mouldings bears a leaf-pattern on the only two capitals which remain.

In the intervals of military and civil employment and attendance at Court, Sir Miles lived at Kirkby Fletham and West Haddlesey. The "message" at the latter place has already been mentioned. He had also a "Gardyn"²⁸⁷ at Kirkby Fletham, and presumably a house, which is said to have stood on the site of the present Hall close to the church. The heavy church-tower may have served as a place of refuge for the family, as we know the church-tower at Bedale did, still retaining its fireplace and garde-robe, and a portcullis at the foot of the stairs.²⁸⁸ The hanging woods through which the Hall is now approached may have been the "Bois de Fletham" adjoining Sir Miles' "gardyn," where the Prioress of Marrig had common rights secured to her by Henry le Scrope, Chief Baron of the Exchequer, in 1301.²⁸⁹ The name "Friars Garth," in the Ordnance map, seems to indicate Priory lands. The mounds in the field called the "Hall Garth," at the back of Fletham village, are evidently remains of Henry le Scrope's castle, which he had licence to crenellate, 8 E. ii.²⁹⁰ Five-and-twenty years earlier (19 E. i.), Brian fitzAlan had had leave to crenellate his castle (*mansum*) at Kilwardeby,²⁹¹ traces of which are still to be seen in the stables of Kellerby Hall (Mr. Bowes), two miles north of Kirkby Fletham. Both castles were alike in having one massive tower, with courts and outbuildings round it, all enclosed within a moat, but trusting mainly to a bog or morass, outside the moat, for any effectual defence.

Dugdale²⁹² has no less than four Gilberts about this time.

Gilbert, the brother of Sir Miles, was a priest, and had the mastership of St. Leonard's at York conferred upon him at the beginning of the young King's reign (1308).

"Know all men, &c., That We have granted Our beloved clerk, Gilbert de Stapelton, the mastership (*custodiend.*) of Our Hospital of St. Leonards, to have and to hold for life, with all things pertaining to the same; to the intent that he may properly maintain the appointed charities (*statutas elemosinas*), and other works of piety. And the brethren of the Hospital are each and all of them to be obedient to him as Master (*custos*)."²⁹³

St. Leonards, at York, was one of the "ancientest as well as the noblest foundations" in Britain.²⁹⁴ Ninety persons were constantly maintained within its walls.²⁹⁵ Standing just within the Roman wall in the gardens of the Yorkshire Philosophical Society, the ruins of the Ambulatory and Cloister, built in Stephen's reign, with a roofless Chapel

²⁸⁷ Charters of Marrig Abbey, Nichols' Top. et Gen. v. 108.

²⁸⁸ Murray's Handbook of Yorkshire, p. 282.

²⁸⁹ Charters of Marrig Abbey, Nichols' Top. et Geneal. v. 108.

²⁹⁰ Parker's Dom. Architecture, iii.

407.

²⁹¹ *Ibid.* p. 403.

²⁹² Pedigree in Herald's Office. Dugd. Visit. of Yorkshire, 1665 (Surtees Soc.)

²⁹³ Rot. Pat. 1 E. ii., p. 1., m. 21.

²⁹⁴ Drake, Ebor., p. 232.

²⁹⁵ Murray's Handbook, p. 59.

and Infirmary above, are well known to all visitors to York at the present day.

Pluralists were common enough then, and "Our beloved Clerk, Dominus Gilbertus de Stapelton, eminent for his moral honesty and his skill in letters (*morum honestas, literarum peritia ac alia virtutum dona quibus te fecundavit*),"²⁹⁶ was collated to a prebend in the collegiate church of Auckland in Durham by the Prince Bishop. The deed was dated at Middleham, 8 Oct., 1316.²⁹⁷ The following year, the King, being then at York (13 Sept., 1317), conferred on him the Archdeaconry of Berkshire and the prebendal stall of Graham in Salisbury Cathedral, which were in the King's gift by reason of avoidance of the see.²⁹⁸ We are tempted to suppose he may have even asked for the vacant bishopric. No doubt so great a churchman kept great state at St. Leonards. We read of an archdeacon of Richmond²⁹⁹ at this time who travelled with ninety-seven horses, though no more than seven were allowed by the Council of Latran,—and dogs, and hawks, on his visitation.

Dominus Nicholas de Stapelton, chivaler, son of Sir Miles,³⁰⁰ was five-and-twenty at his father's death,³⁰¹ but he seems to have inherited the Bruce estates and part of Stapelton, as soon as he came of age.

The succession to the Bruce property is set out in the inquisition at the death of his grandfather.³⁰² Laderina de Brus received her share of her brother's estate at his death (as we have seen), and her husband, John de Bella Aqua, "alias Bellewe,"³⁰³ surviving her, succeeded at common law by reason of his children (*per legem Angliæ ratione proliis*). At Bellew's death, which occurred in 1301, it became vested in his two daughters and their heirs, as coparceners; but "Ysabella" de Stapelton (Sibill), the elder sister, being dead, her son Nicholas and his aunt Johanna, wife of Aucher fitzHenry, were now the next³⁰⁴ heirs. As soon as Nicholas came of age in 1310, he had "livery" of his lands, and did homage to the King, 27 Dec., 1311.³⁰⁵ Two years later a partition of the joint estate was made in Chancery between him and his aunt,³⁰⁶ and for some reason which does not appear—perhaps in pursuance of the marriage contract of 1304—Nicholas demised his share to his father for life, to revert afterwards to himself and his heirs.³⁰⁷

From an "Inquisitio ad quod damnum" taken at Pontefract³⁰⁸ in Nov., 1311, prior to this demise, we get detailed particulars, both of the Bruce estate and that part of Stapelton which Nicholas had already inherited. That of Bruce comprised Carlton and Kentmere, held of the King *in capite*, by service of one Knight's fee, worth £4 a year; with nine librates at Southbrun, and five bovates in Tybthorp, (two townships of Kirkburn in the East Riding, 533 acres in all),³⁰⁹ worth £12 6s. 8d.

²⁹⁶ Reg. Kellawe, p. 832.

²⁹⁷ *Ibid.*

²⁹⁸ Rot. Pat. 11 E. ii., ps. 1, m. 27.

²⁹⁹ Murray's Handbook of Yorkshire, p. 165.

³⁰⁰ Letters from Northern Registers, in 1315, p. 247. Rot. Fin. Ebor. 12, iii. no. 82.

³⁰¹ Inq. p. m. 8 E. ii. no. 17.

³⁰² Inq. p. m. Joh. de Bella Aqua, 29 E. i. no. 57; Calend. Geneal. (Record

Commission), p. 607.

³⁰³ *Ibid.*

³⁰⁴ *Ibid.*

³⁰⁵ Rot. Maresc. 8 E. ii. m. 5, dora.; Palgrave's Writs.

³⁰⁶ Rot. Claus. 5 E. ii., no. 11.

³⁰⁷ Rot. orig. in cur. Scacc. abbrev., p. 198b.

³⁰⁸ Inq. a.q.d. pro. licen. feoff. 5 E. ii. no. 11.

³⁰⁹ A Librate of land was so much as

per annum, and held of William le Ros de Hamelak by service of one soar hawk (*spurvarii sorv*). The demise was allowed on payment of a fine of £5 into the King's exchequer. The document is endorsed "Fiat per finem 100s."³¹⁰

Besides the estate here demised, Nicholas was already in possession (*eid. Nich. remanet ultra dimissionem predictam*)³¹¹ of part of his father's lands, under the contract of 1304,³¹² as we have supposed—comprising the manor of Eston near Lancaster (now Ashton Hall, late the property of the Dukes of Hamilton), worth 20 marks per an., and held of the King *in capite*, by service of one Knight's fee. "Half the manor of Eston" was part of De Bella Aqua's estate.³¹³ The manor of Stapelton on Tees, worth £20 a year (£300 now-a-days), held of Thomas de Richmond the Constable, by service of one clove of garlic (*unius clav. galeofry*).—A limited estate at Kirkby Fletham (*v'ma et manerium de Kirkby juxta Fletham*), worth 20 marks a year, held of William Giffard by service of one rose. Sir Nicholas had both manors, Kirkby Fletham and Fletham, at his death.³¹⁴ And the manor of Houstwyk (Austwick), worth 20 marks, held of John de Mowbray by service of the tenth part of a Knight's fee.

It will be observed that Carlton and Kentmere together are valued at only £4 a year, say £60 according to the present value of money. Kentmere Chace produced little else but "pannage" for pigs, showing it was then a forest with beechmasts and acorns; and Carlton for the present comprised only the Manor without the "demesne." But the real value of a manor consisted in the demesne estate, the produce of which the lord obtained without cost by the labour of his villeins. The lordship need not be very lucrative if someone else held under him only by engagement to give him Knight-service.³¹⁵ Roger de Burton had the demesne. The Bruces had Carlton from the Conquest, but Peter Brus III. had long ago conveyed away the demesne to the Burtons of Kendal.³¹⁶ It is recited in a Fine-Roll of 9 E. III., "Peter de Brus the third, in the 49th H. III. granted John de Burton, Knight, a messuage with 67 tofts (small closes of land), 13 bovates and 4 acres (about 173 acres in all), 442 acres which were then waste of the manor, 7 acres of meadow, and 8 of pasture, all at Carlton, for an annual rent of 6*d.* or a pair of gilt spurs."³¹⁷

Roger de Burton (1), brother and heir of the original grantee, held Carlton at his death in 1303,³¹⁸ his son, another Roger (2) being then 40 years of age. A third Roger, son of the last, paid a fine of 20*s.* to the King when he was at Carlisle (12 July, 1335), to obtain pardon for "certain transgressions" in which he or his father had been implicated with Sir Andrew de Harcla³¹⁹ in the late King's reign, and had his lands

was worth £1 a year, but it is generally computed at 4 oxgangs or bovates of 13 acres each—*i. e.* about 52 acres. (Chambers' Cyclopædia, 1741.)

³¹⁰ Abb. rot. orig. in cur. Scacc. p. 198*b*.

³¹¹ Inq. a. q. d. 5 E. ii. no. 11.

³¹² *Supra*, p. 91.

³¹³ Inq. p. m., 29 E. i. m. 57.

³¹⁴ Calend. Inq. p. m. 17 E. iii. The original deed has suffered so much from

stains and damp as to be illegible.

³¹⁵ Hallam's Middle Ages, iii. 310.

³¹⁶ Rot. Pat. 35 E. iii. m. 29.

³¹⁷ Rot. Fin. 9 E. iii., *de perdonaco transgress.* Calend. Geneal. Rot. Pat. 9 E. iii. m. 26.

³¹⁸ Esch. 31 E. i. no. 9. Rot. Fin. 31 E. i. m. 6. Calend. Geneal., p. 638.

³¹⁹ Harcla received for his services at Boroughbridge, in 1322, the Earldom of Carlisle and a large estate, which he

restored to him.³²⁰ In a subsequent Roll (1361) he is referred to as "the adherent of Andrew de Harcla, the betrayer of Edward II."³²¹

Notwithstanding this limited estate, Sir Miles succeeded in increasing its value considerably, for at his death in 1314 Carlton alone was valued at £30 4s. per annum (about £450 now-a-days).³²² At his grandson's death the Burtons have disappeared, and Sir Miles of Hathelsay had the entire freehold in 1373,³²³ "*in d'nico suo ut de feodo.*"

Nicholas had been affianced in 1304, as we have seen, to Isabella "dan. and one of the heirs of John de Brittyane Earl of Richmond,"³²⁴ and grand-daughter of the Duke of Brittany, by Beatrix, daughter of King Henry III. The Lady Isabella brought him the increased estate in Fletham and Kirkby.³²⁵ This is repeated here, because so distinguished an antiquary as Mr. Thomas Stapelton, the late Lord Beaumont's brother, has endeavoured to prove³²⁶ that the lady was not the Earl's daughter, but a daughter of Thomas de Richmond or de Burton, of Burton Constable, grandson of Roald FitzAlan,³²⁷—a different family altogether, descended from Emsan Musard, and the constables of Richmond Castle. The latter were mesne-lords of Stapelton on Tees; but the Earls were lords of Kirkby Fletham, and the constables never had any holding there at all.³²⁸ The arms of Brittany and Stapelton were formerly in the church windows.³²⁹ The Earl's arms have always been quartered on the shield of Stapelton. They are represented in Christopher Stapelton's pedigree, *circ.* 1530, and Dugdale places them among the quarterings in 1665.³³⁰ Numerous monuments and painted windows at Wighill and Carlton and Myton, also prove that successive generations have always maintained their connection with the Earl's family, though, being descended from Sir Gilbert, the younger brother of this Sir Nicholas, none of them can actually claim Plantagenet blood. It is not the first time a confusion has arisen between the Earl and the Constable. Even in his death the Constable was mistaken for the Earl. When the "reckless and extravagant" Thomas de Richmond, who parted with his inheritance at Burton Constable,³³¹ went out with 10,000 men to waylay the Scots in 1317, and found himself surprised at the wood of Lyntailey, "Schyr Thomas was borne down, and Douglas with a knife despatched him."³³² A prisoner spread the news in the Scottish camp that the fallen man was no less a person than the Earl of Richmond, and Douglas even took "the furryt hat upon his helm" in token of the exploit. But the real Earl lived many years after, as we shall presently see, and Leland is perfectly right in calling the slain chief by his right name of "Thomas de

forfeited with his life in the following year, for a treasonable correspondence with the King of Scotland (Hume, ii. 349).

³²⁰ Rot. Pat. 9 E. iii. m. 26.

³²¹ Rot. Pat. 35 E. iii. m. 29.

³²² Inq. p. m. 8 E. ii. m. 17.

³²³ Inq. p. m. 46 E. iii., Compendium Escacet. Harl. MS., 708, fo. 417.

³²⁴ Christopher Stapelton's Pedigree, *circ.* 1530, Harl. MS. 1412.

³²⁵ Randle Holme, Harl. MS. 2118.

³²⁶ Paper printed in the Appendix to Sir H. Nicolas' Siege of Carleaverock.

³²⁷ *Supra*, p. 73.

³²⁸ Kirkby's Inquest (Surtees Society), p. 150.

³²⁹ Whitaker's *Richmondshire*, i. 62.

³³⁰ *Visitation of Yorkshire in Herald's College.*

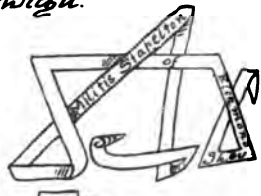
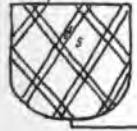
³³¹ *Richmondshire Guide*, by W. H. Longstaffe, Preface, p. iii.

³³² "The Bruce," a metrical poem by John Barbour.

Line of the pedigree of Christopher Stapleton Esquire of Wiche.

Bar. M. 1412. p. 62.

*S^r John Colliquo knight.
A Ladovino his wife da. and
Loyn to hooden. Burgh the second.*



*S^r nicolas stapleton = Sobell dapfins
son to lord myles = h^r John de Bologna*



Gylboot
Stapleton
Nicolas
Stapleton
Gylboot
Stapleton



*John de Bologna = Bhatycco da. of
Count of Richmond King Henry 3.*



*S^r myles Stapleton = the da. son of the heron
Knight Ban of the = of John de Bologna
founders of the garvon Count of Richmond.*

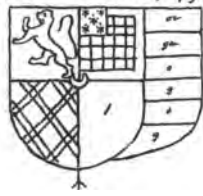


*Annes daughter = S^r byran
to the king filz allen
of Scots. knight.*

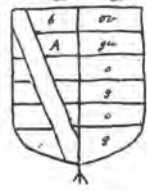
*S^r nicolas Stapleton
founder of the garvon*



*S^r gylboot Stapleton = ann da. Ban of the
weard = heron of B. by allen*



*Ratrin married John
lord Gwy of Rochester.*



Richmond the Constable."³³³ This John de Bretagne junior, Earl of Richmond, great-grandson of Peter de Dreux (who, tracing his descent from the blood-royal of France,³³⁴ obtained the Earldom by his marriage with Alice, heiress of Constantia, Countess of Richmond), was second son of the Duke of Brittany, and had the Earldom conferred upon him in 1305, after his father's death. His arms were *chequée or et az., a canton ermine, and bordure gu. charged with golden lions*. He added to the ancient arms of Dreux and the "Canton" of Brittany the Lions of England "in bordure," in regard to the English princess his mother—a singular instance of "marshalling by combination," as the Heralds call it, before quarterings came into vogue.³³⁵ The Constable had red armour with a chief and two gemells of gold.³³⁶ The Earl served in the Scottish wars under Edward I., and was Governor of Scotland in the last year of that King's reign. Taken prisoner at Bannockburn, and again at Byland in 1330, he is said to have died in 1334; and was buried,³³⁷ some say at the Church of the Cordeliers at Nantes, others say at Vannes, in Brittany. The Lady Isabella de Bretagne died before her husband, and was buried in the little Priory at Drax near Carlton. It is recorded in a Chartulary of the Priory:—"Sir Nicholas de Stapelton, Knight, for the good of the soul of Issabel his wife, released the Canons of Drax from all services, rents, &c., for their premises in Camelford."³³⁸

She left issue by Sir Nicholas:—

1. Sir Miles "of Hathelsay," 3rd Baron.
2. Thomas de Stapelton, who eventually had Haddlesey on the death of his nephew Thomas, but dying without issue in 1381—2,³³⁹ his lands escheated to the King.
3. Elizabeth, wife of Sir William Vavasour, lies buried with her husband in the church at Haselwood, under a marble slab, with the arms of Vavasour impaling Stapelton, and an inscription.³⁴⁰ She survived him many years, presenting "her clerk" to the church of Addingham in the West Riding, in 45 E. iii., and again in the 6 Richard ii. (1382—3).³⁴¹
4. Alice, married William Lawrence, who was Seneschal of Henry, Earl of Lancaster, in 1344. Their son Sir Edmund Lawrence was in Ireland with his cousin William de Windsor in 1361, and was summoned to Parliament at Westminster about the affairs of Ireland in 1362. Sir Edmund held the manor of Ashton (Eston) for life, "by demise of Sir Nicholas Stapelton his grandfather,"³⁴² and the Lawrences are said to have built the castle which still forms part of Ashton Hall.³⁴³

It was long before Edward II. relinquished his claim to the Scottish crown, and the Scotch War of Independence put an end, for a time at least, to the strife between the King and his barons.³⁴⁴ Out of regard for his father's death at Bannockburn, the King released Sir Nicholas

³³³ Longstaffe's Guide to Richmondshire, p. 3.

³³⁴ His grandfather, the Earl de Dreux, was 5th son of Louis le Gros of France. Clutterbuck's Herts, ii. 55.

³³⁵ Boutell's Heraldry, p. 168.

³³⁶ Siege of Carlawerock, ed. Sir H. Nicolas, pp. 171-174.

³³⁷ *Ibid.*

³³⁸ Burton's Mon. Ebor. p. 103.

³³⁹ Calend. Inq. p. m. 5 R. ii. *Inq. deest.*

³⁴⁰ Torre MS. iii. p. 111.

³⁴¹ *Ibid.*

³⁴² Paper by R. Gwynne Lawrence, of Tong Vicarage, printed in the Herald and Genealogist, viii. 212.

³⁴³ Whitaker's Richmondshire, ii. 475, where it is engraved.

³⁴⁴ Green's Hist. p. 207.

from payment of arrears of scutage due on account of the war (1 Nov., 1314).³⁴⁵ His descent from the Bruces is set out on the Marshal's roll. The following year he paid one year's rent (40s.) for his "Relief"³⁴⁶ for the messuage and land at West Haddlesey.

After his flight from Bannockburn, the King took up his residence in York. Summons after summons was issued for the war without much result. A parliament was held in Feb., 1315, and Sir Nicholas had letters of credence (5 March) "concerning the defence of the Scottish borders." The same year the three young brothers, "Dñs Nicholas, Dñs Gilbertus, and Dñs Johannes de Stapelton," were summoned by Archbishop Grenfeld to Doncaster among the knights of Yorkshire,³⁴⁷ to a conference about the same business.

Bruce continuing his ravages in the northern counties, Stapelton had two summonses from the King, one dated at Lincoln, 20 Feb., the other at York, 20 Aug.,³⁴⁸ but they were both adjourned, either on account of the famine, which desolated both countries alike, or the discontent of the barons. In 1317 he was thrice summoned to muster his men at Newcastle-on-Tyne,³⁴⁹ but the muster was again postponed. In March "Schyr Thomas" the Constable of Richmond was surprised by the Douglas at the wood of Lyntailey.³⁵⁰ Whether Sir Nicholas accompanied his liege-lord on this occasion we do not know. Again a parliament assembled at York (Michaelmas, 1318), and every city and township in the kingdom was ordered to contribute men for the war, under penalty of loss of life and limb (*sub forisfactura vite et membrorum*).³⁵¹ Sir Nicholas was made Commissioner of Array with Adam de Everingham of Birkyn, for the wapentake of Barkeston, in which Haddlesey was situated. Nearly 5,000 footsoldiers were soon under arms in York, but the summons being good for only forty days, they dispersed before anything was done. The King spent his Christmas (1318) at Beverley, and again called out the army. Sir Nicholas was directed "to raise and arm all his men and tenants with competent arms."³⁵² The following spring he was called upon to join the Earl of Richmond his father-in-law, "with horse and arms."³⁵³ The continued ravages of the Scots caused great damages in the North Riding, and such frequent summonses under the "unconstitutional"³⁵⁴ system of Commissioners of Array must have been an additional nuisance. Edward I. had always paid the wages of his forced levies, but they were not paid now.³⁵⁵ The King continuing to reside at York, Stapelton was again appointed (8 June, 1319), Commissioner of Array for the West Riding, with seven others, "to raise and train 4000 foot soldiers for service against the Scots." The muster was at Newark. At short notice they joined the King at Berwick,³⁵⁶ The town had just been invested (7 Sept.), and two attempts already made to take it, with mov-

³⁴⁵ Rot. Maresc. 8 E. ii., m. 5 dors.

³⁴⁶ Reliefs, term Hill. 9 E. ii., Harl. MS. 34.

³⁴⁷ Letters from Northern Registers (Record Commission) p. 247.

³⁴⁸ Palgrave's Writs.

³⁴⁹ *Ibid.*; Archæol. Instit. York, p. 9.

³⁵⁰ *Supra.*

³⁵¹ Rot. Scacc. 12 E. ii. m. 11 dors.,

Palgrave's Writs.

³⁵² Rot. Scacc. 2 E. ii. m. 10; Palgrave's Writs.

³⁵³ Palgrave's Writs.

³⁵⁴ Stubbs' Const. Hist. ii. 539.

³⁵⁵ *Ibid.* ii. 540.

³⁵⁶ Archæol. Inst. York. Palgrave's Writs.

able towers filled with men, catapults, grappling hooks, and piles of faggots; when Bruce made a sudden diversion by breaking into Yorkshire from the West, and before Edward could get back to York, the army of Ecclesiastics, who had hurried out to meet the enemy at the bridge of Myton, were utterly routed.³⁵⁷

Stapelton still remained a firm adherent of the King. His brothers and the Earl of Richmond were constant to the last. What was it then that induced Sir Nicholas to join the rebels in 1322? It was a common case of necessity in feudal times. Thomas of Lancaster was at this time the most powerful man in the kingdom, but, finding his influence on the wane, took occasion of the greediness of the Despensers to stir up an outcry against them, and at once enlisted on his side all whom they had offended.³⁵⁸ An opportunity soon offered. William de Braose, Lord of Gower, had settled his estate in Wales on his son-in-law John, Lord Mowbray, with remainder to De Bohun, Earl of Hereford. Mowbray accordingly claimed it at Gower's death, but was immediately deprived of it by the King, to confer it on young Despenser. Lancaster called out his liegemen in Yorkshire at Sherburn in Elmet,³⁵⁹ Sherburn was close to Haddlesey. Stapelton could not refuse the summons. He owed a double allegiance—to Lancaster for Haddlesey,³⁶⁰ and to Mowbray for his lands in Ryedale. The King had kept his Christmas at Gloucester, and moved up to Lichfield.³⁶¹ Lancaster held Burton-on-Trent with an inferior force, and was obliged to fall back on Pontefract. From Pontefract he fled towards Scotland by Castleford and Wetherby, looking for help to Bruce, with whom he had made a treasonable alliance. But his progress was arrested at Boroughbridge (16 Mar., 1322), where Sir Simon Warde and Sir Andrew Harcla, the Governors of York and Carlisle, were drawn up on the north side of the river, near the present railway station. The old wooden bridge was too narrow for horses, and the Earl's men dismounting, Hereford was killed by a spear thrust through a crevice in the planking from below. Lancaster was repulsed by Harcla's archers in attempting to cross the river by a ford, and seeing no hopes of assistance from the Scots, he surrendered the following morning. Thus the power of the great Earl entirely collapsed. He was taken to his own castle at Pontefract, and there tried by his peers and beheaded. Roger Clifford and John Mowbray were hanged at York. The smaller leaders fell one by one into the King's hands. Fourteen bannerets and as many knights-bachelor were put to death. Eighty-six bachelors (*bas-chevaliers*) remained in prison;³⁶² only five were liberated. On the 11th July, 138 persons submitted to a fine to save their lands and lives.³⁶³ "Sir Nichol de Stapelton, Bachelor," was ordered to pay a fine of 2,000 marks and to send two casks of wine every year into the King's exchequer; John de Stapelton his brother, John de Crumbwell, George Salvayn, and Robert de Colvill, all of Yorkshire, John d'Arcy, nephew of his father's friend the Earl of Lincoln, and John de Caunton of Northumberland, being sureties for his future good behaviour.

³⁵⁷ Drake, Ebor. 101. Murray's Hand-book of Yorkshire, p. 234.

³⁵⁸ Stubbs, ii. 345.

³⁵⁹ Trokelowe, p. 49.

³⁶⁰ Inq. p. m. 8. E. ii.

³⁶¹ Erdeswick's Hist. of Staffordshire (Harwood), p. 473.

³⁶² Stubbs, ii. 350.

³⁶³ *Ibid.* note; Chron. Lanercost, p. 245.

His manors of Kirkeby, Fletham, Stapelton, Dighton, Crethorn, and Wath were committed to the custody of Walter de Kilvyngton,³⁶⁴ as security for the payment of the fine.

Meantime a parliament was held at York in May, 1322, and the King marched towards Scotland; but the Scots, mounted on their active little ponies, avoided a pitched battle as usual. Edward narrowly escaped being taken in an obstinate defence of Byland Abbey, and the Earl of Richmond, in assisting the King's escape, fell himself into the enemy's hands, among the hills to the north of Byland. After three years' imprisonment he obtained his release, but, growing weary of England, retired abroad. His Earldom was taken into the King's hands, but he kept his English possessions, for in the 3rd year of Edward III. he had licence to transfer them to his niece, Margaret de Valence, Countess of Pembroke, for an annuity of £1800 sterling.³⁶⁶

A subsidy for the Earl's ransom was asked for in Parliament, but refused.³⁶⁵ Session after session was held, council after council, in which no business was done; armies and fleets were again raised, and dispersed as soon as they were assembled, for want of money to pay them.³⁶⁷ On the 9th May (1324) the Sheriffs had orders to summon all the Knights of the Kingdom to Council at Westminster by the 30th. The legal notice was forty days,³⁶⁸ but the object was only to obtain an Aid from the military tenants, and they were not expected to attend.³⁶⁹ John de Stapelton and Nicholas were returned among the Knights of Yorkshire.³⁷⁰

Soon after this, Sir Nicholas was sent out to Guienne, "having obtained his pardon in 1322, on condition of serving the King in his wars." The writ was tested at Ravensdale in Lincolnshire, 7 Jan., 1325.³⁷¹ It was in Guienne, we suppose, he first met Sir Oliver de Ingham, with whom he was afterwards to become more closely allied. If we have succeeded in accounting for Stapelton's sudden change of party, it is not so easy to understand what induced Ingham to desert his sovereign. He had the King's Commission of Array in 1321 to raise the "posse comitatus" against the Earl of Lancaster;³⁷² and as Justiciary of Chester and Constable of Ellesmere Castle, he had orders, as late as 1323,³⁷³ to pursue the rebel Roger Mortimer "with hue and cry," after his escape from the Tower of London. We find him next in the enemy's camp, with the Queen and Mortimer in Paris, surrounded by exiled or fugitive Lancastrians. In Paris he received a Commission from the young Prince to raise a body of mercenaries to recover Guienne, and succeeded in driving the French out of the valley of the Garonne. In 1326 Ingham is designated "the King's Seneschal in Gascony." But even the Earl of Richmond is now in Paris, as one of the Commissioners to adjust the differences between France and England.³⁷⁴ Ingham is said to have landed with the Queen at Harwich in Sept., 1326,³⁷⁵ with Sir John of

³⁶⁴ Abb. rot. orig. 17 E. ii.

³⁶⁵ Whitaker's Hist. of Richmondshire, i. 31.

³⁶⁶ Walsingham, i. 171.

³⁶⁷ Stubbs, ii. 357.

³⁶⁸ *Ibid.* iii. 381.

³⁶⁹ Hallam's Middle Ages.

³⁷⁰ Palgrave's Writs.

³⁷¹ *Ibid.* 18 E. ii.

³⁷² "The Stapeltons of Ingham," a paper in the *Norf. Archæol. Journal*, 1878, by Rev. Jas. Lee Warner.

³⁷³ Rymer, iv. 23.

³⁷⁴ Rymer, 13 June, 1325, iv. 153.

³⁷⁵ *Norf. Archæol. Journal*, 1878.

Hainault and Henry de Beaumont for his companions. For several years, at any rate, he followed the fortunes of the Queen and Mortimer; but when Mortimer was arrested at Nottingham, and executed at Tyburn in 1330, Ingham contrived to escape with a short imprisonment in the Tower.³⁷⁶ In July, 1331, he was living in Brade (Broad) Street in the City, his house occupying the site of Merchant Taylors' Hall.³⁷⁷ Again he is Seneschal in Gascony, in a kind of honourable banishment. He was still there in 1342, and is said to have died in 1343.

Henry de Beaumont here mentioned was ancestor of the Stapeltons of Carlton. He had originally come over with Queen Isabella at her marriage, and was one of the obnoxious favourites ordered by the Lords Ordainers to be dismissed the Council in 1310.³⁷⁸ In May, 1323, he was put under arrest for "insulting and refusing to advise the King,"³⁷⁹ and so joined the Queen in Paris. He was a son of Lewis of Brienne, Viscount of Beaumont in Maine, and grandson of John of Brienne, King of Jerusalem and Emperor of Constantinople.³⁸⁰ By his marriage with the daughter of Alexander Comyn, Earl of Buchan (or Boghan) in Scotland, he acquired a large estate, and the Beaumonts became a powerful family in England. He was summoned to Parliament by the title of Earl of Boghan, in the reign of Edward III.³⁸¹

On the other side, Walter de Stapledon, the loyal Bishop of Exeter, who was murdered by the populace in the streets of London for the misdeeds of his royal master, was of a different family. He was founder of Exeter College, Oxford,³⁸² and his arms are still borne by that College.

The boy-king Edward III. was crowned on the 29th Jan., 1327. Beaumont was one of the first to receive him.³⁸³ Ingham was one of the Council of Regency. The first act of the Parliament was to reverse the attainder of Earl Thomas and those "who had been in the quarrel of the Earl of Lancaster."³⁸⁴ The northern Lords even prayed for his canonization.³⁸⁵ Stapelton had his fine remitted, and lost no time in recovering possession of his lands. There were grand doings in York when young Edward kept his first Christmas there after his accession. He had previously invited John de Hainault to come over and assist him against the Scots, and before the festivities were over, Lord John arrived with his niece Philippa and a large retinue. The Queen mother and her son were lodged in the Monastery of the Friars Minor, at that time a stately building (the very site of it is now unknown),³⁸⁶ and the marriage took place in the Minster on the 24th Jan., 1328. For three weeks feasting and revels continued without intermission.

Robert Bruce was on his death-bed, and his heir David a minor,³⁸⁷ when Henry de Beaumont, taking up the ancient blood feud between his wife's family, the Comyns, and the Bruces,³⁸⁸ brought Edward Baliol over from his retirement in Normandy to set him up on the Scottish throne.

³⁷⁶ Longman's Hist. of Edward III., i. 37.

³⁷⁷ Riley's Memorials of London, p. 184. (*Rec. Off. Series.*)

³⁷⁸ Stubbs, ii. 354.

³⁷⁹ *Ibid.* 357.

³⁸⁰ *Ibid.* ii. 330.

³⁸¹ Camden's Britannia, p. 154.

³⁸² Prince's Worthies of Devon, p. 554.

³⁸³ Stubbs, ii. 360 n.

³⁸⁴ Rot. Parl. 1 E. iii.

³⁸⁵ Stubbs, ii. 368.

³⁸⁶ Drake, Ebor. p. 102.

³⁸⁷ Hume, ii. 381.

³⁸⁸ Green, p. 205.

Sandal Castle near Wakefield was assigned to Baliol for a residence. In return for homage the English King gave him substantial aid, and John de Britain, Earl of Richmond, Nicholas de Stapelton, and others had orders to join him "with horse and arms," mustering at Newcastle at Trinity (30 May, 1333).³⁸⁹ The English invested Berwick, but had no sooner done so than the Regent Douglas attacked them on Halidon Hill. The Scots were beaten and fled in confusion, and Edward returned to England; but they again revolted, and orders were sent in Dec., 1334, to all the Sheriffs in England to array the whole nation.³⁹⁰ The English King overran all Scotland with Baliol, the Scots as usual retiring before them into their hills and fastnesses.³⁹¹ Sir Nicholas accompanied the expedition, for at Bamborough Castle on their march homewards he received, "as a mark of royal favour," free warren in all his demesne lands at Walkingham in the Honor of Knaresborough, and in his brother John's lordship of Melsonby.³⁹²

For nearly nine years we hear no more of Sir Nicholas till a few months before his death, when he was summoned to Parliament as a Baron, by Writ of 25 Feb., 1342. It was a critical period in the King's fortunes. His difficulties were at their worst. He was at war with France and Scotland, and deeply involved in debt; his people were discontented, and the nobility inclined to encroach on his prerogative. The Parliament of 1341 had been unusually turbulent, the Commons beginning to assert their right to control the expenditure of the nation. They voted the King 20,000 sacks of wool, but required important concessions in return, to which he unwillingly agreed. It was at this juncture that Sir Nicholas was summoned to the Council of the nation. His friends Oliver de Ingham and Henry le Scrope were summoned at the same time. The business of the Session is stated on the summons, "touching the state of Our Kingdom and Our other possessions, and especially the recovery of Our rights"³⁹³—*i.e.*, to the Crown of France. But the Parliament was prorogued, and Stapelton died before the meeting of the next.

In 1338 he had made a new settlement of his estates, probably at the marriage of his eldest son. The process in those days was usually by a "Final Concord," or "Concord of Fine." A fictitious suit was brought in the King's Court, between Nicholas de Stapelton, chivaler, and certain feoffees. A verdict was entered conveying the estates, and a fine paid to the Crown for allowing the suit to be ended (*fnis*) by a friendly composition. The manors of Dalton Michel, Stapelton-super-Tese, Kyrkeby Fletham, Fletham, Wath-in-Rydale, and the fourth part of the manor of Oustwyck, &c., were granted to the feoffees, who immediately re-granted them, first to Sir Nicholas for life; with remainder, as to Dalton Michel, which was Sir John Stapelton's, to Miles and Isabella and their heirs. The other lands were entailed on Miles alone, and his heirs by Isabella or any other wife.³⁹⁴ The effect of this settlement was that five-and-thirty years later it all went to the Methams by a daughter. Sir Nicholas

³⁸⁹ Palgrave's Writs.

³⁹⁰ Longman's Hist. of Edward III., i. 68.

³⁹¹ Hume, ii. 388.

³⁹² Rot. Cart. 9 E. iii m. 7.

³⁹³ Dugdale's Summons to Parliament.

³⁹⁴ Fines. Ebor. 12 E. iii no. 83.



SEAL OF SIR MILES STAPELTON, KNT., *temp.* EDW. I.



SEAL OF SIR JOHN STAPILTON, KNT., DATED 1340.

[To face p. 45.]

had also settled Carlton and Keutmere on heirs male or female,³⁹⁵ but a subsequent settlement by his grandson saved them to the Carlton family.³⁹⁶

Sir John de Stapleton, of Melsonby, was third son of Sir Miles the first baron and brother of Sir Nicholas. At sixteen (in 1308) he had "Letters of Protection while serving in the retinue of Henry de Lacy, Earl of Lincoln,"³⁹⁷ from which we gather that he was already in possession of Melsonby. The following November he had a grant of free warren there from the King.³⁹⁸ He had evidently been brought up in the Earl's household. The house of a great lord was commonly the school in which the sons of neighbouring Knights and Squires learnt good manners and knightly accomplishments.³⁹⁹ His father was an old friend of the Earl's; we have seen the estimation in which he was held when Lacy asked the Prince of Wales to let him take charge of his household during his absence in 1305.⁴⁰⁰ De Lacy had been one of the most trusted counsellors of Edward I., and was equally valued by his successor.⁴⁰¹ With the Earls of Gloucester, Warrenne, and Richmond, he kept order when Lancaster and the barons presented themselves in arms at the Council in March, 1310, "as for a tournament,"⁴⁰² and when the king marched into Scotland, De Lacy was installed Regent of England. He died soon after (Feb., 1311) "at his mansion house called Lincoln's Inn in the suburbs of London,"⁴⁰³ and his sons having predeceased him, his daughter Alice carried his large estates to Thomas Earl of Lancaster, whom we have seen executed at Pontefract in 1322.⁴⁰⁴

No wonder Sir John became a courtier, among all the intrigues and troubles of the pleasure-seeking King. When the King kept his Christmas at Westminster in 1317, and most of his nobles had deserted him, Sir John de Stapleton was one of a number of knights who received "sumptuous presents of plate,"⁴⁰⁵ perhaps as perquisites of office.⁴⁰⁶ He was evidently one of those who remained faithful to the King in 1322, when he was accepted as surety for his elder brother.

At the Clipston inquest in 1315, he was returned as holding Dalton-in-Broughton Lyth (Dalton Michel) jointly with Roger de Ask, and Melsonby,⁴⁰⁷ both in the liberty of Richmond.⁴⁰⁸ Both had been Fitz Alan's, and Stapleton had doubtless received both from his patron. He is still lord of Melsonby in 1338, when he was returned with Sir Gerard Ufflet and Sir Henry Vavasour as liable to furnish men and arms for the war in Scotland.^{409a} Melsonby suffered severely in the Scottish invasions, and the church is said to have been rebuilt in Sir John's time,⁴⁰⁹ but the tower is of a much earlier date—a massive little Norman keep in miniature.^{409a}

³⁹⁵ *Supra*, Inq. a. q. d. 5 E. ii. no. 11.

³⁹⁶ Inq. p. m. 13 R. ii. no. 36, on the death of Sir Brian of Wighill.

³⁹⁷ Rot. Pat. 1 E. ii. ps. 1, m. 2.

³⁹⁸ Rot. Cart. 2 E. ii. no. 42.

³⁹⁹ Stubbs' Const. Hist. iii. 541.

⁴⁰⁰ *Supra*, p. 90.

⁴⁰¹ Stubbs, ii. 319.

⁴⁰² *Ibid.* 326.

⁴⁰³ Dugd. Baronage.

⁴⁰⁴ *Supra*, p. 105.

⁴⁰⁵ *Archæologia*, xxvi. 344.

⁴⁰⁶ Gold and Silver Plate, South Kensington Handbook, by J. H. Pollen, p. 113.

⁴⁰⁷ Kirkby's Inquest (Surtees Society), p. 333.

⁴⁰⁸ *Ibid.* p. 170.

^{409a} Rot. Scot. 528a.

⁴⁰⁹ Whitaker, i. 218.

^{409a} Longstaffe's Richmondshire, p. 146.

One Walter de Stapelton of Richmondshire seems to have been another brother of Sir Nicholas and Sir John, having orders from the King at Carlisle in 1335, with Thomas de Shefeld (at this time married to Sir Gilbert Stapelton's widow), and Roger de Wyclif, and Galfridus de Melshamby, to assemble their forces against an expected invasion of the Scots. The same Walter had been required, in 1324, to "provide victual"⁴¹⁰ for John de Hainault and his retinue at York.

In 1324, one Thomas de Stapelton is also found in Sir William Vavasour's "list of Yorkshire knights."⁴¹¹ The younger members of families are too often lost sight of. Many of them took orders. In the "Durham Register" we find one Hugo de Stapelton examined and admitted as an acolyte in 1342.⁴¹² Johannes de Stapelton is "admitted to the first tonsure" in the same year, and Robert de Stapulton, presbyter, had a grant of the parish church of Bedlyngton from the Bishop of Durham; the last being given at Northallerton, 3 Oct., 1343.⁴¹³

Our Chronicle here culminates in three contemporary worthies, who each became head of a separate branch. 1. Sir Miles of Hathelsay, who continued the barony. 2. His cousin, Sir Miles of Bedale and Ingham, one of the "Founders" of the Garter, and first of the Norfolk line; and 3. Sir Brian of Carlton and Wighill, who was also a Knight of the Garter.

All three commenced a military career in the wars of France. Miles of Haddlesey had been betrothed to Isabella de Vavasour in 1338, but went abroad before the marriage was completed. Sir Brian's evidence in the "Scrope and Grosvenor case"⁴¹⁴ shows that the youngest of the cousins was at the siege of Tournay in 1340. The first record of the two elder is in May, 1345, when "Milo de Stapelton de Hathelsay and Milo de Stapelton de Cotherstone" (and Bedale) had "letters of protection to last one year, going abroad with John D'Arcy le Cosyn."⁴¹⁵ Sir Nicholas had died two years before, and his heir must have "protection" to exempt his estates from civil process and from losses in his absence. "Letters of attorney" were sometimes granted for the same purpose.⁴¹⁶ But protection in this case probably meant that his inheritance was taken into the King's hands, or given to someone else, who kept the profits for himself,⁴¹⁷ only maintaining the heir in "reasonable estovers. In the case of William de Bella Aqua, we know that estovers comprised "honourable food, and clothing of two robes a year, the price of each 20s.; with sufficient maintenance for two horses and two garçons, and for buying other necessaries," &c.⁴¹⁸

This Sir John D'Arcy, nephew of the great Earl of Lincoln, was an old friend of Sir Nicholas. He had been one of his sureties in 1322, and had now recently obtained a grant of the manors of Temple Newsom and Temple Hurst (1338), the latter lying between Carlton and Haddlesey. He had held high office in the household of Edward III.,

⁴¹⁰ Rot. Scot. i. 216a.

⁴¹¹ Nom. Mil. de com. Ebor. 17 E. ii. Lansdowne MS. 900, Harl. MS. 1415.

⁴¹² Reg. Pal. Dunelm (Record Office Series) iii. 125.

⁴¹³ *Ibid.* 465.

⁴¹⁴ Scrope and Grosvenor Roll, ed.

Sir H. Nicolas.

⁴¹⁵ Palgrave's Writs.

⁴¹⁶ Sir H. Nicolas' Hist. of Battle of Agincourt, p. 21.

⁴¹⁷ Stubbs' Const. Hist. i. 261.

⁴¹⁸ Kirkby's Inquest (Surtees Society), p. 426.

first as Lord Steward, and afterwards as Chamberlain. As Lord Steward he was in Flanders in 1339, endeavouring to raise a loan for the King's necessities, and he was at the siege of Tournay in 1340.⁴¹⁹ In 1342 he was sent into Brittany with the Earl of Northampton to aid the brave Countess of Montfort in her defence of Hennebion, while her husband was a prisoner in the Louvre.⁴²⁰ It is highly probable that the three cousins had been brought up in D'Arcy's household, and served with him in his campaigns.

D'Arcy was again in France in 1345, and Miles and his cousin were in his service. Several towns were taken, and the French defeated near Morlaix. Northampton and D'Arcy returned in the spring of 1346, in time to join the great expedition which landed on the coast of Normandy in July. An army of thirty thousand Englishmen swept across France, laying waste and pillaging wherever they came. Shiploads of "clothes, jewels, and gold and silver plate"⁴²¹ were taken at Caen and other French towns, and sent home in the empty transports. The aim of the English King was to form a junction with his Flemish allies at Gravelines, but the bridge at Rouen was broken down, and it was not till they reached Poissy, a few miles from Paris, that they were able to cross the Seine. The French king was in hot pursuit with an army three times their number, when Edward turned and offered them battle at Crecy. The story of Crecy need not be repeated here. The English were drawn up in two divisions. Arundel and Northampton commanded the left, in which were D'Arcy and his young charges. The King commanded the reserve at the Windmill. The men-at-arms were ordered to dismount, and their horses were taken to the rear; and the bowmen winning the first success, the two divisions charged in between them and made the victory complete. The Sunday following, the Archbishop of Rouen and the Grand Prior of France, coming up, and not knowing what had happened, were beaten by Northampton's division with heavy slaughter.⁴²² From Crecy the road to Calais was easy. A close blockade was commenced, and a complete town of wooden houses erected round it outside the walls. Twenty "devilish engines," as the old writer⁴²³ calls them—capacious bombards from which stones were fired at a high elevation with small charges of powder, or long cannon of very small bore—were erected to play upon the town. Captain Brackenbury estimates the average daily allowance for each gun at three or four ounces of powder; 204 leaden shot and 12 pieces of shot were discharged during the siege.⁴²⁴ D'Arcy had in his retinue 12 knights, 68 squires, and 80 archers;⁴²⁵ Sir Miles (erroneously called Sir Nicholas in the MS.) contributing 8 esquires and 8 archers.^{425a} D'Arcy returned home soon after the siege commenced, to meet the Parliament in September, with a message from the King; and, in his capacity of Constable of the Tower, was sent down to the North to take charge of King David of Scotland and the other prisoners taken at Nevill's Cross (17th Oct.); for which service he received £50 in money. He died

⁴¹⁹ Collins' Peerage, viii. 391.

⁴²⁰ Tales of a Grandfather, French Series, ii.

⁴²¹ Froissart, ch. 124.

⁴²² Barnes' Hist. of Edward III., p. 361.

⁴²³ *Ibid.* 362.

⁴²⁴ Ancient Cannon in Europe, by Capt. Brackenbury, Longman's E. iii., vol. i., p. 280.

⁴²⁵ Collins' Peerage, viii. 393.

^{425a} Harl. MS. 246, fo. 13.

soon after (30 May, 1347), leaving John Lord D'Arcy "le fitz," his son and heir, then 30 years of age.⁴²⁶

His patron being dead, Sir Miles came home to claim his estates—and his wife. In Jan., 1347, he obtained livery of his inheritance, and two children were born of his marriage, in 1349 and 1350.

"Hillary Term 21 E. iii., Milo, son and heir of Nicholas Stapylton, paid the King *xvli. vs. vid.* for his relief in the manor of Carlton, the vill of Southbrune, and two bovates at Tybthorp, and a certain chace called Kentmere, all which he held of the King *in capite* by hereditary descent, as the eighth part of the barony of Bruce."⁴²⁷

Exchanging the sword for the pen, he became Sheriff of Yorkshire in 1353; and when John Thoresby, the Yorkshire Lord Chancellor, was translated from the see of Worcester to the Archbishopric of York, Milo de Stapelton, described as "King's Escheator co. Ebor," had orders with four other Escheators to deal liberally with the Chancellor.⁴²⁸ Two years later he was again sheriff, and held office for five years, 1355–1360.⁴²⁹ The position was still one of importance, and doubtless lucrative. All the judicial business of the shire, except the Assizes, was transacted in his Court,⁴³⁰ and he also collected the taxes of the county to pay them into the King's Exchequer, for the King was then, both in theory and practice, the financier of the nation.⁴³¹ Unjust exactions had given occasion for frequent petitions against the Sheriffs, and so lately as 1340 it had been enacted that none should hold office for more than one year, but the King sometimes evaded this provision,⁴³² and Sir Miles' long tenure of office may be taken as evidence that he gave satisfaction to all parties in the performance of his duties.

The cousins stood high in the King's esteem. In 1355, "Milo de Stapelton, dñs de Hathelsay," and Milo, "dñs de Bedale et Ingham," were sent out with the Black Prince and Henry Earl of Derby (afterwards Duke of Lancaster)⁴³³ and other Commissioners, to meet the French ambassadors at Avignon. The restoration of Aquitaine to England was the subject of dispute,⁴³⁴ but the mission proved a failure, "owing," says Walsingham, "to the treachery of the French, with the connivance of the Pope."⁴³⁵ In 1356 Sir Miles received "for taking David Bruys King of Scotland from the town of Newcastle-upon-Tyne to London, 200 marks, paid for the expenses of the King."⁴³⁶ The sum was equal to near £2,000 now-a-days. It was ten years since David had been taken prisoner at Neville's Cross. He was carried down to the North for the purpose of negotiating his ransom, several times before he was at last set at liberty in Oct., 1357. In 1358, while he was still Sheriff, Sir Miles was summoned as a Baron to Parliament. The Rolls of this year are lost, and the summons is omitted by Dugdale; but Mr. West, Lord Chancellor of Ireland, in his enquiry into the origin and manner of creating Peers, tells us "Sir Miles was summoned in this year, though for this and the following year Dugdale could not find the bag, and there-

⁴²⁶ Collins' Peerage, viii. 394.

⁴²⁷ Reliefs, Harl. MS. 34, fo. 164.

⁴²⁸ Rymer, iii. 252, Foss' Judges, ii. 323.

⁴²⁹ Drake, Ebor. 352.

⁴³⁰ Stubbs, ii. 208.

⁴³¹ *Ibid.* 530.

⁴³² *Ibid.* 580.

⁴³³ Rymer, 28 E. iii. v. 793.

⁴³⁴ Longman's E. iii., i. 354.

⁴³⁵ Walsingham, i. 278.

⁴³⁶ Devon's Issues of the Exchequer, 29 E. iii.



KENTMERE HALL, 1882.

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fore in his printed list of Summonses he inserted in those years, 'nullæ summonitiones.'"⁴³⁷

Sir Miles had no further summons to Westminster. Travelling was difficult and dangerous except with a retinue of servants, and men of large estates went up to London as rarely as possible. The number of hereditary barons who were summoned was usually small.⁴³⁸ Men were glad to escape from an irksome duty, and there are many instances of barons being relieved from attendance in Parliament, as "a privilege due to old age or high favour."⁴³⁹

The Lady Isabel seems to be dead; at least, there is no mention of her in a deed of re-conveyance of Dalton Michel⁴⁴⁰ in 1358, though it had been specially settled on her.⁴⁴¹ Sir Miles was living at Kentmere, for he had licence, 17 May, 1358, from Archbishop Thoresby to celebrate mass in his Oratory there.⁴⁴² The old Hall and Church are still standing. Whitaker described them in 1823:—

"At the head of the tarn, and in the deepest retirement, are the Village, Hall, and Chapel of Kentmere. The Hall, the birth-place of the Reformer Bernard Gilpin in 1517, is one of the most picturesque little buildings I ever beheld. A border tower of small dimensions four storeys high, machicolated on all sides at the top, and constructed with grout-work of the rude ragstone of the country, gives the whole a rugged and savage air wonderfully suited to the place. But such a Tower was the citadel, not the whole, of our old Border mansions. At Kentmere Hall there was (and the shell now remains, in 1823) a thorough lobby with a pointed arch for a doorway, with a hall on one side and a kitchen on the other. At the upper end of the hall, a narrow doorway, once fortified by a portcullis or iron door, opens out into the winding staircase of the tower, the lowest apartment of which is a vaulted cellar The Chapel, about 300 yards eastward from the Hall is I think of high antiquity. A line of single lights, of which the lowest is 12 feet from the ground and the highest 15, ranges along the south side, and plainly indicates an apprehension lest the congregation should be disturbed during divine service. But the present flat and fluted roof cannot be earlier than the first years of Henry VIII., contemporary with which are the screen and stalls."⁴⁴³

The great "fortified" church on the hill for the priest and the people to fly to, and the pele tower for the peaceful old lord and his dependants, forcibly remind us of the misery and danger to which these border counties had lately been exposed from border forays. Pele towers of the fourteenth century are common enough,⁴⁴⁴ and machicolations or parapets set on projecting corbels were in use at this date.⁴⁴⁵ In some, the tower originally formed the whole of the house, and the hall was added afterwards. In others, the hall and the tower were built together. If the latter was the case at Kentmere, as Whitaker seems to suppose, it would fix the date about this time, the middle of the fourteenth century—a

⁴³⁷ Banks' *Baronia Anglica*, i. 416.

⁴³⁸ Stubbs, ii. 182.

⁴³⁹ *Ibid.* iii. 442.

⁴⁴⁰ Dodsworth's MSS., vol. i., nos. 41, 43 (Dobsonian Library).

⁴⁴¹ *Supra*, p. 108.

⁴⁴² Register of Abp. Thoresby, Test. Ebor. (Surtees); Torre MSS.

⁴⁴³ Whitaker's *Hist. of Richmondshire*, ii. 325.

⁴⁴⁴ Parker's *Dom. Architecture*, ii. 10.

⁴⁴⁵ *Ibid.*

transition period, when the military character was gradually giving way to the domestic.⁴⁴⁶ The estate remained in possession of the family till 1626, when it was sold by Gilbert Stapleton of Carlton.⁴⁴⁷

Sir Miles probably also resided sometimes at Kirkby Fletham and sometimes at Stapleton, holding both in demesne. The lord of several manors usually moved from one to another to consume the produce, instead of bringing it home to one, or converting it into money. Even two hundred years later, the great Earl of Northumberland, who had half-a-dozen houses in Yorkshire, carried his household and goods about with him from one to the other.⁴⁴⁸ But this Sir Miles is the first who is specially designated "of Hathelsay," as if that was his principal residence. In addition to the "message" and the small estate at West Haddlesey, where his ancestors had lived, they had about 400 acres in East and West Haddlesey, as we have seen,⁴⁴⁹ all held in demesne. On the north bank of the river Aire, in East Haddlesey, about a mile from the Preceptory at Templehurst, is a large rectangular moated enclosure, to which the Ordnance Surveyors⁴⁵⁰ have given the name of the "Hall Garth," with some indications of old buildings. The "Garth" measures some 120 yards each way, and is surrounded by broad and deep moats, which are in some parts double, and, almost touching the river at one corner, may have been connected with it. The absence of any traces of a causeway or bridge suggests that it was only accessible by water. Hence some have supposed that it may have been a dépôt of the Templars for the safe keeping of their farm produce; but there is no reference to it in the Inquest taken in 1308, and the Templars seem to have had no land in East Haddlesey. It has also been said to have been built by the Stapeltons. The Stapelton Inquisitions at this period are nearly illegible, and it is more likely that Sir Miles continued to occupy the old house at West Haddlesey, which he may have rebuilt or enlarged. The similarity of its situation to the Earl of Northumberland's great castle at Wressel on the banks of the Ouse, built by Thomas Percy, Earl of Worcester (beheaded 1403), makes it much more probable that it was built at a later period by the Fitzwilliams, who had their principal residence at Haddlesey in the 15th and 16th centuries.⁴⁵¹

Large sums of money advanced to his cousin of Ingham on mortgage of his estates show that Sir Miles was possessed of considerable wealth, which he put out to usury, like his rich kinsman Sir John Fastolf of Norfolk. We have evidence of this in a suit (*finalis concordia*) concluded in the King's Court before the Judges at the Westmoreland Assizes, 3 Feb., 1364 (so that he was probably still living at Kentmere), whereby "Milo de Stapelton, chivaler, of Bedale" (and Ingham), grants to Milo de Stapelton of Hathelsay, chivaler, Brianus de Stapelton, chivaler (afterwards of Wighill), Richard de Richemund, John de Kirkeby, and others, the manors of Ingham and Waxtonesham, co. Norf., Bedale and Cotherstone, co. York, and North Morton, Berks, for Hathelsay's life. In return for which, Hathelsay, on the part of the

⁴⁴⁶ *Ibid.* iii. 5.

⁴⁴⁷ Beauties of England and Wales, xv.

211.

⁴⁴⁸ Northumberland Household Book.

⁴⁴⁹ *Supra*, p. 97.

⁴⁵⁰ 6-inch Ordnance Map.

⁴⁵¹ Hunter's Deanery of Doncaster, i.

340.

feoffees, undertakes to pay Sir Miles of Bedale (Ingham) 500 marks a year (nearly £5,000 now-a-days), during the life of the latter. And if Hathelsay should survive his cousin, he is to continue to have the estates for life, at a nominal rent of one rose a year, the whole to revert to the heirs of Ingham at Hathelsay's death. And for this grant, Hathelsay agrees to pay his cousin £1000 down (*mille libras sterlingorum*), about £15,000 of our money.⁴⁵² Like Fastolf, too,⁴⁵³ Sir Miles sometimes laid himself open to charges of rapacity and oppression. He had a quarrel with William de Ayrminne (apparently a son of the covetous and contentious Bishop of Norwich) and some others of the King's tenants at Carlton, who complained that they went in fear of bodily injury and the loss of their goods. The King directs his bailiffs to give them protection for one year.⁴⁵⁴

Another time he claimed half the river Aire (*usque ad filum aquæ*) within his demesne at Carlton, of which the agents (*ministri*) of Queen Philippa, "Our beloved Consort, of Snaith" on the opposite side, had tried to deprive him. The King appointed a Commission of Enquiry by Letters Patent,⁴⁵⁵ dated at Westminster 27 Jan., 1365, but nothing more is heard of it.

Lord Stapelton outlived these disputes, and died in 1373, leaving issue,

1. Thomas, his son and heir.
2. Elizabeth, wife of Sir Thomas Metham, who carried a great part of his estates to that family.

His will is in the Registry at York. It is in Latin, dated "At Hathelsay," on the Sunday next before the feast of St. Bartholomew, 24 August, 1372.

"In the name of God, Amen. I, Milo de Stapilton, chivaler, make my testament after this manner. First, I commit my soul to God and the Blessed Virgin Mary and All Saints, and my body to be buried in the Church of St. Nicholas of Drax. And I appoint Dñs Brian de Stapelton, chir, Thomas de Stapelton, Sibill de Stapelton, and Dñs Johannes Legett, parson of Melshamby, my executors; to whom I bequeath all my goods, personalty and realty (*omnia bona mea et immobilia*). And to this I have affixed my seal."⁴⁵⁶

Sir Miles died about the new year of 1373, his will being proved on the 5th Jan. His son Thomas had livery of his estate, but was never summoned to Parliament, for he died the same year, on the Feast of St. Lawrence (10 Aug., 1373), at the early age of 23.⁴⁵⁷

He was only recently married to Joan, eldest daughter of Sir John Fitzwilliam of Sprotburgh, chivaler, pursuant to a covenant dated 1373,⁴⁵⁸ but left no child. The Lady Joan survived him, and married secondly John Felton, Esq.⁴⁵⁹ There being no limitation to male heirs, his sister Elizabeth, wife of Sir Thomas de Metham, then aged 24, was declared next heir to Stapelton, Kirkby Fletham, Wath-in-Ryedale, Southburn, Tybthorpe, &c.; and William de la Vale, the King's Escheator, had orders

⁴⁵² Pedes finium Com. var, 38 E. iii. (Record Office).

⁴⁵³ Cf. Paston Letters.

⁴⁵⁴ Rot. Pat. 33 E. iii. m. 28.

⁴⁵⁵ Rot. Pat. 38 E. iii. m. 48 dors.

⁴⁵⁶ Test. Ebor. (Surtees Society), i. 88.

⁴⁵⁷ Torre MS. Inq. p. m. 46 E. iii., Compend. Esc. Harl. MS., r. c. 708, p. 417.

⁴⁵⁸ Hunter's Doncaster, i. 325

⁴⁵⁹ Collins' Peerage, v. 163. Hunter's Doncaster, i. 338.

to put her in possession.⁴⁶⁰ A subsequent inquisition was held at York Castle on the 1st Nov., as to Hathelsay and Baildon, when the jury found the deceased, Thomas de Stapelton, "seised in demesne as of fee," of the manor of Hathelsay and certain lands in West Hathelsay and Baildon; and his sister Elizabeth, wife of Sir Thomas Metham, next heir. But a few months later (Feb., 1374) this decision of the jury is reversed; the Escheator has again taken possession, and a suit is commenced on the part of the King against the widow and her father, Sir Thomas Metham and his wife, and the Chaplains of Hathelsay and Sprotburgh. Pending decision, the estate is put in charge of Ralph de Bracebridge and others.^{460a} Eventually the suit was decided in favour of the uncle, Thomas de Stapelton, brother of the last Sir Miles of Hathelsay, as last surviving male heir of Sir Nicholas, the second Baron, who is accordingly found possessed of Hathelsay and Baildon at his death in 1381-2,⁴⁶¹ but leaving no male heir, Hathelsay escheated to the King by failure of heritable blood. It was subsequently granted to Sir John Fitzwilliam, who settled it on his eldest son and his wife Matilda, daughter of Ralph Cromwell of Tattershall, and at their death it passed (1397-8) to the next brother, Ralph Fitzwilliam.⁴⁶² In the following century another Ralph Fitzwilliam, great-grandson of Sir John,⁴⁶³ is found "living at his house at Haddlesey."⁴⁶⁴ He was Captain of the castle and county of Salvaterra in France, as appears by a patent in 1441, and in his descendants Haddlesey continued for several generations. Another hundred years and William Fitzwilliam, living there at the time of Aske's rebellion, was buried there in 1542.⁴⁶⁵ The messuage and five bovates at West Haddlesey went to the Churches of Sprotburgh and Haddlesey, for the parsons of those churches paid relief as tenants of the King, in 1376.⁴⁶⁶

Carlton and Kentmere had also nearly gone to the Methams; but fortunately just before his death, the younger Thomas had made a settlement granting them to Sir John Legett, the parson of Melsonby, and other feoffees, for himself (Thomas) and his heirs male; with remainder to Sir Brian of Wighill in tail male, and then, failing issue male, to Sir Miles Stapelton of Bedale and Ingham, &c.⁴⁶⁷ For which he paid a fine of £24 to the King.⁴⁶⁸

Elizabeth, sister and sole heir of Thomas de Stapelton, wife of Sir Thomas Metham, inherited her brother's estates, but it was not till the 3d Richard II. (1379) that Metham did homage to the King, and obtained livery of her inheritance.⁴⁶⁹ An inquisition taken at the death of a later Sir Thomas Metham shows that the Methams still held the manors of Stapelton-on-Tees, Kirkby Fletham, and Wath-in-Ryedale in 1539.⁴⁷⁰

⁴⁶⁰ Abb. rot. orig. Cur. Scacc. 47 E. iii. p. 325b.

^{460a} Cart. Harl. 83 C. 15.

⁴⁶¹ Calend. Inq. p. m. 5 R. ii., (*Inq. deest*).

⁴⁶² Collins' Peerage, v. 163.

⁴⁶³ *Ibid.* v. 167.

⁴⁶⁴ Hunter's Doncaster, i. 338.

⁴⁶⁵ *Ibid.* p. 340.

⁴⁶⁶ Reliefs Term Hil., 50 E. iii. Harl. MS. 34, fo. 267.

⁴⁶⁷ Inq. p. m. 18 R. ii. no. 36, on the death of Sir Brian.

⁴⁶⁸ Abb. rot. orig. Cur. Scacc., p. 328a.

⁴⁶⁹ Reliefs Term Mich. 3 R. ii., Harl. MS. 34, fo. 273

⁴⁷⁰ Inq. p. m. 31 H. viii., Cole's Escheats, Harl. MS. 760, fo. 63.

SIR MILES

DOM. ROGER, I
with Sir B.

GILBERT, d. 1291
(Abb. rot. orig.
19 E. 1.)

NICHOLAS, who
is supposed
to have gone
to the Crus-
sades, and d.
v. patris.

ISABELLA, da.
Bretagne, Be-
mond, and
Princess Bea-
H. III.

SIR MILES of H
Lord of Cam-
Fletham, &c.
1355—9, d. 1

THOMAS, Lord
&c., d. s. p.,

In Elizabeth's male descendants the representation of the family continued until the death of Sir Thomas Metham, *ex parte Regis*, at Marston Moor in 1644. The last Sir Thomas left two daughters and co-heiresses—viz., Katherine, wife of Edward Smithe of Eske, co. Durham, and Barbara, wife of Thomas Dolman of Budsworth, co. York—among whose representatives and descendants the Barony of Stapelton is still in abeyance.⁷¹

THE STAPELTONS OF BEDALE AND NORFOLK.



FITZALAN MONUMENT AT BEDALE, 1870.

THE Richmondshire stem terminating in an heiress who carried most of the estates, but not the name,¹ to Metham, the next branch takes its place.

Gilbert Stapelton, second son of Sir Miles the first Baron, married Agnes, one of the daughters and co-heirs of Brian fitzAlan, Lord of Bedale, and from this match the Stapeltons of Bedale and Norfolk, Carlton, Wighill, and Myton are all descended. Gilbert's wife, like his brother Sir Nicholas', came of the noble family of Brittany and Richmond, the fitzAlans deriving from a younger son of Alan Fergant Count of Brittany, who came over with the Conqueror. Their second shield shows their descent; *ermine* (Brittany); with a crescent for difference, denoting the second House.² The first shield, *barry of six, or et gu.*, says

⁷¹ Sir H. Nicolas' Hist. Peerage. For Pedigree of Metham and Dolman, see Banks' Baronia Angl.

¹ The barony remained in abeyance, with the Methams and their descendants. Some years ago it was claimed by John T. Dolman, Esq., of Souldern House,

Oxon, as heir general of this marriage, but the Petition was referred to the Attorney General, and no further proceedings were taken. (*Burke's Extinct Peerage.*)

² Shield of Stapelton impaling fitzAlan. Illuminated Pedigree of 1660.

Dugdale, is found on several old charters of the Yorkshire family, and does not belong to the fitzAlans of Clun in Salop, though it is usually attributed to them.³ FitzAlan's father was Sheriff of Yorkshire from 20 to 33 H. III., and Roger de Stapelton was his Deputy.⁴ From his mother, Agnes Haget, he inherited estates at Helaugh, Wig-hill, Bainton, and Esedike, and gave the nuns of Synningthwaite "a toft and a croft to keep his anniversary."⁵ Sir Brian fitzAlan was a favourite of Edw. I., having accompanied him in several of his expeditions to Scotland and Wales, and was summoned to Parliament as a Baron in the 23rd of that reign. His family is briefly set out in the foundation deed of a chantry in the Chapel of the



Virgin at Bedale, which he gave to the Abbot and Convent of Jorevall (Jervaulx) in 1290,—“To pray for the souls of Patricia late Countess of Richmond, Alan father of the said Sir Brian, Agnes his mother, Muriel his wife, and Thomas, Robert, and Theobald, his sons (all deceased),”⁶ &c.—From this we know that Muriel his first wife had died before 1290. FitzAlan became Viceroy of Scotland after Baliol's surrender of the Crown, and tradition has it that his second wife Agnes, the mother of his two daughters, was a daughter of Baliol. In Christofer Stapilton's pedigree (*circ.* 1530) she is called “Annes” (Agnes), dau. of Sir Brian fitzAlan, by Annes dau. to the King of Scotcs.”⁷ The monument of Sir Brian and his wife in Bedale Church has been minutely described by Mr. Blore, the architect, in his “Monumental Remains,” where it is engraved, as “much superior in design and execution to the generality of effigies of the same period.” Clarkson says of it,—“Sir Brian d. 1301, and was buried with his wife Anne daughter of John Baliol, King of Scotland, in the south aisle of Bedale Church, under a mausoleum very beautifully covered with gold and various colours.”⁸ The painting and gilding remained quite vivid⁹ till the latter end of the last century, but the monument is now sadly mutilated, and has been moved to the west door from the position which it formerly occupied. At fitzAlan's death, the “wardship and marriage” of his daughters were entrusted to Henry de Lacy, Earl of Lincoln, the faithful minister of Edward I., Agnes being then eight years of age, and Katherine, who afterwards married Lord Grey of Rotherfield, only six. Just before his death, De Lacy gave the wardship of the elder girl to Sir Miles Stapelton (1310), and Sir Miles at once contracted her in marriage to his second son Gilbert, as we have seen.¹⁰ The little lady brought

³ Dugd. Baronage, tit. fitzAlan.

⁴ *Supra*, p. 79.

⁵ Dugd. Baronage—Dodsworth calls her Agnes of *Bedale*, dau. or grand dau. of Scolland, Lord of Bedale, by whom fitzAlan had Bedale. (*Gale's Honor of Richmond, Whitaker*, ii. 62.)

⁶ Scrope and Grosvenor Roll, ed. Sir H. Nicolas, from a Record in the Augmentation Office.

⁷ *Supra*, p. 102. Glover calls her “Malicola, filia Regis Scotorum,” but there is evidently some confusion with Muriel, who had died earlier.—(Harl. MS. 6070, fo. 202.)

⁸ Clarkson's *Hist. of Richmond*, p. 54, n.

⁹ Blore.

¹⁰ *Supra*, p. 91.

him half Bedale and Askham Brian, and Sir Miles on his part settled North Morton on them and their heirs. The grant is recited in an *Inquisitio post mortem* taken at Sir Miles' death.¹¹ It was not, however, till 1317 that the sisters, being both married, "proved their age," (Agnes at Windsor, 15th December; and Katherine at Westminster, on the 27th), and had livery of their inheritance.¹²

Sir Gilbert was a recipient of royal favour under Edward II., as his brothers had been. In 1309, before he was of full age, his father being then one of the "Guardians of the lands of the Templars,"—he had the custody of the church of Kelington, opposite Templehurst, conferred upon him, "to collect and receive the profits (*fructus*)."¹³ A few years later (1313) he was obliged to give it up, *cum ornamentis ejusdem, ac etiam juribus et pertinentiis suis quibuscunque*,¹⁴ when the property of the Templars was bestowed on the Knights Hospitalers.¹⁵ The same year his name appears among the adherents of the Earl of Lancaster, "pardoned for the murder of Gaveston,"¹⁶ and in 1315 he is among the Knights of Yorkshire, summoned by Archbishop Grenefeld to Doncaster to consider the best means for the defence of the Realm.¹⁷ In 1319 he was twice summoned for military service against the Scots.¹⁸

In 1320 (27 Jan.) he was appointed the King's Escheator north of Trent (*citra Trentam*, the King being then at York), and Ralph de Crophull was ordered to deliver up the office to him.¹⁹ It was the duty of the Escheator to take possession of all estates which fell into the King's hands by forfeiture or death, and with the aid of a Jury to ascertain the extent, and the name and age of the next heir. At this time two Escheators sufficed for the whole of England. Ricūs de Rodeneye, Esc. cit. Trentam, and Gilbertus de Stapelton, Esc. ult. Trentam, were summoned among the *proceres et magnates*,²⁰ (the Earls and Barons and the official nobility of the Realm),²¹ to a "Parliament" at Westminster on the 15th July. The principal business of the Session was to pass sentence on the Despensers,²² in which the experience of the Escheators would be very useful. The following month, Aug. 1320, Sir Gilbert had orders to restore to Egidius, the new Archbishop of Rouen, all the English estates appertaining to the See, which had lapsed to the King, by the translation of the late Archbishop to the See of Narbonne.²³ From a document in Rymer we learn that Sir Gilbert died during the following twelvemonth, at the early age of 31.²⁴ It is recited in a fine of 15 Edw. ii. (1321), that the new Archbishop had done fealty to the King on the 6th Aug. 1320, and had his estates rendered to him by the then Escheator, (*Gilb. de Stapelton tunc esc.*); Kilham alone in the East Riding, for some reason which does not appear, remained in the King's hands till Sir Gilbert's death, (*usque ad diem obitus præfat. esc.*), and a new order was made on the 12th Aug. 1321, to give it up to the Archbishop.²⁵ Sir Gilbert left issue,—

¹¹ Inq. p. m. 8 E. ii. no. 17.

¹² Rot. Claus. 11 E. ii. no. 14.

¹³ Abb. rot. orig. 5 E. ii.

¹⁴ Rymer, iii. 456.

¹⁵ Mills' Hist. of the Crusades, ii.

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¹⁶ Rymer, iii. 444.

¹⁷ Letters from Northern Registers (Record Office Comm.), p. 247.

¹⁸ Palgrave's Writs.

¹⁹ *Ibid.*

²⁰ *Ibid.*

²¹ Pearson's Hist. of England, ii. 467.

²² Stubbs' Const. Hist., ii. 347.

²³ Rymer, iii. pp. 361 & 342.

²⁴ Dodsworth makes the date 1328.

Dodsw. Collections. (*Bodleian Library*.)

1. Sir Miles of Bedale and Ingham, K.G.
2. Sir Brian of Carlton and Wighill, K.G.
3. Katherine, wife of John Boys of Coningsby, co. Lincoln. She died before 1360.²⁶
4. Avicia, wife of Sir Nicholas Middleton of Stockeld near Harrogate.

A MS. in the British Museum, labelled "Yorkshire Arms and Descents,"²⁷ mentions a third son, "Robert md. the da. and heir of Ridware, and had issue Jane, maryed to Sir William Hilton Knt." The fact that "Ricūs Miles de Hilton" afterwards granted all his lands and tenements at North Morton, with "a house, lands, meadows, woods, pastures, and rents," to Sir Miles Stapilton of Bedale in 1354,²⁸ may help to support this statement. Left a widow while she was still young, fitzAlan's daughter married again, for in 1328, the King granted a three days' fair at Bedale "to Thomas Shefeld and Agnes his wife,"²⁹ who held one moiety of Bedale, and to John de Grey who held the other moiety, "by the law of England," his wife being dead.³⁰ Sir Gilbert's moiety went to the Stapeltons of Bedale and Norfolk, and afterwards, by failure of male heirs, to the Carlton family, in whose possession it remained till it was sold by the present Lord Beaumont. Lord Grey's moiety descended by marriage to the noble families of Deincourt, Beaumont, and Lovel, in succession, and was finally lost by the attainder of Lord Lovel.

Sir Gilbert had also the manor of Cotherston on the south bank of the Tees, a little above Barnard Castle, in right of his wife. The old castle at Cotherston was a keep-tower of the Fitz-Hughs, "Pendragon's lonely mound" of Sir Walter Scott.³¹ Sir Gilbert's residence was at Thwaite Hall, now only a little farm of no great antiquity, at the north end of the village, overlooking the picturesque confluence of the Balder-beck and the Tees. Adjoining it was a walled deer-park,³² which still bears the name of the "Doe park." The manor of Cotherston went with the heiress of the last Sir Miles of Ingham to the Hudlestons, who sold it to the Bowes, but Thwaite Hall descended to the Senhouses.³³

"Milez de Stapulpton"³⁴ *prm. fnd. (primus fundator)*,³⁵ as he is called on his Garter plate in St. George's Chapel at Windsor, was only a child at his father's death in 1321. Four-and-twenty years later, under the style of "Milo de Stapelton de Cotherston," he had Letters of Protection in May, 1345, "going abroad with John D'Arcy le Cosyn,"³⁶ from which circum-

²⁶ Fines 15 E. ii. m. 24. Rymer, iii. p. 889.

²⁷ Foundation Deed of Ingham Priory.

Infra.

²⁸ Harl. MS. 4198.

²⁹ Rot. claus. 28 E. iii. pars. i. m. 8, dors.

³⁰ Harl. MS 1420, p. 191.

³¹ Scrope and Grosvenor Roll. Note by Sir H. Nicolas.

³² Rokeby, Canto i. 25. Murray's Handbook of Yorkshire, p. 331.

³³ Whitaker's Richmondshire, i. 141.

³⁴ *Ibid.* 142.

³⁵ This branch of the family spelt their name indifferently, Stapulpton, Stapelton, Stapilton, and Stapleton, no one of them using any one form exclusively. The last Sir Miles alone used the form "Stapleton" occasionally, and the fine series of brasses at Ingham being all spelt so, we presume they were placed there at one time, by this gentleman or his successors.

³⁶ Beltz' Memorials of the Garter, p. 61, where it is engraved.

³⁷ Rymer, iii. ps. i. p. 39.

stance we have supposed he was brought up in that nobleman's household.³⁷ It is not unlikely he was also at the siege of Tournay with his younger brother Sir Brian, and in the expedition into Brittany in 1342.



We know he was at the siege of Calais,³⁸ and therefore presume he was also at Crecy.³⁹

The great influx of wealth into England after the victories in France, brought with it a love of pageantry and dissipation such as was before unknown. Edward had already contemplated a new Order of Knighthood. Inspired by the legend of King Arthur, he had set up a Round Table at Windsor in 1344, but after his return from Calais in October, 1347, he commenced an entirely new "Fraternity." The exact date of the institution of the Order of the Garter is somewhat obscure. Between Oct., 1347, and the end of Jan., 1348, jousts were held with great magnificence at Bury St. Edmunds, Eltham, and Windsor. In the King's accounts for 1347, "twelve garters of blue, embroidered with gold and silk and the motto, 'Hony soit q mal y pense,' were ordered for the great Tournament at Eltham. Nine of the knights who jousted on these occasions were afterwards "Founders" of the Order, viz.: the Prince of Wales, the Earl of Lancaster, Earl of Warwick, Sir John L'Isle, Sir John Gray, Hugh Courtenay, Sir Miles Stapilton, Sir John Beauchamp and Sir John Chandos.⁴⁰ On the 9th April, 1348, materials are again issued to make dresses for the jousts at Lichfield, viz.: for the King, and other Lords, Ladies, and demoiselles, and for eleven "Knights of the King's Chamber" (*milites cameræ suæ*),⁴¹ Sir Miles being one of them. The same month he received a present of a war horse (*i. dextrar.*) from the Black Prince, at Biflete. The name of the horse, "Morel Sterre," is given in the Prince's accounts.⁴² Many facts, continues Sir Harris Nicolas, go to

³⁷ *Supra*, p. 110.

³⁸ Rot. Franc. 20 E. iii. ps. i. m. 14, and 21 E. iii. ps. i. m. 15.

³⁹ Sir H. Nicolas' Orders of Knight-

hood, i. 36.

⁴⁰ *Ibid.* i. 12.

⁴¹ *Ibid.* p. 12, note.

⁴² Beltz' Memorials, p. 334.

prove that the jousts or "hastiludes" held in 1347 and 1348, at which Garters with this motto were worn as the King's device, were the immediate cause of the institution of this noble Order, about the 24th June, 1348; and he adds, "the selection of the original companions may have depended on their success in tilting."⁴³

Their visors closed, their lances in the rest,
Or at the helmet pointed, or the crest,
They vanish from the barriers, speed the race,
And spurring see decrease the middle space.⁴⁴

The Tournament was to them what hunting and dancing and lawn-tennis are in these degenerate days. The constitution of the new Society partook of the character of the General Tournament or "*mêlée*," where all the Knights fought at once, divided into two equal bands. Twelve Knights on the "King's side," and twelve on the "Prince's side," had their stalls assigned them in St. George's Chapel at Windsor.⁴⁵ Milo de Stapulton occupied the ninth stall on the King's side, standing seventeenth on the list.⁴⁶ He bore for his arms "a Lyon Rampant surcharged on the breast with a mullet gu."⁴⁷ denoting the third House.⁴⁸

Barnes, writing in 1688, describes a meeting of the Order in 1349. "The 23rd April being a Thursday and the festival of St. George, the King went himself with the 25 Knights Companions aforesaid, being all clothed in gowns of Russet and mantles of fine woollen cloth of blue colour powdered with garters, and each having a pair of long cordans of blue silk fixed to his collar, together with the rest of the habit of the Order, in a solemn procession; All bareheaded to the Chappel of St. George to hear mass, which was celebrated by William Edindon Bishop of Winchester and Prelate of the Order. This done, they returned in their former ranks to a magnificent feast, at which they sat in such regular manner as is continued to this day."⁴⁹

The present St. George's Chapel, begun by Edward IV. and finished by Henry VII., stands on the same spot as the older chapel here mentioned.⁵⁰ The base of the Round Tower, where the feasting took place, had been recently built. The building accounts in the Public Record Office show that the lower part was erected in 1344, in the short space of ten months, for the reception of the Round Table. Recent investigations prove that the table was placed round a wooden gallery, roofed with tiles, which ran round the inside of the tower, with a passage underneath for the servants. Part of this wooden arcade still remains, and nearly all the cornice of the roof, with its fine fourteenth century mouldings.⁵¹ For security against treacherous attacks from behind, the Knights sat on a seat of stone or wood against the wall, as may still be seen in some of our Cathedral chapter-houses. In front of these seats were moveable dining tables on tressels, and the attendants served in front of the tables. The representation of "a king at dinner" from the

⁴³ Orders of Knighthood, i. 12.

⁴⁴ Ivanhoe, heading of Chap. ix.

⁴⁵ Orders of Knighthood, Preface, vol. i. p. lxxxii.

⁴⁶ Beltz' Memorials, p. cxlix.

⁴⁷ Ashmole's Order of the Garter, p. 708.

⁴⁸ Willement's Roll.

⁴⁹ Barnes' Hist. of E. iii., p. 444.

⁵⁰ Parker's Glossary of Architecture, iii. 139.

⁵¹ Saturday Review, 11 Aug. 1866, quoted in Appx., Longman's E. iii.

Romance of Meliadus in the British Museum is well known.⁵² In front of the tables are the Steward or Dapifer, the cupbearer and the carver, sometimes of knightly rank. So Chaucer's Esquire "carf before his fadur at the table," and the Black Prince waited on his captive the King of France.

In 1349, says Dugdale,⁵³ "Sir Miles was again in the wars of France," but the expedition never sailed. France and England were both too much desolated by pestilence to be anxious for war. Both Norfolk and Yorkshire suffered severely from the "Black Death." More than half the priests in Yorkshire died, and two thirds of the beneficed clergy of Norfolk. In Norwich alone 60,000 people are said to have perished, half as many again as the whole population of that city at the present day.⁵⁴ In such bad times as these Sir Miles married his second wife. She was daughter and one of the coheireses of Sir Oliver Ingham of Ingham, a small village on the N.E. coast of Norfolk, and widow of Lord Strange of Knockyn, who died 29th July, 1349.⁵⁵ The little we know of Sir Miles' first marriage is gleaned from the settlement made on his second. A concord of fine was made in 1350, between Milo de Stapelton and his wife Johanna, whereby the lady settled the manors of Ingham, Waxham, Horsey, and Styton in Norfolk, Weybred in Suffolk, and Codeford and Hampworth, with half Langford, Dene, and Grymsted, in Wilts, on her husband and herself and their heirs; with remainder to "John de Stapelton (son of Sir Miles) and his (John's) wife Isolda, (*Johi et Isoldæ uxori ejus*)." ⁵⁶ John seems to have died in 1355, when his father made a fresh settlement of his Berks and Yorkshire estates, first on himself and Joan in tail male; remainder to his brother Sir Brian of Wighill.⁵⁷ On the death of his great grandson in 1466, without heirs male, this entail took effect, and Bedale and Askham Brian went to Sir Brian's descendants of the Carlton branch. Several other documents should be mentioned here. In 1349, Sir Miles had license from the king⁵⁸ to confirm the grant made by his grandfather⁵⁹ to the Chantry at North Morton. And in 1352, he and his wife "granted" (probably leased or mortgaged) their right in a messuage in Nether Conisford Street, Norwich, to one John Thorpe,⁶⁰ which was afterwards the town house of the Stapeltons for several generations. Sir Miles had also the Manor of Middleton in Oxfordshire (now the principal residence of the Earl of Jersey), as his wife's dowry from her first husband, Lord Strange.⁶¹

The second moiety of Ingham's estate devolving on the Lady Joan by the death of her sister's only child Mary Curson, the king testified his esteem for her husband and father, by excusing her payment of Relief. "Considering the good services done to him, as well by Sir Oliver de Ingham whilst he lived, as by Sir Miles de Stapelton who married Joan; and for that Sir Miles released the king of all debts which

⁵² Parker's Domestic Architecture, ii. 40.

⁵³ Baronage. Rot. Fran. 23 E. iii., m. 6.

⁵⁴ Bright's Hist. of England, i. 229.

⁵⁵ Kennett's Antiquities, p. 475.

⁵⁶ Feet of Fines, Com. var. 24 & 25 E. iii. (*Record Off.*) Blomfield makes Isolda

first wife of Sir Miles. Hist. of Norf. ix. 320.

⁵⁷ Rot. Fin. 28 E. iii. no. 106.

⁵⁸ Rot. Pat. 34 E. iii. ps. 2, m. 25.

⁵⁹ *Supra*, p. 97.

⁶⁰ Blomf. Norf. ix. 320.

⁶¹ Bishop Kennett's Antiquities of Bicester, p. 475.

he owed Sir Oliver,—the king pardoned Sir Miles for all debts which Sir Oliver owed him (the king) of wool, silver vessels, sums of money, or money impressed⁶² from the Wardrobe, the King's Chamber, or otherwise,⁶³ &c.

But home life had few attractions for our restless knight, and Sir Miles "Dñs de Ingham et de Bedale, then residing at Bedale,"⁶⁴ again took foreign service. Charles "the Bad," king of Navarre, who had inherited from his father a considerable territory in Normandy, and but for the Salic law would have been king of France,—having roused the resentment of King John by the disturbances he had caused in Paris, claimed the protection of England. The Pope was still the Arbiter of Europe,⁶⁵ and Commissioners were sent out to Avignon to negotiate a peace. The cousins of Ingham and Haddlesey accordingly went out with Henry Duke of Lancaster, but they were anticipated by the French king, who took Charles by stratagem at Rouen, and shut him up in prison. This being clearly an infringement of the peace, his brother Philip of Navarre came to England in 1356 with Geoffrey de Harcourt, to ask for aid; on which, Dugdale tells us,—“Sir Miles (Stapelton) being an expert soldier was sent with them. Whereupon they passed through that country with two thousand men; took and burnt several Towns and Strongholds, till they came within nine leagues of Paris, and returned not till they had compelled the French into a Truce for one whole year.”⁶⁶ Starting first, with a small force, Sir Miles was followed at Whitsuntide by Lancaster, who joined him at Cherbourg. Uniting their forces, they marched with 800 men-at-arms and 1300 bowmen, by Caen, Lisieux, Pont-Audemer (where they fell in with the French, and raised the siege), and Couches (where they burnt the castle); and finally raised the siege of Breteuil on the 4th July. But hearing at Verneuil of the approach of a vastly superior force, they turned back towards Cherbourg.⁶⁷ It was not till Nov. 1357, that Philip with his 1000 “Brigands” (as Froissart calls them),⁶⁸ ravaged the country nearly up to Paris, as related by Dugdale.

Anarchy continued to prevail in France. The king of Navarre had escaped from prison (7 Nov. 1357), and Etienne Marcel, ‘Provost of the Merchants’ and First Magistrate of Paris, put himself at the head of the mob in open rebellion against the Dauphin. The English king continued giving assistance underhand to the faction of Navarre, and issued a new commission 16 Jan. 1358. It was addressed,—“To all Castellans of camps fortresses and towns in Normandy.—Whereas We have thought good to send Our faithful and beloved Milo de Stapelton of Bedale knt., Our Captain and Lieutenant (*locum tenens*), on business touching Our cousin Philip of Navarre, We bid you obey him as you love Us.”⁶⁹ For this service Stapelton was paid £50 by William de Helmesley, 17 Jan. 1359, “for his Wages in going as the King’s messenger to Normandy.”⁷⁰

⁶² Advanced on loan.

⁶³ Pipe Roll of Exchequer, 28 E. iii. Blouf. Norf. ix. 319.

⁶⁴ Dugd. Baronage, Rot. Fran. 29 E. iii.

⁶⁵ Bright’s Hist. of England, i. p. 223.

⁶⁶ Dugd. Baronage, quoting Froissart,

chap. 258.

⁶⁷ Avesbury, p. 245, quoted in Longman’s Hist. of Edw. iii., vol. i., p. 375.

⁶⁸ Froissart, chap. 258.

⁶⁹ Rot. Fran. 31 E. iii. m. 2.

⁷⁰ Devon’s Issues of the Exchequer, p. 169.

Peace negotiations having failed, the prospect of plunder in the present defenceless condition of France⁷¹ hurried the whole military power of England to Calais. Edward's ambition was to be crowned King of France at Rheims. As early as the 30th July, 1359, Sir John le Gros received Letters of Protection "going abroad with Milo de Stapelton of Bedale, in attendance on the King."⁷² An army of 120,000 men, all told, including artificers and labourers, &c.,⁷³ started from Calais in the autumn. From the Feast of St. Andrew to the beginning of Lent, they laid siege to Rheims. Edward, however, made no attack, reserving his army for greater operations,⁷⁴ but forage running short, they abandoned the siege, and overran the provinces of Champagne, Burgundy, and the Nivernois; and finally took up their quarters within two leagues of Paris, at Bourg la Reine. The Dauphin sued for peace, but Edward continued his ravages round the capital, till meeting with a violent storm as he lay at Bretigny, a little village near Chartres, and regarding it as a sign from heaven, he "turned his eyes to the Church of Our Lady at Chartres," and kneeling on the ground, vowed to put an end to the war.⁷⁵ Stapelton, "and others of the King's Council,"⁷⁶ accordingly met the French Commissioners, and a treaty was signed by them the following day (8 May, 1360).⁷⁷

The Peace of Bretigny is one of the great landmarks of history. The terms were very favourable to the English; Gascony, Guienne, and Poitou, in the west, and in the north, Calais and Guisnes, being given up to them free from all feudal claims. In return for which, England surrendered all claim to the crown of France, and all claims in Normandy, Touraine, Anjou, Maine, Brittany, and Flanders. Subsequently, on its coming to the knowledge of the King that some of the French had suffered injuries from the English, Richard de Stafford, Milo de Stapelton, and Nigel de Loryng received orders (3 July) to remain in France, with powers to arrest and imprison, and punish the offenders, and to see that the conditions of the treaty were faithfully carried out.⁷⁸ For these services Sir Miles was granted (21 June, 1361) an annuity of £100 (about £1400 now-a-days) to be paid half-yearly out of the King's Exchequer, (or until lands of that value should be assigned to him), "for his fidelity and courage, his unwearied labours and laudable services" (*propter fidelitatis constantiam et strenuitatis eminentiam, necnon indefessos labores et laudabilia obsequia*).⁷⁹

In 1361, continues Dugdale, "Sir Miles was again in the wars of France; so likewise in 38 E. iii. (1364), in which year he died."⁸⁰ Apparently contemplating a long absence from England, he obtained "Letters of general attorney" for three years, by letters patent from the King (8 Jan., 1364), enabling him to appoint certain persons (who are named) in Yorkshire, Norfolk, and Wilts, to look after his affairs while he was abroad, and appear for him in any legal proceedings which might be commenced against him (*ad lucrandum*) in any of the Courts in Eng-

⁷¹ Hume's Hist. of England, ii. 465.

⁷² Rymer, iii. p. 439.

⁷³ Froissart, ch. 207.

⁷⁴ Barnes' Edw. iii. p. 571.

⁷⁵ *Ibid.*

⁷⁶ Rymer, vi. pp. 175, 195.

⁷⁷ Life of the Black Prince, by Collins, p. 132.

⁷⁸ Ashmole's Order of the Garter, p. 699.

⁷⁹ Rot. Pat. 34 E. iii. ps. 2, m. 30.

⁸⁰ Dugd. Baronage.

land.⁸¹ His friends Richard de Richmond, Nicholas de Shefeld, and Roger de Bois accompanied him to France.⁸² It had been one of the conditions of the Treaty of Bretigny that the quarrel between Charles de Blois and John de Montfort for the Dukedom might be continued, but whichever party won must swear fealty to France.⁸³ Many knights went over from England to aid de Montfort, Chandos hastened up from Guienne, and Calverley and Knowles brought their "free companions" from all parts of France. The rival armies met at Auray, a town in the Department of Morbihan, on Michaelmas day (1364), where Charles was killed, and Montfort gained the Duchy of Brittany, after a war of 25 years.⁸⁴ The battle was obstinately contested. They fought in battalions, one battalion against another, hand to hand, with spears and swords and axes. An old writer says, "The Lord Charles of Blois his Battail was engaged with that of the Earl of Montfort where the fight was very cruel beyond imagination. All the Lords, Captains, Knights and Esquires fought hard, for both sides resolved to make an end of the controversy that day." Fifteen hundred Knights and Esquires are said to have fallen on the side of the French. On the English side the list of killed was smaller, "but many were grievously wounded."⁸⁵ Sir Miles died in December at the age of 44. Whether his death is attributable to wounds received in the battle or not, it is impossible to say, but judging by the hard conditions⁸⁶ he submitted to, in mortgaging his estates to his cousin of Hathelsay, only a few months before (3 Feb.), he probably looked to outliving him, and never contemplated such an early death.

Handsome and extravagant, excelling in all knightly accomplishments, and a personal friend of the Prince of Wales, Sir Miles died too soon to develop those domestic qualities which distinguished his cousin of Haddlesey and his younger brother Sir Brian. Nevertheless he had already commenced carrying out a project which he had long had in mind, of instituting a College of Trinitarians or Mathurins at Ingham, and on the 26th June, 1360, he obtained the King's licence to set aside, or suspend, the Statute of Mortmain,⁸⁷ which prohibited all such pious purposes. The Order of Mathurins had been instituted in France at the end of the 12th century, for the Redemption of Captives taken by the Turks; and a House was first established in England at Mottenden in Kent. Ingham is said to have become their principal House in later years. The author of a little story,⁸⁸ published at the restoration of Ingham Church in 1875, finds a motive for this work of charity in an incident in the life of Sir Oliver Ingham. He tells how Sir Oliver went to Spain about 1340, and offered his services to King Alphonso of Castile. After a severe battle with the Saracens in the Sierra Morena, he was missing, and wandered in the mountains for several days. He was on the point of being taken by a party of the enemy, "as he lay in peaceful slumber on a rock," when he was found by some of his own men. For this providential delivery, he vowed to give half his lands to found a House for the Redemption of Captives,⁸⁹ and Sir Miles was therefore

⁸¹ Rot. Pat. 38 E. iii. ps. i. m. 49.

⁸² *Ibid.*

⁸³ Bright's Hist. of England, i. p. 234.

⁸⁴ Longman's E. iii., i. 104.

⁸⁵ Barnes' E. iii. p. 667-9, quoting Froissart, ch. 225.

⁸⁶ *Supra.* Fines Com. var. (*Record Office*) 38 E. iii.

⁸⁷ Rot. Pat. 34 E. iii. ps. 2, m. 25.

⁸⁸ The Redeemed Captive, by Rev. A. Brown. Rector of Catfield, Norf.

⁸⁹ *Ibid.*

only carrying out the wishes of his relative. We are not aware that this interesting little story rests on any very substantial substratum of evidence. The "peaceful slumber" on the rock, may have been suggested by the monument at Ingham and the large round pebbles on which the figure rests. But whatever the Founder's design, some traditions of the Crusades evidently hang about the church. The patron Saint⁹⁰ of the Stapeltons was honoured at Ingham as well as North Morton, for in 1782, a quantity of panel-painting of the 14th century was discovered, representing the common legends of the life of St. Nicholas. Although it no longer exists, drawings have fortunately been preserved by Mr. Dawson Turner, which are now in the British Museum.⁹¹

Bishop Percy, in his "Ordinance of Foundation," gives his reasons for assenting to the new establishment;⁹² and in view of the sumptuous church which the said Milo had completed, with its cemetery, and tower, and bells, &c., he had accepted the resignation of John Baynton, the late rector, and appointed Richard de Marleberge, prior or minister, John de Pevensey, sacrist, and John de Ospringe, professed brother of the new Order. A list of masses for the living and the dead furnishes valuable genealogical information. The living are thus enumerated,—“For the health (*pro salubrem statum*) of Dña. Milo de Stapilton and Johanna his wife; of Dña. Edwardus the King, most illustrious; Dñs. Edwardus, Prince of Wales; Dñs. Henry, Duke of Lancaster; Dñs. Thomas, Bishop of Norwich; Dñs. Brian de Stapiltone miles, and Lady Alice his wife; Dñs. Milo de Stapiltone de Hathelasy miles, John Boys and Roger his brother,” &c. It will be observed (with the view of fixing dates), that Sir Brian is already married, and Henry, Duke of Lancaster, who died of the plague, 24 March, 1361, is still living. The list of deceased ancestors is shorter, viz. “For the souls of the Sainted (*animabus scõrum*), the late Gilbert de Stapiltone and the lady Agnes his wife, father and mother of the said Dñs. Milo, Dña. Oliver de Ingham, and the lady Elizabeth his wife (*consors*), Dñs. Nicholas de Stapiltone (the 2nd Baron), and the lady Katherine Boys,” wife of John Boys and sister of the founder.⁹³

Sir Miles' foundation contemplated a church, with a tower and bells, but the chancel was all that he actually built. The chancel became the last resting place of four generations of Stapeltons. The nave and the tower were not added till nearly a century later. He seems, however, to have built a House for the Brethren, for two years afterwards (1362), he conveyed to the Prior and Convent another acre of land, “for the enlargement of their House.”⁹⁴ He left issue,—

1. Miles ii., of Ingham and Bedale.
2. Joan, married Sir John Plays, and survived her husband. A brass in the chancel at Ingham represented her in the convent dress,⁹⁵ sometimes worn by widows, with the shield of Plays impaling Stapelton, and the inscription,—

*Icey gist Jone, jadis femme a M. Johan Plays, fille a Monsieur Miles de Stapleton, qui a mourout le second jour de Septembre 1385.*⁹⁶

⁹⁰ *Supra*, p. 97.

⁹¹ Mr. D. Turner's Copy of Blomfield's Norfolk. Also engraved in *Norf. Arch. Journal*, 1878.

⁹² Paper by Rev. J. Lee-Warner, *Norf. Arch. Journal*, 1878.

⁹³ Dugd. Mon. vi., Blomfield's *Norf.* ix. 326.

⁹⁴ *Inq. a.q.d.* 36 E. iii.

⁹⁵ Cotman's Norfolk brasses, pl. xxvi.

⁹⁶ Blomfield's *Norf.* ix. 324.

The Brass of the "Founder" and his wife is engraved by Gough,⁹⁷ who saw it in 1790, "in the middle of the Chancel in front of the High Altar." On the knight's head is a visored bascinet without the crest, as worn in battle, with chain gorget and steel armour, the mixture denoting a period of change. Over all is a close fitting *cote-hardi* powdered with



roundels, the jupon richly embroidered, and a sumptuous military belt.⁹⁸ The lady is placed on the knight's right hand, perhaps by courtesy as an heiress.⁹⁹ She is dressed in a kirtle fitting close to the waist, with tight sleeves buttoned below the elbow, and streamers or tippets. Her hair falls in formal braids on each side of her face; and round the top of her head is a fillet of jewellery, the precious stones represented by com-

⁹⁷ Sepulchral Monum., vol. i., pt. 2, p. 120. Cotman, p. xxiii.

⁹⁸ *Ibid.*

⁹⁹ Stothard's Mon. Effigies, p. 57.

positions of various colours.¹⁰⁰ Whether brasses of this period can be relied on as "portraits faithfully produced from life,"¹ we cannot pretend to decide.

Blomfield has preserved the inscription, though even in his time (he died in 1755), the brasses had suffered much from neglect, and they are said to have been sold for old metal soon after Gough's visit.

Priz; pour les Almes Monsieur Miles de Stapleton et dame Johanne sa femme, fille Monsieur Olivier de Ingham, fondeurs de cette mayson, que Dieu de leurs almes eit pitez.²

There is no garter on the knight's knee, but neither is there on the Black Prince's monument at Canterbury, nor on any of the original knights, except Sir Nicholas Pembridge at Hereford.³ Blomfield also describes the stone monument of Sir Oliver Ingham. "Under an arch on the N. side (of the chancel) lies the *effigies* . . . in complete armour on a mattress, with his guilt spurs and a garter⁴ on his leg as a knight of that Order, beholding (as Weever says) the sun, moon, and stars, all very lively (lifelike) set forth in metal. At his feet a lion couchant, his helmet supported by two angels . . . Also 24 mourners about his monument, and on the side of it 'Mounsier Olivier de Ingham gist icy et Dame Elizabeth sa Compayne, que luy Dieu de les almes eit mercy.'⁵ Stothard engraves a background which he saw painted on the wall, representing a forest, in which wild animals and beasts of prey are roaming at large.⁶ The "24 mourners" have disappeared at Ingham, but a good example is still to be seen on the monument of Sir Miles' friend Sir Roger de Kerdeston, at Reepham, in the same county (1337), which presents "most interesting specimens of the costumes of the fourteenth century." They are engraved by Stothard.⁷ In 1870, the whole of the monument at Ingham was hidden under a brown wash. The *matrices* of brasses remained in the massive slabstones on the floor, but hardly a vestige of brass, while the oak elbow-stalls, silent witnesses of former splendour, were undergoing the slow process of gradual decay.

Three generations succeeded Sir Miles at Ingham. The Founder's son, Milo de Stapulton (so spelt in his "letters of protection;" Stapylton in his will), being still a minor at his father's death, the custody of his lands was given to Queen Philippa⁸ (21 Feb., 1365), who granted (or sold) her right to Sir Brian Stapilton (of Wighill), Sir John de Bois, and Sir Roger de Bois (12 May).⁹ Her Majesty made a handsome profit out of these transactions. Sir Michael Poynings gave her 1,000 marks (about £10,000 nowadays) for the wardship and marriage of Lord Bardolf, the following year.¹⁰ Miles Stapulton married Ela,

¹⁰⁰ Gough, i. p. 119.

¹ Gold and Silver Work, (S. Kensington Handbook), by J. H. Pollen, p. 108.

² Blomfield, ix. 324.

³ Gough, Preface, cxxix.

⁴ Sir Oliver died before the institution of the Order.

⁵ Blomfield, ix. 324.

⁶ Monumental Effigies, p. 55.

⁷ *Ibid.*, p. 54.

⁸ Blomfield's Hist. of Norfolk, ix.

⁹ Ashmole, p. 699.

¹⁰ Pedigree of Lord Beaumont. Preface to "De Legibus Antiquis" (*Camden Society*).

daughter of Sir Edmund Ufford "le cosyn,"⁶³ Lord Ufford, a younger branch of the Earls of Suffolk of that name. Her brass at Ingham shows how her father differenced the arms of Suffolk with a "bendlet." It was a common mode at that time of denoting the second House. Poyning's bore the same; so did Henry, the second son of the Earl of Lancaster, during the lifetime of his elder brother.⁶⁴ Their eldest son was born in 1379. Two years later the whole kingdom was ringing with Wat Tyler's insurrection. John Lilster, a dyer of Norwich, headed it in Norfolk. The insurgents attempted to seize the Earl of Suffolk, who



CHANCEL AT INGHAM BEFORE IT WAS RESTORED.

only saved himself by flight, in the assumed character of a servant to Sir Roger de Bois.⁶⁵ The outbreak was stopped by Bishop Spencer,⁶⁶ who routed the rebels in a pitched battle at North Walsham.⁶⁷ Before this rising commenced, Stapulton was sent abroad on a mission of state. In May, 1381, "Milo de Stapulton miles" had letters of protection⁶⁸ to accompany Simon de Burley, Matthew de Gournay of Norfolk, William de Beauchamp and other knights, to Portugal, to renew the alliances made by the late King of England with the King and Queen of Portugal.⁶⁹ They afterwards proceeded to Prague to negotiate a match between Richard II., now 14 years of age, and the Princess Anne, sister of Wenceslaus, King of the Romans and Bohemia.⁷⁰ A few years later (1388) the good old knight Sir Simon Burley, to whom the Black Prince had committed the care of Richard's childhood, was "judicially murdered"⁷¹ by the Lords Appellants with the Duke of Gloucester at their head, who "appealed"⁷² or impeached him, as they did many others of the King's friends.

After the change of dynasty and the Lancastrian revival, we hear

⁶³ Pedigree in Nichols' Coll. Top. and Geneal., ii. 274.

⁶⁴ Boutell's English Heraldry, p. 186.

⁶⁵ Burke's Extinct Peerage.

⁶⁶ Gairdner's Houses of York and Lancaster, p. 17.

⁶⁷ Walsingham. ii. 8.

⁶⁸ Carte's Gascon Rolls, 4 R. ii. m. 9.

⁶⁹ *Ibid.*

⁷⁰ *Ibid.*

⁷¹ Gairdner's York and Lancaster.

⁷² Bright, i. 248.

little more of Sir Miles. In August, 1401, and again at Christmas, 1403,⁷³ he was one of the Knights of Norfolk and Suffolk, summoned to attend a great Council at Westminster. Notwithstanding the unsettled state of the times, his will,⁷⁴ which is in Latin, dated at Ingham, 1414, shows that he had accumulated considerable wealth. He had probably rebuilt or enlarged the house at Ingham, for it had been rarely tenanted by his two predecessors, and silver plate, rich bed-hangings, and a private chapel, were as yet found only in great houses. He bequeaths,

— To the High Altar of Ingham Church a gold vestment belonging to his private chapel (*qd. est in mea capella*).

— To the Prior and Convent his best horse, with the equipment (*harnesium*) of a man-at-arms, for a mortuary or "corps-present."

— To his eldest son a silver cup (*siphus*) and cover, which had belonged to St. Thomas à Becket (*qui fuit S^ci Thomæ Cantuaran. Archiep.*), and "one which belonged to my father;" a ruby bed embroidered with black dolphins, and an ancient bed with "curtyns" of sandel and ruby needlework (*de sandel et tapetis rubere*), which was also his father's, and a dozen of his best silver dishes.

— To his son's wife, a silver cup and cover which belonged to the Rector of Benacre, and a diamond ring.

— To Sir Robert Brews (his son-in-law) a silver cup and cover, gilt and enamel, with six silver dishes and three saucers; and to his (Brews') wife a silver cup and cover which belonged to Richard de Marleberge, the first Prior of Ingham; together with a coverlet and a tester bed, "powdered" (*floridat.*) with griffins, a canopy (*celura*) and three curtains of wool (*de cardo*), and three pieces of needlework (*tapeta*) in red worsted.

— To his son Edmund, the Chamberlain, a sword, and a silver cup with his arms on the cover, and 40s.

— To Richard Aylsham, a Carmelite friar, his Father confessor, "if he survives me," xiii. iiijd.

And all the house-servants are to have their full wages (*feoda sua integra*) with their livery and allowances⁷⁵ (*cū suis liberacionibus*) up to the Michaelmas after his death. There are six executors, including his son Edmund, John de Boys, and William de Scheffeld, Rector of Salle. His eldest son, and probably also his son-in-law, were prisoners in France.

Sir Miles died in April, 1419, and left directions to be buried at Ingham. He had previously given five acres more to the monastery.⁷⁶ In Blomfield's time there was a brass in the chancel with figures of Sir Miles and his wife, and the inscription, "Icy gist monseur Miles de Stapleton fils al fondeur de ceste meson et Dame Ela sa compagne. Auxi Dieu de leurs almes eit mercois."⁷⁷ When Gough visited the church there were only loose fragments remaining, but the figure of the Knight was "exceedingly well executed; and very much like that of Sir Nicholas Dagworth at Blickling," which he has engraved.⁷⁸ Adjoining the south wall, says Cotman,⁷⁹ was the effigy of the lady "in a convent dress with

⁷³ Nicolas' Proceedings of Council, i. p. 158.

⁷⁴ Institution Books in Chapter House at Norwich, viii. 144. Part printed in Norfolk Arch. Journal, vol. iv.

⁷⁵ Stubbs' Const. Hist., iii., 531.

⁷⁶ Inq. a. q. d. 2 H. IV.

⁷⁷ Blomfield's Norf., ix. p. 324.

⁷⁸ Gough's Sepulchral Antiquities, ii. p. 5.

⁷⁹ Cotman's Norf. Brasses, pl. xxiv.

two dogs playing at her feet." A shield, Stapelton impaling Ufford, is at her side. The dress may either indicate a widow, or that she had taken the veil.⁸⁰ It will be observed that she is not mentioned in his will. He left issue,

1.—Sir Brian of Ingham (3).

2.—"The Venerable Edmund Stapleton Esquire," as the inscription ran on his brass, "chamberlain to the most serene Prince John [Mowbray] Duke of Norfolk, who (*i.e.* Stapleton) died 1462, having married the Lady Matilda, widow of Sir Hugh Fastolf, *knt.* She died 1435."⁸¹

3.—Ela, married Sir Robert Brews of Salle, *co.* Norfolk, son of that Sir John Brews who was taken by the rebels in 1381. Sir Robert died intestate in 1424,⁸² and administration was granted to his widow. She survived him more than thirty years, and dying in 1456, was buried by his side at Woodbridge Priory in Suffolk.

Brian Stapulton or Stapyhton, chivaler (3) (the name is spelt both ways in his will), was 40 years of age at his father's death⁸³ (1419), and had long been married to Cecilia, daughter of William Lord Bardolf of Wermegay, *co.* Norfolk.

Lady Cecilia's early life was full of trouble and anxiety. Her father died in 1386, while she was yet a child. Her mother, who was heiress of Sir Michael Poynings, married again, but her second husband, Sir Thomas Mortimer, was forced to fly to Ireland to avoid a charge of high treason, and died there. Her only brother, Shakspeare's Lord Bardolf,⁸⁴ only 17 at his father's death (1386), but already married to a daughter of Lord Cromwell of Tattershall, was one of the leaders of the rebellion in 1405,⁸⁵ with Northumberland and Mowbray and Archbishop Scrope, and was slain at Bramham Moor in 1408. The Close Rolls of 9 Henry IV. give directions for the disposal of his head and quarters on the gates of several cities, but on the petition of his widow they were afterwards taken down and buried. His estates at Wermegay were given to the King's brother-in-law, John Holland, Duke of Exeter.⁸⁶ It was in the midst of these unhappy scenes that the Lady Cecilia gave birth to her eldest son. A few years later, her husband was a prisoner in France, and detained there for several years. In the Proceedings of the Privy Council it is recorded, "Brian Stapilton, chivaler, having by fortune of war been taken prisoner in France in the service of our father the King (Henry V.), and having been imprisoned five years, or fined 3,000 marks (about £30,000 nowadays), to the impoverishing of his estate; and having since his return to England married his eldest son and heir, We have therefore granted him the manors of Langford and Codeford and the manor of Dene, *co.* Wilts, that he may give and assign to Miles his eldest son and heir, and Elizabeth (Felbrig) his wife, the said manors, to have and to hold, with power to vest the last-named manor to William Paston and others."⁸⁷

This was only a renewal of an ancient grant, for the Inghams had re-

⁸⁰ *Ibid.*

⁸¹ Blomfield's *Norf.*, ix. p. 324.

⁸² Cotman, pl. xxix.

⁸³ *Inq.* p. m. 7 H. V.

⁸⁴ Henry IV., Act 4. *Sc.* 4.

⁸⁵ Bright's *Hist. of England*, i. 281.

⁸⁶ Pedigree of the Lords Beaumont and Bardolf in "De Legibus Angliæ" (*Camden Society*), ed. Thomas Stapleton, Esq., F.R.S.

⁸⁷ Proceedings of Council, ed. Sir H. Nicolas, 18 Nov. 3 H. VI.



BRASS OF SIR MILES STAPILTON, KNT., AND HIS WIFE CECILIA.

[To face p. 69.]

ceived the same manors from William Waleran, a great baron in Wilts, as long ago as 51st Henry III.⁸⁸ Sir Brian seems to have obtained his release in 1423, if a bond⁸⁹ for 1200 crowns, lent to "Brian Stabileton" by the wealthy Sir John Fastolf of Caistor, provided part of his ransom. "Brianus Stapulton with 20 launces (men-at-arms) and 49 archers" had been in the retinue of Lord Willoughby (his relative through the Uffords),⁹⁰ in 1417, as we learn from a muster roll taken at Wallopforth⁹¹ on the road to Southampton, just before Henry's second expedition into France. He may have been also in the first expedition, for Lord Willoughby was in all the great affairs of both campaigns.⁹²

The year after his release Sir Brian was Sheriff of Norfolk,⁹³ and at the instance of Sir Thomas Erpingham investigated a charge against one Walter Aslak for threatening William Paston the Justice. The inquiry was held in the Church of the Grey Friars at Norwich, with Sir William Philip his nephew (having married the heiress of the Bardolfs), Sir Simon Felbrig, Sir Robert Clifton, and others.⁹⁴ It must have been this Sir Brian ("Brianus Stapilton chr̄") who was Knight of the Shire for Yorkshire with Sir William Normanville in 1436-7.⁹⁵ The same year he had the grant of a fair at his manor of Waxham⁹⁶ confirmed to him, another manor which the Inghams had obtained in the 38th Henry III. He died the following year (17 Aug., 1438),⁹⁷ leaving issue,

1.—Sir Miles of Ingham and Bedale (4).

2.—Sir Brian of Kessingland, co. Suffolk, which his brother gave him⁹⁸ in 1461.

3.—Anne, married Thomas Heath of Hengrave, Suffolk.

Sir Brian survived his wife about six years, and they were both buried in the chancel at Ingham. Their brass is engraved by Gough,⁹⁹ and is a good specimen of the period. The knight is in plate armour, one of his feet resting on a lion, the other on a dog, whose name is inscribed on a label, "Jakkē." The lady wears a golden caul, the horned additions being concealed by a veil. They are better shown in the monument of her niece, Lady Joan Bardolf, at Dennington.¹⁰⁰ The inscription is given in Blomfield, and records the three descents.¹

Hic jacet Dñs Brianus Stapleton, fil. Dñi Milonis, filii fundatoris. Obiit 29 die mensis Augusti anno quadringentesimo . . . Et dña Cecilia filia dñi Bardolf, uxor ejusdem Dñi Brianti, que obiit 29 die Septembris, a° Dñi 1432. Quor. ātābus ppicietur Deus.

His last will and testament are in the Registrar's Office at Norwich. In the latter, which is in Latin, dated at Ingham, 5 April, 1438, he commits his soul to God and the Blessed Virgin and all the Saints of Heaven, and bequeaths various sums to the churches of Ingham and Waxham, the Friars Minors and Preaching Friars, and the Carmelites

⁸⁸ Blomfield's Norfolk, ix. 316.

⁸⁹ The original is in the British Museum. Cart. Harl. iii. 137.

⁹⁰ Collins' Peerage, ix. 111.

⁹¹ Gesta Hen. V.

⁹² Collins, ix. 111. Rot. Pat. 6 H. V. p. 2, m. 5.

⁹³ Blomfield, ix. p. 321.

⁹⁴ Paston Letters, ed. Gairdner, pp.

xxiv. and 14.

⁹⁵ Parl. Return, 1878.

⁹⁶ Calend. Rot. Pat. 14 H. VI.

⁹⁷ Inq. p. m. 17 H. VI. no. 34.

⁹⁸ Fines, 1 E. IV. m. 8. Gibbon's Coll. fo. 12. Harl. MS., 971.

⁹⁹ Sep. Mon. i. p. 119. Cotman, pl. xxx.

¹⁰⁰ Fairholt's Costume.

¹ Blomfield, ix. p. 324.

and Augustines, at Norwich. The residue is left to his executors, his sister Ela Brews, and his two sons, "Milo de Stapylton of Weybred" (co. Suffolk) "and Brian de Stapylton of Ingham," as they are here designated, and others, to dispose of for the good of his soul. The "last wyl," or codicil is in English, made at Ingham on the 4th May. His eldest son is enjoined to make "as secure a state (estate) as law may devyse," to ensure the payment of £20 a year out of the estate of Cotherston to his brother, "Bryan Stapylton squer, and Issabel his wife, for their both lives;" and to pay Thomas Heath the "marryage silver of Anne my doghter that now is hys Wyffe." To Miles he also leaves the governaunce of all his manors, lands, and tenements, and "also of myn household so there shall nowte be done in no were, wyth oute the seyde Myles;" and all his swans and cyguets, "of the new mark as well as the old, w^t oute any medelyng of all my mes (meres or "broads") from this tyme forward." "In Witnesse of all thys wrytyng to thys my last wyll the sele of myn armes I have put."

Sir Brian dying in Aug., 1438, Milo de Stapulton (*sic*) did homage for his lands at Bedale and Ingham, 2 Feb., 1440.² At sixteen (1423)³ he had married Elizabeth, daughter of Sir Simon Felbrig of Norfolk, K.G.; who died without issue; and just before his father's death he married a second wife, Katherine, daughter and heiress of Sir Thomas Delapole, brother of the Earl of Suffolk of the new creation. For so great a match, his father, by deed dated at North Morton, 5 July, 1438,⁴ had barred the entail made by his ancestor Sir Miles "the Founder," limiting the succession to heirs male, and settled North Morton and the Norfolk estates on the Lady Katherine for her life, if she survived him, and afterwards on their children, whether male or female. The result was that she enjoyed them during a long widowhood, and the inheritance afterwards went to her daughters.

The Delapoles occupy a large space in the history of the period. Descended from a rich merchant of Hull in the reign of Edward III., the merchant's son became Richard II.'s Chancellor, and was subsequently impeached and beheaded. He married Katherine Wingfield, by whom he had the manor of Wingfield, co. Suffolk, and built the castle⁵ there, which henceforth became the principal residence of the Delapole family. The Lady Katherine, Stapulton's wife, was only daughter and heiress of Sir Thomas Delapole,⁶ by the daughter of Nicholas Cheyney. One uncle was Shakespeare's⁷ Earl of Suffolk, killed at Agincourt. Another was the present Earl, who, in the ten years between 1440-50, rose to be chief minister of England, and to the highest honours of the Peerage, principally by his skillful management of the young King's marriage with Margaret of Anjou. His fall was even more rapid. Having incurred the displeasure of the mob, he was banished the kingdom, and made his escape from the coast of Suffolk, but being captured by a vessel of war, called "the Nicholas of the Tower," belonging to Henry Holland,

² Fines, 8 H. VI. Gibbon's Coll. Norf. and Suff., Harl MS., 971.

³ Proceedings of Council, 18 Nov. 3 H. VI. (*supra*).

⁴ Inq. p. m. Berks, 17 H. VI. no. 34, where it is recited; and Inq. p. m. 6 E.

IV.

⁵ Licence to crenellate, 3 R. II. Parker's Dom. Architecture, iii. 419.

⁶ Nichols' Coll. Top and Gen., v. 157.

⁷ Henry V., Act 4, Sc. 8.

second Duke of Exeter, then Constable of the Tower, he was beheaded, after a mock trial, from a boat in the English Channel. A just retribution overtook Exeter. His body also was some time afterwards found floating in the Channel,⁸ how it came there nobody knows. In his last appeal to the Peers, Suffolk sums up his misfortunes. "My father," he said, "died in the service of his country at Harfleur, my eldest brother fell at Agincourt, two other brothers perished in the defence of Jargean, where I myself was taken prisoner, but as a knight ought to do, I paid £20,000 'to my finance' (ransom); my fourth brother lying there for me as hostage, died in the enemy's hands."⁹

But to return to Ingham. At 20, Miles was a Commissioner to look after the beacons in Norfolk. Before Edward III.'s reign beacons were merely stacks of wood set up on high places to give notice of invasion, but pitch boxes and barrels of pitch were now in general use. Watch was regularly kept at night, and "hobelers" or light horsemen were always ready to carry intelligence by day.¹⁰ Miles also sometimes "kept the sea." On the 22nd June, 1436, he had "safe conduct with seven prisoners" (very likely taken at Agincourt and detained till now),¹¹ passing into Flanders to make up money for their ransoms (*pro finantiis suis*).¹² In 1441, being now married to his second wife, Miles Stapilton and John Heron, Esquires, and Sir William Eure and Sir William Popham, Chivalers, again had "safe conduct for such prisoners as they may take across the sea."¹³ In the summer of 1442, they had further orders from the Privy Council "to keep the sea" (*avec certaines niefs et ves-seaux*). From Feb. till Nov. they had eight ships with about 150 men in each, and attendant barges, continually afloat. The largest did not exceed 600 tons. Eight barrels of gunpowder (*oigt barelles de poudre pur les canons*) were shipped on board the fleet, but not to waste their powder, they had also "cc. speres, iijc. bowes, and iijc. shefes arrows" supplied them.¹⁴ Stapelton had also civil duties to perform, as Commissary to John Holland, the first Duke of Exeter, Lord High Admiral of England, for the counties of Norfolk, Suffolk, and Essex. In this capacity he took cognisance of all crimes committed at sea, and decided prize questions and salvage claims within his district. Certain "Testimonials of Acquittal," still extant, show the extent of his jurisdiction. In 1445 one John Well was tried before Milo de Stapilton, commissary, &c., Magister Henry Sharyngton, bachelor of laws, sitting with him as Assessor, for that he (John Well), being master of a *foriscostia*, or small coasting vessel, did unlawfully thrust into the hold one Will Barker of North Repps, one of his crew, and kept him there without food till both his feet began to putrefy with the cold. The crew were called as witnesses for the defence, and the master was acquitted.¹⁵ Another "testimonial" records the acquittal of one Rumbold Harrington, a Dutchman, on a charge of murdering a boy.¹⁶ Sir Miles also heard civil causes. Application is made to him for a "supersedeas" to suspend the arrest of the

⁸ *Supra*.

⁹ Rot. Parl., v. 176. Battle of Agincourt, by Sir H. Nicolas, p. 159. *Gent. Mag.*, 1866, ii. 299.

¹⁰ Camden's Brit., i. 150.

¹¹ Bright's Hist. of England, i. 313.

¹² Catalogue of French Rolls, ii. 29.

¹³ *Ibid.*

¹⁴ Proceedings of Council 20 H. VI., vol. v., p. 193. Preface, pp. cxxviii. and cxxxi. 1.

¹⁵ Black Book of the Admiralty (Record Office Series), i. 255.

¹⁶ *Ibid.* p. 256.

goods of one Thomas Grafton, a citizen of Norwich, on board a Prussian ship. His brother Brian Stapilton, "Armiger," was also Lieutenant (*locum tenens*) in the same Court, probably a lawyer like Sharyngton, who is also called Lieutenant. We find Brian Stapilton holding his Court on the beach at "Shipden, alias Cromer,"¹⁷ the usual place for holding the Admiralty Court.

Both brothers seem to have acted as Conservators of the Peace or Justices in 1443, when the citizens of Norwich threatened to set fire to the Priory of Christchurch, because the Prior had introduced some new "customs" (dues). Chief Justice Fortescue was sent down to try the prisoners, and the Duke of Norfolk, William Calthorpe, Miles Stapilton, Thomas Brews the Sheriff, Brian Stapilton, and others, received the thanks of the Privy Council, "for their labours, devoirs, and diligence in y^e finding (fining) of y^e riotours and misdoers."¹⁸ Both brothers were legatees under the will of their cousin Joan Lady Bardolf, Viscountess Beaumont, in 1447. She left them each a silver goblet, and to their wives a girdele apiece. Sir Miles and Sir Thomas Tudenham were also supervisors of her will.¹⁹

An Act passed in the early part of the reign (8 Henry VI.), raising the limit of the franchise in counties to 40s. freeholders, had led to tampering with elections.²⁰ It was one of the alleged causes of Cade's rebellion that the people's grievances could not be heard because the Knights of the shire were not fairly elected. There was certainly ground for this complaint in Norfolk. The Duke of Norfolk came down to Norwich just before the election in 1450, and the mayor and aldermen rode out to meet him, to prefer complaints against Tudenham their former representative. On the other hand, Stapilton was urged by the Pastons to offer himself as a candidate "in the most wurchepfull wyse that he knew."²¹ But the two Dukes (York and Norfolk) had already "settled that matter" at Bury St. Edmunds, before they came into the county; and Tudenham and Stapilton were declared duly elected. Cade's rebellion in Kent was followed by outrages in Norfolk. A strong hand was wanted to keep the peace, and men looked to Stapilton for Sheriff. The Earl of Oxford and Mr. Justice Yelverton had been sent down to try the rioters. The Earl charged Stapilton "to put in articles" for the appointment. Maister Yelverton, dining with Maister Fastolf, advised Sir John to write to my Lord of Norfolk about it. Even the old Duchess of Suffolk, Chaucer's granddaughter, then living at Costessy, sent her son and his Duchess—she was daughter of the Duke of York—"to ask grace for a schireve" for Stapilton. But York was already secretly plotting against the King, and the Duke of Norfolk joining him a little later, Stapilton could expect no favour from either. Norfolk even said in his Proclamation (April, 1452), "It may not be said nay but there have been the grettest riotts, orryble wrongs, done in these partyes by the deede [of] Lord Scales, Thomas Tudenham, Myles Stapilton, John Heydon, and such as ben confedred on to theym, that ever was seen in our dayes."²² Stapilton's associates here all met with

¹⁷ *Ibid.* p. 252.

¹⁸ Proceedings of Council, 4 June, 1443. Preface by Sir H. Nicolas, p. cxxiii.

¹⁹ Pedigree of Beaumont, in "De Legibus Angliæ" (*Camden Society*).

²⁰ Bright's Hist. of England, i. 350.

²¹ Paston Letters (Gairdner), i. 156.

²² Paston Letters (Gairdner), vol. i. pp. lxxxiii and 230.



ARMS OF STAPELTON AND DELAPORE OVER WEST DOOR OF INGHAM CHURCH.



CORNER STALL IN NORWICH CATHEDRAL.

[To face p. 73.]

violent deaths. Lord Scales and Heydon were killed at Towton;²³ and Tudenham, Lord Oxford, and his son Aubrey de Vere, were tried by martial law in the Constable's Court, and executed.²⁴

The county of Norfolk was out of the way of the war, but it was wild and unsettled. Queen Margaret had been down to Norwich in the summer of 1459, to court the aristocracy of the county. Stapilton and Calthorpe "with other men of worship" were ready to join her, "with their spears and bows,"²⁵ if they were wanted, but news came down after the second battle of St. Albans (17 Feb., 1461), that people should not come up till they were sent for. As long as Henry lived the Pastons were Lancastrian,—Margaret Paston tells us she borrowed her cousin Elizabeth Clere's necklace to appear before the Queen,—but after Towton they took the young King's part, and Stapilton and his son-in-law are henceforth "reputed Kyng's enmez," in the eyes of the Pastons.²⁶ Their quarrel was by no means mended by the affair of John Bernay, a relative of the Pastons. Thomas Denys, the county coroner, having accompanied the young King to York, was found murdered, and Bernay, being suspected, bitterly reproaches Sir Miles and his wife with having defamed him, "in murdering the crowner and with gret roberies."²⁷

Four and twenty years before his death, while he was at sea (4 Aug., 1442), Sir Miles had made his will;²⁸ leaving the bulk of his goods and chattels to his executors, to dispose of as they deemed best for the good of his soul; with legacies to the high altars of certain churches, and the several orders of friars in Norwich. By a "Last Wyl" or nuncupative codicil, declared orally before witnesses on his deathbed, he gave all his goods and chattels to his wife, and his manors in Hants and Wilts to feoffees, to hold for a term of four years for almsdeeds and pious purposes, after paying his debts and legacies. We need not argue from this that he was a man of extraordinary piety, as some have done for Henry V., but we must not forget that it was this Sir Miles who built the beautiful tower of Ingham Church. The arms of Stapelton impaling Delapole are still in the centre above the west door, and in the spandrils on either side, are the shield of the monastery, "*a cross patée per saltier gu. and argent*,"²⁹ and another of Stapilton and his two wives. Whether he also built the nave is matter of doubt, for these fine fifteenth century towers were frequently erected apart, at a little distance from the chapel or chancel, and succeeding generations had to build a nave larger than the population was ever likely to require. Indeed, it is doubtful whether he quite completed the tower, for in 1488 Roger Kyng, Rector of Sutton, left in his will vis. viiij., "*ad edificationem campanile de Ingham*."³⁰ That he helped in the restoration of Norwich Cathedral after it was partly destroyed by fire in 1463, is much less open to doubt. The Lion Rampant still remains, carved in oak on the elbow between the corner stalls on the Dean's side, and the adjoining stalls bear the arms of his friend Sir Thomas Erpingham, and his relatives Ufford (with a crescent for the younger branch), and Delapole.

He died 1 Oct. 1466, and was buried at Ingham in front of the high altar. His brass has long since disappeared, but the stone may still be

²³ Drake's Ebor, p. 111.

²⁴ Hume, iii. 222.

²⁵ Paston Letters (Gairdner), No. 384.

²⁶ *Ibid.*, No. 401.

²⁷ *Ibid.*, No. 401.

²⁸ Doctors' Commons.

²⁹ Cotman's Norfolk Brasses.

³⁰ Norwich Registry.

recognised by the triple *matrix*. It is engraved by Cotman.³¹ The knight lies between his two wives, his armour very similar (it is said) to that of Beauchamp Earl of Warwick at Warwick.³² The headdress of both ladies is a close caul of ornamental embroidery within a gauze veil



stiffened with wire, such as was generally worn during the reigns of Edward IV. and Richard III. The collars and cuffs are of fur. The inscription records the several descents of Stapelton and his wives :

Orate p aua dñi Milonis Stapleton filii dñi Briani Stapleton filii dñi Milonis filii dñi Milonis Stapleton mil., fundatoris ecclesie hujus, qui obiit 1. die Octob. a° dñi 1466, et p aiahus dne Catherine filie dñi Thome Delapole fil. Michaelis nup. comitis Suff. et Eliz. filie dñi Simonis Felbrig mil., consortium prime dñi Milonis.³³

The Lady Katherine survived her husband nearly five-and-twenty years. Mary Paston tells us how the widow kept her first Christmas after his death, at Ingham, as her friend Lady Morley had done. "There were no dysgysyngs, ner harping, ner lutyng, ner synghen, ner non lowde dysports, but playing at the tabylls and rebesse and cards. Sweche dysports she gave her folkys leave to play and non odyr."³⁴

³¹ Norfolk Brasses, pl. xxxii.

³² Fairholt's Costume, pp. 156 and 186.

³⁴ Paston Letters (Gairdner), iii. p.

³³ Blomfield, ix, 324.

The following year she married old Sir Richard Harcourt of Stanton Harcourt in Oxfordshire,³⁵ (descended from the Lords Grey of Rotherfield), being his third wife; his eldest son, Sir Christopher, having previously married her daughter. By Sir Richard, "my lady Stapylton" (for she kept her first husband's name) had one son, William Harcourt. Sir Richard died 1 Oct. 1487, and his wife survived him only a few months, if her will and codicil were proved 23 Jan. 1488.³⁶ It was not however till after Sir William Calthorpe's death that the Escheator held his Court at Thetford (4 Nov. 1494), when the Jury found her seised of the manors of Ingham, Waxham, Lammas, and Westhall, all in Norfolk, held by her in freehold (*ut de libis tenemento*) under the late Sir Brian's entail, and her two daughters are declared to be her heirs, viz. :³⁷—

1. Elizabeth, now 50 years old, married to old Sir William Calthorpe, of Burnham Thorpe, Norfolk, in 1458 (he being at that time 48 and she 18). Sir Miles had settled on them the manor of South Cove in Suffolk, which he had bought of Ralph Estley, Esquire.
2. Joan, two years younger than her sister, was now the wife of Sir John Hudleston, Knt., Sheriff of Cumberland for life, and Keeper of the King's woods in Barnoldswick, in Craven, co. York.³⁸ Her first husband, Sir Christopher Harcourt, died in 1474, leaving by her Sir Simon,³⁹ the ancestor of Earl Harcourt, and two other sons.

The sisters inherited as co-parceners, but the Calthorpes kept Ingham. "Dame Elizabeth Calleshorpe" and her "medicine waters"⁴⁰ are mentioned in 1483. She married 2ndly (*circ.* 1494), Sir John Fortescue. Very little is known of this great judge; the very date of his birth is a matter of dispute. He was made Chief Justice in 1442, and held office till Edward IV. got possession of the throne in 1461. He was at Towton field, and fled northwards with the King after the battle. In 1463 he was with Queen Margaret in Lorraine, "we both, all in grete puverte," as he writes in one of his letters. It was probably in Lorraine he composed his great work, "De Laudibus Legum Angliæ." He was at the battle of Tewkesbury in 1471, and taken prisoner. He had been attainted of high treason after Towton, and his goods forfeited, but having retracted all he had written against Edward, and Henry being now dead, his attainder was reversed in 1473.⁴¹ He was living in great hospitality at Ingham in 1506 (22 H. VII.), as we know from the accounts of his steward John Glavyn,⁴² and is said to have been 90 years old when he died. He was buried at Ebrington in Gloucestershire, where a noble monument was erected to his memory nearly two hundred years afterwards.⁴³ By his marriage with Elizabeth Calthorpe, say Collins⁴⁴ and Foss, but much more likely by a former and a younger wife, he had a son Martin Fortescue, from whom the Lords Fortescue are descended.⁴⁵

³⁵ Collins' Peerage, v. 268.

³⁶ Blomfield's Norfolk. Collins says she d. 1489. The Thetford Jurors, 31 July, 1490.

³⁷ Esc. 7 H. VII.

³⁸ Jeaffreson's Hist. of Cumberland, ii. 958.

³⁹ Collins' Peerage, v. 268.

⁴⁰ Paston Letters (Gairdner), No. 716.

⁴¹ Foss' Judges, iv. p. 314.

⁴² Blomfield, ix. p. 322.

⁴³ Collins' Peerage, vii. 394.

⁴⁴ *Ibid.*

⁴⁵ Foss' Judges, iv. p. 310.

The Lady Elizabeth is said to have afterwards married a very young husband, Lord Edward Howard, second son of the 2nd Duke of Norfolk, afterwards a Knight of the Garter, and Admiral of the Fleet,⁴⁶ but she died in the last year of Henry VII. (1508-9) at the age of 68.

The Calthorpes sold Ingham to Sir Thomas Woodhouse of Waxham, whose grandson sold it to Sir Nicholas Bacon in 1582, after which it came to the Johnsons, who were owners in 1658.⁴⁷ The old house is supposed to have stood about half a mile to the east of the church, where the farmhouse now stands. There are little or no remains. Owing to the absence of stone, most of the houses in this county were of brick. Caistor Hall, built by Sir John Fastolf, is one of the very few remaining. It is of brick, surrounded by a moat, but there is little more than the ruins of a round tower. The dressings have been of stone, and the parapet was carried on a corbel table, which probably formed *machicoulis*.⁴⁸ Thorpland Hall, built by one of the Calthorpes *temp.* Henry VIII., now the seat of the Rev. James Lee Warner, so well known for his contributions to Archæology, has moulded bricks,⁴⁹ some of them bearing the lion rampant of the Stapeltons and said to have been brought from Ingham. Of the monastic buildings at Ingham there is very little more remaining. A small cloister may be traced in three arches contiguous to the north wall of the church, but the rest has been obliterated in a gravel-pit.⁵⁰

Some eccentric ecclesiastic of the family is evidently indicated in one of the Original Papers of the Norfolk Archæological Society. One William Stapleton, a monk of St. Bennet in the Holme, under displeasure for an undue attachment to his bed in the morning, had recourse to magic arts to discover hidden treasure, wherewith a dispensation to obtain his liberty might be purchased. In his letter to the Lord Legate he states himself to have been aided by the incumbents of several parishes in Norfolk, whom he names. Among others the parson of Lessingham, he tells us, actually succeeded in raising Oberyon.⁵¹ Further particulars of this extraordinary delusion are contained in a confession to Cardinal Wolsey in 1530.⁵²

⁴⁶ Collins' Peerage, i. 80.

⁴⁷ Blomfield's Norf., ix. p. 322.

⁴⁸ Parker's Dom. Arch., iii. 284.

⁴⁹ Pugin's Examples, vol. i.

⁵⁰ Paper by Rev. J. Lee Warner, Norf. Arch. Journal, 1878, p. 15.

⁵¹ Notes and Queries, 1857, 2nd series, no. 495.

⁵² Letters and Papers, Foreign and Domestic (Record Office Series), H. VIII. vol. 4, pt. ii., no. 5090.

STAPILTON OF CARLTON AND WIGHILL.

Brian de Stapilton, the common ancestor of the two families which settled at Carlton and Wighill, was second son of Sir Gilbert the Escheator, by Agnes fitz Alan, and younger brother of the first Sir Miles, of Bedale and Norfolk. At the Scrope and Grosvenor trial in 1385, Sir Brian tells us he was "sixty years of age or more," and "fifty years in arms." But his father died in 1321, so we may suppose he was born about 1320. His evidence gives a short sketch of his early career. Being asked whether he had seen the Scropes and what arms they bore,—"Il dit q'oil (oui), q'a la siege de Tournay vist Mons. Jeffry le Scrop armez en un champ dazur ove (avec) un bende dor ove un labelle dargent et estoit de la retenue du Roy. Et depuis vist q Mons. Henr. le Scrop fuist ove le Comte de Northampton au Calais a Sige, et en touz grosse batailles et viagez ou il ad este, il ad vewe le dit Mons. Richard," &c.¹—

Henry le Scrope, eldest son of this Sir Geoffrey of Masham, Chief Justice *temp.* E. i. and ii., who d. 1340,—and Richard, the first Lord Scrope of Bolton, Richard the Second's Chancellor, were both youngsters at Creçy. There was scarcely a battle in which they were not engaged.² A baby at his father's death, Brian Stapilton was brought up by his mother and Sir Thomas Sheffield, and at an early age was probably put under the care of Sir John d'Arcy, of Templehurst, with his eldest brother, Sir Miles. Commencing as "varlets" or pages at seven years old, they were dubbed Esquires at fourteen.³ D'Arcy was at the siege of Tournay in 1340, being then Lord Steward of the King's household, and Brian Stapilton was in his retinue.

Of twenty year of age he was I guess,
And he had been sometime in chevachie,⁴
In Flanders, in Artois, and in Picardy,
And borne him well, as of so little space,
In hope to standen in his lady's grace.

Short was his gown, with sleeves long and wide,
Well could he sit on horse and faire ride;
He could songes make, and well indite,
Joust and eke dance, and well pourtray and write.⁵

At D'Arcy's death (1347), we lose sight of Brian for several years. The great pestilence put an end to the war between France and England, but there were other countries open to young men of spirit, for as a younger son his expectation of patrimony would be extremely slender. Some took service with foreign princes, against the Moors in Spain or Africa, or the Turks, who were now beginning to make inroads into Europe, and these "bold bachelors" were the flower of every feudal army.⁶ Where Sir Brian won his spurs we know not. The king fre-

¹ Scrope and Grosvenor Controversy, ed. Sir H. Nicolas.

² Test. Ebor. (*Surttees Soc.*) iv. p. 272. Dugd. Baronage.

³ Hallam's Middle Ages, iii. 405.

⁴ Chivalry.

⁵ Prologue to Chaucer's Canterbury Tales.

⁶ Tales of a Grandfather, Sir Walter Scott.

quently dubbed large batches of knights just before or after any considerable expedition. So it had been on landing in Normandy, in 1346; so it was after the attack upon the Spanish fleet in 1350, when "four score young gentlemen were knighted."⁷ A family legend is all we have to guide us here. In Christofer Stapilton's Pedigree, already referred to,⁸ (*circ.* 1530), we are told,—“Sir Bryan Stapilton, Knight of the Garter, slew a Saryson in plane batell, in the presence of three kings, of England, Fraunce, and Scotland, and for that Acte desiring for Beauty his head in his Creaste for ever moor” (*sic*). The legend is repeated by Randle Holme in 1645, and by Sir Miles Stapilton in 1660, with variations. “This Bryand Stapyilton K.G., the king of England and the king of Cyprus being present, did fight with a Sarazon, faith for faith, whom by the Grace of God and his valour he did kill. For which cause he did desire for the reward of his valour, of Edw. iii., then present, nothing else but that hee and his heires in memory of the victory should carry for their crest the head of a Sarazon,” &c.⁹ The kings of France and Scotland were prisoners in England between 1357 and 1364, and many splendid tournaments were held for their entertainment. Walsingham says,¹⁰ “There were joustings (*hastiludia*) at London” in 1357, “at which the kings of England, France, and Scotland were present.” Miss Strickland mentions another at Windsor in 1358, “for the diversion of the royal prisoners.” On the other hand, Chaucer's knight had fought abroad.

At mortal batailles hadde ben fiftene,
And foughten for our feith at Tramassene.¹¹
In lystes thries, and aye slain his foo.¹²

He had been at Algesiras in 1344, when it was besieged by Alonzo of Castile, and many knights of renown came to do battle with the Moors for the good of their souls, in the open space between the camps.¹³ He had been at Sattalie in Armenia, when Hugh de Lusignan, King of Cyprus, took it from the Turks in 1352, and at Alexandria when it was taken in 1365.¹⁴ Many English and Gascon knights were also engaged in the “plains of Turkey” in 1364.¹⁵ But the mention of the kings makes it more likely it was at home that Sir Brian had “foughten for our feith,” with the heathen champion. A similar case of wager of battle is recorded between two Christian knights, John de Vesconti, a Cypriote, and Thomas de la Marche, a Frenchman, who were sent home from the war in Armenia to settle their differences before the English king, in 1350. Edward appointed the 14th October for a meeting, “in close field within the lists at his Palace of Westminster.” The combatants having arrived, and the king and his whole Court, armed at all points and on horseback, attending as spectators, the fight begun. Each broke his spear on his adversary's shield, without moving him from his saddle. Whereupon they both alighted at the same instant, and recommenced on foot, till their weapons being rendered useless, they “came to close

⁷ Collins' Life of the Black Prince, p. 39. Walsingham, i. 160.

⁸ *Supra*, p. 102.

⁹ Pedigree roll in possession of the family.

¹⁰ Vol. i. p. 285.

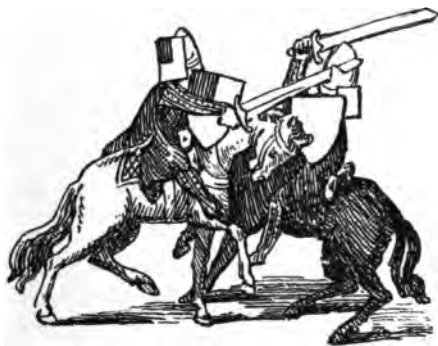
¹¹ One of the Moorish States in Africa.

¹² Prologue to Canterbury Tales.

¹³ Miss Callcott's Hist. of Spain.

¹⁴ Canterb. Tales (*Percy Society*), p. 4.

¹⁵ Walsingham, i. 296.



KNIGHTS ENGAGED IN SINGLE COMBAT.

[To face p. 78.]

grapple," the Frenchman making use of sharp pricks of steel called "Gadlings" inserted in the joints of his right gauntlet, wherewith he struck at the visor of his adversary, and grievously hurt him in the face. Whereupon, the king, regardless of any question of foul play, adjudged the victory to the Frenchman.¹⁶ Two illustrations to the "Roman de la Mort d'Artois" in the MS. Department of the British Museum,¹⁷ probably give a very true, if not a very romantic picture of one of these combats. In the first, the knights are mounted on heavy horses laid along side, backing at each other's cumbrous armour with broad, heavy, pointed swords, and almost blinded by their steel helmets. In the other their horses are standing aside, and they are fighting on foot behind their shields; the King and Queen and the Court sitting crosslegged above, on a scaffold about six feet high from the ground.

The legend concludes, as related in the pedigree of 1660, "Before this they did carry for their crest a pair of Batt's wings." Wings and feathers of thin metal were common appendages of ancient helms, to distinguish the leaders of an army.¹⁸ In the fourteenth century fantastic heads of animals and other creatures came into use, with a crest-coronet or crest-wreath to cover the joining between the metal helm and the light *cuir-bouilli* or pasteboard, of which the crest was composed. The Ducal Coronet which still forms part of the crest of Stapilton is only such a crest-coronet.¹⁹ Another legend belongs to this period.—"Lan de Grace . . . le Roy H. iii. fonda a Evvyç (York) lostel des frès preschers en lonneur de Sainte Marie Magdelaine la, ou est sa main dextre, laquelle fut apportée de France on temps de guerre par mestre Bryan de Stapilton chiir, lequel est enterre onñ lieu."²⁰ The monastery of the Friars Preachers, or Black Friars, or Dominicans, at York, was of royal foundation. King Henry III. gave them his chapel of St. Mary Magdalene, in 1228.²¹ The great railway station *within* the city walls now occupies the site. A modern writer supposes this relic was brought from la Sainte Baume (the Holy Cave), at Sisteron, in Provence, which has long been the principal Dominican Sanctuary of that great penitent.²² The rage for the acquisition of relics was still strong, and it was natural Sir Brian should present it to a monastery where so many of his ancestors were laid. But it is much less certain that he was buried there himself. His name is not in the list printed by Nichols.²³ His wife was buried in the Priory of Helaugh Park, and the explicit directions in his will that he should be laid by her side, were doubtless attended to. Leland says "Sir Bryan Stapleton, a valiant knight who is much spoken of, is buried there (at Helaugh Priory), and the Friars Preachers at York also seem to lay claim to him, *without much reason*."²⁴ Sometime between 1350 and 1360, Sir Brian had married the Lady Alice, widow of Sir Stephen Waleys, of Helaugh,

¹⁶ Collins' *Life of the Black Prince*, p. 40.

¹⁷ Royal MS. 14 E. iii. p. 157.

¹⁸ Boutell's *Heraldry*, p. 313.

¹⁹ *Ibid.* 225.

²⁰ Nichols' *Coll. Top. et Gen.* iv. 76. Stow says the Friars were settled here by the bounty of Brian Stapleton, Esquire, circ. 1226; but of this there is no other

proof. (*Yorkshire Arch. and Top. Jo.*, vi. 397).

²¹ Drake's *Ebor.* p. 274.

²² *Yorkshire Archæol. and Top. Journal*, vol. vi. 407 and 415.

²³ *Coll. Top. et Genæol.*, iv. 76.

²⁴ Leland *Itin.*, quoted in Drake's *Ebor.*, p. 390.

daughter and one of the coheiresses of Sir John St. Philibert. "Dñs Brion de Stapilton et dña Alicia uxor ejus" were to be prayed for at Ingham, in 1360.²⁵ The lady was a widow in 1350. "Alicia quæ fuit uxor Stephani Waleys," had leave to pass Dover with the great pilgrimage bound to Rome the year of the jubilee. A list of the pilgrims is given in Rymer.²⁶ Notwithstanding the hardships of the journey, widows frequently accompanied these pilgrimages. Agnes Lady Bardolf joined one in 1403, after her husband's death, "with 12 horses and 12 men, and bills of exchange for £300,"²⁷ but died before it set out. And Chaucer's Wife of Bath, who had five husbands, had made pilgrimages to Cologne and Rome and other places.

The French neglecting to pay their King's ransom, the truce between France and England came to an end, and a magnificent army sailed for Calais in October, 1359. Sir Brian took service with the Earl of Salisbury. We find him engaged with a foraging party which defeated the enemy in a skirmish near Janville (Joinville).²⁸ The young Earl, only fifteen when his father came by a violent death in the tournament at Windsor (Jan. 1344),²⁹ had already served some years in France. He had attended the King at Crecy, and afterwards accompanying the Black Prince to Aquitaine, commanded the rear of the English Army at Poitiers at 28. He now (1360) led the advanced guard under the Duke of Lancaster and the Earl of Northampton.³⁰

We hear no more of our Benedict till 1369, when the King sent his son Edmund, Earl of Cambridge, and the Earl of Pembroke to aid the Black Prince in Aquitaine,—“And so were named that they shudde go forth with them in that voyage the Lord of Tarbeston, Sir Brian Stapleton, Sir Thomas Balastre, Sir John Truves (Trivet, half-brother of Sir Matthew Gournay),³¹ and dyvers other. They entered as soon as they myghte into the sea, and were in all iiii. men of arms and iiii. archers.³² Froissart is the historian of the expedition. Landing at St. Malo, they were hospitably entertained by the Duke of Brittany, and met the “Companies” at Chateau Goutier and Vire in Maine. They crossed the Loire at Nantes, and joining the Prince of Wales at Angoulême, where he kept his Court, carried the fortress of Bourdeilles in Perigord,³³ and Roche sur Yon,³⁴ and other towns in Anjou and Aquitaine. The following spring (1370), they relieved the castle of Bellepeche, near Limoges, but finding the Earls of Anjou and Berry marching against them, and Limoges treacherously surrendered by its bishop, they blew up the walls and massacred the inhabitants,—a foul blot on the fair fame of the English Prince.³⁵ In Jan. 1371, the Prince, broken down in health, returned to England. The Earls of Cambridge and Pembroke accompanied him, and probably Stapilton. After his departure many lords fell away, and by 1374, England had lost almost all her possessions in France. Sir Brian was at home in July, 1372, for he was witness to a treaty made in the Chapel Royal at Westminster

²⁵ Foundation deed of the Priory, *supra*, p. 227.

²⁶ Rymer, v. 682.

²⁷ Pedigree of Beaumont, preface to

“De Legibus Angliæ” (*Camden Soc.*).

²⁸ Leland Collect. (1770), vol. i. p. 577.

²⁹ Collins' Peerage, ii. p. 59.

³⁰ *Ibid.*, p. 61.

³¹ House of Gournay, p. 673.

³² Lord Berners' Froissart, ch. 254.

³³ Collins' Life of Black Prince, p. 251.

³⁴ *Ibid.*, 262.

³⁵ *Ibid.*, p. 282.

with the Duke of Brittany.³⁶ In 1373 he came out in a new capacity. A Spanish fleet was cruising in the Channel, and Prince Ivan of Wales was off the English coast with 6000 Frenchmen. The Earl of Salisbury was appointed "to guard the seas," under indenture to raise 300 men-at-arms and 300 archers.³⁷ In fact he mustered a much larger number.—"With xl. great Shyppes besyde barges, and 2000 men-of-arms besyde archers, having in his retinue Sir Wyllyam Nevyl, Sir Bertram (Bryan) Stapleton, Sir William Luzy," &c.,³⁸ they crossed the channel. At St. Malo they burnt seven large Spanish carracks, and sailing on to Brest, where Sir Robert Knowles was besieged, relieved the garrison with men and provisions, and put to sea again. The "Sun in Splendour," the king's device,³⁹ shining on his sails, Salisbury sent frequent challenges to Du Guesclin, the Constable of France, "every daye ranging in batell to fight with his enemyes if they drew thider," but the Constable not venturing out, they returned to their ships, "to keep y^e marches and fronters, as he was commytted to do."⁴⁰

During his absence from England, Sir Brian became heir to Carlton and Kentmere by the death of his cousin, and in 1376 he purchased Wighill. A grant of land a few years later shows he still continued under engagement to serve the Earl of Salisbury. On the 1st May, 1380, the Earl testified his esteem for his old comrade,—"*William Montacute, Earl of Salisbury, for himself and his heirs, released his beloved Brian de Stapelton, chivaler, for good and laudable service rendered Us, and especially the last time We had the custody of the town of Calais,—the manor of Bamburg, co. Lincoln, and the manor of Bampton, and other lands in the counties of Carlisle, Westmoreland, and Cumberland.*"⁴¹ All of which remained in possession of the Stapiltons for several generations. The Earl also made him a grant of Kessingland⁴² on the sea coast of Suffolk, which afterwards went to the Stapeltons of Norfolk. Calais, Guisnes, and Gravelines, at this time formed a sort of "quadrilateral" of towns for mutual protection, just outside the French frontier. They were fortresses of great importance, by reason that lying so low they could be "drowned round" in a few hours, and were kept up at a great expense. At the opening of Richard's second Parliament, Sir Richard Scrope, the Lord Treasurer, said the annual expenditure on Calais and Guisnes alone exceeded £24,000.⁴³ In February, 1380, Sir Brian was appointed Captain of the Castle of Calais, and Comptroller of the town,⁴⁴ and a few days later, Captain of Guisnes.⁴⁵ As such he was frequently employed on missions of importance. On the 1st April, 1380, as "*Gardein de nostre Chastel de Calays,*" he was joined with John, Lord Cobham, Sir John Devereux (who had succeeded Salisbury as Governour of Calais), Robert de Assheton, Constable of Dover, and Master Walter de Skirlaw, Doctor of Laws, to make a treaty with France, with powers even to the making up a marriage for the young king.⁴⁶ And again in May and December, 1381, on which occasion he is styled "Captain of our castle of

³⁶ Rymer, vi. 742.

³⁷ Collins' Peerage, ii. 62.

³⁸ Lord Berners' Froissart, i. 465.

³⁹ Illustrations to Froissart, Harl. MS. 1319.

⁴⁰ Lord Berners' Froissart, i. 465.

Longman's E. iii., i. 224.

⁴¹ Rot. Claus. 6 R. ii. ps. 1. 16 m. dors.

⁴² *Ibid.*, 8 R. ii., 20 m. dors.

⁴³ Rot. Parl. iii. p. 346, quoted in the Chronicles of Calais (*Camden Society*).

⁴⁴ Norman Rolls, ii. 131.

⁴⁵ *Ibid.*

⁴⁶ Rymer, vii. p. 248.

Gynes," in his Commission.⁴⁷ No doubt he accompanied his patron, Salisbury, in January, 1383, when he escorted Anne of Bohemia, the betrothed Queen, from Gravelines to Calais on her way to Dover, "under fear of Norman cruizers in the Channel."⁴⁸

Soon after the accession of Richard II. (about 1382), Sir Brian was invested with the Order of the Garter, in the room of Sir Alan Bushull.⁴⁹ His arms, "*Argent, a lyon sable, on his shoulder a mullet or*,"⁵⁰ were placed in the third stall on the Prince's side, next but one to the Duke of Lancaster, who occupied the Prince of Wales' stall.⁵¹ Most likely he owed this distinction to Lancaster, who then governed the kingdom as President of the Council. In 1384, and 1386, and again in 1390, he received Robes of the Order,⁵² and a grant of Robes was equivalent to a command to attend at Windsor on St. George's day. In 1384, the robes were of violet cloth embroidered with garters, lined with scarlet, and furred with minever. In 1386, they were of scarlet cloth with the motto in gold. In 1383, being still Captain of the Castle of Guisnes, Sir Brian was again in Flanders, amid the troubles, fomented by France, which followed the death of the popular leader Philip Van Artevelde. In April of that year, with Devereux and John de Burley, captains of the town and castle of Calais, he reviewed the little army of men-at-arms and archers⁵³ who had landed there on their way into Flanders under the warlike Bishop of Norwich. There were at this time two pretenders to the papal tiara. The French cardinals had elected Clement VII. at Avignon, but Urban was the elect of Rome, and Bishop Spencer was invited by Urban as a clerical Paladin well adapted to support his cause with his "Crusaders" (*cum magna turba cruce-signatorum*).⁵⁴ The war was carried across the French frontier, with varying success, and Stapilton was employed to arrange terms of peace with both sides. In May (1383) he was one of the Commissioners sent to receive the homage of the Count of Flanders and the Flemish towns,⁵⁵ and in October he was one of the Commissioners to treat with the Ambassadors of France,⁵⁶ a mission which ended in the suspicious death of the Count of Flanders, and the truce of Lelingen.⁵⁷

On his return home Sir Brian was employed on similar missions to Scotland. In April, 1386, and again in March, 1388, he was joined with Walter Skirlaw, now Bishop of Durham, the Earl of Northumberland, Lord Neville, and others, to negotiate a peace with Scotland;⁵⁸ and in 1389, he had letters of General Attorney,⁵⁹ with his stepson Sir Robert de Swillington, to manage the affairs of Sir John Marmion,⁶⁰ during his absence in Spain with the Duke of Lancaster, titular King of Castile. It was during the expedition to Scotland, in 1384, that the Scropes challenged the right of the Grosvenors to bear the arms "*Azure a bend or*." The great trial began in August, 1385, and lasted till 1390. Sir

⁴⁷ *Ibid.*, i p. 308 and 338.

⁴⁸ Miss Strickland's Queens, i. p. 597.

⁴⁹ Beltz' Memorials of the Garter, p. 290.

⁵⁰ Ashmole's Garter, p. 709.

⁵¹ Beltz' Appendix, p. 397.

⁵² Sir H. Nicolas, Orders of Knighthood.

⁵³ Norman Rolls, ii. p. 142. Rymer. vii. 395.

⁵⁴ Walsingham, Ypod. Neustr., p. 337.

⁵⁵ Rymer, vii. 396.

⁵⁶ Norm. Rolls, ii. p. 143.

⁵⁷ Hist. of France (*Lib. of Useful Knowledge*), p. 243.

⁵⁸ Rymer, vii. 572.

⁵⁹ *Ibid.*, vii. p. 508.

⁶⁰ Second Son of Lord Grey of Rotherfield, by his 2nd wife.

Brian was both a witness, and a Commissioner to examine the witnesses,⁶¹ and was present at Westminster on the 7th May, 1390, when judgment was pronounced. He had previously decided a similar question between two gentlemen of the name of Massey. In October (1390) the old knight appeared once more in arms, being then about 70 years of age, at a magnificent tournament in Smithfield. The Queen presided, and knights were invited from all countries. An anonymous chronicler describes the honours paid to the Garter Knights:—"On the King's side were the 24 Knights of the Garter, all of suit, with White Harts and Crowns about their necks, and chains of gold, the which Hart was the King's livery that he gave to know his household from other people; and 24 ladies led those 24 Lords of Garter with chains of gold . . . from the Tower on Horseback through the City of London into Smithfield."⁶²

Sir Brian spent his declining years at Wighill, where he had built a Hall, or at any rate greatly enlarged it, for since Sir Ralph de Blancmonster's death in 1348,⁶³ the heir had always been a minor or a priest; and the principal residence of the Blancmonsters was in the Scilly Islands. In 1315, Ranulphus de Albo Monasterio had licence to crenellate "*mansum suam de Ivor in Insula de Sulla, Cornub.*"⁶⁴ The purchase of Wighill is recorded in the Fine Rolls. "A Final Concord made in the King's Bench at Westminster in the three weeks of Easter 1376, before Robert Bealknap and the other judges.—Between Brian de Stapilton chivaler and Alice his wife on the one part, and Guido Blaumonstre "*clericus*," on the other, by which Blaumonstre recognises the right of Stapilton in the manors of Wyghall and Laneton in Rydale." The manor of Carlton (near Helmsley) and certain lands and tenements in the vill of Sourby (Sowerby) near Thirsk, were accordingly released and quit-claimed to Sir Brian at once. But Wyghall, with 12 messuages (apparently the village), eight bovates and twelve acres of land (about 116 acres in all), and ten shilling-rents in Wyghall, Edlyngton, York, and Skelbrook, were subject to the life interest of Margaret wife of Gilbert Talbot, formerly widow of Sir John Blaumonstre, chivaler. For all which Sir Brian gave Blaumonstre a thousandpounds sterling,"⁶⁵ about £16,000 now-a-days. Subsequently he paid Margaret Talbot and her husband 100 silver marks a year for her life interest, and a further sum of 200 marks for the bargain. Carlton and Sowerby were sold to John Lord Neville of Raby, brother of Sir William Neville, who married Elizabeth Waleys of Helaugh, only reserving to the Lady Alice Stapilton a life interest, by payment of one rose a year. The old Knight died at Wighill, full of years and honour,⁶⁶ 25 July, 1394, the gentle Queen dying only two months before him. His will⁶⁷ is in old French, "escript a Wyghale" the 16th May, dictated apparently by the testator himself⁶⁸ to his friends standing round his bed; among whom were Monsieur Thomas Aghtryth, Monsire Robert de Plompton, Mousire Johan Sayvell, Monsire Nicholl de Medilton, and Richard Basy (perhaps the scribe),

⁶¹ Rymer, vii. 677.

⁶² Sir H. Nicolas' Orders of Knighthood, i. 48.

⁶³ Inq. p. m. 22 E. iii.

⁶⁴ Parker's Dom. Arch., iii. 407.

⁶⁵ Pedes Finium, 50 E. iii. (*Record*

Office).

⁶⁶ *Ibid.*

⁶⁷ Beltz' Memorials, p. 290. Test. Ebor. (Surtees Soc.), iv. p. 198.

⁶⁸ Stanley's Memorials of Canterbury, p. 138.

who are named as witnesses. French was still the common language above the salt, in the Hall at Wighill. The Black Prince's will is in the same language; so is the evidence at the Scrope and Grosvenor trial. It begins in the common form:—"In the name of God, Amen. I, Brian de Stapilton, devise my soul to God and Our Lady Saint Mary and all the Saints of Paradyse, and my poor (*chautiffe*) body to be buried in the Priory of the Parke (Helaugh) beside my wife,—whom may God absolve."—Then follow directions for his lying-in-state, without any further introduction, as if dictated in short sentences, broken with frequent pauses:—"And over my body a pall of blue cloth (*un drape de bleu-saye*)—And my wish is by God's help to have a 'herce' with five tapers,—each of five lbs. weight,—and thirteen men in blue liveries (*vestuz en bluw*), with thirteen torches.—And if the torches are not burnt out, four are to remain at the Priory, two are to go to the church at Wighill, two to the Church at Helaugh, one to Newton (le Willows, near Bedale), one to Thorp Arch, two to the Chapel of St. Catherine at Tadcaster, and two to Synningthwaite.—Item, I will and devise, that I have a man dressed in my armour with my helm upon his head, and that he be well mounted, and a man of good stature, whatever his condition in life may be.—Item, all my house servants to be dressed in blue at my expense.—And all the poor who come to my funeral, to have penny dole (*chescun un denier enovre de charité*) in aid of my poor soul.—And I wish the lords (*sires*) my companions, allies, and neighbours, who choose to come and pray for me, and do honour to my poor body, to be made well at ease, and to have enough to drink (*q'il eient a boire asseth*). And for this purpose I devise 101 marks (more than £1000 now-a-days).—Item, 13s 4d to each of the Orders in York, and the Friars of Beverley, Scarborough, Doncaster, Pontefract, Richmond, Allerton, and Cardell, to chaunt for me as soon as possible after my death, whether it happen by day or night."

The kingdom was at this time ringing with the new doctrines of Wickliff. The Church was denounced by those who, like the Puritans in later times, trusted to personal devotion and the Bible alone, and the Church denounced them in return as fanatics addicted to the worst propensities. The Court of Richard II. was strongly infected with the new Lollardism, but our Knight clings to the old religion. Long directions for funerals were common at this period.⁶⁹ The Black Prince's will contains similar directions. He lay in State at Westminster four months. Down to Henry the Fifth's time the actual corpse was exposed to view, as we have recently seen done in Russia and America; but after that reign, a wax figure was substituted, dressed in the robes of the deceased, and laid upon the coffin. A curious collection of these effigies is still to be seen in Westminster Abbey. The description of Edward the Fourth's funeral serves for a further illustration of the ceremony. "The King was laid upon a burde (board) with the face and arms uncovered, having on the corps a riche and a large clothe of gold, with a crosse of white golde above And so broughte into Chapell on the morne after, where were songen three Solempne masses. And at afternoone there were songen Diriges and Commendacions. And after that, the whole Sawter

⁶⁹ Preface to Royal Wills, ed. Sir H. Nicolas.

(Psalter) said by his chapel, and at night well wached with Nobles and other of his servants.⁷⁰

The "herce" was a frame of wood or iron hoops arching over the coffin to support the pall.⁷¹ The herce in the Beauchamp Chapel at Warwick is well known. The King's was large enough to hold the bishops and a number of lords besides. It was rather a "Chapelle Ardente" than a herce. The scene at Wighill may easily be imagined;—the man in armour in the court yard, like Baron Marochetti's Cœur de Lion in front of the Palace of Westminster, the darkened chapel, and the flickering torches of the thirteen men in blue, the funeral meats in the Hall for all comers, and crowds from far and near flocking in to see the sight, and enjoy the liberal hospitality.⁷² Posthumous charity was carried to a great excess. Sir Brian leaves:—

"Ten pounds (£160 now-a-days) among his poor tenants, and ten pounds more among the poorer nunneries; Synningthwaite (which adjoined Wighill), to have the preference."

Then follow numerous bequests of gold and silver plate of the best period,⁷³ exhibiting such a store as would be of priceless value to any modern collector. We must ever regret that so many fine pieces disappeared in the Wars of the Roses, for examples of this period are now exceedingly rare. Servants usually adopted such surnames as they had from their occupation. He leaves:—

'— To my dear nephew Mounsieur Miles de Stapelton (of Ingham), my large amber rosary (*mes grandes paternoster de l'aymbre*).—To my half brother Will. de Sheffeld half a dozen silver dishes (*esgils*) and saucers, and one of the gilt hanaps,⁷⁴ 'which Monsieur de Nevyl owes me,' and the best sword he can choose.—To Thomas Oke (one of his exectors, perhaps his steward), £10 sterling and my blue gown edged with fur (*mon clothe furre de blau*). To Richard de Chawmbre (the chamberlain) 20s.—To Pauly Craddock, 13s. 4d.—To William Flascheby (the butler), 13s. 4d.—To his carters and ploughmen (*carrettis et carucers*) 40s.—To William Hunter (the keeper or woodman), 13s. 4d., with a knife (*cutell, que jeo solay porter pour le boys*), and a gowne.—To John Fynch, 20s., and to Robert Botteley (? master of the horse) 20s. and a horse of the value of 40s.—To Will del Cusyn (the cook), 20s. and a gown, &c."

After another pause, he continues:—

"— Item, I devise to Monsieur Richard le Scrop, the Chancellor, (who is made supervisor of his will) the silver hanap *de quoi jeo solay boier*, which is called the 'horne.'

"— To Dame Elizabeth de Stapilton, 'ma fille' (his eldest son's widow) a table of silver gilt and enamel representing the Coronation of Our Lady, 'if she behaves herself naturally towards me at my decease;' and a ribbon of purple silk (*annul de le soyne propre*) which I used to

⁷⁰ Letters of R. iii. and H. vii., vol. i., p. i. (*Record Office Series*).

⁷¹ Parker's *Glossary of Architecture*, vol. i. p. 18c.

⁷² See the funeral of Athelstane in

Ivanhoe.

⁷³ S. Kensington Handbook, by J. H. P. llen, p. 102.

⁷⁴ Covered Cups without stems. Pollen, p. 132.

wear round my neck, with a cross of silver gilt, and a medal (*floreigne*) of the Image of Our Lady.

“ — To Elizabeth Nevyl ‘ma file’ (his step daughter, wife of Sir William de Nevill, one of the Lollard leaders in 1386), a gilt clasp (*farmayll*), on which is written “*soffre me convyent*,” so appropriate to an ascetic lady; with a pair of bedes (*paternosters*) of gilt and blue enamel.

“ — To Lady Elizabeth Marmyon (wife of Lord Grey of Rotherfield’s younger son), a gold Tabernacle, (or shrine in which the Sacrament was kept upon the Altar⁷⁵), standing on three feet.

“ — To my niece, Lady Aniste de Medilton, a round silver basyn with an image of Our Lady in alabaster, which belonged to the Anchoret of Hampnoll.⁷⁶

“ — To my much honoured Sire de Salisbris (his good patron, who survived him only three years, and was buried at Bisham in Berks), a hanap of silver gilt and enamel, in the shape (*en gyeor*) of a chalice, with two silver bottles.

“ — To my most honoured Dame de Salisbris, a gold hanap.

“ — To Sire Johan de Hermesthorpe (Rector of Bedale and one of his executors), a horn standing on two feet.

“ — To Monsire John de Depden (who afterwards married Elizabeth Nevyll), a sword (which Sir John left back to his grandson in 1402), and a twisted gold ring (*envelopé l’une part en tour l’autre*), inscribed with two droll letters (*deins drell lettres*).

“ — To William de Holme (son of William de Sheffield), a gold brooch (*nowche*), with a dog standing in the middle of it.

“ — To John de Holme, ‘mon clerc’ (his secretary or chaplain, son of his niece, Margaret Sheffield) 20s., and to Henry Porter 13s. 4d. and a gowne.

“ — To Alesceon de Tuxforth, the amber rosary I used to wear.

“ — To Richard Kilkenny, the best horse I have and the best coat of mail (*cotte de fer*), excepting the two which are open in front (*overt devaunt*).

“ — To Nicholas ‘mon frere’ ^{76a} a piece of silver which is called *le dische*.

“ — To John de Barton a nowche of gold and blue enamel with a pelican in the middle.

“ — To William Gelle (? his valet), 13s. 4d., with a long and a short gown, and two pairs of breeches or long parti-coloured drawers (*chaustez*) and all my linen (*lindrap*),—if he is with me at my death.

“ — To Monsieur Nicholl de Medilton (his brother-in-law), a nowche encircled with pearl or beryl (*perill*), with my horn which I used to carry for the cuspele.

“ — To John d’Aske, a sword with a silver knob and a breastplate (*le pomele covere d’argent ove j hawberion*).

⁷⁵ Handbook of Gold and Silver work at South Kensington, by J. H. Pollen, p. 96.

⁷⁶ Richard Rolle, the Hermit of Hampnoll, near Doncaster, was one of the most popular divines of the period. (*Murray’s Handbook of Yorkshire*, p. 9).

Basins were used before and after meals for washing the hands of guests. The Hermit probably valued this one more for the image in the middle.

^{76a} This is the only mention of this brother.

“ — To Richard Ottelay, a buff leather jacket with its accoutrements (*j jacke de le meyns ove j garnement*).

“ — Also to my son Miles, the blessing of God and my own, with all the residue of the little goods which God has given me ; charging him if I have forgotten ought of debt or anything else that may imperil my soul, to make satisfaction to my creditors, as he will answer before God at the day of judgment. And in case the said Miles dies before his uncle, my dear brother, William de Sheffeld, then I pray the said William in charity to take my residue with the charge aforesaid.”

Sir John de Hermesthorp, Monsire Depden, Will. de Sheffeld “ mon frere,” his son Milo de Stapilton, his “ nephew ” Wil. de Holme, and Thomas Oke are appointed executors, and the good honest old Chancellor, Sir Richard le Scrop, the best man he could have chosen to protect his estate from the rapacity of the Crown, is appointed Supervisor.⁷⁷

Like most early wills, this will exhibits a great deal of individual feeling and character, and the numerous bequests make us familiar with the habits of the testator. But while we admire the splendour of the lying in state and the gold and silver plate, we must take care not to forget the squalor and discomfort in which even the greatest people lived, the unglazed windows, the bare walls, and the dirty floor littered down with rushes.⁷⁸ For a knight adventurer and a younger son, Sir Brian had accumulated a large estate. Military service was now by no means unprofitable. The English army no longer consisted of feudal levies, and cavalry reeling under the weight of their own armour. Soldiers really skilled in military tactics were now required, to command the hired levies which served abroad, and Sir Brian was evidently one of these professional soldiers. Their pay was remarkably high,⁷⁹ and a successful campaign brought valuable additions in the shape of prize money and the ransom of prisoners. His marriage with the widow of Helaugh brought him her dowry and a third part of Ferlyngton near Sheriffhutton, which she had inherited from her father. Carlton and Kentmere fell in to him under Thomas Stapelton's entail, and under the will of William de Querneby, he inherited the manor of Querneby, or Quarmby, which at that time included “ Hudersfeld ” among its members, though it is now only one of the townships of that populous manufacturing town. Quarmby was worth nothing then, being burdened with a charge of £17 15s., payable annually to the church of St. Ursula, at Pontefract, during the life of Joan, the wife of Hugh de Annesley, Querneby's daughter. She d. 1386, and for ten years after her death, Sir Brian and his heirs were bound to provide a chaplain to say mass daily for her father's soul. Quarmby was then held of John de Heton, of Mirfield.⁸⁰ It continued an inheritance of the Carlton Stapiltons till the fourth Sir Brian settled it on his second son, who leaving only two daughters (who married Anthony Eltofts, and Wm. Blythe, of Norton and Barnby, co. Durham), it was divided between those families. Lastly, Sir Brian had purchased Wighill. He never crenellated his house nor enclosed a park, but he lived on terms of modest equality with those who did. Extravagant hospitality

⁷⁷ Cf. Test. Vet. Sir H. Nicolas, Preface, p. ii.

⁷⁸ Ibid.

⁷⁹ Hallam's Middle Ages, i. p. 266 n. and i. 77 n.

⁸⁰ Inq. p. m. 18 R. ii. no. 36.

at funerals had become almost a necessity for men in high position, surrounded as they were with a large number of retainers to whom they granted liveries, though they were frequently only poor relations, or domestic slaves, who were lodged and fed by the lord. These overgrown households sometimes became a source of danger to the state, and frequent endeavours were made to put them down. Retaining to the last, somewhat of the knight errant, his manner of life and dress were simple for an age in which all kinds of extravagance were encouraged by the Court. His "long and short gowns" are of plain cloth without embroidery. He thinks more of a coat of mail or a good horse than rich robes or bed hangings. In short, like Chaucer's model :—

He was a verray perfight, gentil knight,
But for to tell you of his array ;
His hors was good, but he ne was nought gay.
Of fustyan he wered a gepoun (*jupon*),
Al bysmoterud⁸¹ with his habergeoun,⁸²
For he was late comen from his viage.⁸³

The poet and the knight must often have met at Calais, or on their missions to France and the Flemish towns.⁸⁴

Sir Brian left issue two sons :—

1. Brian Stapilton "junior," of Carlton, who died before him, and
2. Sir Miles of Wighill.

The Lady Alice, who died some years before him, left two daughters by her first husband :—

1. Elizabeth Waleys, married 1st Sir William Nevill, who accompanied Sir Brian in the naval expedition in 1373 ;⁸⁵ and 2ndly, Sir John Depeden, who had Helaugh, and survived her.
2. Avoca Waleys, who married Sir Robert de Swillington of Swillington, near Leeds. Their "Letters testimonial" are dated 11 April, 1348.⁸⁶

Lady Alice's father, Sir John St. Philibert, was summoned to Parliament as a Baron in 1348, and died in 1359.

Over the front door of the present farmhouse at the park gate at Wighill, are two coats of Sir Brian's arms in stone, encircled with a garter ; but they are probably of a later date, the shields very much resembling those over the great gate of Lincoln's Inn, in London, which are as late as the reign of Henry VIII.^{86a}

One, William de Stapleton of Ednall or Edenhall, in Cumberland, who is often met with at this time as Custos of Loghmaban castle, a fortress in Dumfriesshire, built by the Bruces of Annandale, at the close of Edward the third's reign, seems noways connected with the Yorkshire

⁸¹ Stained.

⁸² Mail armour.

⁸³ Prologue to Canterbury Tales.

⁸⁴ John of Luxembourg, King of Bohemia, is generally said to be the

original of Chaucer's Knight (*Saturday Review*, 11 Apl., 1874).

⁸⁵ *Supra*, p. 234.

⁸⁶ *Herald. and Geneal.*, iv. 449.

^{86a} See following page.

family, judging by his arms, *Arg. three swords, pomels in the nombril of the Escutcheon, points extended gu.*⁸⁷

The Manor of Edenhall was granted by the Conqueror to Henry Fitz Swein. In Henry the third's reign it was held by Robert Turp. After



three descents a coheirress of that family brought it to the Stapletons, with whom it continued for five descents, and then passed (about 1459) by an heiress to the Musgraves, who still keep it,⁸⁸—a long tenure indeed, if only a fragile “glass of crystal tall,” holds up the “Luck of Edenhall.”⁸⁹

THE STAPILTONS OF CARLTON.

Lord Beaumont's family, the Stapletons of Carlton, are descended from the eldest son of the last Sir Brian, of Carlton and Wighill.

Brian Stapilton “junior,” as he was called, married Elizabeth, daughter, and eventually one of the heiresses of Sir William Aldburgh of Harewood; and died before his father in 1391, leaving two children:

1. Brian (3), who inherited Carlton and Kentmere, Quarmby, and part of Farlington, from his grandfather.
2. John Stapilton of Flamburgh,⁹⁰ may have been brought up in the household of the Constables at Flamburgh, being friends of Aldburgh. Young Sir William Aldburgh was supervisor of Constable's Will.⁹¹

Another Roger Stapilton was Burgess for Scarborough in 1407.⁹²

William of Aldeburgh, the “old town,” near Boroughbridge, built on the site of the Roman Isurium, had summons to Parliament as a Baron, from the 44th Edward III. till his death in 1388.

Marrying the heiress of the last Lord Lisle of Rougemont, opposite

⁸⁷ Glover's notes, Harl. MS., 1420, fo. 255.

⁸⁸ Jeaffreson's Cumb., i. p. 404.

⁸⁹ Longfellow's Poem.

⁹⁰ Thoresby's Leeds, pedigree of

Stapleton.

⁹¹ Yorksh. Arch. and Topog. Journal, iv. p. 98.

⁹² Parl. return, 1878.

Harewood, he had purchased the "castle and manor of Harwood" from Lord Lisle, in 1365, for £1,000. A year later he had licence to "crenellate" the manor house (*mansum manerii de Harewode*),⁹³ and built or enlarged the castle, whose massive ivy-mantled walls are still standing in the corner of Lord Harewood's park. His arms with those of his friend and patron, Edward Baliol, and his predestinarian motto, "Vat sal be sal,"⁹⁴ are still to be seen over the chapel window. He died in 1388, and was buried at Aldborough, where the effigy of a knight in brass, with the inscription WILL'S D ALDEBURGH, in the north aisle of the church,⁹⁵ still marks the place. His widow and her only son both dying in 1391, his daughters became heirs to his estate, vizt. 1.—Elizabeth, then aged 28, widow of Brian Stapilton "junior," (she married 2ndly, Sir Richard Redman of Levens, co. Westmoreland, Knt.); and 2.—Sybilla, aged 25, wife of William Ryther of Ryther Castle, Yorkshire; between whose descendants the barony of Aldburgh is now in abeyance.⁹⁶

A few scattered notices of the young widow may seem to show that she was devoted to the new doctrines of Lollardism. Her mother left her a ring inscribed "Jesu be my help."⁹⁷ Sir Robert Roos of Ingmanthorpe, left her a book in French called "Sydrak,"⁹⁸ in 1392; and she had "Legends of the Saints" from his son in 1399, when she is first called Lady Elizabeth Redman. In 1413 she had a ring from Sir Henry Vavasour of Haselwood. Her religion may have caused the quarrel with her father-in-law. Sir Brian left her a table with a Coronation of the Virgin in enamel, and a medal of Our Lady, in 1396, on condition that she behaved herself naturally at his decease,^{99a} (*commen se port bien ou male*), from which we suppose she had not always done so. Whether this imputation against the lady of Harewood was the cause or the effect of old Sir Brian's settlement of Wighill on his younger son,⁹⁹ she had at any rate no scruple about depriving his grandchild of the half share of Harewood, to which he was heir presumptive after the death of young William Aldburgh in 1391. She married Sir Richard Redman, her second husband, sometime before 1399, and in 1407 they made a settlement of her share of Harewood on her two children by Redman, disinheriting Stapilton's boys, or only leaving them in remainder in case of failure of male heirs to Redman.¹⁰⁰ It seems as if proceedings had been threatened when the guardianship of Stapilton's grandchild was committed to the Duke of Bedford in 1417,¹ for (in 1424), Redman made his will leaving Kereby and Kirkby Overblows, two manors near Harewood, to Brian Stapilton when he came of age, on condition that neither he nor his heirs should "go to law, nor enter, nor disturb" the Redmans in possession of the "manor and castle of Harewood." If any such interference took place, the two manors were to revert to the heirs of Redman.² The Carlton family held "Kirkby and Kereby" for several

⁹³ Parker's Dom. Arch. iii. p. 416.

⁹⁴ Murray's Handbook of Yorkshire, p. 358.

⁹⁵ Yorkshire Arch. and Top. Journal, iv. p. 99.

⁹⁶ Sir H. Nicolas' Historic Peerage.

⁹⁷ Jones' Hist. of Harewood, where the will is given at length.

⁹⁸ Yorkshire Arch. and Top. Journal, iv. p. 93.

^{99a} *Supra*.

⁹⁹ Inquis. taken at Clyfton, 7 H. v., by order of the Duke of Bedford.

¹⁰⁰ Fines Term. Pasch. 8 H. iv. (*Record Office*). Yorkshire Arch. and Top. Journal, iv. 91.

¹ Inq. at Clyfton, *infra*.

² Yorksh. Arch. and Topog. Journal, iv. p. 92.

generations,³ and the Rythers and Redmans kept Harewood. During eight descents of the one, and nine of the other, they are said to have lived on such amicable terms as joint lords of Harewood, that they not only kept the estate undivided, but they seem to have inhabited the castle alternately.⁴ Two very interesting altar tombs in the church mark the resting place of the sisters; Sir Richard Redman and his wife lying on the north side of the chancel, and Sir William Ryther and Sybilla on the other. In the South aisle there is another remarkable monument of Henry the Fourth's Chief Justice, Sir William Gascoigne and his wife.⁵ They resided at Gawthorpe Hall, which now forms part of Harewood park.

Young Brian de Stapilton was only seven years old when he became heir of Carlton by his grandfather's death.⁶ The whole of his short life was afterwards spent in military service. The first notice of him is in the *Fœdera*, May, 1416. It is said he "remained" about the king (*est demorez devers le Roy sur la meer?*) from which we suppose he was also in the previous campaign in 1415, when Henry laid siege to Harfleur, and won the glorious battle of Agincourt. His name is not on the Roll of the battle, but it is "manifestly incomplete."⁸ It is presumed he was there, because he had some of the prisoners awarded him for their ransom. On the 18th May, 1416, "safe conduct" was granted for William Quintyn Bastard of France, prisoner of Richard Redman, chivaler, and Brian de Stapilton, chivaler, coming into England.⁹—26 Nov., 1416, safe conduct was again granted for Eustache de la Housaye de Britannia, Knt., prisoner of Brian de Stapilton, Knt.¹⁰—27 Jan., 1417, the same for Charles Gentil, Esquire, John Karre de Normannia, Peter de Follard of Orleans, and Anthony Floure of Savoy, Esquires, prisoners of Brian de Stapilton, Knt., returning home.¹¹—17 Feb., 1417, the same for Francis Gentil de Janua (? Genoa), the prisoner of Brian Stapilton, returning home.¹² The ransom of prisoners was an important item in the "warlike finance"¹³ of those days, and usually entered into contracts of service. Many of the prisoners taken at Agincourt died in confinement in England, unable to pay the heavy ransom demanded of them; some were allowed to return to France to raise the money, and a few were permitted to pay a part of the amount in wines and other commodities.¹⁴

The Commission of May, 1416, mentioned above, is granted to Lord Fitzhugh, and the Earls of Northumberland, March, and Salisbury, "with Brian Stapilton, Thomas Rokeby, and other chivalers." Sir Brian probably served in the retinue of Salisbury in this expedition. The pay of the different ranks is stated in the Commission.¹⁵ Embarking at Rye with 200 ships, they encountered the French fleet of 500 sail at the mouth of the Seine (15 Aug.), and gained a complete victory, sinking or taking the whole Navy of France,¹⁶ and returning to England "with

³ Inq. p. m. 5 Jac. in the Beaumont Peage case (*Sessional Papers*), p. 68.

⁴ Jones' Hist. of Harewood, p. 145.

⁵ Murray's Handbook of Yorkshire, p. 359.

⁶ Inq. p. m. 18 R. ii., no. 36.

⁷ Rymer, ix 3:6.

⁸ Sir H. Nicolas' *Battle of Agincourt*, Preface, p. cccxcviii.

⁹ Norman Rolls, ii. 228.

¹⁰ *Ibid.*, p. 232.

¹¹ *Ibid.*, p. 233.

¹² *Ibid.*, p. 234.

¹³ Lord Brougham's *House of Lancaster*, p. 147.

¹⁴ *Battle of Agincourt*, p. 177.

¹⁵ Rymer, ix. 356.

¹⁶ Hall's *Chronicle*, fo. 54.

many prisoners and much booty,"¹⁷ Sir Brian again accompanied the Earl in the second expedition to France. In a muster roll taken at Knoulden-helle (apparently near Southampton), at the end of July 1417, the Earl of Salisbury's contingent comprised Ricūs Archīs ch̄r (? Sir Richard Bowes), Johēs d'Ambriscourt ch̄r, Johēs Calf ch̄r, Brianus de Stapilton ch̄r, Hugo Luterell ch̄r, and Galfridus Luterell ch̄r. Sir Brian brought five "Launces" (Men-at-Arms) and 18 Archers.¹⁸ His cousin of Ingham was in the same expedition, with Lord Willoughby.¹⁹ Salisbury commanded the second "battle" or division, and while the Duke of Gloucester besieged the castle of Touques (Trouville), Salisbury won the castle of D'Anvillers, and afterwards joined the King before Caen.²⁰ Caen surrendered in September, and Bayeux and Lisieux soon after. The English marched out of Caen the 1st Oct., and taking Courcy, Argentan, Seiz, Verneuil, and Alençon, in succession,²¹ made a treaty with the Duke of Brittany at the latter place on the 16th of Nov. It was on this march that Sir Brian met his death, 13 Oct.²² He was only 30 years of age. An order from the King directs Edmund de Thorpe and John de Radeliff, to muster and inspect the Men-at-arms and Archers, . . . "in the retinue of Brian de Stapulton (*sic*) chivaler, deceased." It is dated at the Castle of Alençon, 27 Oct. 1417.²³ His body was brought to England and buried among his ancestors, in the church of the Friars Preachers at York.²⁴

At a very early age, (for his daughter Elizabeth was born in 1404), Sir Brian had married Agnes, daughter of Sir John Godard, who was one of the witnesses in the Scrope and Grosvenor trial.²⁵ Godard was Knight of the Shire in 1386, and Sheriff of Yorkshire in 1389. The lady's mother was Matilda, daughter of Ralph, 1st Earl of Westmoreland, and widow of Peter de Mauley the 8th Lord of Mulgrave.²⁶ Lady Agnes died in 1438, leaving directions in her will to be buried next her husband at the Friars Preachers. At the inquest after death she was found possessed of most of her husband's lands, and two parts of Conisholm and Cokerington in Lincolnshire,²⁷ lying between Louth and the sea, formerly the lands of Godard.

By Sir Brian's early death she was left in charge of his children.—

1. Elizabeth, born 1404.
2. Joan, afterwards wife of Sir William Ingleby, who lived to a good old age. Her will is dated 1478, desiring to be buried at Mount Grace Priory, in Cleveland.²⁸
3. Isabella, who is named "in remainder" to Kirby and Kirkby Overblows with her sister Joan.²⁹
4. Brian, heir of Carlton, the youngest, born in 1413.

Now-a-days, our sons choose wives for themselves. In the "good old times" it was all settled for them. A father, if he had the means of

¹⁷ Collins' Peerage, ii. 70.

¹⁸ *Geata Henrici v.*, appendix.

¹⁹ *Ibid.*

²⁰ Collins' Peerage, ii. 70.

²¹ *Geata Hen. v.*, pp. 114—117.

²² *Inq. p. m.* 5 H. v. no. 26.

²³ Hardy's *Rot. Norm.*, p. 205.

²⁴ Agnes Stapilton's Will, *infra*.

²⁵ Scrope and Grosvenor controversy. Sir H. Nicolas.

²⁶ *Test. Ebor. (Surtees Soc.)* i. 379.

²⁷ *Inq. p. m.* 26 H. vi.

²⁸ *Test. Ebor. (Surtees Soc.)*, iii. 343.

²⁹ Sir R. Redman's will. Yorkshire Arch. and Top. Journal, iv. p. 93.

providing for his daughter, purchased a "wardship and marriage" for her. Accordingly in 1416, a marriage was contracted for Elizabeth Stapilton with young William Plumpton, both being about twelve years old.³⁰ The agreement is dated 20 Jan., 1416. Sir Brian covenants to pay Sir Robert Plumpton, the father, 360 marks (equal to £3,600 of our money), and Sir Robert on his part settles 20 marks (about £200) a year, charged on the vill of Kynalton, Notts. Sir Brian and his wife are to have the governance of the young couple during their minority, and the twenty marks a year was to provide for their sustenance.³¹ These miserable marriages were one of the worst incidents of feudal tenure. The young husband is described as "fond of litigation—fraudulent in his dealings—sueing every true man in Knaresborough Forest, of which he was Seneschal,—immoral in his conduct, and time-serving in his loyalty, amassing wealth under either House, York or Lancaster."³²

Two sons were born of this marriage, who both married Elizabeth Clifford. The Clifford papers at Skipton Castle describe the ceremony on these occasions of betrothal. —

"The lord, Sir Thomas Clifford, maryed Elizabeth, his doghter, unto Roberte Plumpton, when she was bot of six yeres of age, and they were wedded at the Chappell within the Castell at Skipton, and the same day one John Garthe bare her in his armes to the said Chappell. And also it was agreed at the same tyme, that if the forseide Robert dyed within age, that then the said Lord Clifford should have the second son of the said Sir William Plumpton unto his said doghter. And they were bot iii. yeres maryed. when the said Roberte dyed; and when she came to the age of xii. yeres, she was marryed to William Plumpton, second son to the foreseid Sir William, and when she came to xviii. yeres, she had Margarete, now lady Roucliffe Witnessed the xxvi. Oct., 19 H. VII."³³

His father dying in France, young Brian (4), a child of four years old, was immediately given in ward of the Duke of Bedford, Regent of France³⁴ (28 Nov. 1317), and in due time was sent abroad in the Duke's household, for he was one of the witnesses to his will at Rouen, a few days before the Duke's death (10 Sept. 1435).³⁵ Stapilton had "proved his age" the year before. An Inquest was held at Selby, 2 Apl. 12 H. VI., before the Escheator and "xii. good men and true" (*prob. et leg. hoim*), where various witnesses proved him to be "21 and more," being born on the feast of St. Leonard, 6 Nov. 1413, and baptised in the Church (*in ecclesia villæ de Carlton*). One witness recollected the date, because his wife bore him twins the same day. Another married "a certain Lucy who is still living."³⁶ Another lost a son who had long been ill. William Chester remembered presenting Sir Brian with a salmon on the occasion. William Budd had carried two silver gilt vessels (*ollæ*) at the christening, and the presents for the bystanders. Another carried a torch, and

³⁰ Plumpton Correspondence (*Camden Soc.*), ed. T. Stapleton, F.R.S., Preface, p. xliii.

³¹ *Ibid.*

³² *Ibid.* Pref. lxxxvi.

³³ *Ibid.* Preface lxiv. Whitaker's Hist. of Craven, p. 247.

³⁴ Hardy's Rot. Norm., p. 205.

³⁵ Sir H. Nicolas' Test. Vet. i. 212.

William Olive had been sent to York to fetch one Elizabeth Joyes the wet nurse (*ad ejusdem Briani filium lactandum et nutriendum*).²⁶

About 1451, having reached the discreet age of 38, Sir Brian married Isabel daughter and heir of Sir Thomas Rempston, knt., by Alice daughter of Thomas Beking.²⁷ By this marriage the Stapiltons acquired the manors of Rempston and Hingham, Notts, which subsequently became the inheritance of the second son. Sir Thomas Rempston was half-brother of Sir Robert Plumpton's wife Alicia Foljambe, the heiress of Kynalton. Two children were born of this match,—1. Brian (5.) of Carlton, and 2. Thomas Stapilton of Quarmby (Huddersfield), who married a daughter of Sir John Nevile, of Liversedge,—“13 Jan. 1494, Thomas Stapilton had license from the Archbishop to marry Elizabeth Nevile in the Chapel within the Manor House of Liversedge,”²⁸—and was living in 1512. Two daughters were the issue of this marriage,—Maude, who married Anthony Eltofts, and Elizabeth, who married William Blythe of Norton co. Derby, and Barnby Dun co. Ebor,—and Quarmby became the inheritance of those families.

Again we get a glimpse of Carlton as it was in 1452, from another inquest held some forty years after the last, when the heir proved his age. Young Brian, the fifth, was born at Carlton, on the Feast of the Nativity of St. John Baptist (24 June, 1452), in the 30th year of Henry VI., “lately deceased, not king *de jure*,” says the Yorkist jury in 1476, and baptized in the private chapel at Carlton (*in capella villæ de Carlton*). Some of the witnesses recollect being sent off in quest of sponsors to “John, late Abbot of Selby,” and the aunt, Lady Joan Ingleby, and John Sothil, esquire, of Eveningham, her son-in-law. Others had assisted in the ceremonies of the christening. John More had carried a lighted taper; another a basin with a silver font (*unam pelvim cū lavacro de argento aquæ pleno*); another bore the salt in a silver saltcellar; another the napkin (*manutergium*). Another was sent to inform Sir James Pykeryng. William Clayton recollected it because he was “sick with divers fevers” (*diversis febris infirmebat*). And William Burwood had the best reason of all for recollecting, because in riding to York he had the luck to find a red leather purse (*quandam bursam rubei corii*) with twelve shillings in it.²⁹

In 1452 “Sir Brian Stapilton, chivaler (4), had just been returned to Parliament as knight for Yorkshire, with Sir William Gascoigne,⁴⁰ of Gawthorpe Hall, son of the Chief Justice. The Parliament was strongly Lancastrian. The Speaker, Thomas Thorpe, was a hot partisan, and Archbishop Kemp was Chancellor. Brought up in the Court of the Regent Bedford, we should have expected to find Stapilton on the same side, but the orders he received from the Duke of York (in 1452) to go with Rempston his father-in-law, and Sir John Melton,⁴¹ to seize young Henry Holland, Duke of Exeter, out of sanctuary at Westminster, show that Carlton was already leaning to the side of York. The Wars of the Roses were about beginning, and Richard, Duke of York, had just shown himself in arms on the Welsh border, when he was called to the Protec-

²⁶ Escheats 12 H. vi. no. 59. *Prob. etatis.*

²⁷ Thornton's Notts, i. p. 59.

²⁸ Test. Ebor. (*Sturtces Soc*) iii. p. 358.

²⁹ Escheats 16 E. iv. no. 68. *Prob.*

⁴⁰ Parl. Return, 1878.

⁴¹ Nicolas' Proceedings of Council, v. pp. lvi. and 218.

torate of the Kingdom by the King's illness, for even a Parliament elected under Lancastrian influences could not refuse to accept him. His first act was to commence vigorous proceedings against the rioters in Yorkshire, where Holland, who was his son-in-law, had joined the Percies and was stirring up Yorkshire and Lancashire against the Nevilles, the Duke's own kinsmen. Holland fled for sanctuary to Westminster, whence he was taken as a prisoner to Pontefract by Stapilton and his friends, though he was released on the King's recovery. The subsequent history of this unfortunate nobleman is a melancholy example of the divisions in families occasioned by this unhappy war. He shared the Lancastrian triumph at Wakefield, where Richard was killed, but fled with the King to Scotland after the disaster at Towton.⁴² Divorced from the Princess, the young King's sister, he was attainted of high treason; but afterwards restored in 1471. He is said to have begged his way through Flanders to the Duke of Burgundy, and eventually his body was found floating in the channel between Dover and Calais.

Sir Brian died in 1467 (6 E. IV.), at the age of 54. It may mark the beginning of his last illness, when he and his wife were admitted together into the Guild of Corpus Christi at York, only a few months before his death.⁴³ The lady Isabel survived him, and was buried at Chalcombe Priory, Northants. The year before his death he became heir to Bedale and Askham Bryan, by the death of the last Sir Miles of Ingham, but the estate falling into the King's hands, it is more than questionable whether either Sir Brian or his son ever obtained possession. His grandson, Sir Brian, "of Burton Jorz" (co. Notts), had it, for he was found seized at his death of Bedale and its members "Ascube, Lemyng, Firby, and Elvyngton," worth £51 8s. 10d. per annum, and the manors of Askham Bryan and Rufford, with their members "Acombe, Colkwyth and Wyllysthorpe," of the yearly value of £43 7s. 5d.⁴⁴

Born in 1452, young Brian the fifth, who proved his age in 1476,⁴⁵ being a minor at his father's death, married Joan, sister and heir of Francis Viscount Lovel, and niece of the last Viscount Beaumont.

The Beaumonts were always loyal to the Lancastrian cause. John de Beaumont, the 6th Baron, who married the heiress of William Phelip Lord Bardolf, was advanced by Henry VI. to the dignity of a Viscount, the first who bore that title in England, by reason, it is said, of his descent from the Vicomtes of Maine. A few years later he was in some way implicated in the mysterious death of Humphrey Duke of Gloucester. In 1447 the Parliament met at Bury St. Edmunds on account of the Plague; but Duke Humphrey had no sooner arrived with a long train of servants (18 Feb., 1447), than he was arrested on a charge of High Treason, by Beaumont and his brother-in-law Humphrey Stafford Duke of Buckingham, and Richard Neville Earl of Salisbury.⁴⁶ Next day his attendants also were imprisoned, and on the 23rd Duke Humphrey died in his lodgings at St. Saviour's, outside the North gate. Whether it was from natural causes or not, will never be known. Beaumont was made

⁴² Burke's Ext. Peerage.

⁴³ Guild of Corpus Christi (*Surtees Society*), p. 51.

⁴⁴ Inq. p. m., 4 E. vi. Beaumont

Peerage case, pp. 60, 61.

⁴⁵ *Supra*.

⁴⁶ Stubbs' *Constit. Hist.*, iii. 136.

Lord Chamberlain 1450, and in 1452, Chief Seneschal to Queen Margaret. At the battle of Northampton he was found among the slain, close to the tent of his royal master.⁴⁷

His son William, the 2nd Viscount, was taken prisoner at Towton, and attainted by Edward the Fourth's Parliament, but he was fully restored in the first year of Henry VII. He married twice, but had no issue by either wife, and dying in 1507, the heirs of his sister Joan, wife of Lord Lovel, became his heirs.

The Lovels had also been Lancastrian. John the 8th Lord, who married Beaumont's sister, held the Tower of London for King Henry, with Lords Scales and Hungerford, when Warwick landed from Calais in 1459. He died in 1465, and his son Francis Lovel, then a boy of nine years old, was put in ward of John Delapole, son of that Lancastrian Duke of Suffolk, who was murdered in the boat. Delapole was a Yorkist.⁴⁸ He had married Edward the Fourth's sister Elizabeth, and was restored to the Dukedom of Suffolk in 1463. Under such influence it was not surprising that Lovel joined that party. Indeed, by the time he came of age, the Lancastrians had almost entirely collapsed. Lovel attached himself to Richard Duke of Gloucester, and joining the Scotch expedition in 1482, was created a Viscount in Jan., 1483, and elected a Knight of the Garter. At Richard's coronation he bore the sword of state before the King, and was made successively, Lord Chamberlain, Constable of the Castle of Wallingford, and Chief Butler of England. Finally he acquired such influence over the King, that their names have ever since been associated in the libellous couplet :—

The cat, the rat, and Lovel the dog,
Rule all England under the Hog.

At Bosworth, Lovel was the only one of the King's companions who survived the last charge. For a time he took sanctuary at Colchester, but afterwards fled to Flanders. Taking up the imposture of Lambert Simnel, he landed in Lancashire with Delapole's son the Earl of Lincoln, and fell in with the King's forces at Stoke near Newark (16 June, 1487). There Lincoln was killed, and Lovel disappeared. Lord Bacon tells us he was drowned in swimming his horse across the Trent,⁴⁹ but there is now no doubt he escaped, and died in concealment. On pulling down part of his house at Minster Lovel, near Oxford, in 1708, the body of a man was discovered, richly apparelled, seated in a chair with a table and a map before him, evidently the remains of this unfortunate nobleman.⁵⁰ This story is said to be the origin of Clara Reeve's novel, "The Old English Baron," and of the poem "Lord Lovel," and sundry other well-known parodies.

Nearly the same age as his brother-in-law Lovel, Brian Stapilton followed in his footsteps. At three-and-twenty, "Sir Brian Stapilton, Knt.," appears in a list of knights bound by indenture to serve Lord Hastings, then Governor of Calais, in peace and war, with men and arms, &c. The occasion was that magnificent expedition into France, in 1475, which effected nothing, but took the French King's bribe at the

⁴⁷ *Ibid.* p. 184.

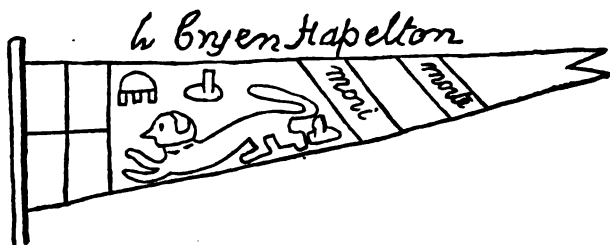
⁴⁸ *Ibid.* p. 181.

⁴⁹ *Hist. of Henry vii.* (*Kennett's Eng.*

land), p. 549.

⁵⁰ *Burke's Ext. Peerage. Top. Miscel-*
lany, 1791.

bridge of Pequigny. The same year Sir Brian was enrolled among the Knights of the Bath, when the King's eldest son, the unfortunate Prince Edward, was created Prince of Wales.⁵¹ His patron, the veteran Hastings, had been one of King Edward's Council from the first. Under Richard he fell a victim to the King's vengeance, on a charge of shrivelling the royal arm by his witchcraft. Like Lovel, Stapilton joined the Duke of Gloucester's expedition to Scotland, and was made a Knight Banneret on Hoton field (22 Aug., 1482), to commemorate the acquisition of Berwick-on-Tweed. His banner is sketched in one of the Harleian MSS.,—and is described⁵²—“Three staples d'or fixed into a ton



of the same. The device a *Talbot passant argent*; motto “*mori-merci*.”^{52a} Like his cousin of Wighill, and Sir Robert Plumpton, he was a “fee'd man” of the Earl of Northumberland,⁵³ who was second in command of the expedition, and Warden of the Scottish Marches, but he was not with the Earl at Bosworth, when he deserted Richard, in connivance with the Stanleys. Perhaps he was already in failing health. The previous year (18 Jan. 1484), he had had the Archbishop's licence to marry Alice, relict of Sir William Nevile, of Calthorpe, “in the Chappel of his mannor of Carlton, the banns being once asked between them in their p'ish churches,”⁵⁴ and on the 23rd of the same month, he had a further licence from the King, to visit “the holy and devout place of the blessed Apostelle Seint Jemys in Galice” (at Compostella in Spain), with Richard Holt and a Chaplain, “there to fulfille certain his avowes and pilgrimages.”⁵⁵ He died in the eleventh year of Henry VII. (1496). A writ of “*diem clausit extremum*” previous to the Inquisitio post-mortem was issued on the 14th June of that year, and the custody of his lands, with the wardship and marriage of the heir, was granted to Northumberland. He died intestate, and administration was subsequently granted to his eldest son.

Young Brian Stapilton (the sixth), of Burton Jorz, co. Notts, and Carlton, born in 1483, had licence to enter on his estates (*licentia ingredi*) in 1497, though not yet of age, and again in 1504.⁵⁶ He was evidently in favour at Court, for he was made a Knight of the Bath in 1503, when Henry, Duke of York, afterwards Henry VIII., was created Prince of Wales.⁵⁷ He was at Flodden in 1513, and attended

⁵¹ Sir H. Nicolas' Orders of Knighthood, appx. p. ix.

⁵² Standards temp. H. viii. Harl. MS. 63.

^{52a} Nichols' Coll. Topog. et Geneal. iii. p. 61.

⁵³ Plumpton Corresp., Preface xcvi.

⁵⁴ Test. Ebor. (*Surtees Soc.*).

⁵⁵ Harl. MS. no. 438, fo. 1677.

⁵⁶ Rot. Parl. 13 H. vii. and 20 H. vii.

⁵⁷ Sir H. Nicolas' Orders of Knighthood.

Henry VIII. to the Field of the Cloth of Gold in 1520. He married 1st, Elizabeth, granddaughter of John, 6th Lord Scrope of Bolton, who in a memo. appended to his will, dated 3rd July, 1494, confirmed a promise to his son (the 7th Lord), "towards the marriage of his daughter Elizabeth to a gentleman cleped Stapilton (then aged 11), cccc. marks in iiij. yeres. It to stand good."⁵⁸ After her death, Sir Brian married Joan, daughter of Thomas Basset, Esq., of South Lofnam, Rutland; and died 1 E. VI. (1547), leaving issue by both wives. His eldest son succeeding to Carlton, the second, George Stapilton, had Rempston, and his descendants resided there for three generations, till it was sold by John Stapilton in the reign of Elizabeth. Of his daughters, Johanna married Sir William Perpoint; Letice was wife of one Barrow, to whom Sir Brian bequeathed an annuity of 40s.;⁵⁹ and Elizabeth married Richard Sutton of London, and was mother of Thomas Sutton, the founder of the Charterhouse.

Here we take leave of Carlton. Henceforward its history is one with that of Beaumont. A Bill of Attainder, which followed as usual on a change of dynasty, deprived Lovel of his great estates, and all his honours, the baronies of Lovel, Holland, Burnell, Deincourt, Grey of Rotherfield,⁶⁰ &c. This attainder was never reversed, and a small portion only of his lands, including that half of Bedale, which had been Lord Grey of Rotherfield's, was recovered by his uncle William Lovel, afterwards created Lord Lovel of Morley. Lovel's two sisters, Joan, the eldest, married to Sir Brian Stapilton, and Frideswide, married to Sir Edward Norres, of Yattenden, Kent, became his heirs, but they could not inherit from Lovel, by reason of the attainder. Beaumont's attainder however had been restored, and in 1840, Miles Thomas Stapleton of Carlton, and Montagu Bertie Earl of Abingdon, were adjudged by the House of Lords⁶¹ to be heirs of Viscount Beaumont, and Miles Thomas Stapleton was accordingly summoned to the House of Peers, with the title of Baron Beaumont.

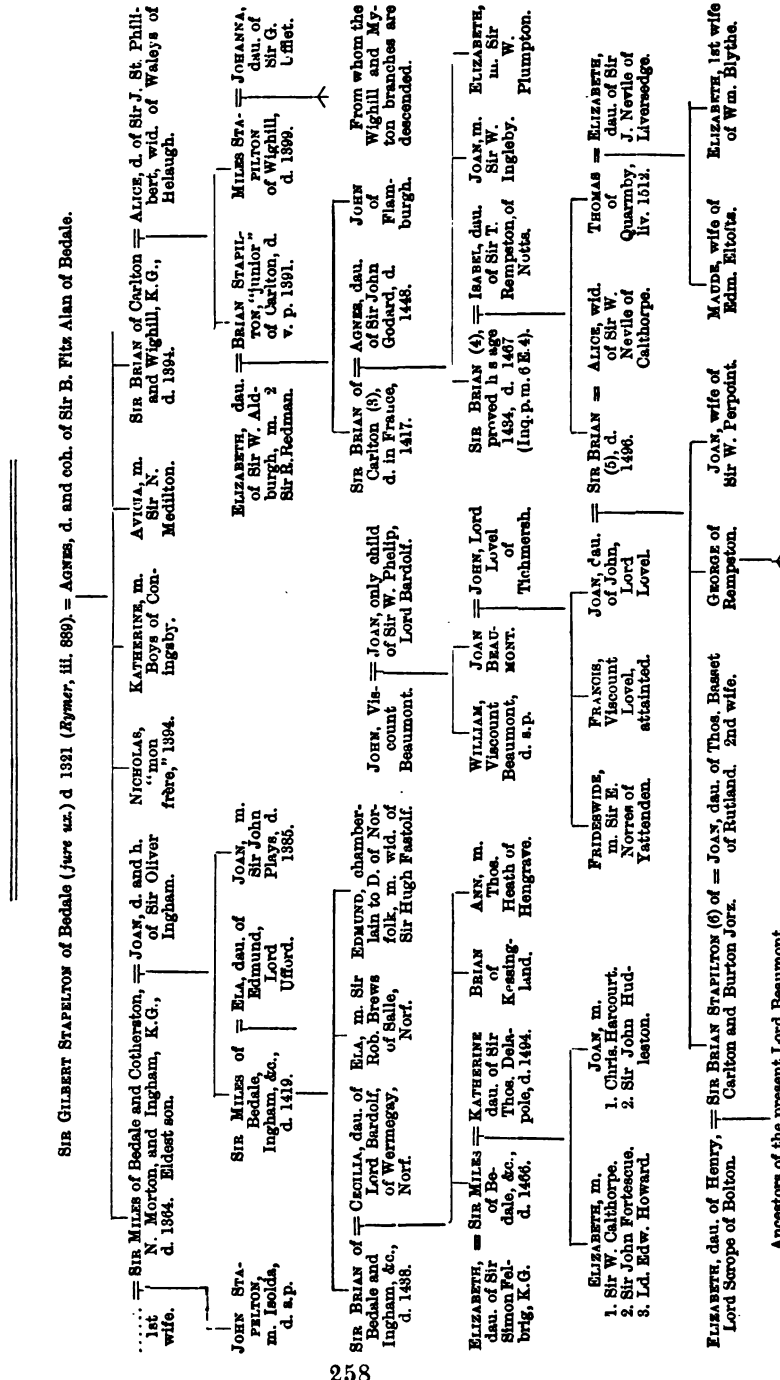
⁵⁸ Test. Ebor. (*Surtrees Soc.*), iv. p. 95 n.

⁵⁹ Torre MSS.

⁶⁰ Collins' *Peerage*, viii. 161.

⁶¹ Beaumont Peerage Case (*Sessional Papers*).

pedigree of the Stapeltons of Bedale and Norfolk, and Carlton.



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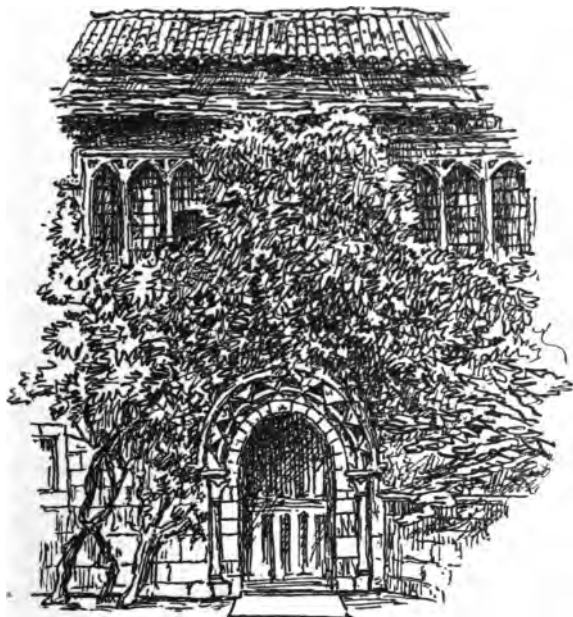
[Reprinted from the "Yorkshire Archaeological Journal."]

THE STAPELTONS OF YORKSHIRE.

By H. E. CHETWYND-STAPYLTON.

THE STAPILTONS OF WIGHILL.

THE Stapiltons of Wighill are descended from the second son of Sir Brian, as those of Carlton are from the eldest. The name, variously spelt Wighill, Wyghall, or Wichill, has been said to denote a "battle-hill," the



SYNNINGTHWAITE NUNNERY, 1877.

Anglo-Saxon word "*wig*" meaning either a hero or war¹; but a more peaceful derivation seems better suited to a village set on a hill, overlooking the windings of the Wharfe—viz., from the A.-S. *wic* or *wich*, which is said to mean either a village, or a bay made by the windings of a river, or a castle.²

The history of Wighill may be briefly told. About A.D. 1200, Lucia,

¹ Camden's Brit., p. clxxii.

² *Ibid.*, p. clxiv. and p. 460.

daughter of Bertram Haget (who was founder of Helaugh Priory and the nunnery of Synningthwaite, and perhaps also of the little Norman Church at Wighill), inherited part of Wighill and Easdiike from her father,³ and marrying Turet, grandson of a Saxon lord of that name at Wroxeter,⁴ Salop, demised it to her son, Bartholomew. Bartholomew Turet afterwards acquired the rest of Wighill from Brian Fitz Alan,⁵ the High Sheriff of Yorkshire in 1235, who was grandson of another sister, Agnes Haget; but Bartholomew dying without issue, his sister Lucia Turet, became his heir, and conveyed it by marriage to the Blanconsters. Ralph de Blanconster had it in 1254, Reginald in 1285, another Ralph in 1316, and Guy de Blanconster in 1348, who sold it to Sir Brian de Stapilton in 1375.

How Wighill came to Sir Brian's second son is not very clear.⁶ We are told in an inquest taken at Miles' death,⁷ that "he held the manor of Wighall and the hamlet of Eesedyk from the Lord of Mowbray, by homage and fealty." A subsequent inquest taken at Clyfton in 1419,⁸ by order of the Duke of Bedford, as guardian of the young heir of Carlton, adds that "Miles held it for himself and his heirs male," and failing heirs male, the "right heirs of his father were in remainder." From this it is evident his father made a settlement in his lifetime. Miles had also other estates—viz., the manor of Clifford (next to Thorp Arch), held of the Earl of Kent by homage; and two parts of the manor of Farlington, the manor of Langton Parva (opposite Kirkby Fletham); and lands at Skelbroke, Frythby, and Askham Bryan. He had also certain lands and tenements in Carlton and Camelford, held of "his father's heirs," for which he paid 13s. per annum.⁹ At the Duke of Bedford's inquest above-mentioned, nearly twenty years after Miles' death, it was shown that his estate at Carlton was only a small portion held by grant and feoffment of Agnes Arundell, sister and heir of Richard de Boynton, late Rector of the church of Bynbrook, co. Linc., whence it is called "Boyntonland" in later inquisitions. Soon after Sir Bryan's death, Miles obtained leave (17 June, 1397) "to have divine service within his manor of Carlton for one year;"¹⁰ but it was probably only for the use of the tenants, as his ancestor had built them a chapel at Haddlesey.¹¹

It was not till after his father's death that he married Johanna, the widow of William Brecknells,¹² and daughter of Sir Gerard Ufflet or Useflete, by Lora, sole heiress of the second branch of the Lords Furnival of Worksop. The hamlet of Ouseflete marks the confluence of the Humber and the Ouse, and the lady brought him half the adjoining manor of Swanland and the hamlet of North Ferriby.¹³ Her father had been High Sheriff of Yorkshire in 1384, and Knight of the Shire with Sir John le Scrop, 2 Henry IV. He died in 1406. Her brother, another Sir Gerard, married Elizabeth Fitz Alan, daughter of the Earl of Arundel,

³ Sketch pedigree of the lords of Wighill, an unpublished MS. by R. H. Skaife, Esq., to whom we take this opportunity of offering our acknowledgments for a great deal of valuable information.

⁴ Eyton's Salop, vii. p. 33.

⁵ Mr. Skaife's Pedigree.

⁶ *Vide supra*.

⁷ Inq. p. m. 1 H. IV., no. 45.

⁸ *Supra*.

⁹ Inq. p. m. 1 H. IV., no. 45.

¹⁰ Test. Ebor. (*Surtees Soc.*). Torre MS.

¹¹ *Supra*.

¹² Guild of Corpus Christi (*Surtees Soc.*). Note by R. H. Skaife, p. 54 n.

¹³ Inq. p. m. 33 H. VI.

and widow of our old friend the Earl of Salisbury's eldest son, who was accidentally killed by his own father in a tournament at Windsor, 6 Richard II.¹⁴ The Lady Elizabeth was now Duchess of Norfolk, having married Thomas Mowbray, Earl Marshal, Shakspeare's Duke of Norfolk,¹⁵ who was banished by Richard, and died at Venice in 1400.

Dying on the 6th Feb., 1400, Miles enjoyed the possession of his inheritance only a short time. He left one son, John, a child of 32 weeks old,¹⁶ and four daughters, Isabella, Elena, Margareta, and Johana. More than twenty years afterwards, when John proved his age, there were plenty who remembered the day he was born, little expecting the Squire's early death would follow so soon. Elated at the birth of an heir, the Squire had ridden over to Helaugh to invite his friend Sir John Depeden to be one of the godfathers. Robert Hardy was sent on horseback to Ripon, with a similar message to John de Hynton. Richard Clark rode to Micklegate, to ask Agnes Sheffield, who was a nun at York, to be godmother. Thomas Russell recollected the day because he had a daughter born at Wighill, and Robert Purfrey had a son, now deceased, baptised at Helaugh; Henry Gaisthorp, because he had his house half burnt down at Clifford; and John Ogle, because he met Sir John Depeden about some business at the Court at Wighill. Robert Martyn kept the Court that day. And Richard Otteley remembered carrying the news to Sir Henry Vavasour's at Haselwood, and being asked to stay dinner.¹⁷

Miles seems to have made a will, though it is not to be found, for Sir John Depeden bought a vestment, "*de serico rayed*," from the executors, which he left to the Chantry at Helaugh Park.¹⁸ The wardship of the baby heir was given to Ralph, Earl of Westmoreland, who granted or sold it to Richard Norton, afterwards Chief Justice of the King's Bench.

The question of dowry was usually settled and declared at the church door (*ad ostium ecclesie*), in the presence of the guests invited to the wedding; but the heir being a ward of the king, the Lord Mayor of York was directed to make a formal apportionment of the widow's thirds within the City, and the King's Escheator was to do the same at Wighill. Accordingly Thomas Bromflete, the Escheator, made an "Assignment of Dowry" to the Lady Joan. It is in Latin, and runs as follows:—

" — The great stone chamber behind the Hall is to be for her Hall, with the Chamber over it, and the rooms called the Withdrawing Chamber, Norysry (nursery), lardar-house, garderobe, and all the other rooms adjoining, towards the West, and a third part of the '*domus torabilis*.' Also the room over the outer gate, and the rooms below, and the 'clokhous,' with free ingress and egress through the gate;—the whole of the garden called 'le gardyn,' and a room in it called 'Le Loge;' with free ingress and egress, through the wall between the room next the Chapel and the pigeon house (*columbare*). The aforesaid garden extending as far as the privy garden behind the Great Hall on the West side, and including part of the other privy garden in front of the rooms aforesaid 'towards the West.' Also, in the outer court, the hay-barn, and the

¹⁴ Collins' Peerage, ii. 65.

¹⁵ Richard II. Act i. Sc. 1.

¹⁶ Inq. p. m. 1 H. IV.

¹⁷ Esch. 8 H. V. no. 122. *Prob. etat.*

¹⁸ Test. Ebor. (*Surttees Soc.*) i. 295.

stable on the Southern boundary of the same ; and the hayhouse, the stable, and the car-house next the outer gate. And that part of the court which extends from the North end of the said stable towards the South,—saving always to the King, and the heir and his guardian free ingress and egress to the Dovecot. The widow is also to have a third part of the common bakehouses in Wighill and Easdike, and of the windmill, and the forge, and the fishing in the river Qwerff,—a third part of the free rents, and of the suitor's fines in the Court at Wighill ; a third part of the profits of the weigh-house,—and a third of all the lands and tenements belonging to her late husband, at Wighill or elsewhere.”¹⁹

In looking for the site of this house, we are not likely to find any substantial remains, for stone is scarce, and it was probably for the most part a timber-house. The timber must have perished long ago by decay or fire, and the materials of the “stone chamber” would have been carried away for other purposes. A moat is usually the surest guide to old buildings. There are two in the parish.²⁰ One is at Follifoot, near St. Helen's Well ; but Follifoot did not become Stapilton property till many years later. The other is in a corn field at the back of the farm at Park-gate, now nearly hidden in a clump of trees, but much too small to hold more than a pele-tower of the Hagets or the Turets. The moat is evidently artificial, forming a perfect square, measuring five and twenty paces outside, each way. Within it is an island, about fifty feet square, surrounded by twelve feet breadth of water on every side. The water is deep, and the choice of such a position would doubtless be due to springs, for it is never dry. The mounds on the river side, at Easdike, are evidently the remains of the Dower house in Queen Elizabeth's time. One more clue remains in the words “Ancient Terrace” in the Ordnance Map, about two hundred yards to the south of the Elizabethan house, now also pulled down, next the village, and there we must try to reconstruct Sir Brian's Hall.

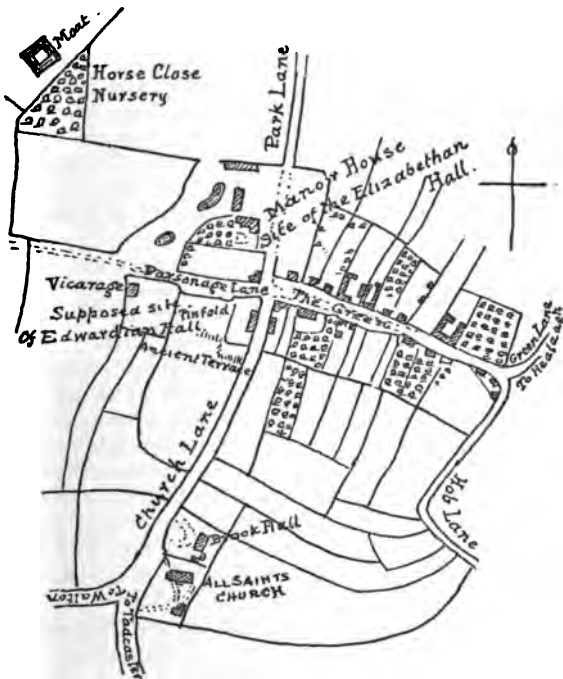
The “outer-gate” would face the village green and the road to Helaugh ; the little Norman church standing on the hill less than a quarter of a mile away to the South, with its elaborately carved South doorway, just as we see it still. The “messuages” purchased of Blancmonster²¹ are still represented by modern cottages on the green. The common bakehouse and the forge and the windmill have disappeared, all once a source of profit to the Lord of the Manor, like the free Court (*libera curia*) and the Suitors' Court (*curia sectorum*). Passing through the Gatehouse—a two-storey building surmounted with a “Clok-hous,” which we may suppose was only a wooden turret with a sun-dial—we enter a spacious courtyard, surrounded on three of its sides with stables and farm buildings. In the corner of the yard to the left is the *columbare* or dovecot, a detached building, the exclusive appendage of every manor, in which the King, as the superior lord, and the heir have special rights reserved. Facing us is the hall door, between the Great Hall on the left, and the kitchen and offices on the right, with a passage leading through the house into the “gardyn” behind. At the upper end of the Great Hall is the dwarf tower, described as the “stone chamber with the chamber over it ;” and right and left of it, like the two arms of the letter “T,” are the

¹⁹ Rot. Claus. 1 H. IV., ps. 2, m. 7.

²¹ *Supra*.

²⁰ Six-inch Ordnance Map.

chapel and the room adjoining it, on one side, and the withdrawing room and nursery, and "other rooms towards the West on the other." In front of them is the "privy garden" (bounded by the "Ancient Terrace," and an outer wall or "pale-bank," which must have surrounded the whole of the premises), across which the Lady has access to her own apartments by a door in the wall between the dovecot and the chapel. It will be observed that the Great Hall, and the kitchen and part of the courtyard, are not assigned to her, being purposely left to the heir or his guardian to keep in repair. The Hall and Chapel occupy the whole height of a not very lofty building. Over the other rooms towards the



PLAN OF WIGHILL.

West is a long dormitory (*domus torabilis*). Behind the Hall and kitchen is the vegetable or kitchen garden, with a room in it called "le Loge." The name of an old cottage called "The Vicarage," just pulled down (1883), points to the "Lodge in the garden" as the Priest's lodging; and "Parsonage Lane," which leads from it to the village green, may have been the passage through the house from the outer gate, free to the parishioners to use when they visited the Father Confessor at the Hall.

The lands are specified with great exactness, but we need only mention a few of the names without attempting to identify them. Towards Walton, "in campo de Westfeld," lay fields (*culturae*) called Wranglandes, Kelbergh, Wodlawythes, Uplandes, le Gothome "abutting on Ellerkar," and half an acre "near Hengosthill," called Bawlingflatt. In Estfeld,

towards Helaugh, were Langlandes, Langregates, and Shortregates (the Helaugh road is still called Green Lane), and other lands rented by the Prior of Helaugh Park. About the village there was a plot of five acres, "between the church and the windmill"; two more acres lay "between the church and the village," and two more, called Hobercortlane, now shortened into Hob Lane, were "towards the village." A field of twenty acres called Wodegort lay between the Green (*le Grene*) and a certain footpath. Le Gatecroft, containing four acres, and "a house called le Weyhous," lay to the north of the Green, and le Hall Croft, containing twenty acres, to the west of it—additional proof, if it were wanted, that the Hall stood here. The "Park," assigned to Lady Joan Stapilton, was the same that Lady Joan Blancmonster had for her dowry. Three or four hundred acres (three carucates) were let to larger tenants, of whom the Abbot of Kirkstall was the principal, holding under a lease granted two hundred years before, when Ralph Haget was Abbot of Kirkstall and Fountains.²² About 200 acres were in hand, some pasture (*pratium*), some arable (*cultur.*), in small enclosures (*p. met. et bund. limitat.*), of from 20 rods to 20 acres. And other lands were let to smaller tenants at will (*ad vol.*), who occupied a messuage and one or two bovates, or a cottage, and a croft or close, and an acre or two of land.

The first part of the fifteenth century was a very uneventful period at Wighill Hall, though great events were taking place in Yorkshire. Henry of Lancaster had just landed at Ravenspur. Richard was imprisoned at Pontefract, and soon after murdered there.²³ Conspiracies, as usual on a change of dynasty, followed in quick succession. Thomas Mowbray, Earl Marshal, and Archbishop Scrope raised a rebellion in 1405, but were induced to disband their followers by an artifice of the Earl of Westmoreland, and were thus taken prisoners, and beheaded at York.²⁴ Mowbray was lord at Wighill, and Westmoreland had been guardian to the young heir. The children at the Hall long remembered that quiet Sunday morning in 1408, when a rabble of rough men in travel-stained Percy liveries,²⁵ armed with bills and pikes, marched past the village, led by the Earl of Northumberland and Lord Bardolf, on their way from Wetherby²⁶ to Tadcaster and Bramham Moor, where the old Earl was slain in his last effort to unseat the king, and Bardolf only escaped to die of his wounds.²⁷

The age of chivalry was past, and it was no longer part of a gentleman's education to learn manners and knightly accomplishments in some great lord's household. John Stapilton, the only son of his widowed mother, probably staid at home, and his sisters kept him in leading-strings till his guardian claimed him for his own daughter. Richard Norton, to whose custody he had been consigned, was eldest son of Adam Conyers, of Durham; his mother was heiress of the Nortons of Yorkshire. Richard was ancestor of another Richard Norton, "the Patriarch," who made common cause with another Earl of Westmoreland in the rebellion of 1569.²⁸ He appears as an advocate in the year-books from the first year of Henry IV., and in 1403 lent the king a hundred pounds to meet

²² MS. notes of R. H. Skaife, Esq.

²³ Stubbs, iii. 26.

²⁴ Drake's Ebor. p. 107.

²⁵ Stubbs, iii. 535.

²⁶ *Ibid.*, p. 62.

²⁷ Collins' Peerage, ii. 342.

²⁸ *Infra*.



THE YOUNG MASTER AND HIS SISTERS.

[To face p. 7, Part II.

the exigencies of state.²⁹ His first public appointment, as justice of assize for Durham, followed in 1406. After the accession of Henry V., he was made Chief Justice of the Common Pleas; and he died in Dec., 1420,³⁰ just about the time his ward came of age.

A picture of Russian country life at the present day, by a modern writer, so exactly describes the situation at Wighill Hall four hundred and fifty years ago, that we venture to quote it here:—

“In front of the house is a spacious ill-kept yard, and at the back an equally spacious shady garden. At the other side of the yard stand the stables, hay-shed, granary, &c. Ivan (*Anglicè* John), the Russian proprietor, received his first lessons from the parish priest, and was allowed to learn as little as he chose. One morning he suddenly found himself on the high road to matrimony. There was no effort on his part: he had not even the trouble of proposing. The whole affair was managed by his parents. The young lady was only about sixteen years old, and not remarkable for beauty or talent, or any other peculiarity, but she was the daughter of a man who had an estate contiguous to their own. Though the bridegroom had received, rather than taken, a wife, he had no reason to regret the choice that had been made for him. The first years of her married life were not very happy, for she was treated by her mother-in-law as a naughty child, who required to be frequently snubbed and lectured; but in due time she became her own mistress, and devoted all her energies to satisfying her husband’s material wants, and securing his comfort. Their daily life is singularly regular and monotonous. Sometimes the monotony of the winter is broken by visiting neighbours or receiving a visit in return, or by a visit of a few days to the capital of the province. Then there are the festivities at Christmas and Easter; perhaps a heavy fall of snow—wolves enter the courtyard at night, or a drunken man is found frozen to death on the road; but altogether it is an isolated life.”³¹

John’s four sisters, who survived him, for he left them each a gold ring in his will, probably made Wighill their home. There was usually no alternative in those days except to enter a convent. The unmarried daughters, even in great families, frequently performed quite menial duties. Some even qualified themselves by an apprenticeship in some fine lady’s house, as Elizabeth Paston was told, “to use hyrselfe to werke redily as other gentywomen done, and somewhat to helpe hyrselfe ther with.” And it is added, “Item, to pay the Lady Pole xxvii. viii*l*. for hyr bord.” The family party at Wighill is well portrayed in an illumination from the Romance of the Comte d’Artois, engraved in Wright’s “Domestic Manners and Customs.”³² The “young master” is there with his bride; and his four sisters, in clean steeple caps and their best fur-trimmed gowns, are keeping holiday seated bolt upright on a long chest, with their hands crossed in their laps. Four narrow slits of windows give a dim light to the apartment, and a squirrel in its revolving cage completes a picture of monotonous existence.

In 1422 John proved his age,³⁴ and on the 18th Jan. 1424, the young

²⁹ Acts of the Privy Council, i. p. 203.

³⁰ Foss’ Judges, iv. p. 207.

³¹ Wallace’s Russia, vol. i. pp. 354—359.

³² Paston Letters (Gairdner) i. no. 422.

³³ p. 384.

³⁴ Each. 8 H. V. no. 122, *supra*.

master (*domicellus*) had license from the Archbishop, "for himself and his wife and family to hear divine service, and to cause masses to be celebrated within the manor of Wighill."³⁵ Twenty years later (7 Feb. 1447) license is again granted to "John Stapilton, Esquire, and Margaret his wife to have divine service celebrated in their Chapel or Oratory for three years."³⁶ It will be observed that he was still an Esquire in 1447, but he was certainly knighted before his death.³⁷

Sir John died in 1455, and was buried in the convent church at Clementhorpe, close to York.³⁸ The *matrix* of a brass in a slab in front of the altar, representing a knight and a lady, with two coats of arms, and a long inscription round it, is so like that of Chief Justice Norton at Norton Conyers,³⁹ *temp.* Henry VI., and those at Ingham, that there can be little doubt it was a memorial placed there by their children after the restoration of the church.

Sir John had ten children, viz.—

1. Sir William of Wighill.
 2. Miles, "of York, gent.," who died intestate. Administration of his goods was granted to Henry Wyot, Rector of St. Margaret's in Walmgate, 17 Dec. 1498.⁴⁰
 3. John of Wighill, who seems to have been a hanger-on at home. His eldest brother left him 40*s.* "*nomine regard.*" Probate of his will was granted to his nephew Brian, 4 Nov. 1508.⁴¹
 4. Thomas, and
 5. Christopher, both living in 1466; legatees under their mother's will.
 6. Brian, "of York," who, probably as youngest son, inherited William Sheffield's messuage and garden in Bishophull, "held in free burgage."⁴² Administration to his nephew Brian, 16 July, 1498.⁴³
1. Elizabeth, and
 2. Isabella, both living in 1466.
 3. Catherine, wife of Thomas Roos, of Ingmanthorpe.⁴⁴ Buried at Kirk Deighton.
 4. Agnes, married Ralph Resesby, Esquire, of Thribergh,⁴⁵ near Masborough. He died 1466.

It was probably during his last illness that Sir John and his wife and some of their children were admitted to the Guild of Corpus Christi, in 1455,⁴⁶ and he left the Guild *vis. viiid.* in his will. The will is in Latin, dated 21 Feb. 1454, proved 3 June, 1455. "Johannes de Stapulton, de Wighall, miles," as he is described, constitutes his wife and her brother William Norton, and his youngest son Brian, executors, and his son-in-law Ralph Resesby, "*legis peritus,*" supervisor. William Bramham, Vicar of Wighill, and William Barwyke, Vicar of Helaugh, are the wit-

³⁵ Torre MSS.

³⁶ *Ibid.*

³⁷ Inq. p. m. 33 H. VI., &c.

³⁸ Lady Margaret's will.

³⁹ Whitaker's *Richmondshire*, ii. p.

182.

⁴⁰ Test. Ebor. (*Surtrees Soc.*) i. 221 n.

⁴¹ *Ibid.*

⁴² Steph. Blackstone i. 212.

⁴³ Test. Ebor. (*Surtrees Soc.*) i. 221 n.

⁴⁴ *Ibid.*

⁴⁵ Collins' *Baronetage*, ii. 291.

⁴⁶ Guild of C. C. (*Surtrees Soc.*), p. 54.

nesses, and take care that "the rights of the Church are strictly preserved." He leaves :—

" — v. marks to buy a vestment for the parish church, with his arms worked thereon ; *xxs.* to the fabric ; and *xxs.* to the Vicar for ' forgotten tithes.'—To Brian, his executor, *xxli.* sterling.—To his daughter Elizabeth 100 marks for her marriage, and the same sum to Isabel and Katherine.

" — To his eldest son, a chest (*cista*) bound with iron, which he had (? purchased) from Robert Colynson, of York, afterwards Lord Mayor⁴⁷ ; a cabinet of spruce (*armarium pruce*),⁴⁸ formerly belonging to John Wade of York ; a large press of waynscott ; a bed of ruby stuff (*de rubio say*), with a piece of needlework (*j tapetum*), and ii quyrtyns of the same ; j fedirbed, ij coverletts, ij blanketts, j pair of sheets, and ij pilows, and another embroidered bed (*lectum depictum*), with a quilt and canopy (*textura*)."

Mr. Hallam⁴⁹ estimates the size of a house and the wealth of the occupant by the number of beds. There were not more than seven or eight in Skipton Castle a hundred years later. The illustrations of Froissart in the British Museum⁵⁰ exhibit many examples of the interior arrangement of houses both in France and England of this date. That of the sudden death of Count Gaston de Foix in 1391 shows us in one view the "cabinet of spruce" or cupboard for the silver plate, the bed of ruby stuff in the recess, the saltcellars on the table, and a cushion with the "Talbot" worked on it, which we shall come to presently. The will continues, leaving his eldest son :—

" — A piece of silver called ' Grypeg ' (the egg of the gripe or griffon, probably an ostrich egg)⁵¹ set in silver, which figures as an heirloom for several generations. Another piece engraved (*pounsata*), and parcel gilt, from Thomas Brockett of Bolton Percy, xii silver spoons, j silver saltselar with cover, and another without, j silver pot (*olla*), and one mazer or wassail bowl (*murra*) silver gilt, and two great brass pots ; ij great pans (*patella*, perhaps of pottery, as yet very rare), and i dosane de pewtre vessel ' garnishte ' (i.e. polished to resemble silver, as opposed to ' rough '),⁵² i leaden cistern, j brew-led (copper, as we should say), with ii wort-leds and mashfate (mash vat), i great spit (*veru*), and i large pair of aundryryns (fire dogs) for the hall. And two gold rings ' called Sygnetts.'

" — Two other gold rings ' lately made at London,' to Brian, his youngest son, with his three best fur gowns, and two more without fur, his two best hoods (*capucia*), and his two best doublets (*dublittice*), and a chest of spruce.

" — To his widow another gold ring with a ruby engraved (*impresso*), and an iron-bound chest, ' which is in St. Mary's Abbey at York,' several ' standing pieces ' of plate (like our modern ' Racing Cups '), one saltselar

⁴⁷ Drake's Ebor. p. 363.

⁴⁸ Parker's Domestic Archit. iii. 104.

⁴⁹ Middle Ages, iii. 354.

⁵⁰ Harl. MS. 4379—80.

⁵¹ Test. Ebor. (*Surtees Soc.*). Note on Christopher Stapilton's will.

⁵² Cf. Northumberland Household Book, p. 19.

with a cover, and another without, a bed of white and green worsted with curtains, and another of red and black worsted.”⁵³

As soon as the funeral was over the Lady Margaret took the veil and retired into the little Benedictine nunnery where she had buried her husband. A commission from the Archbishop is dated 9 June, 1455. “John (Suffragan) Bishop of Philippopolis, to veil Margaret, widow of Sir John Stapilton.”⁵⁴ Here she passed the last ten years of her life,

And ceaseless prayed
To heaven and saints her sons to aid,
And, with short interval, did pass
From prayer to book, from book to mass,
And all in high baronial pride,
A life both dull and dignified.⁵⁵

Dying 7 Jan. 1465, her will was made the same day, and proved the next. For her “mortuary” she leaves her close-fitting mantle (*pro corpore talliatum*), for the use of the Convent, with four wax candles, of 3 lbs. each, and five torches of pure wax, the price of each 8s., to burn about her body at the funeral, and to be kept afterwards for lighting at the Elevation of the Host.—Also, a gown of white wool with a hood to each of the five poor men who bore them.—To Friar Rotho, for saying mass and preaching a sermon, *vis. viiij.*—To each of the 13 chaplains, *xiiij.*, and to each of the 9 clerics (*clerici*), *ivd.*—To the Anchorite of St. Clements, *xxd.*, and various sums to other monasteries, to say an “Obitus” the day of her funeral; and *xiiij. ivd.* for penny dole to distribute among the poor.—Her best dedication ring (*annulus dedicatus*), which she used to wear upon her finger, is to be hung round the neck of the Saviour at Newburgh with a silken cord.—To her eldest son she leaves a missal, with a chalice and a vestment, for the domestic chapel (*capella maneri*) at Wichall, and to her grandson Brian a standing piece of silver.—Similar gifts to each of her daughters.—To her sons x marks apiece.—To the lady Isabella Vavasor, a nun at Synningthwaite, her mantle fringed with gray; and *xxs.* to provide a breakfast (*jentaculum*) for all the inmates of St. Clements, and *13s. 4d.* to buy bread and wine and spices for the chaplains, the day of her funeral.—Lastly, to the Prioress of St. Clements a silver saltcellar and cover, parcel gilt, for her own table, to descend from one Prioress to another.—And the residue of her goods to “Sir William Stapilton, Knight,” and her other sons, her executors.

William Stapilton was three-and-twenty at his father's death.⁵⁶ Among the Acts of the Council, 30 Jan., 34 H. VI. (1456), is a letter from Lord Stanley the Chamberlain, stating that the King had received the fealty of William, son and heir of Sir John Stapilton, and restored his lands, but desired some person, whose name does not appear, to present him to do his homage.⁵⁷ The date shows it was one of those occasions just after

⁵³ Test. Ebor. (*Surtees Soc.*) ii. p. 181.

⁵⁴ Reg. of W. Bothe, Guild of C. C. (*Surtees Soc.*) p. 54 n.

⁵⁵ Lady Clare. Marmion, Canto VI. i. See also Household Regulations of the Duchess of York (Wright's Dom. Manners

and Customs, p. 424).

⁵⁶ Inq. p. m. 33 H. VI.

⁵⁷ Sir H. Nicolas' Proceedings of Council (*Record Office Series*), Pref., p. xxxvi. and p. 286.

Henry recovered his senses. Stapilton accordingly appeared at Court, "openly and humbly kneeling, ungirt, uncovered, and holding up his hands together between the King's,"⁵⁸ and took the oath of Homage. At the foot of the document is the Record, "The Kyng hath taken this homage the first day of ffeverer, the xxxiiij yere of his reigne."⁵⁹—Dat. apud Westm^r., iiii Februar. anno r. r. xxxiiij."

The Archbishop's registers at York here become almost our only guide:—

"— 21 June, 1456 (soon after doing his homage), Licence is granted to '*William Stapilton of Wighall Esquire*' to have masses within his manor of Wighall. Renewed, 23 June, 1457.

"— 27 Jan., 1459. A similar licence to '*William Stapilton Esquire of Wighall, and Margaret his wife*,' to have an oratory for three years at Wighall and other places.

"— 13 June, 1469. A similar licence to '*William Stappelton Knight and Margaret his wife*.'

"— 1 July, 1474. A similar licence to '*Sir William Stapilton Knight, of Wighall, and Joan his wife*.'

"— 5 Jan., 1479. Licence '*Dno Willo Stapilton*' to have low mass or private masses (*ut possit missas celebrare voce submissa*), in the presence of his wife, and children, and servants.⁶⁰

Hence we learn that Sir William married his first wife, Margaret, daughter of Sir James Pickering of Oswaldkirk, between 1457–9, and she was living in 1469. We know that he was already knighted at his mother's death in 1465.⁶¹ Between 1469 and 1474 he married his second wife, Joan, widow of Sir Roger Warde, of Givendale, near Ripon. By the first lady he had three children: 1. Henry, who died in his father's lifetime. 2. Sir Brian of Wighill. 3. John, of whom all we know is that he received "a piece of silver with a cover," under his father's will.

Between 1459 and 1469 there is no licence from the Archbishop. The war between the Houses of York and Lancaster was at its height, but it was for the most part confined to the great lords and their feudal retainers. The judges rode circuit as usual, and commerce went on unchecked. The smaller county proprietors were growing both in wealth and numbers, but both trader and landowner had a profound horror of the war, and only wished to entrust the crown to whichever side would prevent a recurrence of disturbances.⁶² They usually kept aloof until the war came so close to home that it was almost impossible to do so any longer. Notwithstanding Thomas Mowbray, Duke of Norfolk, suzerain lord of Wighill, was one of the most strenuous supporters of the House of York, Stapilton's subsequent alliance with the Cliffords and the Thirkelds, and his prompt acknowledgment of Henry VII., show that he was a Lancastrian at heart, as his fathers were, though he may not have dared to avow it openly. He would have found no favour after Edward IV. came to the throne. In 1460 Queen Margaret employed all her arts of fascination to

⁵⁸ Blackstone, ii. 54. See Collins' Peerage, ii. 176, for the oath taken by the Earl of Northumberland.

⁵⁹ Autographs of Royal and Noble Authors, Cotton MSS. Vesp. xiii. art. 69.

⁶⁰ Torre MSS.

⁶¹ Will, 7th Jan. 1465, *supra*.

⁶² Green's Hist. of the English People, p. 285.

procure the assistance of the northern lords, and raised an army of 20,000 men, with whom she defeated the Yorkists at Wakefield, and marching south, she won another battle at St. Albans, in Feb., 1461.⁶³ There is unfortunately no record of those who responded to her call, but the fact that William Stapilton was knighted between 1459 and 1469 makes us think he joined the Queen in Yorkshire, and accompanied her, in the retinue of Northumberland or of young Lord Clifford, to the final overthrow at Towton in March. The imbecile King was a prisoner in the Tower, but falling into the hands of his own party after the battle of St. Albans, the Queen caused him to dub her son Prince Edward knight, with thirty other persons, probably most of them "northern men," at St. Albans and the same day Sir John Gray was knighted, with twelve others at the village of Colney, on the road to London.⁶⁴

After the victories at Wakefield and St. Albans the Queen returned and lay about York. London had declared for Edward, and as the Yorkist army came up the great north road through Pomfret, the Queen's army set out from York to meet the enemy, and Clifford was sent on in front to guard the passage of the Aire at Ferrybridge. Finding it already in the hands of the Yorkists, he drove them back and regained the bridge, but the main body of the enemy crossing the river higher up, he was forced to retire, and in doing so, was killed by an arrow in the throat. The next day, being Palm Sunday, 29 March, 1461, the two armies met at Towton, where the Lancastrians were driven back in confusion over Tadcaster bridge, with great slaughter.⁶⁵ Lying almost in the way of the victorious army, Wighill was now no place of safety for a Lancastrian family. York was in possession of the enemy. Such of the Lancastrian leaders as escaped alive had ridden post haste to York, and carried the King and Queen on with them to Scotland. Others escaped into Cumberland. Tradition says that King Henry himself was received at Muncaster Castle by the Penningtons, but it is more likely he did so two years later, after his defeat at Hexham.⁶⁶ Subsequent events at Threlkeld look as if the family at Wighill also found shelter in the Cumberland mountains.

The Parliament which met in November passed a heavy Bill of Attainder against King Henry and his party.⁶⁷ No less than 140 barons, knights, and other persons are said to have forfeited their estates.⁶⁸ The Earl of Northumberland had been slain at Towton. His son, young Henry Percy, whose livery was afterwards adopted by Stapilton, was at this time a minor, and confined to the Tower till 1469, when he was restored to his earldom by Edward IV.⁶⁹ The restoration of Stapilton's licence the same year, may in like manner mark his return to Wighill, though it may have been only for a time. By 1469, the rising in the north, headed by Robin of Redesdale, a knight of the House of Conyers, had wrought a change,⁷⁰ and in 1470, the nation, without regret and without enthusiasm, recognised the Lancastrian restoration. But it was of short duration; in less than six months (March, 1471), Edward had landed in Yorkshire, and Henry died in the Tower.⁷¹

⁶³ *Ibid.*, p. 278.

⁶⁴ Hollinshed, p. 660.

⁶⁵ Drake's Ebor. p. 110.

⁶⁶ Jeaffreson's Hist. of Cumberland, ii.

⁶⁷ Stubbs, iii. 196 n.

⁶⁸ Rot. Parl. v. 489. Stow's Chronicle.

⁶⁹ Collins, ii. 374.

⁷⁰ Stubbs, iii. 208.

⁷¹ *Ibid.*, p. 210.

It was after their return to Wighill in 1469 that Margaret died, and Sir William married his second wife. Sir William and Lady Joan were admitted members of the Guild of Corpus Christi in 1472.⁷³ This festival is still one of the most splendid of the Roman Catholic Church. The Brethren met once a year at St. Thomas' Hospital outside Mickle-gate, and walked in solemn procession to the Minster. Characters from the Old and the New Testament were sometimes represented, dressed up



CHURCH DOOR AT WIGHILL, 1883.

after the manner of the old Passion Plays. Drake gives the order of one of these pageants in 1415.⁷³

The various licences to the Manor Chapel between 1424 and 1474 seem to show that the parish church was unfit for service. In 1479 there is a change in the form of the licence. It permits only private masses or low mass at the Hall.⁷⁴ The richly decorated south door, and a row of arches on the north side, show the extent of the little Norman

⁷³ Guild of Corpus Christi (*Surtees Soc.*), p. 82.

⁷³ Ebor. App. p. xxx.

⁷⁴ *Supra.*

church. The plain tower, with its pinnacles and gargoyles, the chancel, and the north choir or chapel of Our Lady, which became the burial-place of the family, were later additions. A weather-beaten shield of Stapilton, in oak, which still hangs over the Norman door, seems to connect the



new work with the old, and the arms of Pickering in the "north quier east window," attest the date of the restoration. As late as 1661 the glass was still perfect, and is described as representing a female figure in coat armour bearing the arms, *a lyon rampant sa.* (Stapilton), on his breast a crescent, denoting the second house; impaling *or, a lyon rampant blue* (Pickering); and the remains of an inscription, "Dne Margarete quondam consortis sue, et aiabus omnium fidelium defunctorum."⁷⁶ Torre also

saw four monumental slabstones, Sir William's being one, lying side by side in the pavement of the chapel.⁷⁶ They have been removed into the north aisle to make room for the Hall pew. Round the stone is an inscription in Old English characters:—

✠ Orate pro anima dom. Willielmi Stapilton militis, et pro anima dne. Margarete uxoris sue, qui quidem Willielmus obiit xbi die mensis Decem. an. dom. M.D. tertio. Cujus aīe ppitietur Deus.⁷⁷

Sir William also left 40s. in his will (about 20l. nowadays) to buy one of the new breviaries (*portiferium*) for the use of the Church.

Richard, Duke of Gloucester, was generally loathed by the Lancastrians, but he was popular at Middleham.⁷⁸ The numbers of Yorkshiremen in his service, and the immunities he bestowed on towns and churches in the north, helped to make him so. In 1480 war was declared with Scotland, and orders came down to York in March, 1481, to call out the soldiers. The Ainsty was now united with the City, and acknowledged the authority of the Lord Mayor. At the head of the gentlemen of the Ainsty, Stapilton was invited to a meeting in the Council Chamber, where the king's letter was read, and a meeting appointed at Bilston Church. There it was agreed to join the City, if the greater landlords, not then present, viz., the Earl of Northumberland, lord of Tadcaster; Lord Hastings, the king's Chamberlain, lord of Bolton Percy; Lord Lovel, the Lord Steward, lord of Dringhouses; Ughtred of Moor Monkton, and Brian Stapilton of Carlton, lord of Askham Brian, would do the same, and "go forth in their coat armour with their standards and tenants."⁷⁹—which most of them afterwards did. It was on this expedition that Brian Stapilton of Carlton received his banner from Richard of Gloucester at Hoton Field.⁸⁰

At Richard's coronation (July, 1483), Northumberland took the northern men to London. Fabyan jeeringly calls them, "4,000 men with

⁷⁵ Top. Notes of Yorkshire Churches in 1661 (Lansdowne MS. 1233).

⁷⁶ Torre's MSS. at York Minster, vol. v.

⁷⁷ Drake's Ebor. p. 392.

⁷⁸ Longstaffe's Richmondshire Guide, p. 87.

⁷⁹ Extracts from York Records, ed. Robt. Davies, p. 115.

⁸⁰ *Supra*.

their best jacks and rusty salettes" (buff jackets and steel helmets). But the Earl afterwards deserted the King at Bosworth; "whereupon," says Hall the chronicler, "he was incontinently received into favour with Henry VII., and made one of his Council." Stapilton was a "fee'd man" of Northumberland's, and rode out with him to welcome the new King to Yorkshire (1 Henry VII.). Leland writes:—"By the way in Barnesdale, a little beyonde Robbin Hudde stone, therle of Northumberland with a right great and noble company, mete and gave his attendance upon the King, with 38 Knyghts of his feed men, besides Esquiers and Yeomen. Part of those Knyghtes names are ensuen. . . . Sir Robert Constable, Sir John Pikering, Sir Robert Plumpton, Sir Christopher Warde, Sir William Malary, Sir Thomas Malyvera, Sir William Engleby, Sir Stephen Hamerton, and Sir William Stapleton; and so proceeded that same Mondaye to Pomfret, where his Grace remainede unto the Thursday next following. . . . At Tadcastell the King, richly besene in a gowne of clothe of golde furred with Ermyn, toke his courser. His Hensheman and Follower also in Gold Smythes work, were richly besene. And so to York."⁸¹

In 1493 Stapilton was supervisor to the will of John Norton of Bilbrough, "in whom," says the testator, "I have special confidence."⁸² And in Dec., 1503, he died, at the age of 71. Stapilton's will is in Latin, made on the 13th Dec., proved on the 19th. He desires to be buried "in the Chapel of the Virgin, on the north side of Wighill Church," and leaves the vicar his "best animal" for a mortuary, and *xxs.* for forgotten tithes. He leaves his widow a "standing piece" of silver with his arms upon it, and a piece of silver gilt "called Talbott," which became an heirloom in the family. It is more particularly described in his grandson Christopher's will as "one little flatte cuppe and cover of silver, graven w^t thalbottes of the cover." It is the first mention of the supporters now borne by the family, though perhaps at first "only an invention of the seal engravers to fill up spaces." He leaves his eldest son Sir John Depeden's ring;⁸³ a gold collar (*monile*), set with precious stones; and a "bason and ewer of silver," to pour water over the hands of the guests at a time when fingers did duty for forks. He also left him all his sown lands, with his waggons and carts, and horses and oxen; and part allowance for keeping up the hall and the chambers, the buttery and the kitchen (*pincerna et coquina*), and other offices. Residue to his widow and his eldest son, who are executors.⁸⁴

The Lady Joan survived her husband four years. She made her will in English, 23 Feb., 1507 (proved 23 March), desiring to be buried by the side of her husband at Wighill, and leaving her "best beast" to the parson of Wath (near Ripon), where her daughter, the wife of Sir John Norton of Norton Conyers, was living, and she herself probably passed her widowhood,—and her second best to the Vicar of Wighill. To her stepson Brian Stapilton, her wedding ring; to her son John Warde, a "Prymer which is called my Bretar boke"; and to her daughter Dame Margaret Norton, a ring with a "balas" ruby and a "Gyrdill." They were also her executors.⁸⁵

⁸¹ Leland's Collectanea, iv. p. 185.

⁸⁴ *Ibid.*, iv. p. 221.

⁸² Test. Ebor. (*Surtees Soc.*), iv. p. 93.

⁸⁵ *Ibid.*, iv. p. 273.

⁸³ *Ibid.*, i. 296.

Brian Stapilton, son of Sir William, was about five-and-forty at his father's death in 1503. Some twenty years before, soon after the coronation of Richard III. (his eldest son was born in the 1st of Henry VII.), he had married Joan, the daughter of Sir Lancelot Thirkeld, or Threlkeld, of Threlkeld in Cumberland, by his wife Lady Clifford and Vesce. A touching notice in his will of a "ryng of gold graved with fedders, which was the last token betwixt my wyffe and me," shows it was a love match, with more romance about it than the marriages by contract we have hitherto met with.

Lady Clifford's history is also full of interest. The only child and heiress of Sir Henry Bromflete, Lord Vesce, "Margareta dna Clyfford and Vesce," as she is called on her tombstone at Londesborough (notwithstanding the special limitation of her father's peerage to heirs male⁸⁶), had spent a life of anxiety and trouble. At a very early age she married Lord Clifford, of Skipton Castle—Shakspeare's "ruthless Clifford," who wreaked such fearful vengeance on his fallen enemy the Duke of York, and York's youngest son, the Earl of Rutland, at Wakefield,—and she bore him four children before she was twenty.⁸⁷ Three months after Wakefield, Clifford himself was killed at Ferrybridge.⁸⁸ He was only five-and-twenty. His widow took refuge at her father's house at Londesborough, and found a hiding-place for her children with a shepherd's wife on the wolds above, for as long as Edward IV. and Richard III. lived, the sons of the man who had murdered their brother were proscribed fugitives.⁸⁹ At Lord Vesce's death (Jan., 1468), Londesborough was no longer safe. But Lady Clifford was now married to a second husband, and conveyed "the honest shepherd and his wife and family" into Cumberland, where she took a farm for them, in Mungrisdale, at the back of Saddleback, "towards the Scottish border," and "sometimes at Threlkeld, and at other times on those borders, she privately visited her beloved child."⁹⁰ Dying in 1493, she lived to see her son, Henry the "Shepherd Lord," restored to his titles and estates. He wrote himself "Dns de Clyfford, Vesce, and Westmorland" on his mother's brass in the church, but never really emerged from his obscurity till Flodden Field, when he was near sixty years of age. His early life among the fells had led him to seek quiet and retirement at Barden Tower, which he enlarged or rebuilt, the neighbouring monks of Bolton Abbey assisting him in his favourite studies, Astronomy and Alchemy.⁹¹ He died in 1523.

By her second husband Lady Clifford had a son, another Sir Lancelot, and two girls—Joan, who married Stapilton, and Anna, wife of Sir Hugh de Lowther. The old Border chieftain used to boast that he possessed three noble houses:—one at Threlkeld, well stocked with tenants to go with him to the wars; one for pleasure at Crosby, in Westmoreland, where he had a park full of deer; and one for profit and warmth at Yanwath, near Penrith.⁹² Yanwath is well known to all visitors to the Lake district. Wordsworth wrote of Threlkeld:—

⁸⁶ Camden's *Britannia*, p. 912.

⁸⁷ Torre's MSS. iii. p. 1537.

⁸⁸ *Supra*.

⁸⁹ The Village Hospital, a paper in "Christian Society," Dec., 1866, by Rev. R. Wilson.

⁹⁰ MS. in possession of Anna Countess

of Pembroke, Dugd. Bar., p. 343. Wordsworth's White Doe of Rylstone.

⁹¹ Murray's *Handbook of Yorkshire*, p. 369.

⁹² Murray's *Handbook of the Lakes*, p. 55.

See beyond that hamlet small
The ruined towers of Threlkeld Hall.

Sir Lancelot gives a safe retreat
To noble Clifford,⁹³ &c.

But the old hall had disappeared long before Wordsworth's time, and nothing but a bright little green lawn by the river side remains to mark the site.

We have seen how the king was welcomed by Sir William in his progress into Yorkshire in 1486.⁹⁴ Little doubt Brian accompanied his father. Two years later, when Lords Lincoln and Lovel took up the imposture of Lambert Simnel, and landed in Lancashire, Brian was one of those who joined the king at Coventry, with Talbot Earl of Shrewsbury and Lord Strange.⁹⁵ From Coventry they marched to Nottingham, and thence to the battle at Stoke, where Lincoln was killed and Lovel disappeared,⁹⁶ 6 June, 1487. Having received the honour of knighthood, Sir Brian was again engaged in suppressing rebellion. The Earl of Northumberland, whose beautiful monument is well known to all who have visited Beverley Minster, having been appealed to by the King to assist, as Lord Lieutenant of the County, in the levy of an unpopular tax for the war in Normandy, did it in such imperious terms that the people broke out into insurrection, and the Earl was murdered in his own house at Cock Lodge, near Thirsk (1488).⁹⁷ A force was immediately levied under the Earl of Surrey, which was joined by the Earl of Westmoreland, Thomas Dacre, Sir John Everingham, Sir Brian Stapilton, Sir Marmaduke Constable, and Sir Christopher Warde, and they quashed the rebellion without further assistance.⁹⁸

In June, 1503, six months before Sir William's death, came the Princess Margaret, wife of James IV. of Scotland, on her way to Edinburgh, escorted by the young Earl of Northumberland, "with many lords, ladies, knights, esquires, and gentlemen, to the number of five hundred." Dining at Tadcaster, the Princess was met by the Lord Mayor and citizens of York in crimson liveries, who, after making obeisance to her Grace, "came near unto her chayr upon the palfreys covered with cloth of gold," and presented an address.⁹⁹ The "chayr" was a horse-litter, a kind of palanquin carried between two horses harnessed tandem-fashion.¹⁰⁰ Between Tadcaster and York they were joined by Lord Scrope of Bolton and his son, Lord Scrope of Upsall, and others, and the Lady Conyers "nobly drest," with "many gentyllwomen to the nombre of 60 horsys." Northumberland was "well horst, upon a fayr corser, with a forr cloth to the ground of cramsyn velvett all borded of orfavery,"¹ frizzled or embroidered with cloth of gold.^{1a} In the Earl's company were many noble knights, that is to wit, Sir John Hastings, Sir John Penynthon, Sir Lancelot Thirlekeld, Sir Thomas Curwen, Sir John Normanville, and Sir Robert of Aske, all arrayed of the Earl's livery of velvet with goldsmith's work. "Also other gentlemen in the same livery, some in velvet, some in damask and camlet, and others in cloth,

⁹³ The Waggoner.

⁹⁴ *Supra*.

⁹⁵ Hardyng's Chronicle, ii. 554.

⁹⁶ *Supra*.

⁹⁷ Hume, iii. 343.

⁹⁸ Hardyng's Chronicle, ii. 577.

⁹⁹ Drake's Ebor. p. 126.

¹⁰⁰ *Fide* Royal MS. (Brit. Mus.), 16 G. vi. Longman's Lectures on Hist. of England, p. 254.

¹ Drake's Ebor. p. 126.

^{1a} Poulson's Hist. of Beverley, p. 790.

to the number of 300."² Sir Brian must have been somewhere in the procession.

Ten years later Sir Brian again saw active service, in the hard-fought field of Flodden. James IV. of Scotland, husband of the Princess Margaret of England, taking advantage of the absence of the English army in Flanders, broke into Northumberland in 1513. Lord Surrey again collected an army from the northern counties, and by a skilful movement circumvented the Scotch, so as to get round between them and the Tweed. An old chronicler, who had probably conversed with men who were there, if he was not an eye-witness himself, describes the march to the field of battle in Homeric style.³ Surrey's eldest son led the van, "his loving son, Lord Admiral, with soldiers such as came from sea," having landed at Newcastle. In order, "next the Admiral, the lusty knight Lord Clifford went. And all that that Craven coast did till, they with the lusty Clifford came." Pressing on across the little river Till, near its junction with the Tweed, came Lords Lumley and Latimer, Lord Coniers, "with many a gentleman and squire from Ryppon, Rypley, and Ryedale," Lord Scroop of Upsall, "th' aged Knight,"⁴ Sir Christopher Ward of Givendale, and Sir Edward Effingham. "These valiant wights in vanguard were." The right wing of this division was led by Surrey's younger son, Sir Edmond Howard, the left by old Sir Marmaduke Constable of Flamborough, "and eke his sons and kinsmen bold."⁵ On the right with Howard were "Bryan Tunstall, trusty squire, and southern soldiers hundreds two,"—Richard Cholmley, "with men of Hadfield and of Hull,"—and "Stapylton of stomach stern," the young heir of Carlton.

The "rearward" was led by the Earl in person, under whom "all Richmondshire its total strength, the lusty Scroop [of Bolton] did lead and guide." About the Earl were Sir Philip Tilney, Sir Thomas Barkley, Sir John Radcliffe, "in arms Royall," Sir William Gascoine, Sir Brian Stapylton [of Wighill] and his kinsman Sir Christopher Pickering—"two valiant knights of noble blood"—

With all their banners bravely spread,
And all their armour flashing high.⁶

On the Earl's right, in the rear, was Lord Dacre, with his light horsemen, "all Carlisle eke and Cumberland."⁷ And on his left, Sir Edward Stanley, and his Lancashire "striplings, brought up from babes with beef and bread,"⁸—to whom the success of the day was eventually due.

The war, that for a space did fail,
Now trebly thundering swell'd the gale,
And—"STANLEY!" was the cry;—
A light on Marmion's visage spread,
And fired his glazing eye;
With dying hand, above his head,
He shook the fragment of his blade,
And shouted "Victory!"⁹

² Drake's Ebor. App. xviii.

³ Poem of the Battle of Flodden Field, ed. H. Weber.

⁴ *Ibid.*, p. 60.

⁵ See monument in Flamborough church, and *Gent. Mag.*, 1753, p. 456, for

the inscription.

⁶ *Marmion*, Canto VI. xxi.

⁷ Old poem, ed. Weber.

⁸ *Ibid.*

⁹ *Marmion*, Canto VI. xxxiii.

Sir Brian spent his intervals of leisure in farming and improving his estate. The Vill of Wighill, which was worth only £10 a year in 1400,¹⁰ is valued at £80¹¹ in the subsidy roll of 15 H. VIII.¹² (1523). The farm implements are set out in his will. His eldest son is to have "ij draughtes, ii yrene bound waynes, with all plowes, cowpes, and harowes," his growing crops, and the corn in his barns and garner. His daughters are to have two or three "milke kyen" apiece, and each of his sons "a young horse riden or able (fit) to ride." Just five years after Flodden (Sept., 1518)¹³ he died, at the age of sixty. His admission with three of his sons into the Guild of Corpus Christi¹⁴ the year before, may mark his own declining health or his beloved wife's death. The mention of the ring "with the fedders"¹⁵ shows she died before him. Reared up against the wall inside the church tower, is a large slab stone, circumscribed—

✠ *Orate pro anima Briani Stapilton militis, qui obiit xbi die mensis Septembris, anno dñi millmo ccccxxiii. Cujus aie ppicietur Deus. Amen.*¹⁶

There is another in the north aisle, but the date is partly obliterated.

✠ *Orate pro aia Dne Johanne Stapilton quondam uoris Briani Stapilton militis, que obiit 5 die mensis Januarii anno Dñi mcccc . . .*¹⁷

In the north window there was formerly a representation of a man kneeling, bearing the arms of Stapilton, with a crescent, denoting the second house, and behind him seven sons kneeling. In the other half of the window a woman kneeling with a coat, *arg. a manch gu.* (Thirkeld), and behind her seven daughters; with the legend, "Orate pro bona gratia Briani S. et filiarum suarum."¹⁸ Only five sons and five daughters were living in 1518, viz. :

1. Christopher of Wighill.
 2. Brian Stapilton, "clerk."
 3. Lancelot of Wath (in Ryedale). He married Isabel (apparently some heiress of Wath) and died 1537. His Will is, to be buried at Hovingham. His widow survived him nearly 60 years, and made her Will, 11 Jan., 1595.¹⁹
 4. Miles, named in the Codicil to his father's Will 1518.
 5. William (of whom more presently), the friend of Robert Aske, "Master Stapleton of London, brother-in-law of Sir Thomas Wharton," mentioned by Leland.²⁰
1. Elizabeth, wife of Edward Saltmarshe of Thorganby, between Market Rasen and Grimsby. They had a "Dispensation to marry, 16 Nov., 1509, though related in 4th degree," from Louis, "Cardinal of St. Marcellus, 28 July, 6th Julius ii."²¹

¹⁰ Inq. p. m. 1 H. IV.

¹¹ Only £60 in the Inq. p. m 10 H. VIII. York Corporation Records.

¹² Yorkshire Arch. and Top. Journal, vol. iv. p. 196.

¹³ Inq. p. m. 10 H. VIII.

¹⁴ Guild of C. C. (*Surtees Soc.*), p.

190.

¹⁵ *Supra.*

¹⁶ Top. Notes of Yorkshire Churches A^c. 1661. Lansd. MSS. 1233.

¹⁷ *Ibid.*

¹⁸ Stillingfleet's Coll. from Dods-worth's Notes of Yorkshire Families Harl. MS. 794.

¹⁹ Torre MSS.

²⁰ Itin. vii., pt. 1. fo. 15.

²¹ Test. Ebor. iii. p. 366.

She is not mentioned in her father's will, but "Magister" (denoting a lawyer) "Edw. Sawtmarse et uxor," and their children, were admitted of Corpus Christi in 1525.²² The same Edward Saltmarshe seems to be on the Grand Jury at Doncaster when the charge against Queen Anne Boleyn was investigated, in 1541.²³

2. Jane, wife of Sir Robert Conyers of Hutton Conyers or Langton on Swale, had the "ring of gold graved with fedders."^{24a}
3. Eleanor, wife of Thomas Lord Wharton, had a ring with a stone in it "called a turkis," from her father.
4. Isabel Stapilton, a nun at Synningthwaite, called "Domp. Isab. Stapulton" in the List of the Guild of Corpus Christi.²⁴
5. Margaret, married John Copley of Batley, who died 7 Apl., 1543.²⁵ She had a cross of gold with a crucifix on one side, and the five wounds on the other. Her father also directs a payment of xi marks a year to be made her on her marriage, until she has received a hundred marks.

On the 4th July, 1518, Sir Brian made his will in English, "with an holle and pfitte mind," giving his soul to Almighty God, and "beseeching his Blessed Mother, Our Lady Saint Mary, with all the holy company of heaven, to pray for it," and his body to be buried in the north aisle of Wighill Church. He leaves—

— To the Vicar of Wighill his best horse for "his mortuarie and corps presant," and xxs. for forgotten tithes; with other bequests to various religious houses.

— To Christopher his eldest son, his "chain of gold weighing twenty ounces of fine gold" (perhaps the collar of S.S. or Lancaster, one of the usual insignia of knighthood); the silver bason and ewer, for an heirloom; and "all my chappel stuffe as my fader left me ytt." — "A piece of velvet containing twelve yards," is to be sold, "to buy each of his younger sons and daughters a gowne withal."—To John Carbot his chaplain xs.; and £4 6s. 8d. a year for seven years, if he should live so long, to sing masses 'for my father's soul, my mother's, my wyfe's, and my own.'—To the Church of Wighill his tawny damask gown, to make a cope or a vestment, or both; and a gown of silver damask, which his wife gave to the church.—And to his grandson Brian, eldest son of Christopher, "*the cup with the talbots on it.*"

By a codicil, the third part of Farlyngton was put in trust, to provide 33s. 4d. a year for each of his younger sons, and 6s. 8d. for Dame Isbell the nun. Provided only, that if she became Prioress of Synningthwaite, and Brian (or any other of his sons) were promoted "by reason of Prebende or benefice," their shares should be divided among the others.²⁶

Cristofer Stapilton was thirty-three years of age at his father's death (1518), and was therefore born in the short reign of Richard III. At

²² Guild of C. C. (*Surtees Soc.*), p. 204.

²³ *Infra.*
^{23a} *Supra.*

²⁴ Guild of C. C., p. 187.

²⁵ Foster's Yorkshire Pedigrees.

²⁶ Wills in the York Registry.

fourteen he was supervisor of the will of Daniel William Burton,²⁷ Vicar of Wighill, who was buried in the church in 1498.²⁸ Early in the century he married Alice, daughter of William Aske of Aske, between Richmond and Gilling, now the Earl of Zetland's beautiful park. His father left "Alice his doghter-in-lawe," a diamond ring and "ij milke kyen." Her mother was a daughter of Sir James Strangways,²⁹ Speaker of the Parliament in the first year of Edward IV.³⁰ This, the main line of the Askes, came to an end in the two granddaughters of this William Aske, one of whom married Sir Richard Bowes, and the other Sir Ralph Bulmer, who were both out in the Pilgrimage of Grace. Sir Talbot Bowes sold Aske to Lord Wharton in 1627, and he sold it to Conyers, who sold it to Sir Lawrence Dundas.³¹ The popular leader, Robert Aske, was of a younger branch settled at Aughton near Howden, descended from one Richard Aske, who married the heiress of Aughton, and founded the Aske Chantry at Howden in 1363. Alice Stapilton died in 1521, and is buried at Wighill, under a large slabstone circumscribed in old English characters :

✠ Orate pro aīa Alicie Stapilton quondam uxor que obiit rbi die mensis Robembris an. Dom. mccccxxi. Cujus anime ppiciet. Deus. Amen.³²

Cristofer married a second wife, Elizabeth, daughter of Sir John Nevile of Liversedge, near Wakefield. The date was before 1526, for his son, Sir John Nevile of Chevet, mentions "my brother Stapyilton," being present at the marriage of his daughter, Elizabeth Nevile, to Richard Rockley, on the 14th January of that year. The accounts for the Feasting and Apparel are preserved at Skipton Castle. The festivities lasted a week, and seem to have been rather overwhelming. The programme is in Sir John Nevile's own words, "First a Play, and streight after the Play, a Mask; and when the Mask was done, then the Bankett which was in 110 dishes and all of meat; and then all the gentlemen and ladies danced; and this continued from Sunday to the Saturday after."³³

Hitherto the head of the family at Wighill had always been a knight, the title denoting rank as well as the profession of arms.³⁴ But Cristofer was never knighted. Perhaps he was excused on account of his infirmity, but his eldest son took up knighthood in his father's place, as soon as he came of age. After his first wife's death Cristofer became a confirmed invalid,—perhaps a martyr to the gout,—"an ympotent man by reason of continual sickness by the space of xvi years, lame both of foot and hand,"³⁵ though "in perfect mynde and remembrance."³⁶ He was devoted to heraldry and genealogy. The first Herald's Visitation of Yorkshire in 1530,³⁷ occasioned great searching of old family papers.

²⁷ Test. Ebor. (*Surtees Soc.*), i. 160.

²⁸ Inscription on his brass. Drake's Ebor. p. 392.

²⁹ Whitaker's *Richmondshire*, i. p. 116.

³⁰ Stubbs, iii. 195.

³¹ Whitaker's *Richmondshire*, i. p. 116.

³² Notes of Yorkshire Churches, Lansdowne MSS., 1223. Drake erro-

neously calls her "*ux. dom Briani Stapilton.*" Ebor. p. 392.

³³ Whitaker's *Hist. of Craven*, p. 307.

³⁴ Stubbs, iii. 546.

³⁵ William Stapilton's Confession in 1536.

³⁶ His own will, 1537.

³⁷ Tonge's Visitation of Yorkshire (*Surtees Soc.*).

Every man set himself to prove his ancestry "under penalty of being declared ignoble."³⁸ Norroy King of Arms (Tonge) records only two or three descents, but "Cristofer Stapilton's Petigree," which is preserved in the British Museum,³⁹ "tricked" with pen and ink sketches of arms, and headed with the figures of Henry III. and the King of Scots (John Baliol) is set out at greater length.

But other matters which caused him much more serious concern were now commencing with the "Reformation of Religion." Henry VIII. had abjured the Pope for refusing to sanction his divorce from Queen Katharine. Before Queen Anne Boleyn's death, the dissolution of the smaller monasteries had already been accomplished. The larger followed in 1539. Stapilton had spent the winter of 1535-6 at the Convent at Hull, and now lay at Beverley "for change of ayer." The Minster was a place of sanctuary. Three years later one John Stapleton of Kingston-super-Hull claimed the "Liberty" of St. John of Beverley "for felony and debt (*pro felon. et deb.*),⁴⁰ and was sworn (*juratus est*)⁴¹ on the "frith stol" (A. S.—the seat of peace) in the Minster, the last and most sacred place of refuge for those who claimed the benefit of sanctuary.⁴² When the rebellion broke out in 1536, Cristofer and his wife were lodging in the Grey Friars (Franciscans) on Westwood Green, outside Keldgate, to the west of the town. Both were devotedly attached to the old religion. Cristofer's faith is evident in his will. He bequeaths his soul to "Almighty God, and Our Lady Saint Mary, and all the Holy Company of Heaven," as his forefathers had done, and appoints legacies to convents and brotherhoods already on the verge of dissolution:—

"— Item to Sancte Marie Abbay nere the walls of Yorke xxs. Item to the house and convente of Sancte Robertes besides Knaresburgh, xiiis. ivd. Item to the priour of the Mount Grace xxs. Item to the iiij orders of freres in Yorke, ichon of them vis. viiij. Item to Elizabeth my wyfe my chyne (chain) of golde (left him by his father),⁴³ and she to fynde a preiste to syng and say messe in our ladye's chapell in Wyghall church, where my bodie shall lie, vii yeares nexte afre my dethe, the said preists to pray for my fader soule, my modere soule, my wyfe's soule and myn, and all cristen soules. Item, I wyll the said Elizabeth my wyffe cause an hundreth messes to bee done for my soule the viiith daye after my buryall or thereaboutes," &c.

The lady's devotion took a more demonstrative form. One Sir Thomas Johnson, alias Friar Bonaventure, "a Franciscan of the Observance," who had been much with Cristofer at Wighill, but was at this time assigned to the House of Beverley by Doctor Danser, Warden of the Grey Friars at York,—was "much in and out" among the "wild people" on Westwood. Standing beside the Friar, inside the little convent close, her excitement knew no bounds, and as the crowd came surging round, she cried, "God's blessing on yer," and "speed ye well;" and when they tauntingly asked her why her husband and the others did not come out,

³⁸ Stubbs, iii. 534.

³⁹ Harl. MSS., 1412, *supra*.

⁴⁰ Harl. MS., 4292, fo. 25 b.

⁴¹ The form of oath is given in Poul-

son's Beverley, i. 248.

⁴² Murray's Handbook of Yorkshire, p. 114.

⁴³ *Supra*.

she shouted to them over the hedge, "They be in the ffreers; go pull them out by their heddes."⁴⁴

The rising was essentially a popular movement, assisted by the clergy. It was by compulsion that the higher classes joined it. Cristofer was forced to be sworn in the Monastery, but took no further part. Before the rebellion was over, he went home⁴⁵ to Wighill and died there the following year, about August, 1537.⁴⁶ His will is dated 30 July, 1537, but was not proved till 29 Jan., 1538. Under the designation of "Cristofer Stapulton of Wyghall Esquyer," he appoints his wife sole executrix, and leaves her,—

"— A salt of silver, covered, percell gilte.—a goblet of silver, gilte without a cover.—a long spone for grene gynger that was her owne.—xii silver spones of Sainte John that was her owne—one silver cuppe, gilt and covered of the old facion—a little sylver flagon for rose water.—one newe booke of antyke worke uncovered.—and suche [chappelle] stuff as my wyff brought with her, that is to say a vestment of reed damaske, with a crosse of greyne sattin brigges⁴⁷ imbroidered with floures of golde, and an albe, an amisse, a stoile, and a faynell therto belongyne; and I will that she leave to the parishe church of Wighall my blake velvett gowne to make a cope or a vestment, 'wiche is thought most necessarye.'

"— To Robert his son and heir—a gilte cuppe with a cover, called a peyre.—and a noder cuppe of the facyone of an nutt called 'Grypeege,' and they both to remaine from heire to heire.—the seale of my armes in sylver, and a ryng called a sygnet w^t a sarasyn heide (the crest still borne by the family) graven in it.—a basen and one ewer of silver.—two bottles and a cover thereunto of antyke warke—one greete holoe boole, gilt, with a cover (a mazer or wassail bowl)—one other little flatte cuppe of sylver with a cover, and graven w^t thalbottes of the cover (an heirloom which had reverted to him at the death of his son Brian).—All my chapelle stuff as my fader left me—and all my draught oxon, waynes, and ploghes; and all my crophe of corn, &c.

"— To William Stapilton (probably his son) a gowne of black clothe lyned with blake damaske.—To the Parish Clerke xiid.; and to the Church of Wighall a pair of organes that standeth in the hye quere of the sayd churche."

He left issue only by his first wife :—

- 1.—Sir Brian, who died before his father.
- 2.—Sir Robert, afterwards of Wighill.
- 3.—William, to whom his father left as little as he could. His brother Sir Robert left him xxs. in 1557.
 - 1.—Isabel, second wife of John Lamplugh, Esq., of Lamplugh Hall, near the west coast of Cumberland,⁴⁸ and
 - 2.—Anne, wife of John Irton, of Irton, Cumb.;⁴⁹ both married before Tonge's visitation in 1530.

⁴⁴ William Stapilton's Confession.

⁴⁵ *Ibid.*

⁴⁶ Letter in State Papers of H. VIII. (*Record Office*), vol. v. p. 105.

⁴⁷ Qy. Bruges' goods. Bruges being

then the great emporium of Venetian and Oriental trade.

⁴⁸ Jeaffreson's *Hist. Cumberland*, ii. p. 84.

⁴⁹ *Ibid.*, ii. p. 195.

- 3.—Joan, married Henry Hamerton of Hellfield Peel, in Craven,⁵⁰ son and heir of Sir Stephen Hamerton, who was attainted of High Treason, and hanged at Tyburn for the part he took in Aske's rebellion. His mother was sister of Sir Francis Bigot of Settrington, who was hanged at the same time. Joan's marriage settlements were made only the year before (6 May, 1535). The parents of each party undertaking to "apparell" their children on the wedding day, "in suche apparell as the seyde parties shall agree and condescend to, according to their degrees." And "the mete and drynke prepared for and at the seyde maryage shall be had onsteyned (unstinted) and made at the costs of the said Cristofer." Two years later Henry Hamerton died of a broken heart, caused by the ruin of his family, 3 Aug., 1537,⁵¹ and his widow followed him 3 Jan. 1538, leaving two infant orphan children.
- 4.—Margaret Stapilton.⁵²
- 5.—Alice, possibly the Prioress of the little Nunnery of Nunkeeling, who was a pensioner of that House, in 1553.⁵³

William Stapilton, Cristofer's younger brother, continues the story of the Rising. His "Trew Confession of the attemptes commytted and doon by hym against the Kynges highnes and his lawes,"⁵⁴ has furnished Mr. Froude with an interesting episode in the History of England.⁵⁵

Among the causes of discontent there was a "common bruit" in Yorkshire, that some of the parish churches were to be put down, so that no two should be nearer than five miles apart. Wighill, Walton, and Thorp Arch were to be shut up, and either Tadcaster or Bolton Percy retained. Marston church was to serve for the two parishes of Askham Richard and Askham Bryan. The appearance of a Commissioner at Tadcaster, who required the churchwardens to make an inventory of the Church plate, gave rise to a report that it was to be seized, and "chalices of copper" substituted for gold. Among other causes of the rebellion were, the suppression of religious houses, the putting down of certain holidays, new opinions concerning the faith, raising of farms, putting down of towns and husbandries, the enclosure of commons, and "worshipful men" taking farms and yeomen's offices.⁵⁶

Like Robert Aske, William Stapilton was a young lawyer returning to London to resume his work after the vacation, but stopped by the rebellion. Aske was at Louth in Lincolnshire when it broke out, on Monday the 2nd October, 1536. The King's Commissioner, the people said, had come to rob the treasury of the Church, and was received with groans and execrations. The church was locked up, and the great silver cross moved up into the market place, where they sang the psalm, "Let God arise, and let his enemies be scattered." Beginning in Lincolnshire, "with vi. persons of small reputation," the insurrection quickly spread to Yorkshire.

⁵⁰ Whitaker's Craven, p. 128.

⁵¹ Inq. p. m., 1 Aug., 1538. Thomas Cole's Coll. of Escheats, Harl. MS. 411.

⁵² Tonge's Visitation (*Surtrees Soc.*)

⁵³ Burton's Mon. Ebor. p. 387. At the same time another, Dorothy Stapilton, was a pensioner of Swine Priory in Hol-

derness.

⁵⁴ Dom. Cap. Westm. A. 2, 28. Volume endorsed, "Reasonable Matters in Aske's Rebellion, temp. H. VIII." (*Record Office.*)

⁵⁵ Vol. iii. p. 124.

⁵⁶ William Stapilton's Confession.

William had been spending the vacation with his sick brother at Beverley, and was intending to cross the Humber at the tide on Thursday morning, the 5th October, when he was awoke by his servant telling him that all Lincolnshire was up from Barton to Lincoln, and "Grantham way" was stopped as well, so that no man could pass to London. On Sunday a letter was received in Beverley from Aske, and one Roger Perkyn declared he would "ring the common bell or he would die for it." Others set to work at the Hall Garth, administering the oath they used in Lincolnshire, and issued a proclamation, "Every man to Westwood Green with such horse and harness as he had, to take the oath on pain of death." William Stapilton refused to join,—so did young Sir Ralph Ellerkar, who had been sent for,—till the "wild people" on Westwood "had burn the ffreers and them within it," whereupon William and his nephew, Sir Brian, reluctantly submitted, and were sworn on the Green, the mob crying out "Capitaynes, Capitaynes, Master William Stapilton shall be our Capitayne." And so at length, "with long persuasion," William was "content to take the governance," young Sir Brian and Richard Wharton (*sc.* Warton) "who was the most honest and substantial man there," and the Bailiff of Beverley, being made petty captains under him. On Wednesday, old Sir Ralph Ellerkar and Sir John Mylner came in, but were not sworn. At night the rioters fired the beacons at Hessele and Hunsley, and all the neighbouring towns came in next morning. On Thursday came another letter from Aske, saying he had raised all Howdenshire and Marshland, and would be at Market Weighton that night. All Holderness was up, and they had taken Sir Christopher Helyarde, Grimston of Cottingham, Clifford (whom they had hurt in the taking), and Ralph Constable; but Sir John Constable⁵⁷ and Sir John his son, Sir William Constable,⁵⁸ young Sir Ralph Ellerkar,⁵⁹ Edward Roos and Walter Clifford of Grays Inn, and others of the King's servants, were fled into Hull. Sir George Conyers and Ralph Evers had gone to Scarborough Castle.

On Friday the 13th, Robert Hotham, "servant to the Earl of Westmoreland dwelling in Yorkswould" came in, with James Constable of the Cliffe, Philip Wankelyn, and others. Leaving some "to keep the array" at Hunsley beacon, Stapilton and some other gentlemen met Aske at Weighton, to consider the messages from Lincolnshire and Hull. The Hull messengers were detained, while Nicholas Rudstun, young Metham, Stapilton, and Robert Hotham rode in haste to Hull. Arriving late, they were not admitted that night, but next morning they met the Mayor and Aldermen with John Constable and Ellerkar at the church. But the citizens refused to join.

On their return to Weighton on Saturday, they found the Holderness men waiting for them at Bishop Burton, and it was agreed to meet next day at Wyndok in the lordship of Cottingham; to concert an attack on Hull. From Sunday till Thursday the little army lay about the town. Barker and Kent with their 200 men, and the Scotsmen, lay at Hullecats, beyond the Hull river; William Stapilton and Sir Brian with the Beverley men, at Sculcoats, north of the town; next them Thomas Ellerkar and the lordship of Cottingham; and at Hull-Armitage by Humber-side,

⁵⁷ Father-in-law of Sir Brian Stapilton.

⁵⁸ Of Flamborough.

⁵⁹ Who had married another daughter of Sir J. Constable.

Ombler with his hundred men ; and Hullshire with Sir Christopher Helgarde.

The young lawyer (Stapilton) was now in command of about 9000 men, and "suffered great displeasure" by the strict discipline he maintained. It was with difficulty he saved the windmills at the Beverley gate from destruction by his own men, and some of the waterside men would have sent down lighted pitch barrels with the tide among the shipping in the harbour. There was much pilfering too, but he made a speedy example of "one sanctuary man" from Beverley, by tying him, with a rope round the middle, to the stern of a boat, and "so hauled over the water, and at several times put down with the oar over the head." After which there was no more "spoiling and picking." On Thursday Ellerkar and Sir William Constable⁶⁰ came out of Hull, to confer with Stapilton and young Marmaduke Constable⁶¹ at the Charter House, and agreed to join ; provided they were neither compelled to be sworn, nor made captains, and young Constable was allowed to steal away unnoticed. And so Hull surrendered on the 20th October.

"Certain articles of their griefs" were already in course of preparation for the Duke of Suffolk to lay before the King, when a message arrived from Aske that the Lord Steward was advancing against him. William and Sir Brian immediately set out for York with Ellerkar and Constable. The Stapiltons rode on to Wighill, where their "harness" (arms) and other things lay, for before that they had been without. "Their folks" (the Beverley men who would not leave them), lodging that night at Tadcaster. On their way they heard of the "taking" (surrender) of Pomfret Castle, and met Sir William Percy of Ryton, with Sir Nicholas Fairfax and the Abbot of St. Mary's riding post and crying, "Forward every man," for Doncaster bridge was broken down. Sir Robert Conyers, who had married Stapilton's sister, came to Wighill that night, on his way to join the muster next day on Bramham Moor, with James Strangways and the Lords Latimer and Neville, and the Bulmers and the Boweses. The Ainsty men had already been turned out by Aske, and "kept their musters" about Bilbrough and Akom. At midnight there came a messenger to Wighill from Sherborn, for all to be at Pomfret next morning. There they met five thousand men from Richmondshire and the Bishoprick, with Sir Christopher Danby and Sir Ralph Bulmer, Sir William Mallory, John Norton of Norton, young Markenfield and Ingleby, who all went to Council, to "set forth their wards." Thirty-four Peers and Knights⁶² met in Pomfret Castle hall, and the Archbishop and his Convocation in the Church. The Eastern ward was committed to Sir Thomas Percy, with whom Ellerkar, Sir William Constable, Rudston and the Captains of Holderness, and Stapilton with his Beverley men, were to muster at Went bridge on the Doncaster road ; Lord Darcy and Sir Richard Tempest and the Western men, were to take the middle ward ; and Neville, Latimer, and Lumley to keep the rearward with Aske. On their way to Doncaster on Tuesday, they met Lancaster Herald in Barnesdale, and lay that night under Hampnoll nunnery. On Wednesday they advanced to Skarsby Lees, and a conference was held with the King's men on the bridge at Doncaster. A petition was there

⁶⁰ Of Wassand. Elsewhere called "Rudstone," having married the heiress of Rudston.

⁶¹ Son of "Rudston."

⁶² Their names are given by Froude, iii. 175.

drawn up and intrusted to Sir Ralph Ellerkar and Sir Robert Bowes to carry to the King; the Duke of Norfolk on the King's side also agreeing to accompany them.⁶³

Meanwhile, Aske's army was disbanded. William Stapilton "meddled no more," but did "either hunt or chase at Wighill with other young men belonging to his brother Christofer," till he was summoned to join the Council of XII at York, to consider the terms offered by the King. He was also one of the 300 who afterwards crossed the Don with Aske to wait upon the King's Commissioner. "Bearing their pilgrims' badges," says Mr. Froude, "the five wounds of Christ crossed on their breast, they made obeisance on their knees before the Duke of Norfolk, and asked for pardon. Then throwing aside their badges, they dispersed to their homes." By the end of December, many of the gentlemen who had been out in insurrection had been in London, and Stapilton among the first. In their interview with the King they were won back to unreserved allegiance, and returned home to do him loyal service.⁶⁴

But a miserable vengeance was to follow. The towns of the North were no sooner garrisoned by Norfolk's army in the heart of Yorkshire, than the veil was thrown aside, and whole districts given up to military execution.⁶⁵ Lord Darcy of Templehurst, an old and tried soldier of the King, was executed on Tower Hill for surrendering Pomfret to the rebels. Sir Thomas Percy, Sir John Hamerton, and Sir John Bulmer were hanged at Tyburn. Lady Bulmer was burnt, Aske was hanged at York, and Sir Robert Constable (of Flamborough) was hanged at Hull.⁶⁶

William's Confession ends with his defence. He had committed no damages himself, and had prevented others. He had been offered bribes and rewards, but had refused them. He had been at the sack of monasteries, such as Ferriby and Swanland, after they had passed into the King's hands, but had taken no spoils. On one occasion only, he had "caught a pursuivant-at-arms at St. Andrew's sign at Wetherby," carrying letters to the Earl of Northumberland, and brought him back to Wighill to search him, but only opened his letters at the man's own request. At St. Mary's Abbey on All Hallow E'en (1 Nov.), and at Wressel, he had tried to bring the Earl and his brother Sir Thomas Percy to a better mind; and did his best to rescue the King's man, his brother-in-law Sir Thomas Wharton (when he was in great danger from the Commons in Westmoreland), by riding to Lord Darcy at Templehurst to get him a pass to cross into Yorkshire And so he submitted himself to the King's mercy.⁶⁷

He died in 1544. In his declining years the *quondam* Champion of the Monasteries has changed his opinions. His Will presents a marked contrast to that of his elder brother. The Reformation has made some progress, but is halting. Aggressive Protestantism has been met by the "Six Articles Act," which fenced round with extraordinary severity the chief points of the old religion assailed by the Protestants.⁶⁸ Death was made the penalty for writing or speaking against them. Cranmer's influence with the King obtained the issue of a new formulary in 1542, called "the King's Book," to be used in every diocese. It was nearly identical with the Exposition of the Creed, the Seven Sacraments, the

⁶³ Bright, ii. 407.

⁶⁴ Froude, iii. p. 176.

⁶⁵ Green, p. 338.

⁶⁶ Froude, iii. 223.

⁶⁷ Stapilton's Confession.

⁶⁸ Bright, ii. 412.

Decalogue, the Lord's Prayer and Ave Maria compiled by the Bishops at Lambeth in 1537.⁶⁹ William keeps exactly within the law, and instead of invoking the intercession of Saints in his Will, and purchasing Masses for the Dead at all the churches round, only "desires Holy Church to pray for him, as set forth in the King's Book." The Will is at Somerset House, dated 30 March, 1544, and proved the 7th May. "Of perfect mind, but sick in body," he desires to be buried wherever he may die, and leaves his son Thomas one third of his goods, to be delivered to him by his mother as soon as he is of full age. He begs Lord Wharton and Thomas Wharton, his son, and Stapilton (Sir Robert) to be "good Lord and Masters" to his wife Margaret Stapilton, who is sole executrix.

Nearly all the Yorkshire gentry had joined the Pilgrimage of Grace. The Castles of Scarborough and Skipton alone held out for the King, the one under Sir Ralph Evers, the other under the Cliffords. If Sir Thomas Wharton took any active part it was for the King. The Whartons would naturally side with the Cliffords. The manor of Wharton on the River Eden, in Westmoreland, had been theirs "beyond the date of any records extant."⁷⁰ Sir Thomas's grandfather held the manor from the Cliffords in the 31st Henry VI., and Pendragon, their great stronghold, was only three miles higher up the river.⁷¹ The arms carved in stone, with the date 1559, which still hang over the great gate, show that the Hall was built in the first Lord's time. The same Lord became possessed of Helaugh (next Wighill) after the Dissolution, Sir Arthur D'Arcy having licence to alienate the Priory of Helaugh to Sir Thomas Wharton, 1 Dec., 1540.⁷² A twelvemonth later Sir Thomas was made Governor of Carlisle and Lord Warden of the West Marches,⁷³ in which capacity, says Camden, "he gave so great a defeat to the Scots at Solway Moss, that their King soon after died of grief."⁷⁴

Henry VIII. had long been anxious for a union of the two crowns, and with this view had brought about a marriage between the young King James and one of the English Princesses. With the same object in view he had journeyed to York in 1541 with his new wife, Catherine Howard. But the Scottish King broke his promise, and avoided the meeting. In Aug., 1542, the war began, and at Halidon Rig, the Scotch captured Sir Robert Bowes, who commanded on the English frontier. The Duke of Norfolk crossed the Tweed. James called on his nobles for support, but they refused to follow him; and a second army, collected under Church influence, marched into Cumberland. Anarchy and mismanagement was the consequence. Mr. Froude tells the story of Solway Moss. One November morning (25 Nov., 1542), the Cumberland farmers found their cornstacks blazing. The garrison of Carlisle, ignorant of the enemy's numbers, dare not leave the city walls. As the day wore on, the farmers and their farm servants gathered in tens and twenties. By the afternoon Sir Thomas Wharton, Lord Dacre, and Sir William Musgrave had collected three or four hundred men, and as the evening closed in, the attacks of the English grew hotter and hotter. Before nightfall ten thousand Scots, strangers to the country, were sent blun-

⁶⁹ Mant's Introduction to the Book of Common Prayer. Le Bas' Life of Cranmer (*Theol. Lib.*), pp. 1, 208, and 242.

⁷⁰ Camden's Britannia, p. 988.

⁷¹ Murray's Guide to the Lakes, p. 115.

⁷² Rot. Pat. 32 H. VIII., ps. 2.

⁷³ *Ibid.*, 33 H. VIII.

⁷⁴ Camd. Brit., p. 870.

dering like sheep back across the border. The tide was flowing up, and the main body wandering into Solway Moss, Wharton had them at his mercy.

At dead of night a few stragglers dropped into Lochmaben. The King had not slept. He had sat still, waiting for news, and when the tidings came, they were his deathblow. The Queen was at Linlithgow expecting daily her third confinement, but James showed no desire to see her; and then on the 8th December came tidings that a Princess, afterwards known as Mary Queen of Scots, had been brought into the world. The King could not rally out of his apathy, but in a few more days moaned away his life.⁷⁵

For this and other eminent services, Sir Thomas was raised to the dignity of a baron in 1545, and received more grants of land in Cumberland and Westmoreland, York, and Durham.⁷⁶ In June, 1546, he had the wardship of young Richard Musgrave committed to him,⁷⁷ and in due course contracted him in marriage to his daughter. At the beginning of Edward the Sixth's reign (10 Sept., 1547), he again defeated the Scots at Pinkie, for which service Edward granted him augmentation of his paternal coat of arms—viz., *sable, a manch arg., a Border engrailed, Or.*, charged with "*an Orle of Leons gambes (legs)*,"⁷⁸ *erased in saltire. gu., armed azure.*⁷⁹

Sir Thomas married Eleanor Stapilton about 1519 (for his eldest son was 48 at his father's death in 1568), and had several children by her—viz., 1. Thomas, second Lord, who married Anna, daughter of the Earl of Sussex, Queen Elizabeth's General in the North, and was ancestor of the Earls and Duke of Wharton. He was Steward of the Household to Princess Mary,⁸⁰ when Lady Jane Grey was proclaimed Queen; and escorted Mary to Framlingham Castle, 2. Henry, died unmarried. 3. Joanna, married William Penyngton of Muncaster, ancestor of the present Lord Muncaster. 4. Agnes, married Sir Richard Musgrave of Harcla Castle. Eleanor dying before him, Lord Wharton took Lady Anne Talbot, only daughter of Francis Talbot, fifth Earl of Shrewsbury, and widow of Lord Bray, for the wife of his old age. He died in the tenth year of Elizabeth (23 Aug., 1568), and was buried at Helaugh, where he lies on an altar tomb between his two wives with this inscription:—

*Gens Whartona genus, dat honores dextera victrix
Tres Aquilones regni finesque guberno.
Bina mihi conjur. Stapleton juvenem Eleonora
Prole beat; lobet Anna senem, stirps clara Salopum.
Pati equites vini. Thomam Sussera propago
Anna facit patrem. Sine prole Henricus obibat.
Binae itidem natae, Penletono Joanna Gulielmo
Agnes Musgravo conjur secunda Ricardo.⁸¹*

Cristofer's eldest son Sir Brian died before him in 1537. In 1520, while he was still a minor, a papal dispensation was obtained "for Brian

⁷⁵ Froude's Hist. of England, iv. 194.

⁷⁶ Rot. Pat. 36 H. VIII., ps. 12.

⁷⁷ *Ibid.*, 38 H. VIII., ps. 7.

⁷⁸ *Camd. Brit. p.* 938.

⁷⁹ Herald and Geneal. i. 589.

⁸⁰ Miss Strickland's Queens, iii. 418.

⁸¹ Herald and Genealogist, i. 124.

Stapleton and Margery Constable to marry, though related in the third and fourth degrees."⁸² The lady was daughter of that Sir John Constable of Halsham, who was out in the rebellion with William Stapilton. Brian, who was knighted as soon as he came of age, was one of the "Petty Captains" under his uncle. He died intestate at the close of the rebellion, and old Thomas Middleton of Spofforth Park, "sometime a man of lawe,"⁸³ who had married a daughter of Sir William Plumpton, had licence from the Ecclesiastical Court at York, "to collect his goods,⁸⁴ and administer his estate. The order is dated 6 Nov., 1538.

Brian dying childless, Robert, who was considerably younger than his brother, succeeded to Wighill, and was admitted 13 Feb., 1538.⁸⁵

A letter to Henry the Eighth's faithful minister Thomas Cromwell, dated 5 Sept., 1537,⁸⁶ shows that Cristofer was deceased, and Robert his next heir was believed to be of full age. Robert was a ward of Sir Oswald Wilsthorpe of Wilsthorpe in the Ainsty, but his guardian was pressed for money, and questioned the exact age of the heir, in hopes of a longer enjoyment of the wardship. The Duke of Norfolk, who still occupied Yorkshire with a military force, writes from the Castle of Sheriff Hutton:— "Finally I have not at this present tyme any variance betwene any gentlemen in this contrey, but that I have agreed them, save only betwene Wilstrope and Stapleton for the wardshippe; wherein I shall do as ye lately wrote to me. I fear moche the said Wilstrope woll at length with busynes hurt hymself and his neighbours, and none so much as hymself, lyvvyng more like a man of £500 londe than 4 score £."⁸⁷

The Duke again writes from Newcastle, the 15th Sept., 1537:—

"I have examined upon their othes all the witness Wilstrope can bring for proving Stapleton to be withyn age, and also all that the other wold bring forth to be at his full age."⁸⁸

Forty years later Wilsthorpe has suffered for his extravagance, and their position is reversed. Sir Robert's son is "farming the manor of Welles-trop," and "exonerated from payment of the issues of two closes in that manor, lately the lands of Sir Oswald Welles-trop Knt."⁸⁹

Though Robert was a boy in 1536, and had taken no part in that Rising, we should expect to find him, when the King visited Yorkshire in August, 1541, among the "200 gentlemen of the County in velvet coats, and 4000 tall yeomen and serving men well horsed," who made their submission to His Majesty by the mouth of Sir Richard Bowes.⁹⁰ This visit was memorable for one of the most painful incidents of the reign. Leaving the Queen, Catherine Howard, at Pontefract on the 23d August, the King went to Wressel Castle and Hull, arriving in York on the 15th Sept. After a stay of eleven or twelve days, he returned as he had come *viâ* Hull and Lincolnshire, and reached Windsor on the 26th Oct.⁹¹ It was not till the 1st Nov. that he became aware of the Queen's misconduct

⁸² Test. Ebor. (*Surtrees Soc.*), 1864, p. 381.

⁸³ Plumpton Correspondence (*Camden Soc.*), Pref. p. lxxxvi.

⁸⁴ R. H. Skaife, Esq.

⁸⁵ *Licentia ingredi*, Rot. Pat. 29 H. VIII., pa. 3.

⁸⁶ State Papers, H. VIII., vol. v. p. 105.

⁸⁷ *Ibid.*

⁸⁸ *Ibid.*, p. 108.

⁸⁹ Jones' Index to Records, 18 Eliz., rot. 12.

⁹⁰ Drake's Ebor. p. 127.

⁹¹ Henry VIII.'s Progress in Yorkshire, 1541, by Rev. Joseph Hunter, F.S.A., Archæol. Inst., York volume.

at Pontefract. A True Bill was found against her by the Justices at Doncaster, on Thursday, the 24th Nov., and she was executed in December on Tower Hill. Robert Stapilton served on the Grand Jury at Doncaster with Sir William Mallory, Sir William Fairfax, Sir Peter Vavasor, William Vavasor, Esquire, Edward Saltmarsh, Esquire and others.⁹²

Towards the end of the reign he married Elizabeth, the daughter of Sir William Mallory, of Studley Royal, his colleague on the grand jury. Their eldest child was born in 1547. It was an unhappy marriage, as might have been expected. The Mallorys were devoted Catholics. It is said of old Sir William, that when officers were sent to put down the Catholic service, he stood at the church door, and resisted them for several days.⁹³ Another daughter, Lady Ingleby, was also a Catholic.⁹⁴ They are mentioned in Sir Thomas Gargrave's list as Catholics, in 1572.⁹⁵ Stapilton was brought up in that faith, but he was a Protestant long before his death. How soon we cannot say—"The Truth stole into men's minds they knew not how."⁹⁶ A parallel case is recorded in the Verney Papers.⁹⁷ Lady Bray, who became Lord Wharton's second wife,⁹⁸ was separated from her first lord on account of religious differences. Her father, the Earl of Shrewsbury, was a staunch opponent of the Reformation, while Lord Bray entered with all the warmth and impetuosity of youth into the new religion. Two pardons in the first year of Edward VI., granted at the instance of the Protestant Protector Somerset, seem to show that Stapilton had suffered forfeiture or fine in the previous reign on account of his religion. The first runs as follows:—"The King to all, &c. Know all men that by the advice of our dear uncle Edward, Duke of Somerset, Lord Protector of the kingdom, and others of Our Council, We have pardoned and forgiven (*perdonavimus, remisimus, et relaxavimus*), Robert Stapleton, *late* of Wyghthill, in co. Ebor, knight, and Robert Haldynby, *late* of Haldynby, in co. Ebor, esquire, otherwise called Thomas Haldenby and Robert Stapleton, esquires, lords of Swanland, or by whatever other names they may be known, all fines and forfeitures (*exitus, fines, et amerciamenta*) incurred before the 28th Jan., 1547 (the young king's accession), except such as have been already paid into the Exchequer. Given at Westminster, 26 Jan., 1548."⁹⁹

This pardon is in the usual form; but it is remarkable that there are two Patents, dated the same day, and only differing in the omission of the word "*nuper*" in the second. The first may have been a particular pardon to Robert Stapleton knight, *late* of Wighill, the second a general pardon after Wighill had been restored to him. The forfeiture, if such it was, was incurred about the last year of Henry VIII., when there was a constant struggle between the Howards and Hertford (Somerset), representing the old religion and the new, to poison the king's mind against their opponents. Sir W. Vavasour mentions "Mr. Stapleton, of Wighill and Asedecke," among his neighbours in 1546,¹⁰⁰ and the king granted him a toft and a croft at Esedyke in 1543.¹ At any rate, Sir Robert

⁹² *Ibid.*

⁹³ Troubles of our Catholic Forefathers, by Rev. J. Morris, p. 227.

⁹⁴ *Ibid.*, p. 228.

⁹⁵ Chapters of Yorkshire History, by J. J. Cartwright.

⁹⁶ Froude, iv. p. 481.

⁹⁷ Ed. Bruce (*Camden Soc.*), p. 52.

⁹⁸ *Supra*.

⁹⁹ Rot. Pat. 1 E. VI., ps. 5, m. 20 and 21.

¹⁰⁰ Lansdowne MS. 900.

¹ Calend. Rot. Pat. 35 H. VIII. ps. 18.

has returned to Wighill by the 28th Feb., 1548, for the musters of the City and Ainsty were taken before him.² Swanland was a small estate overlooking the Humber, which had come from the Ufflets by marriage, but the connection between Stapilton and Haldenby is not so easily explained. In 1567 young Robert Stapilton, "the king's ward," and Francis Hawldenbye, Esquire, were held jointly liable for the repair of a sluice near Hull.³

As long as Somerset lived, the Reformation was pushed forward, even with destructive violence. Images of saints were pulled down in the churches, and pictures and windows alike forbidden. An old black-letter Bible of this date (1549), "dedicated to the King by the editor, Edmund Becke," has long been an heirloom in the family. Whether it was Sir Robert's or not, the date at least records the first dawn of the Reformation at Wighill.

With Queen Mary's accession there came another change. Latin Prymers and Litanies of Our Lady once more took the place of the Bible. But Sir Robert holds fast to the new religion. York was far from the metropolis, and Mary's Archbishop, Nicholas Heath, was a man "of greater integrity than cruel to persecute others."⁴ Stapleton's will is unmistakably Protestant, though made in the last year of Mary's reign, when the Protestant persecution was in full swing. We find no more invocation of saints, no masses for his soul, no bequests to the Church, not even "forgotten tythes" to the vicar. It is dated the 6th June, 1557, the very day of his death,⁵ and proved the 21st July. Under the designation of "Robert Stapleton, of Wighill, knight," he begins:—"I bequeth my Soull to God Almighty and only Redemer, my body to be buried at the next parish church where it shall please God to call me to his mercye, and for all my funerall expenses I will it be at the discrecion of my executors, to be taken of my holl goodes."⁶

Three children were the issue of his marriage:—

1. Robert, aged 9, who built the Elizabethan house at Wighill.
2. Elizabeth, under 6 at her father's death, married Brian Hammond, of Scarthingwell.
3. Bridget, married John Norton, son of Francis Norton, of Balderslie.⁷ She married, 2dly, Anthony Maude.⁸

There is no mention whatever of Robert in the will, but his daughters are specially provided for:—

"— Item, I will and bequeath to Brygett my daughter four hundred pounes of English money, to be taken in maner and forme following, that is to say cc^{li} of my goods and cc^{li} of my landes, and if my goodes will not extend thereto, then the residewe to be taken of my landes; and I will that my brother (in law) Sr William Yngilby knight shall have the custody and bringing up of my said daughter Briget, and the same somme

² Calendar of State Papers, Domestic, Edw. VI., vol. iii. p. 6.

³ *Ibid.*, Elizabeth, vol. xliii. p. 296.

⁴ Drake, p. 453.

⁵ Coll. Inq. p. mort. T. Cole, Harl. MS. 757.

⁶ Will in York Registry.

⁷ Sharpe's Memorials, 277.

⁸ R. H. Skaife, Esq.

of ceceli to be in the custody of the said Sr William Yngilby and my brother (in law) Mallorie."

A similar provision is made for Elizabeth. Ingilby is sole guardian to Bridget, and Sir George Bowes, of Cowton, is appointed sole guardian and trustee for Elizabeth. But where is the widow? Her children are of an age to need all a mother's care, but she is not to have them. A century later (1691), Catholics were forbidden to have the guardianship of children, whether Catholic or Protestant,⁹ but they lay under no such disability in Queen Mary's time. Sir Robert leaves her no more than she is legally entitled to :—

" — Item, I will that Dame Elizabeth my wyf have lands and tenements of the clere yerely valewe of fifty pounds for the term of her lif, in recompense and consideration of all her feoffaments and dower."

She is said to have afterwards married Marmaduke Slingsby, probably a Roman Catholic, as most of that family were. She was living in 1580, and at that time had temporary charge of her son's children in York, during his absence in London.¹⁰

If Sir Robert's design was to ensure his daughters being brought up Protestants, it was signally frustrated in the case of one of them. Bridget married John Norton, the eldest grandson and heir of old Richard Norton, of Norton Conyers, one of the leaders in the "Earls' rebellion" in 1569, and a lineal descendant of the Chief Justice in Henry the Fourth's reign.¹¹

The Nortons' "Ancyent" (ensign) had the crosse,
And the five wounds our Lord did bear.¹²

The Earls of Westmoreland and Northumberland were at the head of this rising. Their object was to restore the Catholic religion, and to place Mary Queen of Scots, lately removed from Bolton Castle to Tutbury, on the throne of England. Mustering at Durham, they burnt the Bible and celebrated Mass in the Cathedral, and then marched across Yorkshire to Tadcaster and Clifford Moor. Wighill was in considerable danger, and the young master away in York making preparations for the defence of the city. Their intention was to have attacked York, but not meeting with the support they expected, they fell back on Barnard Castle, where Bowes held out for eleven days, and then joined the Earl of Sussex at Sessay. The rebellion was suppressed with little bloodshed, but it was followed by numerous executions. Between Newcastle and Wetherby there was hardly a village where some of the inhabitants were not put to death by martial law.

Of Norton's nine sons, "eight of them spake hastily."¹³ Francis, the eldest, the father of John, alone tried to dissuade his father, but failing, became as active as any of them in rebellion.¹⁴ He fled to Flanders, as his father and some of his brothers did, and was living in Antwerp in

⁹ Chambers's Encyclop. *tit.* Emancipation.

¹⁰ Letter of Bernard Mawde. Cal. of State Papers, Domestic, vol. cxliv., p. 691.

¹¹ *Supra.*

¹² Old Ballad, Percy Reliques.

¹³ *Ibid.*

¹⁴ Northumberland's Confession. Sharpe's Memorials of the Rebellion.

1572. John and his wife, Bridget Stapilton (she was not yet 19), suffered for his father's imprudence. Lady Stapilton writes to Sir George Bowes (4 Feb., 1570), entreating his assistance to go to London "about the business of her daughter Norton," which she "was unable to do from lacke of money."¹⁵ The estate of Norton Conyers was confiscated, but John is said to have lived and died in peace in Yorkshire. In 1571 the Queen gave him a lease of a meadow and water-mill on the Yore, adjoining Norton Conyers.¹⁶

Bowes and Mallory had both been out in the Pilgrimage of Grace in 1536. But Bowes was now in command of a division of the royal army, and Ingleby and Mallory are recommended by the Earl of Sussex, "for having served the Queen truly and chargeably from the first suspicion of the rebellion."¹⁷ They were all related. Stapilton and Bowes had both married sisters of Mallory. Bowes had been contracted to Dorothy Mallory when she was only seven years old,¹⁸ to marry when he was fourteen, but at this time (1569) he was married to a second wife, daughter of Sir John Talbot, cousin of the Earl of Shrewsbury. Bowes and Stapilton were doubly connected; Bowes's father having married a daughter of Roger Aske, brother of Cristofer Stapilton's first wife, whose custody and marriage he had purchased from her grandfather, William Aske, in the 8th Henry VIII.¹⁹

Soon after the dissolution of the monasteries, Stapilton obtained the presentation of the Rectory of Wighill. It had previously belonged to the Priory of Helaugh Park.²⁰ In 1536 Robert Riche, Chancellor of the Court of Augmentations, was charged with trafficking in lands, the parsonage of Wighill having been "letton to Babworth of the North for xx^{li}."²¹ The grant of the rectory to Stapilton dates from 1544, for in 1554 "Sir Robert Stapleton, knight, was exonerated from the payment of 100s. for his arrears for the rectory, at 10s. a year."²² The rectory and tithes continued in possession of the family till near the end of the last century.

Robert Stapilton, "the Queen's Ward,"²³ only son of the last Sir Robert, was admitted²⁴ to his estate 25 May, 1568, as soon as he came of age; and at the breaking out of the Earls' Rebellion in 1569, the Earl of Sussex gave him a command in York. The Corporation records abound in curious notices of the means taken for putting the city in a state of defence. On the 13th Nov. the keels and boats are ordered to be drawn within the city, and the "fery-bot" to be sunk or kept in use, as may be deemed best. The wardens are "to raise a comon daywork in bearing of stones to the citie walls for defensa." The Lord Lieutenant orders a levy of all the Queen's subjects within the Ainsty, as well horsemen as footmen. The wardens are directed to bring all the "sties or ladders" from the suburbs into the city. The inhabitants are to keep within the city "this troblesome tyme," and his honour (the Lord Mayor)

¹⁵ Sharpe's Memorials, p. 279. Letter in Bowes' MS. xlii. p. 40.

¹⁶ Calend. Rot. Pat. 13 Eliz. ps. 9, p. 283 in Index, and p. 212.

¹⁷ Sharpe's Memorials.

¹⁸ *Ibid.*, p. 372.

¹⁹ *Ibid.*, p. 371.

²⁰ Drake's Ebor. p. 392.

²¹ Nichols' Top. and Genealogist, 2nd series, ii. p. 286.

²² Jones' Index to Records, 1 and 2 Ph. and Mary.

²³ Cal. of State Papers, Dom., 31 July, 1567.

²⁴ *Licentia ingredi*, Rot. Pat. 10 Eliz., ps 10.

is "to name the captain of the city soldiers, namely Mr. Robert Stapleton, Esquire." On the 21st, earth or stone is to be raised against the posterns, and four shillings allowed for watching the "great gonnies" remaining the last night "upon Ouse." The wardens are to "foresee by their good policies" that no wheat, malt, nor victual be wanting. Lights are to be placed in the windows, and "whensoever any alarme shall happen within the citie, no manner of men women na children shall make any showtinge, crying, or noyse, but to keep sylens." The old "gonnies and ordenance" are to be mended. On the 22nd Nov. Mr. John Ingleby is appointed "capitayn of the citie levy of 100 men," and a general muster is ordered for the 24th.²⁵

There was a great unwillingness among the Yorkshire gentry to serve against the Earls. Many brought as few horsemen as they could, or the footmen were detained by the weather. When the rebels were before Barnard Castle, and frequent requisitions were made for bows and arrows, and harquebus²⁶ men, Sir Robert Sadler wrote to Cecil, "My Lo. of Cumberland, my Lo. Scrope, my Lo. Wharton (the second Lord) do lye still and do nothing, as far as I can here."²⁷ The family at Carlton were Catholic, and Brian Stapleton (Sir Richard's eldest son), having married a daughter of the Earl of Westmoreland, would naturally be amongst the

Seven hundred knights, retainers all
Of Neville, at their master's call
Had sate together in Raby Hall.²⁸

A List of the principal gentry in Yorkshire, in Sir Thomas Gargrave's handwriting, about 1574,²⁹ shows how families were at that time divided in religion. The marks prefixed to their names in his list mean, ". Protestant; *w. p.* the worste sort; *m. p.* meane or less evyll; *d.* doubtful or newtor."

- m. p.*—Sir Richard Stapleton of Carlton [who was one of the "Carpet Knights" made at the accession of Queen Mary.³⁰
- w. p.*—Brian Stapleton his son [who as "Brian Stapleton of Altoftes," near Normanton, which he had with his 3^d wife, is again marked as a Recusant with his two daughters, in the first year of King James (1604).³¹
- d.*—Lord Darcy, father of Brian's 2^d wife.
- .—Sir Robert Stapleton of Wighill.
- m. p.*—Sir Marmaduke Constable of Everingham, his father-in-law.
- m. p.*—Sir William Mallory.
- d.*—Sir William Ingleby, and
- d.*—John Ingleby, his son.
- d.*—William Hammond of Scarthingwell.

The laws against Recusants for non-attendance at public worship were very severe. Catholics were not only forbidden to use the rites of their

²⁵ Memorials of the Rebellion, by Sir Cuthbert Sharpe, p. 76 n.

²⁶ Hand-guns.

²⁷ Sharpe, p. 88.

²⁸ White Doe of Rylstone, Canto ii.

²⁹ Chapters of Yorkshire History, by

J. J. Cartwright, pp. 66—72.

³⁰ Strype's Memorials, vol. iii. pt. 2, p. 182.

³¹ Criminal Trials, by E. Peacock (*Lib. Ent. Knowl.*), vol. ii. pp. 8 and 9.

own church, but were required to attend the Protestant services under a penalty of £20 a month.³² Many had left the country and taken refuge at Douai, or in the Low Countries, and afterwards returning to England carried on their priestly work in the guise of laymen. Several of them were apprehended in 1581, and examined under torture. One of the most active and the most learned of these "Seminary" Priests, was Dr. Thomas Stapleton of Henfield, Sussex, grandson of Sir Richard above-mentioned. He had been a Prebend of Chichester in Queen Mary's reign, and became a noted controversialist. He died 12 Oct., 1598,³³ and is buried in St. Peter's church, Louvain, with a quaint effigy and a long epitaph.³⁴

Two years after the defence of York, Sir Robert Stapilton represented the county in Parliament (1571), and married Catherine, daughter of Sir Marmaduke Constable of Everingham, by a daughter of Christopher, Lord Conyers, of Hornby Castle.³⁵ She died early, after giving birth to three children. He was knighted 8 April, 1573,³⁶ and the Queen made up a second marriage for her favourite in 1579, though circumstances which we are about to relate postponed it for several years. She writes to Mrs. Talbot, a rich Wiltshire widow, 22 Jan., 1579 :

"DEAR AND WELLBELOVED,—We greet you well.—Upon knowledge of an earnest and great affection that Our trusty and well-beloved Sir Robert Stapleton, knight, beareth for you, tending to a godly purpose of matching you in marriage, We have been pleased by Our special letters to commend his suit unto you to that end," &c., &c.³⁷

In Dec., 1580, the knight is at London, "at the syne of the read Dragon in Goldsmythe Row," Cheapside, his children being left in charge of his mother at York.³⁸ During his widowerhood he had commenced building a new house at Wighill, "a Palace," Sir John Harrington³⁹ calls it, "the model whereof he had brought out of Italy.....fitter for a lord treasurer of England than a knight of Yorkshire." Long lines of windows stretched over the front, and Italian refinement doubtless modelled the interior.⁴⁰ Part of the present house at Carlton bears the same characteristics, though the date of Carlton is said to be some years later (1614).⁴¹ The great dining room at Gilling Castle with its three fine windows filled with the shields of the Fairfaxes, Stapletons, and Constables, bears date 1585.⁴²

Hitherto Sir Robert had enjoyed almost unmixed prosperity. He was handsome and accomplished, and a favourite with royalty. A long minority and a Queen who spared the purses of her subjects by contenting

³² Jardine's Criminal Trials. (*Lib. Ent. Know.*) Green, p. 402.

³³ So stated on a print from Sir John St. Aubyn's collection.

³⁴ Letter of Rev. J. Morris, of the Soc. of Jesus, 1881.

³⁵ Glover's Visit., 1589. Harl. MS., 6070, p. 202.

³⁶ Ashm. MSS. in Bodleian Lib., 640, fo. 549.

³⁷ Nichols' Progresses of Q. Eliz., ii.

p. 628.

³⁸ Letter of Bernard Mawde. Cal. of State Papers, Dom., vol. cxliv. p. 691.

³⁹ Sir John Harrington's Book of Bishops; "A briefe View of the State of the Church of England in Queen Elizabeth's reign. Written for the private use of Prince Henry. Lond. 1653."

⁴⁰ Green, p. 389.

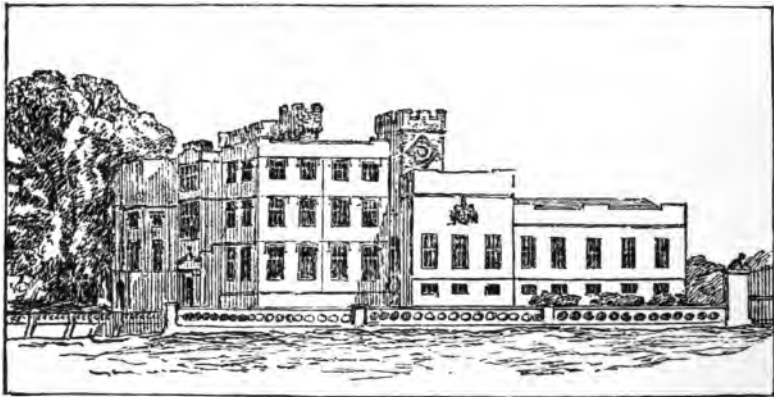
⁴¹ Six-inch Ordnance Map.

⁴² Murray's Yorkshire, p. 220.



THE SEMINARY PRIEST.

[To face p. 36, Part II.]



CARLTON TOWERS, 1879.

[To face p. 37, Part II.]

herself with the ordinary resources of the Crown,⁴³ had greatly benefited the estate at Wighill. His father had died seised of a large estate in land besides, at Farlington and Clifford, and 700 acres of land and a tract of moor at Hanley (? Honley Chapel), as of the Honor of Pontefract, with a water mill and three fulling mills there (*molend. fullonic.*)⁴⁴ He was



THE HOUSE AT WIGHILL IN 1790.

hardly thirty yet, but had seen the world, abroad and at Court. Camden,⁴⁵ tells us, "For a person well spoken, comely, and skilled in the languages he is said to have scarce an equal (except Sir Philip Sidney), and no superior, in England." A tour in Europe was part of the education of a gentleman. The dress, the speech, the manners, of Italy especially, were necessary to the success of a young man about the Court.⁴⁶ The influence of Italy is evident in the new house at Wighill. He was a justice of the peace, and as High Sheriff of his county in 1581, had lately entertained the judges with great magnificence, having "met them with seven score men in suitable liveries."⁴⁷ He was also one of the High Commissioners for matters ecclesiastical, when there occurred an incident which embittered the remainder of his life. Strype, though writing near a century after the event, in his anxiety to "retrieve"⁴⁸ the memory of the first Archbishop of the Reformation, has done great injustice to the Knight and little good to the Archbishop.

Edwin Sandys, Master of Catherine Hall, Cambridge, had been put in prison by Queen Mary for a sermon he preached in defence of Lady Jane Grey. Elizabeth made him Bishop of Worcester, and afterwards of London, and finally translated him to York.⁴⁹ There had been an old quarrel in 1578, when Sir William Mallory and Stapilton were sent down

⁴³ Green, p. 388.

⁴⁴ Inq. p. m. 3 and 4 Ph. et M. par. 2, no. 85.

⁴⁵ Britannia, p. 869.

⁴⁶ Green, p. 392.

⁴⁷ Camd. Brit., p. 869.

⁴⁸ Strype's Annals of the Reformation, iii. 157.

⁴⁹ Drake's Ebor. p. 455.

to Durham with the Lord President of the north the Earl of Huntingdon, and the Bishops of Durham and Carlisle, to investigate certain complaints alleged against the Dean by the Archbishop.⁶⁰ The Archbishop had subsequently visited Sir Robert at his new house, in no very good humour; ⁶¹ and on the 10th May, 1582, they met unexpectedly at the Bull Inn at Doncaster, kept by one Sysson and his wife. Stapilton was on his way to London accompanied by Mr. Francis Mallory and three or four servants, and the Archbishop was returning to York.

Sir Robert having offered his services in London, his Grace not only "refused his friendly offer," but also "did fall out into very ill words" with him, "suggesting divers untrue matters against him." Sir Robert told the company at supper (the innkeeper and his wife being present) of the great wrong the Archbishop had done him, upon which Sysson took him aside into a window after supper, and showed him how he "might be even with him," for his Grace had actually solicited his wife. Stapilton retired to his chamber, but about midnight Sysson raised the house. Sir Robert was sent for, and took the Archbishop's part, turning them all out of the room, and enjoining silence. At 4 o'clock next morning the Archbishop sent for him and gave him "£50 in gowld" for Sysson, to make him hold his tongue, "and willed Sir Robert to offer more." The Knight prayed him to "use his discrecion with Sysson," and so departed, the Archbishop towards York, and Sir Robert to London.⁶² About Lammas (1 Aug.) the Archbishop sent for him again. A violent scene had occurred in the garden at Bishopsthorpe between the innkeeper and the Archbishop; Sysson demanding £800. Sir Robert again advised his Grace, "not to put down any composition or sum of money." Sysson at last accepted £500. The Archbishop offered Stapilton "£200, and a lease worth £1500, and the loan of much money. But all this Sir Robert refused."⁶³

Hitherto Stapilton had been regarded by the Archbishop as his friend, but by November the story has got about, and his Grace is like to be deprived. He writes to the Lord Treasurer Burleigh from Southwell, 24 Nov., 1582, that the Queen "has earnestly required him" to grant her a lease of two of his best manors in Notts,⁶⁴—Southwell and Scrooby—at a low rent. He "had purposed answering it in person," but after three days' journey fell so weak and sick he could travel no further.⁶⁵ The Archbishop, who cared more about providing for his six ⁶⁶ sons by living about in obscure manor houses than keeping state at York,⁶⁷ professed he would rather resign his See, than submit to the loss of two of its richest possessions. In a subsequent letter to Burleigh ⁶⁸ (6 Jan., 1583), he avers he is "most innocent from all criminal fact, his only fault that he concealed the thing so long." By this time it is evident Southwell and Scrooby were intended for the Knight, for on the 19th Jan., the Archbishop writes, Sir Robert had "visited him as he lay sick in his bed," and "with vain and proud speeches wonderfully molested

⁶⁰ Strype's Annals, iv. p. 169.

⁶¹ Sir John Harrington.

⁶² State Papers, Domestic, Feb. 1583, nos. 82 and 83.

⁶³ *Ibid.*

⁶⁴ *Ibid.* Abp. to Burleigh, 24 Nov., 1581, and 19 Jan., 1582.

⁶⁵ *Ibid.*

⁶⁶ Chapters of Yorksh. Hist., by J. J. Cartwright, p. 136.

⁶⁷ See his own admission in his letter to Burleigh. Strype's Annals, vii. 597.

⁶⁸ Lansd. MS. no. 37, fo. 13. Printed in Strype.

him."⁵⁹ Instances were not uncommon in those days, when forfeiture of an estate was likely to occur, for the friends of the accused to ask for it for themselves. No particular discredit seems to have attached to such a petition. When Sir John Reresby was supposed to have killed his Moorish servant, he discovers that one of his own family had applied to the King for his estate, and Reresby himself applied for Lord Eglinton's, when his Lordship ran the Doncaster postmaster though the body.⁶⁰

But so grave a charge against one of the great props of the Reformation must be hushed up, and Sir Christopher Hatton persuaded the Queen to take it up.⁶¹ Interrogatories were administered to Stapilton, insinuating the basest accusations. They are still extant,⁶² but the answers of the accused have unfortunately been lost or destroyed. A Commission was sent down, "of which," Strype candidly admits,⁶³ "the Archbishop seems to be the chief instrument." The Commissioners even complained to Burleigh, that though they had taken the examinations of Mr. Mallory and Sysson's wife, "with as much integrity as they could for bolting out the truth," they had been "requested by the Archbishop to omit in their certificate whatever might touch his Grace's credit, as had been done in the examination of Sir Robert Stapleton."⁶⁴

Bent upon crushing his enemy, the Archbishop presses for public punishment.⁶⁵ "It is the Knight which should in right bear the great burden. His sacrifice must make the satisfaction. . . . It is thought most convenient the cause should receive judgment in the Star Chamber," adding with bitter irony, "a court of great equity, and void of all suspicion of partiality." The parties are accordingly brought before the Star Chamber about July (1583). The notes of the Commissioners are still extant.⁶⁶ Sentence is passed by Sir Walter Mildmay, Chancellor of the Exchequer; Sir Christopher Hatton, Lord Burleigh, Lord Hunsdon, the Bishop of London, Lord Leicester, and Lord Arundel being also present.

— Stapleton is ordered to pay a fine of £300, and to be imprisoned for three years or longer, at Her Majesty's pleasure.

— Scisson is "to have but his ears nayled," and to pay £500.

— Maude, a discharged servant of the Archbishop, is to stand in the pillory, "without nayling," and to pay £300.

— Alexander the Scot, Scisson's servant, is to have his ears cut off, and pay £500.

— And all are to go down to York Assizes and there make a public confession and apology, making restitution to the Bishop of all they had gotten of him—viz., £700.⁶⁷ Stapilton's apology⁶⁸ to be read in Court was evidently written for him. After it was read, the Archbishop publicly forgave them all,⁶⁹ and requested the judge to spare Maude the pillory and the Scot his ears; but he wrote privately to Burleigh:—

⁵⁹ Abp. to Burleigh, Lansd. MS. no. 37, fo. 15.

⁶⁰ Reresby's Memoirs, ed. Cartwright, p. 202.

⁶¹ Leicester to Burleigh, 28 Feb., 1583. Lansd. MS. 37. Printed in Strype, iii. 104.

⁶² Printed in Strype, vi 218.

⁶³ *Ibid.* iii. 151.

⁶⁴ Calendar of State Papers, Domestic, 16 Mar., 1583, York.

⁶⁵ Abp. to Burleigh, 23 Mar., 1583.

⁶⁶ Lansd. MS., no. 37, fo. 52.

⁶⁷ *Ibid.*

⁶⁸ Strype's Annals, Appendix.

⁶⁹ *Ibid.* iii. p. 473.

"More proud, impenitent, scornful men, never came in public place to ask forgiveness. . . . The case had stood far better with him if they had not come down at all. . . . The Knight came to the Bar in great bravery with proud looks and disdainful countenance and gesture, having a great white riband in baudrick sort (*i.e.* across his shoulders like a scarf), cast upon a black satin doublet. He read his confession with so low a voice and so running, as one reading a letter as fast as he could; . . . and when he had made an end he said this, 'Now I have read it verbatim, and fulfilled Her Majesty's commandment.'" ⁷⁰

This ill-advised behaviour brought Sir Robert into fresh trouble. He was committed to close prison in the Tower, and remained there or in the Fleet during part of 1583 and 1584. In Dec., 1583, he complains that his health is suffering in the Tower, "with long restraint, in prisons close and unwholesome," ⁷¹ and craves "liberty of this house." Prisoners who were committed to "safe" custody as opposed to "close" had their "day-rules," which enabled them to see their friends, or even to go for a day into the country. In May, 1584, he writes from the Fleet Prison, ⁷² again craving release from confinement; on which the Lord Treasurer recommends the Archbishop to apply to the Queen for his release, "whose longer continuance in prison would be attributed to motives of personal revenge." ⁷³

In reviewing this long and painful case, we must entirely acquit Sir Robert of the grave charge brought against him by Strype, ⁷⁴ of contriving such a scandal for the sake of gain. The Archbishop had no one to blame but himself for the commencement, even if we look no further than his foolish offer to bribe Sysson, a course which was sure to make the man increase his demands. The only account we have of the beginning is contained in the two letters already referred to, ⁷⁵ for the Bishop's story is not heard of till it is insinuated in the "interrogatories." One of these letters is certainly written by Stapilton. The second is by some one who was present. For the first six months, the Archbishop pretends that Sir Robert is his friend, and he seeks his advice. It had been better for him if he had taken it. The subsequent attempt to extort the leases must be judged by the custom of the time rather than by the higher standard of morality of the present day. The President of the Court of Star Chamber is himself the best witness to character. Since the occurrence, Mildmay had written to Sir Christopher Hatton, "He (Stapilton) is a gentleman whom I have and do love, and like as well as any in the North parties . . . and therefore seeing that Mrs. T. is a woman very likely to marry again, I could wish her rather to light in the hands of my good friend." ⁷⁶ Burleigh, another of his judges, with full knowledge of the charge made by the Archbishop, calls him "a man of good service to his country, and never to my understanding touched with any

⁷⁰ Abp. to Burleigh, 2 Aug., 1583. Printed in Strype, iii. p. 156.

⁷¹ Stapleton to Burleigh, 24 Dec. Strype, Appendix, iii., xxi.

⁷² Stapleton to Burleigh. Printed in Strype.

⁷³ Cal. of State Papers. Domestic, Eliz., vol. clxx. p. 178. Strype's Annals,

iii. pt. i. p. 158.

⁷⁴ Annals, iii. p. 142.

⁷⁵ *Supra*. State Papers, Feb., 1583, nos. 82 and 83.

⁷⁶ Mildmay to Hatton, 13 June, 1582. Life and Times of Sir C. Hatton, ed. Sir H. Nicolas, p. 251. Lands. MSS., 36, Art. 38.

dishonest action."⁷⁷ Only a few days before, Hatton had written to Burleigh from Richmond, by command of the Queen, that "no further favour would as yet be shown in accommodating Stapleton's cause with Mrs. Talbot."⁷⁸ Sir Robert was to have had "£1200 by year for thirteen years with her."⁷⁹ Her father, Sir Henry Sherington of Lacock Abbey, had been knighted when the Queen was there in 1574. Her sister Grace married Sir Anthony Mildmay of Apeltorp, Northants, a son of the Chancellor, but dying without issue, the whole inheritance eventually came to Mrs. Talbot⁸⁰ and her children by her first husband, John Talbot of Salwarp, co. Worcester. He left three sons, who became the heads of three families—viz., Sherington Talbot, ancestor of the present Earl of Shrewsbury; John, from whom the Talbots of Badgworth and Okely are descended; and Thomas, progenitor of the Talbots of Worvill.⁸¹

The lady remained constant through all their troubles. Sir Robert could not have been detained "in close prison" after Burleigh's letter to the Archbishop.⁸² He must have been at least allowed the "Liberties" of the Tower, and there probably they were privately married. We know he settled Easdike about this time on William Constable and another, as trustees for Mrs. Talbot, for in 1588 he paid a fine of £5, for having done it without the Queen's licence.⁸³ Their eldest child was born at Easter, 1585,—“Mary, daughter of Sir Robert Stapleton,”—baptized on the 5th April at Stepney Church.⁸⁴ Another child was baptized at Chelsea, 10th July, 1587,⁸⁵ “Ursula fil Dni Rob. Stapleton mil.” Sir John Harington⁸⁶ briefly sums up the sequel:—“The Knight lived to have part of his fine released by His Majesty (King James') clemency, but yet he tossed up and down all his life, and from Wilts to Wales, and thence to the Isle of Man, awhile to Chelsey, but little to Yorkshire, where his stay should have been.” The Archbishop holds the name in detestation to the last. On the 27th Sept., 1587, he writes to Burleigh:—

“B.S., i.e., Brian Stapleton [of Carlton]. The man is noted to be a great Papist, and so is his eldest son. He maketh small abode in this country (Yorkshire). He liveth at London, and *keepeth company with Sir Robert Stapleton.*”⁸⁷

Probably he never occupied the great house at Wighill which had cost him so much trouble, but settled it on his eldest son Henry, at his marriage in 1599. It is recited in the Inquisition taken at his death, that “Being seised of the manor and park of Wighill, with a windmill, and certain messuages and lands there; as also the Rectory and Tithes, and a tenement called Follifoot,” he made them over “by fine and other sufficient assurances in law,” to the use of Henry Stapilton and his wife Mary, and their heirs male. In default of issue to revert to his own right heirs.⁸⁸ And by the same process of law he conveyed “the house

⁷⁷ Burleigh to Hatton, 28 Feb., 1583. Addl. MSS., 15, 89, fo. 61. Sir H. Nicolas' *Life of Hatton*.

⁷⁸ Burleigh to Hatton, 24 Feb., 1583.

⁷⁹ Hatton to Burleigh, State Papers, 1583. Printed in *Life of Sir C. Hatton*, p. 316.

⁸⁰ *Annals of Lacock Abbey*, by W. L. Bowles.

⁸¹ *Collins' Peerage*, ii. p. 26.

⁸² *Supra*.

⁸³ Rot. Pat. 30 Eliz., pa. 11, p. 18 of Index.

⁸⁴ Stepney Registers. Lysons' *Environ of London*, iii. 460.

⁸⁵ Chelsea Registers. Lysons, ii. 118.

⁸⁶ *Book of Bishops*.

⁸⁷ *Strype's Annals*, vi. p. 465.

⁸⁸ Inq. p. m., 5 Jac. York Corporation Records.

and grange at Easdyke" to the use of himself and his wife (Mrs. Talbot), for their joint lives and the survivor's, and after their death to the use of his eldest son Henry and his heirs male.⁸⁹ The ladies in both cases enjoyed a very long occupation.

The house at Easdyke is very distinctly traceable among the grass mounds in "Hillsfield." It occupied a strong position between the woods of Helaugh Priory and a bend of the river Wharfe, well chosen to guard the road between Wighill and Tadcaster against cattle lifters and border forays. A pele-tower or keep evidently capped the highest



PLAN OF EASDYKE.

point,—perhaps another stronghold of the Hagets and Turets. In front of the tower, and rather below it, on the side facing the river are traces of a considerable house, doubtless the "house and grange" here mentioned, though the remains are now all covered with turf.

Sir Robert "of Easdyke," as he is called in the Inquisition taken after his death, died in 1606, and was buried at Wighill on the 3rd October.⁹⁰ His will is not to be found, but a "Caveat" was entered on the 18th Oct. by his widow and his eldest son Henry, to stop the grant of probate.⁹¹ His widow was living at Easdyke in 1607, when the Inquest was taken, and she had also Lacock, for "Lacock Abbey, my Lady Stapelton's," was one of the last resting-places of James the First's great minister, Robert

⁸⁹ *Ibid.*

⁹⁰ Transcripts of Parish Registers in the Registry at York. The Inq. p. m.

states that he died 30 Dec., 1606.

⁹¹ A book in the Registry labelled "Ainsty Wills."

Cecil, Earl of Salisbury, on his journey from Bath, before he swooned in his litter and died, at Marlborough⁹² (24th May, 1612). She was still living in 1634, for among the payments by Lord Camoys' steward there is the following entry :—" At Bath, to the Fiddlers, 5s. To Sir Francis Popham's coachman, 10s. My Lady Stapleton's man that brought the beer, 2s. At Reading, the poor that had their houses burnt, 2s."⁹³

Sir Robert had issue, by his first marriage :—

1. Henry Stapilton, of Wighill.
2. Philip Stapilton, of Bilton, (next Wighill), gent. who died intestate. Administration granted 27 Jan., 1619. His wife Dorothy, and a daughter of the same name survived him.
3. Jane, married Christopher Wyvill, who died before his father, eldest son of Sir Marmaduke Wyvill of Constable Burton, the first baronet. She was living with her mother-in-law, Lady Anne Wyvill, at Massam in 1604, a Catholic.⁹⁴

By his second marriage he had :—

1. Bryan Stapylton, who purchased Myton.
2. Robert, presented to the Rectory of Lacock in 1616, by his mother, " Dame Oliva Sherington."⁹⁵
3. Edward, Reader of the Inner Temple in 1621, where his arms are to be seen on the panelling in the new hall.
4. William.
5. Mary, the eldest, baptized at Stepney.
6. Olive, married at Chelsea, 25 June, 1605, Sir Robert Dinely of Bramhope, near Leeds.
7. Ursula, married Sir Robert Baynard of Lackham, in the parish of Lacock, Wilts.
8. Grace.

⁹² Collins' Peerage, iii. 145.

⁹³ Calendar of State Papers, 19 Mar. 1635.

⁹⁴ List of Roman Catholics in York-

shire (E. Peacock), p. 12.

⁹⁵ Annals of Lacock, by W. L. Bowles.

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THE STAPELTONS OF YORKSHIRE.

By H. E. CHETWYND-STAPYLTON.

THE STAPILTONS OF WIGHILL AND MYTON.

AFTER Sir Robert's death, the Wighill family spreads out into two branches. His first wife's family continued at Wighill. Mrs. Talbot's descendants settled at Myton. We shall endeavour to carry on the history of the two families concurrently.

Henry Stapilton (as the Wighill branch continued to spell their name) was five-and-twenty on the 5th July, 1599, when at All Saints, Newcastle-on-Tyne,¹ he married Mary, daughter and one of the heirs of Sir John Foster, of Bamborough Castle and Alnwick Abbey, in Northumberland. This distinguished old soldier, second son of Foster of Adderstone, Northumberland, had served the Crown as Deputy and Chief Warden of the Middle and West Marches for nearly forty years. His name is conspicuous in border warfare. According to ballad tradition :—

Sir John was gentil, meik, and douce,
But he was trail and het as fyre.²

He did good service with Sir George Bowes against the Earls in 1569, and profited largely by the attainder of Northumberland. On the 12th July, 1571, he obtained a lease of part of the Earl's possessions, and in May, 1574, was made Steward, Constable, and Porter of the Castle of Bamborough.³ His possessions must at this time have been considerable, for Lord Hunsdon accuses him of wasting the Earl's estate, "spoyling" Alnwick Castle and Warkworth, and at Hulne Abbey, "neyther lefte lede, glase, ierne, ndr so much as the pypes of lede that convey'd the water to the howse."⁴

Henry and his young wife dispensed liberal hospitality at Wighill, in the great house which had caused Sir Robert so much trouble, and had so long remained untenanted. Their second son Philip, the future patriot, was born there in 1603.⁵ An entry in the Household Book of the Cliffords at Skipton Castle shows that the "Park" was already a deer

¹ Sir Cuthbert Sharpe's Memorials of the Rebellion, p. 26 n.

² *Ibid.*

³ *Ibid.*

⁴ *Ibid.*

⁵ R. H. Skaife, Esq.

park, as it was 150 years later. "Given to the keepers of Wighill-park, Mr. Hen. Stapleton's men, my Lo. having killed two buckes in his parke, xxs." How it came that the bucks were killed, we are not informed, but it is significant that Francis Clifford, fourth Earl of Cumberland, is said to have been "an easy improvident man, but otherwise harmless."⁶ On the 11th June, 1622, their eldest son married their neighbour's daughter, Katherine Fairfax of Walton, at Walton Church, and the Squire and his wife made a new settlement of part of their estate. The manor of Little Burdon, co. Durham, which old Sir Robert had purchased for £410 from the trustees of Sir Ralph Bulmer, deceased, was settled on his mother-in-law, "Dame Isabella Foster," for her life, and a house and lands at Sherburn, Milford, and Leverton, of which the Squire had become possessed,⁷ were settled on his son's bride, "in lieu of jointure,"⁸ under the new Statute of Uses,⁹ to bar any further claim to dowry.¹⁰ Remainder to her husband and his heirs male, &c.

The Squire died during a visit to London in the fifth year of Charles I. (16th Feb., 1630), at the age of 56. We learn from the parish registers of St. Andrews, Holborn, that it occurred "at Mr. Johnson's house at the Red Lyon in High Holborn," outside the town on the road to St. Giles' in the Fields, said to be "long the largest and best frequented Inn in Holborn."¹¹ A modern "Red Lion," at the corner of Red Lion Street, "established 1611," marks the site. He had made his Will,¹² only a fortnight before, in London, constituting his "deare lovinge wyffe Mary," and his youngest daughter Jane,—the only one then remaining unmarried,—executors. He leaves his wife all his personal estate, "as corn, catall, houses, bonds, bills, household-stuff, plate, and all his other goods, moveable and unmoveable, of what kind soever, his debts discharged." The Confession of Faith with which the Will begins is conceived in a proper spirit of Christian piety, but in those days, when Calvinism was the rule, would have been called tinged with the errors of the Arminians,¹³ "Protestants in show, but Jesuits in opinion and practice."

"First, I bequeath my soule humbly into the handes of Almighty God, of whom I receyved it . . . in assured confidence that throughe the merrittes, and onely throughe the merrittes and satisfaction of Jesus Christ, my body and soule shall aryse at the latter day with other of his sayntes, joyfully to meate our blessed Saviour the brydegrome of our soules."

He was buried at St. Giles', Cripplegate, then a little hamlet just outside the city wall, followed by a crowd of sorrowing friends (*stipante amicorum syrmate collacrymantis patriæ*), as we are told in the encomiastic inscription put up by his wife, "rivalling the affection of Artemesia," as she says, for her husband Mausolus. The Mausoleum, "with 13 escutcheons of arms," is described by Stow,¹⁴ but it is no longer to be found, unless it is one which is said to have been left standing behind

⁶ Whitaker's Craven, p. 277.

⁷ Inq. p. m., 1634.

⁸ 27 H. VIII., c. 10. Blackstone's Comm., ii. 332.

⁹ Escaet. 7 Car. (*Record Office*).

¹⁰ Blackstone, ii. 137.

¹¹ Handbook of London by P. Cunningham.

¹² York Registry.

¹³ Le Bas' Life of Archb. Laud (*Theol. Liby.*), p. 113.

¹⁴ Survey of London, i. 594.

the new organ, at the recent restoration of the Church, because it was too large to move.¹⁵

He left issue four sons and six daughters :—

1. Robert of Wighill.
2. Sir Philip of Warter.
3. John, who married a daughter of Thomas Hungate of Bulmer.
4. Brian, who married Anne Brainton, and was M.P. for Aldborough in 1648. In January of the same year he was a Commissioner to Scotland on the part of Cromwell.¹⁶
1. Katherine, married first Sir George Twisleton of Barley, created a Baronet in 1629, and 2ndly, Sir Henry Cholmley, Knt. She lived at Oswaldkirk, and was buried there, 14th June, 1672.¹⁷
2. Mary, married Sir Henry St. Quentin of Harpham, Bart., and had seven sons and two daughters.
3. Jane, wife of William Fenwick, 2nd son of Sir John Fenwick of Wallington, Northumb.¹⁸
4. Olive, died unmarried.
5. Grace, died unmarried.
6. Izabell, buried at Wighill, 1st April, 1619.

Henry's widow survived him, and was mistress of Wighill for five-and-twenty years, through all the troubles of the Civil War and the Commonwealth.

Brian Stapylton (as he and his descendants spelt their name), is said to have purchased Myton. His father was already one of the trustees of the estate in 1599, when Sir Robert Stapilton, William Ingilby, and others, paid a fine of 20s. for license to alienate two messuages, ten bovates of land, and one cottage in Lower Dunforth, "parcel of the manor of Myton."¹⁹ In 1610, it was purchased by Sir John Mallory, Knt., Sir John Courthope, Knt., and William Vavasour, Esq. (apparently another body of trustees), for £200 sterling, the estate comprising the manor of Myton and 20 messuages, 10 cottages, two tofts, two mills, two dovecots, 30 gardens, 30 orchards, 500 acres of land, 200 of meadow and 600 of pasture, lying in Myton, Rufforth, Sufforth, and Aldborough.²⁰ By 1615 Brian, having come of age, is in possession, for he has license from the King to sell a messuage in Myton to Philip Stapilton²¹, and the following year license is granted to Brian, and his wife Frances, and Lady Olive Stapilton, the widow (his mother), to sell the two mills.²² Myton has been famous from a very early date, as the scene of the battle fought by the Archbishop and the Chapter of York against the Scots in 1319; but it owes its notice by Sir Walter Scott more to alliteration than fact, lying, as it does, ten or twenty miles higher up the river than Marston.

Monkton and Mitton told the news,
How troops of Roundheads filled the Ouse.²³

¹⁵ Pew-opener at St. Giles', Cripplegate, 1880.

¹⁶ Cromwelliana—Cromwell's Letters and Speeches, pp. 92 and 113, &c.

¹⁷ Letter from Sir G. Strickland.

¹⁸ Marshall's Genealogist, ii. p. 57.

¹⁹ Cal. Rot. Pat., 40 Eliz. ps. 2.

²⁰ Fines, Ebor. Pasch. 8 Jac. (*Record Office*).

²¹ Rot. Pat. 12 Jac. ps. 32.

²² *Ibid.*, 14 Jac. ps. 38.

²³ Rokeby, Canto i. st. xix.

The present Hall is said to have been built by Sir Henry Stapylton, the first Bart., in 1693,²⁴ but more probably by his son Sir Brian, as Sir Henry died in 1679.

Brian, the first at Myton, married Frances, daughter of Sir Francis Slingsby of Scriven and the Red House, Bart., by whom he left a numerous family. In 1633 he was one of the Justices of the Peace for the North Riding, and a Receiver in the North Parts for the King and Queen, when he was "convented" for refusing to allow his men to pay the muster-master's demand of a fee of 12*d.*²⁵

Reverting to Wighill, Robert was entered at Queen's College, Cambridge²⁶ in 1617, with his brother Philip, the "presbyterian." And on the 11th June, 1622, he was married at Walton to Katherine, daughter of Sir Thomas Fairfax, of Walton and Gilling, afterwards created Viscount Fairfax of Elmley in Tipperary, a cousin of the Parliamentary General. Her mother was daughter of Sir Henry Constable, of Burton Constable. The families were already connected. She was granddaughter of Sir W. Fairfax, of Gilling, by his second wife Joan, daughter and heir of Brian Stapleton, of Carlton and Burton Jorz, a match still commemorated with a host of quarterings in the painted window of the great dining room in Gilling Castle.²⁷

At twenty-seven he entered Parliament as burgess for Aldborough, in Yorkshire. The third session of Charles I. (1628) is memorable for the severe struggle for the "Petition of Right" against the King and the Duke of Buckingham. The Yorkshire members mustered strong. Wentworth and Sir Thomas Fairfax had beaten the Saviles in Yorkshire, William Mallory was in for Ripon. The two Hothams for Appleby and Beverley, Richard Hutton and Sir Henry Slingsby for Knaresborough, and Sir Arthur Ingram and Bellasis for York.²⁸ Aldborough was a pocket-borough of Wentworth's (Lord Strafford). Even in Reresby's time (1673) the constituency was "mean," the right to elect being disputed between the owners of nine burgage houses, who multiplied votes by splitting freeholds, and two or three dozen scot and lot voters.²⁹ In 1628, the "Forced Loan," or the right of levying taxes without the consent of Parliament, was the election cry. To have resisted it was a sure road to a seat. Wentworth had not only resisted, but had suffered imprisonment for it, and was returned for Yorkshire. Stapilton, as a nominee of Wentworth, also came in on the popular side, and though Wentworth returned to the Court for purposes of his own ambition before the session was over, Stapilton remained with that party to which his brother Philip afterwards added so much lustre. Those protracted debates when the House of Commons met at eight o'clock in the morning, first on the Petition of Right, and afterwards on Sir John Eliot's Remonstrance, have scarce a parallel in the history of Parliament.

Robert suffered from what the lawyers called the *jus accrescendi*, or the rights of survivorship. He was rightfully seized of Wighill and

²⁴ Burke's Visitation of Seats and Arms, 2nd series, vol. i. p. 24.

²⁵ C.L. of State Papers, Dom. 5 Oct., 16:3, vol. cclviii. pp. 232, 264, and 265.

²⁶ Notes and Queries, 1856.

²⁷ Murray's Handbook of Yorkshire, p. 221.

²⁸ Forster's Life of Sir John Eliot, i. p. 222.

²⁹ Reresby's Memoirs (ed. J. T. Cartwright), pp. 91 and 161.



MYTON HALL, 1883.

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Easdyke, Sherburn, and Little Burdon, but he got little or no advantage from any of them. His mother lived at Wighill, and his grandmother had Easdyke, but both ladies survived him. Sherburn, indeed, had been settled on his wife, but there is no evidence of their occupying the "capital messuage" there. Robert probably lived mostly in London, in Hatton Garden or Fetter Lane, Drury Lane, or the Strand, or "some other fashionable quarter." Thavies Inn and Staple Inn are the last surviving examples of good family houses at this period. Sir Philip lived down in Blackfriars. His son-in-law, William Fairfax of Steeton, was in Clerkenwell, outside the walls, having the king's warrant³⁰ to stay, when many persons of quality were informed against for living in London, "spending money in excess on apparel and vain delights."³¹

Robert died in London, 11 Mar. 1635, at the early age of thirty-three, and was buried at Wighill. A handsome altar tomb was erected by his widow in the Chapel of the Virgin. It remained there for 200 years, till it was removed by Mr. Fountayne Wilson in 1834³² to the west



MONUMENT OF ROBERT STAPILTON AT WIGHILL.

end of the north aisle. On it lies a graceful marble figure in cuirass and gorget, with the short peaked beard and moustaches pointing upwards according to the fashion set by the King. The armour seems to indicate military service. Robert may have enrolled himself among the volunteers who served under the brave Sir Horace Vere in aid of the Protestant Elector Palatine and his English wife, till, disgusted with the half-hearted assistance they received from England, he returned in 1622 to take unto himself a wife. We should have expected to find this Admirable Crichton, of blameless life, "concealing under a pleasant face a solid

³⁰ Cal. of State Papers, Dom. (1637), cccclxxvii. p. 162.

³¹ Hallam's Const. Hist., ii. p. 26.

³² Letter from Mr. Wilson.

knowledge of men and things," as we are told in the inscription,³³—and an elegant Latin scholar to boot, if he wrote the epitaph on Lord Fairfax's monument at Scrayingham³⁴—more of the carpet knight than the soldier; and dressed point device "in cambric ruff and silken doublet," rather than the buff coat and breastplate which his fathers wore. Along the base of the south side are figures of three boys and three girls kneeling. One of the boys carries a skull, evidently the first Henry, who died an infant. In the centre is a Latin inscription, and in the panels are the arms of Stapilton and Fairfax. The feet of the figure rest against a huge Saracen's head, which has given rise to a local tradition that it represents the head of a giant, who ate children and such like, and was slain by one of the early Stapiltons of Wighill.³⁵ Below it is a shield with nine quarterings and supporters. These are the first supporters found on any of the family monuments, though we have seen them on silver plate nearly a century before.³⁶ They have



FOOT OF THE MONUMENT AT WIGHILL.

been almost invariably worn by the family since. Surtees³⁷ says of supporters, "Many ancient gentlemen, though commoners, used this armorial distinction of very ancient and hereditary right." And Edmonson maintains that families who have anciently used them "on seals, banners, monuments, &c," are not only fully entitled, but *ought* to bear them,

³³ Lansd. MSS. 1233, fo. 135 b.

³⁴ Ashmolean MSS. 47, 121 b. Herald and Genealogist, viii. p. 228. The epitaph is subscribed, "Inscrisit Vice-Comitis consanguineus Robertus Stapyltonius." He died a year and a half before Lord Fairfax, but was left executor of his will.

³⁵ Thorpe Arch Grange Sch. Mag. 1879.

³⁶ *Supra*.

³⁷ Hist. of Durham, ii. p. 36 n. The arms on the shield are—1. Stapelton; 2. Bellew; 3. Bruce; 4. Richmond; 5. Britany; 6. FitzAlwa; 7. St. Philibert; 8. Uffleet; 9. Furnivall.

“because such possessory right is by far more honourable than any grant that can be obtained from an office of arms.”³⁸

Neither Robert nor his father ever took up knighthood, though the right of the Crown to force it upon the landed gentry was very frequently exercised to raise money for the king's necessities.³⁹ Mr. Hallam suggests that the reason why the honour was so often declined was that the fees exceeded the composition.⁴⁰ But may not the baronetcies which so many of the Yorkshire squires had purchased, have made knighthood much less worth having?

By his wife, Katherine Fairfax, Robert had three sons and three daughters.

1. Sir Miles, of Wighill and Armley.
 2. Henry, who died an infant.
 3. Another Henry, who succeeded Sir Miles at Wighill.
1. Katherine, married her cousin William Fairfax of Steeton, by whom she had thirteen children, of whom only one survived early youth, viz, Robert, father of the Admiral.⁴¹ She remained a widow twenty years, and died in 1695, at the house of her half sister, Katherine Nevile of Auber, in Lincolnshire.
 2. Mary, married Walter Moyle of Twyford Abbey, Middlesex. Their marriage was “published” at St. Giles’ in the Fields, 20th Feb., 1654. Her husband died just before the Restoration, 24th May, 1660, “in the flower of his age,” and “the odour of fidelity to the King” (*inter odores fidelitatis sue erga Regem*). There is a bust of him in the Church at Twyford.
 3. Izabell, or Elizabeth, married Matthew Boynton, of whom presently.

His widow rivalled the famous Bess of Hardwicke, Countess of Shrewsbury, in the number of her husbands and her passion for match-making. Her second husband was Sir Matthew Boynton, the first Bart. of Barmston, a small estate on the east coast of Yorkshire. He commanded the army of the Parliament north of York in 1644, and died at Highgate, Middlesex, in 1646.⁴² Boynton's first wife was daughter, and eventually heiress, of Sir Henry Griffiths, who built the picturesque old house of Burton Agnes, but it was not till ten years later (1656) that the Boyntons came into possession by the death of the heir. Her third marriage with the rich old London merchant Sir Arthur Ingram, made her mistress of Temple Newsam as long as Ingram lived. Sir Arthur had built this magnificent house at the beginning of the reign. Her sister Dorothy Fairfax had married John Ingram (d. 1635), and was now wife of Sir Thomas Norcliffe of Langton-on-the-Wolds. After Sir Arthur's death (4th July, 1655), Lady Katherine followed her sister, and married William Wickham of Langton, second son of the Archdeacon of York, young enough to be her son (he was baptized in 1625). During her widowhood she was known as the Lady Katherine Ingram of Rousby in Cleveland.⁴³ She matched her daughter Isabel Stapilton with one of

³⁸ Edmonson's Heraldry, i. p. 191.
Berry's Cyclop. of Heraldry.

³⁹ Green, p. 501.

⁴⁰ Hallam's Const. Hist., ii. p. 9.

⁴¹ Markham's Hist. of Fairfax, p. 412.

⁴² Herald and Genealogist, vii. p. 153.

⁴³ Herald and Genealogist, viii. 230.

Boynton's sons, and her son Henry with Anne Ingram, and died in 1667. Her only child by Ingram married Christopher Neville of Auber, near Lincoln.

Young Matthew Boynton, the husband of Isabel Stapilton, was slain at Wigan, in advance of King Charles' army coming out of Scotland towards Worcester, just before the battle in 1651. He left his widow with two daughters: 1. Katherine, Maid of Honour to Charles the Second's Queen. Pepys, whose keen eye nothing escapes, describes a launch at Woolwich in Oct., 1664. "The Queen comes with her Maids of Honour; one whereof Mrs. Boynton and the Duchess of Buckingham had been very sick coming by water in the barge."⁴⁴ Katherine Boynton married Colonel Richard Talbot, "a strict Irish papist,"⁴⁵ who after her death was created Earl of Tyrconnel by James II., and became conspicuous by his cruelties in Ireland.⁴⁶ 2. Isabella was second wife of Wentworth Dillon, fourth Earl of Roscommon, the poet, who had been brought up at Gawthorpe Hall (now Harewood) by his uncle, the great Earl of Strafford.⁴⁷

Myles Stapylton, as he wrote his name in his youth, the biggest of the boys on the monument at Wighill, was only seven years old at his father's death. He was made a ward of King Charles, and when his mother married Sir M. Boynton, a widower with eleven children of his own, Stapilton's children were taken in at Wighill by their grandmother. A lawsuit in the Court of Wards shows there was no love between the ladies. In May, 1645, Mrs. Mary Stapilton petitions the House of Lords,—“That a cause between her and Sir Matthew Boynton and his wife, lately determined in the Court of Wards and Liveries, under which Sir Matthew was relieved of a rent of £50 a year payable to her out of the Prebend of Bilton, may be re-heard before the Lords. She pleads that she and her grandson Miles Stapilton, 'the king's ward,' were defendants in the cause and did answer, but by reason of the troubles in Yorkshire she could not attend at the trial.”⁴⁸ The petition was dismissed, but the suit was terminated by Boynton's death.

At the first breaking out of the Civil War in the autumn of 1642, Wighill lay between two fires, and the family must have taken refuge in York. Sir Thomas Fairfax and Captain Hotham (that young dare-devil who was always ready for any dashing affair,⁴⁹ son of the Governor of Hull) had fortified Wetherby and Tadcaster, and the Royalist General was repulsed in two furious attacks on the former town. The Earl of Newcastle attacked the entrenchments at Tadcaster with better success, the fighting lasting six hours, “with cannon and musket without intermission.”⁵⁰ The custody of a ward of the king made Mrs. Stapilton a Royalist of necessity, but it must have been with mixed feelings, for one son, Sir Philip, had been quartered in York during the summer, to watch the King's movements on the part of the Parliament, and another, Brian, had been carried off prisoner by the King to Nottingham Castle for his

⁴⁴ Pepys' Diary, 3rd ed. Lord Braybrooke, ii. 392.

⁴⁵ Reresby's Memoirs, ed. Cartwright.

⁴⁶ Leland's Hist. of Ireland, iii. p. 500. Macaulay's Hist. of England.

⁴⁷ Murray's Yorkshire, p. 339.

⁴⁸ Lords' Journals, 22 May, 1645. Also Sixth Report of Historical MSS. Commission, p. 164 a.

⁴⁹ Markham's Fairfax, p. 110.

⁵⁰ Drake's Ebor. p. 161.



SIR ROBERT STAPLETON, KNT.

[To face p. 9, Part III.]

disaffection. York itself was full of soldiers: scarce a night without quarrels, which the Governor, Sir T. Glemham, was unable to prevent. The castle and gaols were overflowing with prisoners, and fever broken out among them.⁵¹ The King had left the city in August. On the 22nd Feb., 1643, the Queen landed at Bridlington Quay. On the 7th March, she lay at Malton, and next day entered York with three coaches, escorted by the Lord General. She lodged in Sir Arthur Ingram's gorgeously furnished⁵² house in the Minster Yard, as the King had done, and the city was everywhere strongly fortified.⁵³

The Queen stayed in York three months, "not so anxious to join her husband as to command alone."⁵⁴ She left it on the 6th June, escorted by the Earl of Manchester,⁵⁵ and Oxford for a time was given up to cavaliers and Court ladies. Lady Stapleton, the wife of Sir Robert, one of the Carlton family, best known as the translator of Juvenal, but recently knighted by the King for his gallant conduct at Edgehill, had a pass from the Lords to join her husband at Oxford.⁵⁶ The following spring (1644) Oxford was closely beleaguered. On one side Essex and Sir Philip Stapilton had advanced as far as Islip. Waller had crossed the river at Ensham on the other.⁵⁷ The Queen had already gone to Exeter for her confinement. On Monday the 3rd June, about midnight, the King hurriedly left Oxford by the "North Gate" on the Woodstock road, and escaped to Burford on the borders of Gloucestershire. Each horseman carried a foot soldier behind him. Thirty coaches of ladies followed, unwilling to endure the misery of a siege. "In great tumult and disorder they hurried away, leaving behind them many costly moveables, which afterwards became a rich booty to their unfaithful servants."⁵⁸ We can only suppose Lady Stapleton endured the siege with her husband, for Sir Robert was "in the garrison," at the subsequent surrender in 1646, and had a pass to leave the city. The pass is signed by Fairfax, and dated the 24th June.⁵⁹ The following year he made a composition with the committee of the Parliament at Goldsmiths' Hall.⁶⁰ It would be interesting to know how the other Royalist lady fared at Wighill with her numerous grandchildren. Fairfax's infantry and artillery actually passed through Wighill and Helaugh on their way to Marston Moor.⁶¹ The battle-field was only two or three miles distant.

Up to this time we have heard nothing of Miles and the children. On the 18th June, 1647,⁶² while the King was marching on London, he married Mary, the only daughter and heiress of Sir Ingram Hopton of Armley Hall,—not the beautiful park we see now opposite Kirkstall, but much nearer Leeds. Hopton was a sturdy old Royalist, who had been slain in a cavalry action at Winceby in Lincolnshire (11 Oct., 1643), but not before he had knocked down Oliver Cromwell with the hardest

⁵¹ *Ibid.*

⁵² Chapters of Yorkshire History, ed. J. J. Cartwright, p. 197.

⁵³ Drake, p. 162.

⁵⁴ Guizot's English Revolution, i. p. 257.

⁵⁵ Drake, p. 162.

⁵⁶ Lords' Journals, 27 May, 1643. "Ordered—That the Lady Stapleton have a pass to go to Oxford."

⁵⁷ Clarendon's Hist.

⁵⁸ Memoir of Lord Essex, by R. Codrington, M.A., Harl. Miscellany, i. p. 285.

⁵⁹ Royalist Composition Papers, 2nd series, vol. 27, p. 75.

⁶⁰ *Ibid.*

⁶¹ Markham's Life of Fairfax, p. 153.

⁶² Royalist Composition Papers, 2nd series, vol. 32, pp. 859-865.

blow he ever had in his life.⁶³ Miles was nineteen, his little wife was only thirteen—nine at her father's death in 1643,⁶⁴—i. e., still in ward, and not yet free to choose for herself. The King's rights of wardship and marriage were not abolished till the Restoration, and he had the heir in ward both at Wighill and Armley. The result was a heavy charge on both families. At the beginning of the war, Sir Ingram Hopton had "given the King at York £200."⁶⁵ No doubt Mrs. Stapilton had been similarly fleeced at Wighill. Armley suffered also from the Parliament. Less than a year after their marriage, the young couple "paid to Oliver's Cormorants £600,"⁶⁶ for the removal of a sequestration. The "little bill," preserved in the Royalist Composition Papers, sets out the estate Miles had with his wife.

1. The Manor of Armley Hall and the town of Armley, with the demesnes thereof, and the town of Wortley. value £220 per an.
2. The Reversion of the demesnes of Armley Hall, after the death of his (Hopton's) mother, Mrs. Leighton. . . val. £60 per an.
3. And of certain lands in Hopton and Mirfield, after the death of Dame Helen Hopton his wife val. £160 per an.

The total property is estimated at £9000, out of which the petitioners crave to be allowed £3000 for Hopton's debts, which had been running four years, "none daring to disburse the money for the composition, in regard of y^e great debt lying upon the lands."

A fine of £600, or 10 per cent on the nett value, was agreed to. The signatures of the young couple are still extant on the document.

Mary Stapilton
*Mary Stapilton*⁶⁷

It is very doubtful whether Miles and his wife ever resided at Armley Hall, though in Nov., 1653, they gave the land on which the present chapel is built. Thoresby says of it,—

"Armley Hall, the seat of the Hoptons, was sure a spacious place before the six-and-twenty rooms (which were taken down in the memory of some persons yet living) were demolished at one time, to reduce it to a farm house."⁶⁸

A hundred years later (July, 1770) it is described by the executors of Sir John Ingleby as "all that capital messuage or manor house called Armley Hall, with the barns and stables, outhouses, gardens, and appurtenances."⁶⁹ The gardens are now streets of houses, but part of the old Hall is still remaining (1884), overlooking Leeds from the top of the hill near the gaol. All traces of the six-and-twenty rooms have disappeared,

⁶³ Markham's Fairfax, p. 120.

⁶⁴ Royalist Composition Papers, vol. 32.

⁶⁵ MS. Pedigree of Yorkshire families in Leeds Library, by Thomas Wilson, circ. 1755.

⁶⁶ *Ibid.*

⁶⁷ Royalist Composition Papers (*Record Office*), vol. 32.

⁶⁸ Thoresby's Leeds, p. 194.

⁶⁹ Bill of Sale, 1770, among the title deeds.

and only part of the hall remains. The front has been modernised and the one end plastered over, but the massive timbers of the arched roof are plainly discernible underneath, where it has been cut in half. The foundations of the rest of the hall and the offices have been removed within the memory of the present owner. A wall, apparently of dressed stone, about eight feet high, which carries a modern chimney at this end, may have been the screen between the hall and the entrance passage which separated the hall from the offices. Huge posts of black oak show that the lean-to at the back was originally part of the hall. Two large gate posts of rough stone, which are known to have stood much further off than they do now, are said to have carried the original entrance gates.

Mrs. Stapilton the elder died in 1656. Her Will, made 9 Feb., under the style of "Mary Stapilton of Wighill, gentlewoman," was proved at



THE OLD HALL AT ARMLEY.

London on the 15th March, 1657, by Robert Stapilton, her grandson, sole executor. We may trace in it a picture of Wighill under the Commonwealth. Everything was hers for life. She evidently governed the household and managed the farm. She was sole mistress of the great house at the corner of the park, with its four large towers and copper domes. The two unfinished sides seem to show that it wanted wings to complete the original design. Within there was a good deal of real comfort. The "Blue chamber" and the "White chamber," with their four-post bedsteads and straight-backed chairs, were kept for occasional guests, or her daughters, when they came to visit her with their children. The pride of her own room was the shelf of religious books, dignified with the name of Library, left her by Mr. Richard Burton, the minister at Kirk Deighton, which she desires may continue to the heir of the House of Wighill. The needlework and embroidery about the house had been the solace of her leisure hours in troublesome times.

The old Royalist Lady, now some seventy years of age, would be no true daughter of the "Lion of the North," if she had not loved a law-suit. That with the Boyntons had been terminated by Sir M. Boynton's death, but she left another "suit in chancery respecting the entail," to be

carried on by her son-in-law, Sir H. Cholmley, the lawyer. Her views on religion were no less decided. The parson at Wighill was not one of her sort, and she travelled through Walton and Wetherby to Kirk Deighton for her spiritual needs while she lived, and chose it for her resting-place after death. She left the Vicar's son, Mr. Richard Burton, £40; and 20s. to a "minister, for preaching a sermon at Kirk Deighton for Mr. Burton, every year, on the 30th June." Like Macaulay's country gentleman, her pride was "beyond that of a Talbot or a Howard. She knew the genealogies of all her neighbours, and could tell which of them had assumed supporters without any right" (she was sure enough about her own), "and which of them were so unfortunate as to be great grandsons of Aldermen,"⁷⁰ with a sneer at her daughter-in-law Ingram. The Pedigree Roll,⁷¹ so often referred to in these pages, was emblazoned with coats-of-arms by Sir Miles' orders, but it was probably the work of his grandmother, assisted by Dodsworth and Dugdale, in the forced seclusion of her own room in Commonwealth times.

The other side of the house was a complete contrast to that we have described, where the young Squire, like a good-natured Tony Lumpkin, of eight-and-twenty, with his little wife not yet twenty-three, though nine years married, kept up roystering hospitality, as far as he dared, while his grandmother was alive. His tastes are indicated in her will. She left him "one great bason and ewer, and two silver cans," with all her "waynes, ploughs, and all the furniture belonging to them, and eight oxen, and all her corn growing in the fields." To "Mary Stapilton his wife, six of her best kine, and all her needlework," &c.; but she made her steady grandson Robert, Sir Philip's son, who had been committed to her charge,⁷² sole executor.

Miles was, however, no worse than his neighbours. M. Guizot's character of Richard Cromwell, before the Protector's death, would as well fit many a Royalist Squire, "Idle, jovial, and somewhat licentious, very fond of horses and hunting, on intimate terms with the gentlemen of the neighbourhood, nearly all of whom are cavaliers, . . . and drinking with them to the health of their 'Landlord,' as they termed the King."⁷³ Of course Miles would be found among the troop of "near three hundred country gentlemen," with Lord Thomas Fairfax at their head, who rode in front of General Monk, "with their swords drawn, and hats upon their sword's points,"⁷⁴ when he entered York on the 11th May, 1660, just before the Restoration. The ordinary dress of the Cavalier was a buff jerkin, with or without a steel cuirass, and a hat of black velvet or a pot helmet with cheeks.⁷⁵ A sword, "stiff, cutting, and sharp pointed," hung by a handsome baldrick over the right shoulder.⁷⁶ A large basket-hilted sword of this description, which has been a fellow with the Illuminated Pedigree, time out of mind, was probably the sword worn by Sir Miles on this occasion. A year or two later, he was knighted. His cousins of Myton and Carlton were made baronets.

⁷⁰ Macaulay, iii 322.

⁷¹ In possession of the family. The date of the Roll is about 1661. The Hopton quarterings and the helmet on the covering sheet show that Myles is married but not yet knighted. It is almost verbatim the same as Dugdale's.

⁷² Sir Philip's will, at Somerset House.

⁷³ Guizot's Richard Cromwell and the Restoration, i. 5.

⁷⁴ Drake's Ebor. p. 174.

⁷⁵ Planché's British Costume, p. 285.

⁷⁶ *Ibid.*, p. 285.

Bishop Burnet says the whole nation was drunk and mad for three years together on this memorable occasion.⁷⁷ Perhaps it was only the exuberance of loyalty, when Sir Miles in 1664, "being disordered with liquor," struck the Lord Mayor of York with his cane.—"For which affront being indicted the next Sessions, he did personally appear at the bar of the common hall, and there before the Lord Mayor and Court confessed the indictment, professed his sorrow for it, and humbly submitted himself to the censure of the honourable bench; who, at the earnest intercession of his friends, only fined him five hundred pounds."⁷⁸ He died in Jan., 1668. The Register of Burials in the parish of Fewston, a village on the moor between Otley and Ripley, overlooking the Washburn river, contains the following entry:—"26 Jan., 1668. Noble S^r Miles Stapylton that quond^m unparralleld Roialist, of Wigholl, was buried."—Mr. R. H. Skaife of York, to whom we have been so often indebted, has supposed from this entry that Sir Miles was buried at Fewston, but how he came into this remote place is hard to understand.

The Church has been twice burnt down, so that nothing is to be learnt from monuments. There was no Squire's house in the parish, except Crag Hall, now in ruins, the residence of Edward Fairfax, the translator of Dante, in Sir Miles' youth. Denton is six or eight miles off, across the moor. Scough (pron. "Sco.") Hall, the birthplace of the great Lord Fairfax,⁷⁹ is only a little upland farm nestling under a rock. But it does not follow that Sir Miles *was* buried at Fewston. The Restoration was followed by frequent plots for the return of the Commonwealth, and Royalist magistrates, who had suffered in the cause of Royalty, required but slight occasion to retaliate with severity.⁸⁰ Captain Hodgson draws a melancholy picture of the troubles that befel a Parliamentary officer.⁸¹ The scene of the "Farnley Wood plot" in 1663 was only a few miles lower down the valley of the Washburn. The leaders being conventicle preachers and old parliament soldiers, a body of regular troops and some of the county militia, were sent out to put them down. Many of them were tried at York, and most of them executed.⁸² Out of this rising grew the "Conventicle Act" of 1665, which made it a crime to attend a dissenting place of worship. A single justice might convict without a jury, and, for a third offence, might pass sentence of transportation for seven years.⁸³ Whether Miles was a justice, or deputy lieutenant, or an officer of militia, he may easily have gained notoriety in hunting down non-conformists or military saints, sufficient to justify Mr. Brooke, the zealous Vicar of Fewston, in recording the burial of one of the



SWORD HILT.

⁷⁷ Drake, p. 174.⁷⁸ *Ibid.*, p. 182.⁷⁹ Markham's Fairfax.⁸⁰ Hodgson's Memoirs, ed. Sir W.

Scott, p. 165, note.

⁸¹ *Ibid.*, pp. 165-198.⁸² Drake, p. 175.⁸³ Macaulay, i. p. 177.

Church's champions in the parish register, though it took place somewhere else. A similar instance is to be found in the Leeds parish register, when Sir Miles of Myton came in head of the poll for Yorkshire in 1734.—“N.B. Sir Miles Stapylton of Myton, Bart., being chosen County Member of Parliament in the late election, had more votes of both clergy and laity out of this parish, than out of any one parish in the County.”⁸⁴

Sir Miles' widow survived him, and according to Thoresby,⁸⁵ married Richard Aldburgh. At any rate, she kept the name of her first husband, for the register of St. Mary-le-Belfry in York calls her Lady Mary Stapleton, buried 2nd Mar. 1684-5. Three of their children died in infancy. One daughter only survived, Catherine married to Sir Thomas Mauleverer of Allerton Mauleverer. He was a grandson of the Regicide, but his father had been out in Lord Rochester's rising, and was one of the first who flocked to the king at Breda, before the Restoration.⁸⁶ The marriage was not a happy one. In 1678, Mauleverer was second to Sir H. Goodricke in a duel, and ran his adversary through the body;⁸⁷ and in 1685 he had command of a troop in Monmouth's rebellion.⁸⁸ Reresby says he was hated as a reputed papist.⁸⁹ He sold Armley Hall to the widow of Sir William Ingleby of Ripley,⁹⁰ and at the death of her husband the Lady Catherine, having parted with her inheritance, married her cousin, John Hopton of Ingerskill. She died without issue and intestate, 31st Jan. 1704, and Hopton following her on the 24th April, they were buried together at Nether Poppleton, a little village near York.⁹¹

Henry Stapilton “Dominus de Wighill,”⁹² succeeded his brother in his estate, and held it for about five years. He was baptized at Wighill 17th Sept. 1631, and was probably brought up there after his mother married Boynton. His grandmother left him £100 in her will (1656), “if he returns safe into England.” From this we suppose he was a Royalist refugee in Holland or France. He was only five-and-twenty, and may have been compromised in the Earl of Rochester's attempt the year before. Soon after the Restoration he married Anne, daughter of Sir Arthur Ingram, by the first Lady Ingram, who was a sister of Sir Henry Slingsby. Stapilton died in 1673 at the age of forty-two. On his tombstone he is described as “*Vir justitiæ insignis. Amicitias fide, non utilitate colebat,*” which may be roughly translated, “He trusted in friends who did him no good,” and may refer to the unfortunate *escapade* with Rochester. His widow survived him many years, and was living at the death of her sister-in-law, Mrs. William Fairfax of Steeton, in 1695.

Wilmot, Earl of Rochester, had come over in disguise to muster the King's adherents in Yorkshire, and Charles had even moved down from Paris to Holland in readiness to embark, but very few joined the Earl,

⁸⁴ Old Yorkshire, ed. W. Smith, F.S.A., p. 123.

⁸⁵ Fed. of Stapleton, Hist. of Leeds, p. 189.

⁸⁶ Pepps' Diary, ed. Ld. Braybrooke, 3rd edition, i. p. 60.

⁸⁷ Reresby Memoirs, ed. Cartwright,

p. 152.

⁸⁸ *Ibid.*, p. 292.

⁸⁹ *Ibid.*

⁹⁰ Jones' Country Seats.

⁹¹ Burke's Extinct Baronetage.

⁹² Inscription on his tombstone, Drake's Ebor. p. 392.

except Sir Richard Mauleverer, Sir Henry Slingsby, and a few others.⁹³ We have a sad picture of the "melancholic" old Royalist during the troubles, in Slingsby's Diary.⁹⁴ In his garret at Red House, where he was frequently visited by Bryan Stapylton of Myton, his brother-in-law, Slingsby passed his life in daily fear of a visit from Cromwell's soldiers, which, indeed, came to pass in Jan. 1655, when he was arraigned before the Commissioners at York, and finally beheaded after a trial in Westminster Hall, "only for breaking out a little too soon before the



MEDAL OF SIR H. SLINGSBY.^{94a}

Restoration."⁹⁵ The Chapel at Red House remains to this day almost as he left it, though the staircase which now leads up to the gallery pew was the principal staircase of the house till it was pulled down in the middle of the last century.⁹⁶ Slingsby says in his diary, "Upon every post of the staircase a crest is cut of some of my especial friends and my brothers-in-law, and upon that post that bears up the halfpace that leads into the painted chamber [in the old house], there sits a blackamoor with a candlestick in each hand to set a candle in, to give light to the staircase."⁹⁷ The blackamoor is still at his post, and among the

⁹³ Whitelocke's Memorials, iii. pp. 182, 207 *et seq.* Hist. of England (*Lib. Useful Knowl.*), p. 514.

⁹⁴ Edited by Sir W. Scott and by Parsons.

^{94a} From a medal in the British Museum. The outer legend, "Ex residuis nummi sub hastâ Pinmianâ lege prædati juxta Daventriam," refers to an encounter with a company of rebel horse, in which Slingsby lost all he had, which became "lawful prize" to the enemy. At

Oxford he resided with Sir William Parkhurst, the Master of the Mint, which may account for the execution of the medal. On the reverse are engraved the arms and crest of Slingsby, impaling Belasyse, and the words "Beheaded June ye 8 : by O : C : 1658."

⁹⁵ Guizot's English Revolution.

⁹⁶ Slingsby's Diary, Parsons' preface.

⁹⁷ *Ibid.*, quoted in Murray's Handbook of Yorkshire, p. 71.

crests on the staircase are those of the Earl of Northumberland, Lord Fairfax, Mr. Waterton, Sir Walter Bethel, Mr. Stapleton, Sir John Fenwick, Sir Walter Vavasour, Lord Fauconberge, Sir — Savile, and the Earl of Cumberland. Slingsby's estates, "after the King's murder," were sequestered and sold, but were bought in for him by Bryan Stapylton and Mr. Bethell, his "friendly trustees," as he calls them in his diary.⁹⁸



STAIRCASE OF CHAPEL AT RED HOUSE.

Slingsby was executed on Tower Hill, 8th June, 1658. Bryan Stapylton survived him only a few months, having been sometime "diseased in body, though sound in mind," since he made his will in Feb. 1655.⁹⁹ He directs "his bones to be laid by his ancestors at Wighill," and leaves £600 to his daughter "Oliff," £1,500 to Ursula if she marries with the approval of her brothers Heury and Robert; and certain lands and a messuage at Marishes, near Bishop Monkton, in the parish of Ripon, to Robert and Miles, with annuities to his brother Edward's son and his niece Anne Stapleton. His wife Frances and his eldest

⁹⁸ *Ibid.*

⁹⁹ Will at Somerset House, proved 1658.

son Henry are appointed executors, and Sir Henry Slingsby (who had been beheaded in the meantime) supervisor. Henry succeeded to the estate at Myton. Of the other sons mentioned in the will, Robert is said to have settled at Stapleford in Leicestershire,¹⁰⁰ (but erroneously, as we venture to think). Miles was Secretary and Librarian to Bishop Cosins of Durham, and ancestor of the Stapyltous of Thornton-Watlass, and Norton. Olive married Sir William Vavasour of Copmanthorpe, Bart., Major-General to the King of Sweden, and killed at Copenhagen in 1658. Her second husband was Richard Topham, Esq. She was born at Lacock in 1620, and was buried at Che'sea, 26th Nov. 1714,¹ at the age of ninety-four. Ursula married Thomas Pepys of Hatcham Barnes in Surrey.² Another daughter, Frances, married John Hutton of Marske, and was at this time a widow.

Henry, the eldest son, was advanced to the degree of a baronet by King Charles at the Restoration, 22nd June, 1660. In Commonwealth times (18th Oct. 1650³) he had married Elizabeth, daughter of Conyers Lord D'Arcy, afterwards Earl of Holderness, and died in 1679. He seems to have lived mostly at Merton in Surrey. His tomb is within the altar rails of the church; and his daughter Grace, who died in 1676, wife of Thomas Robinson of Rokeby, is also buried there. A son of the third baronet, Christopher, a Westminster boy, (died 1743) lies in the nave.⁴ Sir Henry's daughter Elizabeth married John Dodsworth of Thornton Watlass, near Bedale, from whom the present baronets of Thornton Hall are descended; and Frances married John Lowe, from whom the family of Lownes-Stone is said to be descended.⁵

His eldest son, Sir Bryan, the second baronet, succeeded to the estate, and married Anne, daughter of the second Sir John Kaye, of Woodsome Hall, near Huddersfield, now the property of the Earl of Dartmouth, but still one of the most charming old houses in Yorkshire. Sir Brian was Sheriff of Yorkshire in 1683, and M.P. for Aldborough and Boroughbridge in succession.

Dying in 1727, Sir Bryan was succeeded by his son, Sir John, the third baronet, who, marrying Mary, daughter of Francis Sandys of Scroby, Notts, a lineal descendant of the Archbishop of that name,⁶ was killed by a fall from his horse on Bramham Moor, near Aberford, as he was going to York about the Election,⁷ 25th Oct., 1733.⁸ He left a family of twelve children, of whom four succeeded to the baronetcy in turn. Sir Miles, the eldest son, became fourth baronet, and being proposed in his father's place came in at the head of the poll at the election, 18th May, 1734.⁹ He married (in 1738), Anne, daughter of Edmund Waller of Hall Barn, near Beaconsfield, and Kirkby Fleetham, a grandson of the poet, and died 14th May, 1752, leaving an only daughter, who died in 1770. Two years before his death he was appointed one of the Commissioners of Customs.¹⁰ His brother, Sir Bryan, was the fifth

¹⁰⁰ Mr. Foster's Yorkshire Pedigrees.

¹ Herald and Genealogist, viii. p. 230.

² Pepys' Diary, v. p. 321, n., where there is a letter from her to Samuel Pepys inviting him to her house at Edmuntthorp, Leicestershire, 13 Sept., 1683.

³ Hornby Castle Registers, Nichols' Topog. and Genealogist, vol. iii. p. 333.

⁴ Manning's Hist of Surrey, i. p. 260.

⁵ Foster's Yorkshire Pedigrees.

⁶ Drake's Ebor. p. 455, *vide supra*.

⁷ Pedigrees of Yorkshire Families, Leeds Library.

⁸ Letter in the Wentworth Correspondence, ed. J. J. Cartwright, p. 485.

⁹ *Ibid.*, p. 509.

¹⁰ Pedigree in Leeds Library. Gent. Mag., vol. xx. p. 189.

baronet, and dying at Brightwell, Oxon, without issue, was succeeded by Sir John, an officer in the Navy, who had distinguished himself at the taking of Havannah. At Sir John's death, in 1784-5, Sir Martin, the youngest brother, now rector of Brightwell Baldwin in Oxfordshire, succeeded to the estate at Myton and the baronetcy. In early life he had been in the Army, and a Brother of St. Katherine's in the Tower, and had married Leckie, the daughter of John Love, a Bristol merchant, by whom he had :—

1. Francis Samuel, who was killed at the battle of Bunker's Hill, in 1775, leaving an only son Luke, who died unmarried.
2. Martin, who succeeded his father as eighth baronet, and *d. s.p.* in 1817, when the baronetcy became extinct.
3. Henry, who *d. s.p.* in his father's lifetime, and
4. Anne.

In 1770 Anne Stapylton married the Rev. John Bree, rector of Marks Tey, Essex, and Riseholme, Lincolnshire, formerly of Balliol Coll. Oxf. Mr. Bree died in 1795, and was buried at Merton, Surrey.¹¹ At Sir Martin's death in 1817 his son Martin Bree succeeded to Myton, and took the name of Stapylton. And from him the Stapyltons of Myton Hall are descended.

THE STAPILTONS OF WARTER AND WIGHILL.

We learn from a case tried many years afterwards by Lord Chancellor Hardwicke that the last Sir Miles of Wighill made a settlement of his estate on the 21st Aug. 1661—perhaps on the death of his only son—entailing Wighill on his brother Henry and his heirs male (if any), and in default, on Sir Philip, his uncle, and his younger children in succession, (the eldest being already provided for at Warter); remainder to the Myton family. We shall see the effect of this last provision presently. Hitherto the family has been Royalist. Here we must change sides, and join the cause of the Parliament.

Born in 1603, Philip was only fourteen when he was entered as fellow-commoner of Queen's College, Cambridge, on the 16th May, 1617,¹ the same day with his elder brother Robert. After leaving College, "having inherited but a moderate estate, about £500 a year, in Yorkshire," representing some two or three thousand a year nowadays; "according to the custom of that country, he spent much time in those delights which Horses and Dogs admuister."² At four-and-twenty (1627) he married Mrs. Gee, the widow of John Gee of Bishop Burton (he died 1626), eldest daughter of Sir John Hotham of Scorbro', and soon after purchased³ the estate of Warter Priory. On the 25th May, 1630, a few

¹¹ Manning's Hist. of Surrey, i. p. 262.

² Clarendon's Hist. of the Rebellion.

³ Historical MSS. Commission, 8th Report, p. 159.

¹ Notes and Queries, 1856.



WARTON PRIORY, 1879.

[To face p. 19, Part III.]

months after the old Squire's death, and just before the birth of Charles II., he received, or was required to take up, the honour of knighthood,⁴ for the King seldom neglected this feudal resource for raising money.⁵ Lying at the head of a beautiful valley, which runs up into the wolds between Pocklington and Londesborough, Warter Priory was founded for a colony of Augustine monks in 1132.⁶ At Kirby's Inquest (1285) they had about 800 acres. Three years later Anketinus de Rider gave them the manor of Baggotby, which is supposed to be the site of the present house.⁷ At the Dissolution the Priory was granted to Thomas Earl of Rutland (28 and 32 Hen. VIII.),⁸ from whom it passed to Sir Philip Stapilton. Whether the house Sir Philip lived in stood on the site of the present mansion, as is generally supposed, or it was a house in the village, still called the manor house, though recently rebuilt, or he occupied a part of the old Priory above the church, is unknown. In 1635-6 he added "100 acres of land and 300 of pasture, and feed for 50 sheep," at Blanch-on-the-Wolds, two miles further north, by purchase from Dame Mary Bethell and her son Sir Hugh.⁹ The whole of the Warter estate, exclusive of Nunburnholm, is now about 7,000 acres, and very much increased in value.

By his first wife Sir Philip had five children. On the 5th Feb., 1638, he married a second, Barbara, daughter of Henry Lennard, 12th Lord Dacre of Hurstmonceaux, Sussex. Her brother, the 13th lord, had died in 1630, and the young lord, her nephew, in the troubles which followed, became "much considered" by the party of the Parliament; although, when the ordinance for trying the King was brought in, he was one of the few peers who had the courage to oppose it.¹⁰ The Dacres resided much at Hurstmonceaux, and "embellished the house according to the fashion of those times."¹¹ But it is now only a magnificent ruin. Sir Philip and Lady Barbara were married at St. Anne's, Blackfriars,¹² and there they lived for several years. The great monastery formerly lay on the slope between St. Paul's and Blackfriars Bridge. The site was at this time much inhabited by people of fashion. Burbage's Theatre, in which Shakspeare had acted in 1598, (still remembered in the name of "Playhouse Yard"), occupied part, and there Vandyke lived, and died (in 1642), among the king's artists. The church of St. Anne stood in a small street out of Carter Lane, still called "Church Entry." An inscription on a monument of a former minister (Dr. Gouge) marks the place, "which before the Fire of London was y^e porch of y^e church of St. Anne's Blackfriars." Water Lane, down which Sir Philip hurried almost daily to take a waterman's boat at the Stairs to Westminster or Derby House, still remains, narrow and tortuous as ever, though the gabled wooden houses represented in Aggis' map of course disappeared in the Great Fire.

With Sir Philip we come in full view of the Great Rebellion. His history is almost that of the "Long" Parliament and the Civil War, but we must only touch briefly on those events with which he was most con-

⁴ Marshall's Genealogist, iii. p. 93.

⁵ Hallam's Const. Hist., i. 333 n.

⁶ Dugd. Mon. vi.

⁷ Kirby's Inquest (*Surtree's Soc.*), p. 91.

⁸ Burton's Mon. Ebor. p. 384.

⁹ Rot. Pat. 11 Car. no. 7.

¹⁰ Collins' Peerage, vi. p. 383.

¹¹ Parker's Dom. Arch., iii. 329, quoting Grose's Antiquities, v. 155.

¹² Register of St. Anne's, Malcolm's Londonum Redivivum, p. 370.

cerned. Parliament had not met for eleven years. The King's taxes were mostly collected without any legal authority, and prisoners lay for years awaiting trial, in spite of the Petition of Right. The Star Chamber and the High Commission were a terror to the people; Wentworth was prime mover of the one, Archbishop Laud of the other. The nation was being fast goaded into rebellion, when the King convoked a Parliament in the spring of 1640, but dissolved it three weeks afterwards. Another was summoned in November, which, in spite of many errors and disasters, is justly entitled to the reverence and gratitude of all who enjoy the blessings of a constitutional government.¹³ Sir Philip was elected for Hedon in April (1640), "a poor place," even in Leland's time. "When Hull began to flourish, Hedon decayed."¹⁴ In the "Long" Parliament he was returned for Boroughbridge, and soon came into notice. Clarendon tells us how this came about:—"Joining his relatives Hotham and Cholmley in the prosecution of the Earl of Strafford, he was easily received into that party; and in a short time appearing to be a man of vigour in body and mind, he quickly outgrew his countrymen in the confidence of those who governed, and so they joined him with Mr. Hampden."¹⁵ Hampden was nine years his senior, but henceforward they were in almost daily communication. There was a certain likeness between the two men. Both had been educated at the University, and passed their early life in country pursuits. Hampden "was known among his neighbours as a gentleman of cultivated mind, of high principles, of polished manners, and happy in his family. A great crisis came, . . . and he showed himself as competent to manage the House of Commons as to direct a campaign."¹⁶ The same words might have been written of his Yorkshire colleague.

From the first meeting of Parliament the attendance was great. The Yorkshire members rode up in a body as usual, with a cavalcade of servants. Crowds came down to Westminster to support their petitions. Monopolies, ship-money, and arbitrary arrests, were all condemned. Strafford foresaw danger,¹⁷ and obtained leave to go to Ireland, but he was recalled, and had no sooner returned than he was "caged."¹⁸ It was a bold step, says Hallam; "nothing short of a commitment to the Tower would have broken the spell that bound the people."¹⁹ Charges were framed by Pym and Stapilton, and a few others, and carried up to the Lords. First and foremost was his conduct in Ireland. But the northern members had also their special grievances. They hated him as President of the North, and for his exaction of ship-money. The two Hothams, father and son, the Cholmleys, the Stapiltons (Sir Philip and his brother Brian), Sir Ingram Hopton, Hugh Bethell, William Strickland, and many others,²⁰ had signed a petition complaining of the number of horses and men they were obliged to provide for the expedition to Scotland, and now there was a fresh demand for "coat-and-

¹³ Macaulay, i. 97.

¹⁴ Leland, quoted in Murray's Handbook of Yorkshire, p. 97.

¹⁵ Clarendon's Hist. of the Rebellion, i. p. 297.

¹⁶ Macaulay's Review of Lord Nugent's Memorials of Hampden. *Edinburgh Review*, Oct., 1831.

¹⁷ Guizot's Hist. of the Rebellion, i. p. 140.

¹⁸ Letter of Robt. Baillie. Hallam's Const. Hist., ii. p. 107.

¹⁹ *Ibid.*

²⁰ Names in Yorksh. Arch. and Top. Journal, vol. i. p. 92.

conduct-money." The King signed the order for Strafford's execution on the 10th May (1641). On the 10th August he set out for Scotland, and the Queen for Holland. Sir Philip followed the King to Edinburgh with a Committee of the two Houses, to watch his proceedings, but Hampden and Stapilton returned in November, in time to vote in the famous debate on the Great Remonstrance. This stormy debate occasioned the first great split in the party. Falkland, Hyde, and Colepepper henceforward joined the King. Country gentlemen, unemployed officers, and young lawyers from the Temple,²¹ hastened to Whitehall to offer their services. On the other hand, the city apprentices marched to Westminster, with the cry of "No Bishops!" The dismissal of Sir William Balfour from the government of the Tower, and the appointment of Sir Thomas Lunsford, one of the most disreputable of the Cavaliers, in his place, brought matters to a serious crisis.²²

Parliament was no longer safe. On Friday, 10th Dec., members arriving to take their seats were surprised to find a guard set upon the House. Sir Philip rose in the midst of a debate to call attention to a body of 200 halberdiers at the doors.²³ On the 3rd Jan. (1642) the Attorney-General preferred charges of high treason against five members, on the ground of having "incited the Scots to invade us in 1640."²⁴ Their lodgings were searched and their papers seized. The House protested against such a breach of privilege, but just as their declaration was about to be carried to the Lords by Stapilton and Fiennes, and Glyn, the Recorder of London, the Sergeant-at-Arms appeared at the doors, and demanded the arrest of the five members. "Their names," he said, "are Denzil Holles, Sir Arthur Haslerig, John Pym, John Hampden, and William Strode." Stapilton was not one of the five, but he was one of the four who carried back the answer of the Parliament to the King. Colepepper and Falkland, the Chancellor of the Exchequer and Secretary of State, were required to accompany Hotham and Stapilton, to inform his Majesty that the five members would be ready to answer any legal charge. The famous interview was a short one. "It was night before they were admitted to audience at Whitehall. Charles addressed himself solely to Falkland. Hastily, when the message had been delivered, he asked whether a reply was expected, and in the same breath said the House should have it in the morning."²⁵

There is a small picture in the "Oak Parlour" at Hornby Castle, which seems to represent this remarkable scene. The King stands in the middle of the room in an attitude of surprise. Two figures are in close conversation with him, and two others are a little further off. One of the latter, a slim figure in a buff leather suit and a pink silk doublet with blue sleeves, may represent Sir Philip. The other bears a strong resemblance to Hotham in a picture in the next room, apparently by the same artist.

The city was devoted to the popular cause, and thither the whole Parliament removed for safety. The five members were concealed in a

²¹ Guizot, i. p. 201.

²² *Ibid.*, p. 205.

²³ Forster's Grand Remonstrance, p. 394.

²⁴ Carlyle's Letters and Speeches, p. 162.

²⁵ Forster's Arrest of the Five Members, p. 126.

²⁶ *Ibid.*, p. 310.

house in Coleman Street. A committee of 25 members was installed at Guildhall, of which Stapilton was "one of the most active and influential."²⁶ A guard of citizens was daily posted at the doors, but every member who chose had a right to be present. Stapilton "made rather a good speech,"²⁷ when Lord Digby's plot to seize the storehouses at Kingston-on-Thames, and Lunsford's connection with it, became known. Short extracts must suffice, as a specimen of style.

"Mr. Speaker,—It is the continuall practise of the Divell after any of his workes of Darknesse and Maliciousnesse is discovered and annihilated by the special power of Divine Providence, to practise new I am now to speake concerning the new treachery and conspiracy, endeavoured to be practised by two eminent persons, the Lord Digby and Colonell Lunsford. The first adventured to take part with the Erle of Strafford. So high is pride that at length he presumed to oppose and set himself against the proceedings of the whole House. And this other person this Colonell, being by His Majesty advanced, could not so content himselfe, but imitating the Water Toade, seeing the Shaddow of a horse seeme bigger than it selfe, swel'd to compare with the same, and so burst, endeavouring by trayterous and desperate actions to be revenged of his pretended adversaries."

"Mr. Speaker,—These attempts made by these persons are of dangerous consequence, and I desire to present to your consideration these particulars."

"That Warrants be forthwith sent for the guarding and securing of all the ports of the Kingdom, and for entercepting of all packets or letters intended to be convey'd into Forraign Kingdomes, or any brought from thence hither."²⁸

Letters were accordingly despatched to Goring, the Governor of Portsmouth; and Sir John Hotham had orders to take command of Hull.²⁹ After remaining a week at Whitehall, the King moved to Hampton Court with his wife and children, 10th Jan., 1642, never again to return to London, except for his execution.³⁰

The arrest of the Five Members was the beginning of the Civil War. Three months later, the King hastened down to Yorkshire, to secure the magazine at Hull, and raise his partisans in that county. The Parliament justified Hotham's refusal to surrender, and certain gentlemen of the county, among whom were Sir Philip and the two Cholmleys, were sent down to watch the King at York. They were daily insulted, and often threatened, but they secretly observed everything, and informed Parliament. "Then came out thundering pamphlets, headed, Horrible news from York . . . with His Majesty's threat'ning to imprison the Lord Fairfax and Sir Philip Stapleton, and the rest of the committee appointed by the Parliament to sit at York," &c.³¹ A great meeting was convened on Heyworth Moor outside the city, on the 3rd June. More than forty thousand persons were present, gentlemen, farmers,

²⁷ *Ibid.*, p. 322 n.

²⁸ King's Pamphlets (British Museum).
Somers's Tracts, iv. p. 357.

²⁹ Guizot, i. p. 223.

³⁰ *Ibid.*, p. 221.

³¹ Drake's Ebor, p. 148.

freeholders, and citizens. The committee of the Parliament were forbidden to appear, but the Cavaliers soon discovered that a petition was being handed about, beseeching the King to abandon all thoughts of war. It is headed,—“A renowned Speech spoken to the King’s most Excellent Majesty at the last great assembly of the gentry and commonalty of Yorkshire, by that most judicious gentleman, Sir Philip Stapleton.” Whether it was ever spoken or written by Sir Philip is very doubtful. Drake calls it “a firebrand thrown out at London.”³²

War now seemed inevitable. Money, plate, and jewels poured into Guildhall for the Parliament. The University of Oxford sent its plate to the king. Still Sir Philip and his friends did their best to maintain peace. He attended the Committee of Public Safety daily at Derby House, in Cannon Row,³³ with Hampden, Pym, and Holles. He was even despatched in haste to Yorkshire with the Earl of Holland and Sir John Holland, to meet the King at Beverley, with continued assurances of peace. In August he signed against a presentment of the Royalist portion of the Grand Jury at York Assizes.³⁴ All this time he was constantly backwards and forwards between London and York, riding his long journeys on horseback, attended by his servants. After a stay of five months, the King left York to set up his standard at Nottingham (22nd Aug.). He carried away with him several prisoners, who had been active in sedition, and among them Sir Philip’s younger brother Brian. Brian was still a prisoner in Nottingham Castle on the 16th Sept., for there is an order of the House of Commons addressed to Sir John Digby, the Royalist Sheriff of Notts, and to the gaoler at Nottingham, to bring him up to the King’s Bench.³⁵

Meantime, the Parliament had resolved to equip an army of 20 regiments of Foot, and 75 squadrons of Horse.³⁶ The Earl of Essex was to be Generalissimo, and many gentlemen of the House of Commons took commissions.³⁷ Lord Brook commanded in Warwickshire, Lord Say and his sons in Northants; Skippon, Holles, and Stapilton in Middlesex; and the Sheriffs of Essex, Surrey, and Berks also joined. The whole was at the disposal of the Committee of Public Safety. The infantry generally assumed the colours worn by the serving men of their respective leaders. Holles’ men were the London red coats; Lord Brook’s, the purple; Hampden’s, the green coats.³⁸ The cavalry were all raised, as were some of the infantry regiments, at the charge of their commanders. Sir Philip was captain of his Excellency’s bodyguard of Cuirassiers.³⁹ They wore a close steel cap, a leather coat under a breastplate, large buff leather boots, a good sword and a pair of pistols, and an orange scarf,—the latter being the only sign of uniform.⁴⁰ The Life Guards received the same uniform from Charles II., and still retain it, except that the buff coat has been exchanged for scarlet, and the buff boots for black. Essex left London the 9th Sept. (1642), followed by Sir Philip

³² *Ibid.*

³³ Guizot, i. p. 260.

³⁴ Markham’s Fairfax.

³⁵ Commons’ Journals, ii. 770.

³⁶ Guizot, i. 268.

³⁷ Mr. Sec. May’s Hist. of the Long Parl., p. 139.

³⁸ Forster’s Statesmen of the Commonwealth, ii. 348.

³⁹ Army List of 1642 (King’s Pamphlets), reprinted by J. C. Hotten.

⁴⁰ Lord Nugent’s Memorials, Planché’s Costume, p. 2c7. Forster, ii. p. 349.

a few days later, in charge of a petition from the Commons to the King, reiterating their desire for peace.⁴¹ On the morning of the 24th Oct., reports arrived in London that a great battle had been fought at Edgehill. Some said the king was beaten, others that the Parliament had retreated.⁴² The left wing of the Parliament army had indeed suffered severely by the sudden desertion of Sir Faithful Fortescue. An eye-witness shall tell the story of the victorious right wing in his own words :—

“Three Regiments of Horse were on the right wing ; the Lord General’s owne Regiment, commanded by Sir Philip Stapleton ; Sir William Balfore’s Regiment, who was Lieutenant General of the Horse ; and the Lord Fielding’s Regiment, which stood behinde the other two, in the way of a Reserve. . . . The chiefe Regiments having begun the Batell, Sir P. S. with a brave Troop of Gentlemen (which were the General’s Life-Guard, and commanded by him) charged the King’s Regiment on the right Flanke within the Pikes, and came off without any great hurt, though those Pikemen stoutly defended themselves ; and the Musqueteers, being good firemen, played fiercely upon them. The Battle was hot at that place, and so many of the King’s side slaine, that the Parliament’s army began to be victorious there ; they took the Standard Royal, the bearer thereof, Sir Edmund Varney, being slaine ; and General the Earle of Lindsey, sorely wounded, was taken Prisoner.”⁴³

There is a curious old print of the battle on the title-page of the *Mercurius Rusticus* (pub. 1685). The infantry are marching to the attack in squares, with pikes erect. Only two or three of the front ranks are engaged, with their pikes levelled, and discharging their muskets at very close range. The cavalry are in full gallop, firing their pistols from the saddle. The Earl of Lindsey was carried to Warwick Castle, where he died the same night. He was the first Earl, a Knight of the Garter, and Hereditary High Chamberlain of England. Sir Miles Stapleton of Carlton married one of h’s daughters.⁴⁴ Her monument is in the Stapleton chapel at Snaith. Sir Robert Stapleton (uncle of Sir Miles) also fought on the King’s side, and was knighted for his gallant behaviour.

Both sides claimed the victory, but the military consequences, says Hallam,⁴⁵ were in the King’s favour. Hampden, Holles, and Stapilton were for risking another engagement, but their advice was overborne by the military commanders.⁴⁶ Essex fell back on London, and quartered his men for the winter about Acton and Brentford.

The Queen’s landing in Yorkshire in Feb., 1643, gave a new turn to events. The hopes of the Royalists revived everywhere in the North. Again overtures of peace were made by the Parliament. The Commons sent five Commissioners to Oxford, but the King’s obstinacy rendered all their efforts unavailing.⁴⁷ The Parliament again took the field (15th April), but Essex contented himself with besieging Reading, and afterwards marched to Thame. There he lay, watching Oxford, with his outquarters posted rather wide among the villages in the rear. Prompted

⁴¹ May, p. 162.

⁴² Guizot, i. p. 218.

⁴³ May, p. 169.

⁴⁴ Collins’ Peerage, ii. 14.

⁴⁵ Const. Hist., ii. 152.

⁴⁶ Guizot’s Hist. of the Rebellion, i. p. 269.

⁴⁷ *Ibid.*, p. 290.

by Colonel Urey, a deserter, Prince Rupert determined on attacking them; and sending three or four troops of cavalry round by Abingdon and Wallingford, and along the base of the Chiltern Hills, slipped out of Oxford one Saturday night in June, through Tetsworth, to support them. The Royalist cavalry passed the scouts of the Parliament in the darkness, and burnt part of the town of Chinnor, where Major Gunter lay with three troops, and Mr. Hampden with him. Hearing the firing, Sir Philip Stapilton, "who had the watch that night at Thame," sent out troops to know the occasion of it, and thus reinforced, Gunter drove the enemy back nearly five miles, but only to fall unexpectedly on Rupert's whole army drawn up at Chalgrove. "Our men," says Essex, in a letter written to the Parliament from Thame, 19th June,⁴⁸ "not being above 300 Horse, charged them very gallantly, and slew divers of them," but being attacked in the rear by Rupert's reserve, "they broke and fled; though it was not very far, for I sent Sir P. S., who presently marched towards them" with his regiment, and "though he came somewhat short of the skirmish, . . . he stop't them, and the enemy marched away."⁴⁹ It was on this occasion that Hampden was seen riding off the field mortally wounded. His death was the ruin of the cause he loved.⁵⁰

For more than two months after Hampden's death, the Parliament army met with nothing but disaster.⁵¹ On the 4th of July, the Lord General, having moved his quarters to Eythorp House, on the Thame river, near Aylesbury, lost some of his dragoons and "most of their forlorn hope," by a party of the King's forces from Buckingham, who lay in ambush in some standing corn. "Sir P. S. would gladly have charged them, but the ground was so boggy that he could not go over the bridge." "The Cavaliers were 4000 horse, our's only 3000."⁵² Fairfax in the North, and Waller in the West, were both beaten. Hotham had surrendered Hull to the Queen. Bristol had surrendered to Prince Rupert. Essex had again fallen back on London. A mob of 5000 women came from the city to Westminster, clamouring for peace, and were fired upon by the Militia.⁵³ London was hastily fortified. Every day at beat of drum, thousands of men and women,

From ladies down to oyster wenches,
Laboured like pioneers in trenches;
Fell to their pickaxes and tools,
And helped the men to dig like moles.⁵⁴

By August (1643) a huge intrenchment, 12 miles long, with forts at the principal roads, enclosed the city and suburbs;⁵⁵ and from this moment the firmness of the Parliamentary leaders began to change the fortune of the war.

One of the well-known frescoes in the lobby of the House of Lords represents the departure of the trainbands from London to raise the siege

⁴⁸ Forster's Life of Hampden, p. 369.

⁴⁹ *Ibid.*

⁵⁰ Green, p. 533.

⁵¹ Guizot, i. p. 309.

⁵² Letter from Richard Smith to Sir Thomas Barrington (*Lowndes MSS.*),

Hist. MSS. Comm., 7th Report, p. 553.

⁵³ Guizot, i. p. 319.

⁵⁴ Butler's *Hudibras*, quoted in A. Hare's *Walks about London*.

⁵⁵ May, p. 214. Somers' *Tracts*, vol. iv. pp. 538-543.

of Gloucester. This city lay between the royal forces in Bristol and the North, and it was therefore of importance to the King to hold it. Essex led the infantry, Sir James Ramsay the rearguard, and Sir Philip Stapilton the advance guard. From Colnbrook to Beaconsfield they advanced by forced marches, with an army of 8000 Foot and 4000 Horse; and thence to Brackley Heath, where the General took up his quarters at Aynho. From Baubury to Stow-in-the-Wold they had repeated skirmishes with the enemy's Horse, and on the 5th Sept. came in sight of Gloucester.⁵⁶ This march of upwards of 100 miles occupied ten days. Essex was about disposing his army in front of Gloucester, on the heights of Presbury, when he found the King's huts on fire, and the siege already raised. He stayed only two nights, and under pretence of making for Worcester, fell upon a rich store of provisions at Cirencester, at one o'clock in the morning. Thence he proceeded by easy marches through the lanes of North Wilts, to enable his sick and wounded to come up, hoping to reach Newbury the following night; but a sudden attack from Prince Rupert forced him to turn aside to Hungerford. In passing through Auburn Chase, his cavalry were attacked in the rear by a party of 6000 men, and driven in upon the Foot, till Stapilton "who had the van that day, came purposely back, and caused them to retire."⁵⁷

This delay gave the King time to bring up his Foot and Artillery. And as Essex advanced towards Newbury next morning, he found the enemy posted along the Andover road, at right angles to that by which he was advancing. Their right rested on Newbury, their centre and left on an elevated plain called Newbury Wash, where Lord Falkland's Memorial has been recently erected. Leaving the baggage waggons on the Hungerford road near the village of Enborne, Essex led his army up a lane to Skinner's Green, now enclosed, but having failed in getting the supplies he expected at Hungerford, they remained in the field all night without provisions.

A deep sandy lane, wide enough for four Footmen to march abreast was, and is still, the only communication between Skinner's Green and Newbury Wash. By daylight the Royalists had occupied the top of the lane with their "ordnance," where they were attacked by Essex, the city trainbands "performing prodigies of valour." For six hours the fighting lasted, and both armies remained on the field at dusk. Mr. Secretary May shall again describe the cavalry attack:—"The Battel having been begun by the Foot, Sir P. S. with H. E.'s Guard and Regiment of Horse, advanced on the Plaine of the Hill, where he had no sooner Drawne up out of the Lane's end, seconded by Colonel Dalbiere's Regiment of Horse (no other Horse being advanced to the place) but the enemy perceiving this advantage, being all drawne up in several great Bodies of Horse . . . charged us, whom we so well received (giving no fire till we joynd close with them) that the enemy was wholly routed. . . . Then we drew back by order, by occasion whereof opportunity was gained to bring up the remainder of our Horse. . . . The enemy drew out some fresh Regiments of Horse . . . and advanced again. . . . but received no better entertainment than before, being again routed. By

⁵⁶ May, p. 221⁵⁷ May, p. 223.

that time that he (the enemy) had drawne up his Regiment again with some order, the other Regiments (those of Ramsey, Harvey, and Goodwin) were come up to him, when the enemy with their whole body charged upon them bravely, and were as well received. Sir P. S. was here charged both in Front and Flanke (his whole Regiment having spent both their pistols) and was so encompassed, that the Enemy and Ours, with both our whole bodies, were all mix'd together; and in this confusion many were slaine on both sides, and our men at last were forced towards the lane's end where they first came in, which being near our Foot, the enemy drew back to their own Forces. . . . We took three Colours of Horse compleat, and a piece of another Colours."⁵⁸ Whitlocke adds "a passage or two . . . of extraordinary mettle and boldness of spirit." Two bodies of Horse stood facing each other, Sir Philip Stapilton being at the head of one, and Prince Rupert and his officers in front of the other. Sir Philip desiring to cope singly with the Prince, whom he knew, rode out before his company, and fired his pistol in the Prince's face, but his armour defended him from any hurt. Having done this, Stapilton turned his horse about, and came gently off again, without any hurt, though many pistols were fired at him.⁵⁹ Sir Philip's groom also, a Yorkshireman, was attending his master in a charge, when the groom's mare was killed under him, but he came off on foot again to his own company. Nothing would persuade the groom to leave his saddle and bridle to the Cavaliers, but he went again to fetch them, and stayed to pull off the saddle and bridle, whilst hundreds of bullets flew about his ears, and brought them back with him, and had no hurt at all.⁶⁰

The King's army drew off in the night. Next morning Essex, "being master of the Field, discharged a piece of Ordnance," and marched towards Reading. In a narrow lane between Thatcham and Theale, they were again attacked by Prince Rupert and thrown into confusion, but the Foot quickly rallying, and "discharging ten drakes" at their assailants, the Royalists retired, leaving about 100 dead.⁶¹ For "good service done in the late Gloucester journey and fight at Newbury," Sir Philip and others received the thanks of the House; "to be entered on the Journals for an honour to their posterity."⁶² It was conveyed to them at Reading by a deputation of the Commons.⁶³ On their arrival in London, the army was received with great joy and honour, being met by the Lord Mayor at Temple Bar, and "the reputation of the Parliament rose higher."⁶⁴

The beginning of 1644 saw the signing of the Solemn League and Covenant. Both sides were in need of help. The King looked to Ireland, the Parliament to Scotland, for aid. As the price of their assistance, the Scots required an oath to be subscribed by all manner of persons, to set aside the authority of the bishops, and to bring the Church of England into conformity with that of Scotland. A numerous committee, including the Earls of Northumberland, Essex, Warwick,

⁵⁸ May, p. 224.

⁵⁹ Whitlocke's Memorials, p. 74.

⁶⁰ *Ibid.*

⁶¹ Clarendon's Hist. Essex, Memorials, in Harl. Miscellany, vol. i. p. 233.

⁶² Whitlocke, p. 70. Journals of the House of Commons, 23 Sept., 1643.

⁶³ Guizot, i. p. 334.

⁶⁴ *Ibid.* p. 228.

and Manchester; Lords Say, Wharton, and Roberts; Pierpont, the two Vanes, Stapilton, Waller, Haslerig, and others of the Commons, were appointed to co-operate with the Scottish Commissioners.⁶⁵

Henceforward Sir Philip becomes one of the leaders of the Presbyterian party. His residence was still in Blackfriars, but for the present he was called away to other duties. Hostilities had recommenced. Essex and Waller set out to besiege Oxford. The Royalist army fell back from Reading, and Lord Roberts and Sir Philip entered Abingdon⁶⁶ close behind them with 2000 men. Towards the end of May, Oxford was almost surrounded. Essex had crossed the Thames at Sandford, and lay at Islip. Waller kept post at Abingdon. Oxford was no longer tenable, and the King escaped to Worcester. The bird being flown, Essex pursued his march into the west. In three weeks he raised the siege of Lyme, took Weymouth, Barnstaple, Tiverton, and Taunton.⁶⁷ The last we hear of Stapilton is charging Prince Maurice's Horse at Barnstaple.⁶⁸ A week later he was in London, where he was able to serve the General in another way. After surrendering to the King in Cornwall, Essex wrote despondingly to Sir Philip from Plymouth (3rd Sept.): "How our poor army has been neglected is too well known. . . . It is the severest blow that our party has ever received. . . . I wish for nothing more than to be brought to trial. I intend to stay here till I know the House's pleasure."⁶⁹ The answer of the two Speakers only half reassured him. "They deeply feel the extent of this misfortune, but submit to the will of God. . . . The trust they repose in you is not in the least shaken."⁷⁰ Being reinforced by the Earl of Manchester and Sir William Waller, they won another battle at Newbury, but Essex himself, broken down by the late reverses, had already left the army and returned to London.⁷¹ Manchester shrunk from inflicting on the King a crushing defeat, as Essex had, and Charles was allowed to withdraw to Oxford.⁷² This began the quarrel between the army and the Presbyterians, Cromwell charging them with lukewarmness in allowing the king to carry off his guns from Donnington Castle. Holles and Stapilton, and "the moderate party," met at Essex's house in the Strand, "to put down the new enemy," but the General counselled peace with Cromwell, and fresh overtures were made to the King.

Meantime other occurrences filled the little family in Blackfriars with sorrow and anxiety. "Master of a noble fortune in land, and rich in money,"⁷³ Sir John Hotham, Bart., M.P. for Beverley, had held out Hull against the King, but afterwards surrendered it to the Queen when she landed at Bridlington. For this defection, Hotham and his son were taken prisoners by Sir M. Boynton⁷⁴ (29th June, 1643), and shipped on board the *Hercules* at Hull, for conveyance to London. There was evidence enough against them, but they had so many friends in Parliament, that they remained a long time prisoners in the Tower,

⁶⁵ Hallam's Const. Hist., ii. p. 164.
Guizot, ii. p. 37.

⁶⁶ Whitelocke, p. 74.

⁶⁷ Guizot, ii. p. 51.

⁶⁸ Memoirs of Essex, Harl. Miscellany, vol. i. p. 235.

⁶⁹ Rushworth's Abridgement, v. 351.

⁷⁰ *Ibid.*, p. 354.

⁷¹ Guizot, ii. p. 59.

⁷² Green, p. 536.

⁷³ Clarendon's Hist.

⁷⁴ Poulson's Hist. of Beverley, p. 360.

before they were brought to trial.⁷⁵ But the "violent men" were now in power, and importunately demanded that the prisoners should be given up. Accordingly, on the 30th Nov., 1644, Hotham was brought before a Court-Martial in Guildhall, of which Sir W. Waller was president, and about thirty witnesses were examined against him. On the 2nd Dec., he made his defence, and called his witnesses, his two sons Charles and William, giving evidence for their father.⁷⁶ Young Hotham's trial began the 9th Dec. Both father and son were condemned, and executed on Tower Hill.



SIR JOHN HOTHAM, 75a.

Sir Hugh Cholmley of Whitby was another who, infatuated by the Catholic Queen, surrendered the castle of Scarborough, and joined her Majesty at Boynton Hall, now deserted by its puritan baronet, Sir William Strickland. Cholmley held out Scarborough for the Royalists during a siege which lasted nearly a year, but, surrendering in 1645, escaped abroad. Through the influence of his brother he was afterwards allowed to return to England, and died in 1657.⁷⁷ Sir Henry Cholmley, who had married Sir Philip's sister, remained true to the Parliament, though he was afterwards one of the committee sent in 1660 to invite Charles to return.⁷⁸ He resided at West Newton Grange, near Helmsley, but being appointed by the king to superintend the building of the Mole at Tangier, he went abroad about 1664, and died in that "costly, useless, and pestilential settlement."⁷⁹ He was buried at West Newton Grange, where his wife Catherine Stapilton was also buried in 1672.⁸⁰

The Self-denying Ordinance and the new modelling of the army brought Sir Philip's campaigning to an end. It was proposed by Zouch Tate, the fanatic member who brought it forward, that "every one should freely renounce himself." No member of either House was to hold any military or civil command.⁸¹ The debate was long and violent, and the ordinance was not finally adopted till the 19th Feb., 1645.⁸² Denzil Holles was one of the officers dismissed, and bitterly complains: "The Earl of Essex, the Earl of Manchester, Sir Philip Stapleton, Sir William Waller and the rest, to be cashiered and cast by as old Almanacks! All those gallant officers who had done the Parliament the best service. . . ."⁸³

"Sir P. S. had but 40s. a day being Lieutenant General of Horse under my Lord Essex. . . . Sir William Waller had his arrears. . . ."

⁷⁵ Clarendon's Hist.

^{75a} From a medal in the British Museum. The crowned skull and the motto "Mors mihi vita" suggest the reflection, Death is a Crown of Life to me. On the reverse side are the arms of Hotham impaling Anlaby, his fifth wife. The medal was evidently struck by the widow for distribution among his friends after his

execution.

⁷⁶ Remarkable Trials, vol. i.

⁷⁷ Markham's Life of Fairfax, p. 110.

⁷⁸ *Ibid.*, p. 45.

⁷⁹ Macaulay, i. p. 293.

⁸⁰ M.S. letter from Sir G. Strickland.

⁸¹ Guizot, ii. p. 80.

⁸² *Ibid.*

⁸³ Holles' Memoirs, i. p. 207.

Sir P. S. had his also, a very small one for so eminent an officer, having left the benefit of his whole estate during all the Civil Wars,⁸⁴ which Haslerig had not."

When news arrived that the King had taken Leicester by storm, and Taunton was closely besieged, the Presbyterians triumphed. "This is," they said, "the fruit of the New Model; nothing but indecision and reverses." But in less than a fortnight, the King was surprised at Naseby (Sept., 1645), and his hopes crushed for ever.⁸⁵ Tardy justice was proposed to be done the officers in December, though it was never carried into effect. Among the "conditions of peace,"⁸⁶ Fairfax was to have an earldom, with £5000 a year; Cromwell and Waller baronies, with half that estate; Essex, Northumberland, and two more to be made dukes; Manchester and Salisbury, marquises; and Sir Philip a baron, and to have £2000 a year.⁸⁷

A memo. of Whitelocke's shows how Gunpowder Plot was observed in the city at this time:—"5 Nov. 1645. This day of solemnity, Mr. Holles, Sir W. Lewis, and Sir P. S. took me to dinner with them at a tavern near the Exchange, where Colonel Harvey and some other citizens provided good entertainment and paid the scot."⁸⁸

After Naseby, we enter upon a confused struggle for religious freedom.⁸⁹ The King surrendered to the Scots in May, 1646, and was urged on all sides to adopt the Covenant. A deputation of both Houses went down to Newcastle with proposals of peace. Stapilton, Holles, Glynn, and some others were appointed commissioners in London, with the same object.⁹⁰ But the king was obstinate. Stapilton and his friends wished the Scots to surrender him to the Parliament and return home. On the 19th Feb., 1647, the Commons voted to disband the army and raise a loan of £200,000 to pay the troops. A committee was named for carrying this purpose into effect, comprising Holles, Stapilton, Glynn, Maynard, and most of the Presbyterian leaders. But the army refused to be disbanded, and on the 4th June, the King was in their hands.⁹¹

The storm was gathering thick round the Presbyterians. Sir Philip had lost one daughter in Blackfriars in Sept., 1644; he buried another there in 1646.⁹² A little later he changed his residence to St Martin's Lane, at that time a country lane at the back of the Convent garden, connecting the villages of Charing and St. Giles.⁹³ The few houses there were, looked over the fields and gardens now called Leicester Square. He made his will the 5th June. Cromwell was already suspected of tampering with the army, but he fell on his knees in his place in Parliament, and solemnly protested he was innocent. That very night he left London to join the army at Triploe Heath, in Cambridgeshire. Their head quarters advanced to St. Albans on the 10th June,⁹⁴ and on the 14th, under pretence of a "Humble Representation to the Commissioners of Parliament now with the army," they impeached the eleven members, "for attempting to subvert the army, and for encouraging Reformadoes

⁸⁴ *Ibid.*, p. 139.

⁸⁵ Guizot, ii. p. 110.

⁸⁶ Hallam's Const. Hist., ii. p. 220 n.

⁸⁷ Whitelocke, p. 182. Parl. Hist., p.

403. Guizot, ii. p. 159.

⁸⁸ Memorials, p. 270.

⁸⁹ Green, p. 542.

⁹⁰ Rushworth's Abridgement, vi. 27.

⁹¹ Guizot, ii. p. 196.

⁹² Malcolm Lond. Red, p. 376.

⁹³ Walks about London, Aug. Hare,

ii. 6.

⁹⁴ Rushw. Abr., vi. p. 150.

to affright and assault members going to Westminster."⁹⁶ The names of the eleven were Denzil Holles, Sir P. Stapilton, Sir W. Lewis, Sir J. Maynard, Major-Gen. Massey, Mr. Glyn, Col. Walter Long, Col. Harley, and Anth. Nicholls.⁹⁶ The Commons replied they could not deprive members of their rights without evidence. On the 19th, all being present, the eleven gave their answer.⁹⁷ Next day they applied for leave for six months, and passes were granted them to go beyond sea.⁹⁸ But the army was at Uxbridge by the 26th, and a crowd surrounded the doors of the House. A hundred halberds were sent for, and Col. Web was ordered to mount guard every day.

Mr. Holles indignantly denies that his friends had promoted this disturbance. They had appointed that day to dine at the Bell, in King Street (Guildhall), to settle accounts for lawyers' fees in preparing their defence, before taking leave of each other. Holles continues,—“As I was going into my coach (there was with me Sir P. S., Sir W. Waller, Major-General Massey, and Mr. Long), one brought me word of this hubbub at the House, whereupon we resolved *not* to go. But afterwards finding Sir W. Lewis and Mr. Nicholls were staying for us at the Bell, we went thither; but hearing more about the disorder at Westminster Hall, we would not stay so much as to make an end of our dinners, but presently came away.”⁹⁹ The Presbyterians and the City were at this time almost entirely Royalist,¹⁰⁰ and an engagement to promote the King's return to London had been numerously signed in Skinner's Hall. On the 20th July, the citizens and apprentices petitioned Parliament that the Eleven might be allowed to return.¹ The two Speakers and many members of both Houses had withdrawn, but the “Remainders,” reinforced by the Eleven, proceeded to elect new Speakers with the city mace. The Committee of Safety was revived, including five of the Eleven,² and the militia was reinforced. On the 31st July, most of the Eleven sat in the House, and in the afternoon General Massey, Sir W. Waller and General Pointz “were at listing the Reformadoes.”³

Tuesday, the 3rd August, was such a day as London and the Guildhall never saw before, great crowds petitioning for peace.⁴ The army was on Hounslow Heath. The City gave up their western forts at Hyde Park Corner to Fairfax. The Parliament “Remainders” met the General at Holland House that now is. The Lord Mayor and Aldermen made their submission in Hyde Park.⁵ After a short ceremony, Fairfax, with several regiments wearing boughs of laurel in their hats, marched three deep to New Palace Yard, in front of Westminster Hall, where the members went to the Houses and voted him Constable of the Tower.⁶

London was no longer a place of safety for the Eleven, and rumours of their flight reached town on the 21st August. “Major Redman at Gravesend, having notice that some of the eleven impeached members

⁹⁶ Parl. Hist., iii. p. 625.

⁹⁶ Rushw. Abr., vi. p. 164.

⁹⁷ *Ibid.*, p. 201.

⁹⁸ *Ibid.*, p. 203.

⁹⁹ Holles' Memoirs, 154.

¹⁰⁰ Guizot, ii. p. 194.

¹ Rushw. Abr., vi. p. 212.

² *Ibid.*, vi. p. 216.

³ *Ibid.*, p. 219.

⁴ Carlyle's Letters and Speeches, p. 281.

⁵ *Ibid.*, p. 281.

⁶ Rushw. Abr., vi. p. 240.

passed by to Margarets (Margate) in Kent, thereon sent post after 'em, who having hoisted sail, were a mile at sea ; and enquiry being made, a fisherman said he thought 'em to be some Parliament men flying," &c.⁷ A more particular account is contained in a letter dated 27th Aug., 1647, apparently written by Denzil Holles, "attested under the hand of four of those gentlemen that went with him."⁸ It begins,—“Obeying that necessity that forced them out of England, Sir W. Waller, Sir W. Lewis, Sir Philip Stapleton (though then Feaverish with a Flux [? dysentery], that had followed him some daies before) with Col. Long, begun their journey on the 14th August towards Whole Haven in Essex, where they were met by Sir John Clotworthy.” Next morning (Sunday), they took possession of a “Pinke” that was lying there, and anchored at Margate the same night. The day after, they sailed for Calais, leaving the master behind ; and passing within hail of the *Nicodemus* frigate, took in a pilot at Sandwich. The master having spread a report that they had stolen his boat and £16,000 besides, the *Nicodemus* slipt anchor, and came up with them off Calais, but found nothing on them. The little party landed on Tuesday evening, and put up at the sign of the “Three Silver Lyons.” On Wednesday, Sir Philip becoming worse, a French physician was called in. “The Fever” was in the town, and the people demanded £250 for damages, under pretence that Sir Philip was sick of the Plague. They eventually paid £80 sterling for damages, £10 to the doctor, £12 to the chirurgion, and £2 10s. to the apothecary, making in all £104 10s., which was paid by Sir Philip’s servant, Thomas Gage. After this, the others were permitted to go on board a bark, and sailed for Flushing.

Sir Philip died on the Wednesday evening, and was buried in the Protestant burial-ground ; “willing his man Thomas Gage to commend him to his wife, and not forget his children. He then betook himself to prayer for an hour and a half, praying for his enemies, and desiring God to receive his Soul, and then quietly departed without a groan or gasp. About 10 o'clock at night, there came one and wrapped him in a sheet, and put him in a coffin.”⁹ Calais still retains many of its old characteristics. There are still the same old walls between the town and the quay, with the same gateways and drawbridges. Sir Philip seems to have died in the picturesque quarter called “Le Courgain,” then recently built, but now a perfect Rag Fair, with its narrow alleys squeezed together in parallel lines against the walls. The sign of the “Three Silver Lyons” no longer exists.

Sir Philip left two families. By his first wife he had,—

1. John Stapilton, afterwards of Warter.
2. Robert, who eventually inherited Wighill, 1673.
3. Isabel, the eldest daughter, died 6th Sept., 1644.
4. Katheryn, to whom her father left £1000, married George Lesson or Leeson, of Dublin.
5. Mary, who had a similar legacy, married 1st. . . . Bigges, of Gray’s Inn, and afterwards Thomas, 4th Viscount Fitzwilliam, of Merion, in Ireland.¹⁰

⁷ *Ibid.*, p. 250.

⁸ King’s Pamphlets (*Brit. Museum*), No. 333.

⁹ *Ibid.*

¹⁰ Lodge’s Irish Peerage.

By his second wife he had,—

1. Henry, who succeeded Robert at Wighill.
2. Philip of Fulham, also of Wighill.
3. Frances, 2nd wife of Sir Nathaniel Powell, of Ewhurst Place, Sussex. She had £1,000 under her father's will.
4. Elizabeth, baptized 11th Feb., 1640; probably "Isabel, daughter of Sir Philip and Lady Barbara," who died 16th Dec., 1646.¹¹
5. Philippa, baptized 28th May, 1644,¹² not mentioned in her father's will, and therefore she probably died before him.

The will¹³ was proved at London (2nd Oct., 1649), by his widow and her sister Lady Margaret Wildgoose, executors.—To his widow he gave the lease of the house in St. Martin's Lane, and all his plate, jewels, and household stuff; with half the income arising from £1,500, which is to be laid out in land—John, his eldest son, is to have the manor of Warter, with the lands and tithes, and the lands at Blanch purchased from the Bethells—William Gee is to have the care of him till he is twenty years of age—Robert and Philip are to have £300 apiece, and £40 a year out of Blanch. All his horses are to be sold, and the money applied for the use of his younger children—Robert is commended to the care of his grandmother at Wighill—£1,000 apiece to his daughters Katheryn, Mary, and Frances—Lady Wildgoose to have his 'table diamond' and his mother 'the clocke in his pocket that he used to wear.' To William Gee his black horse, and his first wife's picture—To his 'noble freindes' Mr. Holles, Sir W. Lewis, and Sir John Clotworthy, 'three cases of my best pistolles'—And to his Chaplain, Mr. Cole, £20. From a Memoir in the King's Pamphlets we get some account of his character and personal appearance. The writer seems again to be his friend, Denzil Holles. Like his illustrious kinsman, Lord Fairfax, "Sir Philip was of a thin body and weak constitution, but full of spirit, which was too soon spent (if God had seen it good) with the manifold endeavour and excessive pains he day and night underwent for the service of this poor kingdom, and yet he exposed himself to the greatest hazards in the war, daring as much and going as far in that service as any mortal ever did; witness those eminent engagements of his in the two great battles of Keinton and Newbury, in which he was in a very high degree instrumental to the gaining of the day in both. . . . For his parts they were very eminent; he was quick of apprehension, sound of judgment, of clear and good elocution, and in things wherein the just rights of the king, the privilege of the Parliament and the safety of the kingdom . . . was concerned . . . he ever spoke freely and with great abilities. . . . For his Religion, he was a true and zealous Protestant, though not in any way new-fangled; yet abundantly careful, and curious enough to discover the saving truths in fundamentals of faith and knowledge. . . . He was a religious lover of both his wives and all his children, without partiality; breeding them up in the fear of God, giving life unto his admonitions and counsels, by his holy, humble, and affectionate carriage and conversation towards them."

¹¹ Malcolm Lond. Red., p. 376.

¹² *Ibid.*

¹³ Will Office, Somerset House.

Sir Philip was one of the leaders of the Presbyterian party ; but we are not to understand that he was a Presbyterian in the modern sense of the word. Pym and Hampden had no sort of objection to Episcopacy, and the adoption of the Presbyterian system was only forced on the Puritan patriots by political considerations.¹⁴ "Men of parts, interest, and signal courage," as even the Royalist Clarendon admits, the Presbyterian patriots were very nearly Royalists at the close of Charles the First's reign.¹⁵

A mezzotint half-length engraving (1815) "from a drawing by Bullfinch from the original painting," represents Sir Philip in steel plate armour, with a limp white collar falling over the gorget. He seems to be about forty years of age. His face is pale and delicate, the features refined and regular, but prematurely stamped with a thoughtful careworn expression. His hair falls in wavy tresses over his collar, and small moustaches turn down over the corners of his mouth. The picture is in the style of Vandyke, who was his near neighbour in Blackfriars.

Another Robert Stapylton, who was one of Cromwell's Chaplains, appears soon after Sir Philip's death, but where to place him in the pedigree is difficult to decide, unless he was Robert, the Rector of Lacock, brother of Brian Stapylton, of Myton. The Chaplain seems to be identical with one Robert Stapilton, who has licence in 1638 to sell his moiety of eight messuages and 120 acres of land in Roccliffe, Aldborough, and Copgrave, all near Boroughbridge, to Catherine Cholmley, sister of Sir Philip of Warter.¹⁶ He first appears in a letter from Cromwell, dated, "Near Berwick, 16th Sept., 1648." Mr. Carlyle calls him, "a favourite of Oliver Cromwell's, an Army Preacher, a man of weight and eminence in that character"¹⁷ and two years afterwards—"Last Lord's day, 29th Sept., 1650, Mr. Stapylton preached in the High Church of Edinburgh, while we were mining the Castle, forenoon and afternoon, before H. E. and his officers, where was a great concourse of people, many Scots expressing much affection at the doctrine, in their usual way of groans, &c."—Mr. Robert Stapylton also gave the Commons the first intelligence of the battle of Worcester, writing, "At 10 o'clock at night the 3d Sept., 1651, from the other side of Severn."¹⁸ In the Thurlow papers there is a letter from Sir Robert Stapylton to the Lord General Cromwell, dated Upsal, 23rd Dec., 1653, describing Whitelocke's reception in Sweden, when he went to make a treaty of Protestant alliance with that country. And a letter of introduction from Robert Stapylton to Lord Henry Cromwell in Dublin, dated Charing Cross, 31st March, 1657.¹⁹

John Stapilton of Warter, Sir Philip's eldest son, was about seventeen at his father's death, and left to the care of his half-brother, William Gee. He had received his education at York, at St. Peter's School, in the Minster Yard. The Life of Marmaduke Rawdon, published by the Camden Society, shows that boys at that time were much the same as

¹⁴ Green, p. 455.

¹⁵ Guizot, ii. p. 194.

¹⁶ Rot. Pat. 13 Car. p. 4.

¹⁷ Letters and Speeches, 1st Series, p.

39 n.

¹⁸ *Ibid.* and Commons Journals, vii. 8, 9, 10.

¹⁹ Thurloe State Papers. Guizot's Hist. of the Commonwealth and Cromwell, ii. p. 71.



R. Kneller del.

SIR PHILIP STAPLETON,
*one of the five members King Charles used to stand in the
House of Commons.*

drawn & engraved by WILLIAM WILKINS, his original Painter.

London, printed by R. & J. WOODBURN, 1844.

they are now. "Whilst he (Rawdon) staid att York his recreations allowed him on play dayes was bow and arrowes and bowling, in booth which he was reasonably expert; his recreations, by the bye unknown to his parents, was riding of horses and swimminge, in booth which he many times past no small danger." John was one of Rawdon's "contemporary Schoolefellowes and chief playfellowes." There were also many other Yorkshire boys (their names are recorded), "all of which have to this day a great respect one for another."²⁰

John's father had left him the Manor of Warter and all the lands and tithes. His grandmother left him her gold watch in 1656, perhaps one of Huygens' latest improvements, for Sir Philip had only "a clocke," which he used to wear in his pocket.²¹ Soon after he came of age he took up his residence at Warter, and married Elizabeth, daughter of Sir Wilfrey Lawson, of Isell, Cumberland, Knt., by whom he left six daughters.

1. Isbell, married Sir William Pennington, Bart., of Muncaster Castle, Cumberland.
2. Jane, died young.
3. Frances, born at Warter, 15th Mar., 1655.²²
4. Elizabeth, born at Warter, 1656.²³
5. Jane, married Rowland Mosley, of York.
6. Esther, born at Warter in 1659,²⁴ married John Saunders, eldest son of S. of Grosmount Abbey, near Whitby.

Wilfrid, their only son, was born after the Restoration—two years old at Dugdale's Visitation in August, 1665²⁵—but died in childhood.

John's name is incidentally mentioned in the trial of John Cornwallis, a suspected Roman Catholic priest, at York, Dec., 1678. Cornwallis travelled from London to York the previous May, "in company with Mr. Jo. Stapleton of Warter and others in a coach,"²⁶—the famous "York four days stage coach." He was a Justice of the Peace at the Revolution in 1688, and is found adhering to his father's principles. The king was bent on securing a Catholic successor, and great exertions were made to get a Parliament favourable to the abolition of tests as a qualification for office. Interrogatories were circulated to all the magistrates to ascertain how they would vote at a general election.²⁷ Most of them evaded the question by cautious answers. John boldly replied that "he would vote with the Parliament, and do what was best for the nation."²⁸ Sir Miles of Carlton, on the other hand, as a Catholic, promised "he would use his interest towards selecting men who will concur with His Majesty for taking away the Penal Laws and Tests."²⁹

Macaulay says of the Roman Catholic gentleman of this period,—He

²⁰ Life of Marm. Rawdon (*Camden Society*), p. 4.

²¹ Sir Philip's Will.

²² Parish Register at Warter.

²³ *Ibid.*

²⁴ *Ibid.*

²⁵ Dugd. Visit. of Yorkshire (*Surtees*

Society).

²⁶ Depositions from York Castle (*Surtees Society*), p. 283.

²⁷ Macaulay, ii. p. 318.

²⁸ Yorkshire Arch. and Top. Journal, v. p. 460.

²⁹ *Ibid.*

was Roman Catholic because his father and grandfather were, and he held his hereditary faith sincerely, but with little enthusiasm. Excluded when a boy from Eton and Westminster, when a youth from Oxford and Cambridge, when a man from Parliament and the Bench of Magistrates, he lived quietly on his estate, on good terms with his neighbours, unambitious and inoffensive.³⁰ But many were half-ruined by constant fines for recusancy. An attempt was made by a knot of villains in 1680, to bring home a charge of treason against old Sir Thomas Gascoigne and Sir Miles Stapilton of Carlton, his cousin.³¹ Bolron, the informer, swore he had heard Sir Miles say, "That he would give £200 towards carrying on the plotte about killing the king, and that if the Duke of Yorke did not please them, they would serve him as they did intend to serve his brother."³² But the York jury, who well knew their mode of life, could not be convinced that their honest friends had hired cut-throats to murder the king, and acquitted them.

John Stapilton died in 1697. In the burial register at Warter is the entry:—"John Stapyton, Esquire, buried May y^e 3d.—Buried in Linen. 50s. distributed to the Poor." An Act had been recently passed³³ for the protection of the woollen manufacture, requiring all persons to be buried in wool, under a penalty of £5.³⁴ It seems to have been compromised on this occasion by a gift to the poor. Warter went to the Penningtons by his eldest daughter. It had evidently been Sir Philip's intention to make a second family at Warter, as his uncle Bryan had done at Myton. His will is not only very explicit in limiting the succession to male heirs, but he even tries to tie up in land any fortune his son may get with any future wife. "Whatsoever shalbee received by my Son Gee (as Trustee) owt of the aforesayd mannor, landes, and tythes (the mayntenance of my sonne John and the following annuyties being deducted), shalbee whbly employed in the buying of landes for the betteringe of my eldest sonne's estate to bee entayled upon him and the heires males of his body, wth intayles over to all my other sonnes as they are in seniorytie. Item, I will that whatsoever portion or advantage can be gott in maryage w^t my sonne John, shalbee wholly to the advance of his estate, which I desire may be layd out in land; . . . and I doe hereby charge my sonne John, not to marry himselfe, but by the advice and consent of my sonne Gee."³⁵ Having lost his only son, John terminated the entail in favour of his eldest daughter and her husband. Sir William Pennington was rich, and had a large estate in Cumberland. He was created a baronet in 1676, and died in 1730.³⁶ The present house at Warter is said to have been built or enlarged in Queen Anne's time, very likely by this Sir W. Pennington. His descendants were subsequently raised to the peerage with the title of Lord Muncaster, and Warter remained in their possession till it was sold to Mr. Wilson, M.P. for Hull, in 1879.

³⁰ Macaulay, ii. p. 333.

³¹ *Ibid.*, p. 334.

³² Depositions from York Castle (*Surtees Society*), p. 243.

³³ 30 Car. II. stat. 1, cap. 3, sec. 3.

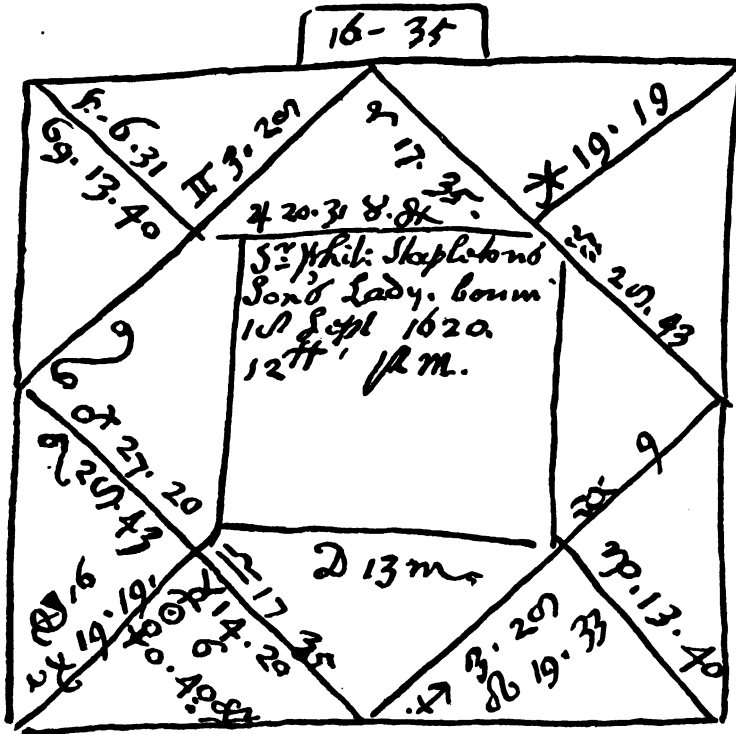
³⁴ Notes and Queries, 1872, p. 284.

³⁵ Sir Philip's will.

³⁶ Collins' Baronetage.

THE STAPILTONS OF WIGHILL AND MYTON.

ROBERT STAPILTON, second son of Sir Philip by his first wife, inherited Wighill at his cousin Henry's death, in 1673, according to the settle-



faint
 manor 1649
 manor after 16
 Coll. Milton

HOROSCOPE BY MR. WILLIAM LILLY.

ment made by Sir Miles in 1661.¹ His father had left him "wholly to the care and disposing" of his grandmother at Wighill, "she having him given both by his mother and myself."² Astrology was one of the fashionable follies of the day, and the old lady, or some one else, lost

¹ *Supra.*

² Sir Philip's will.

no time in consulting Mr. William Lilly about a suitable wife for the last new grandchild. Guy Mannering's destiny was settled by the same process the very morning after his birth. A Horoscope (dated 1635) of "Sir Philip Stapleton's Son's Lady, born 18th Sept., 1620," and therefore fifteen years older than the husband she was intended for, is still extant in the Bodleian Library at Oxford.³ Whatever the explanation of the "figure" may be, we only know the young lady married somebody else in 1649, and "married after to Colonel Mitton." In the same collection there are three MS. volumes⁴ of "Figures set by Mr. Lilly on Horary questions, being his practise-books." Lady Staplton (*sic*), *i.e.* Lady Barbara, Sir Philip's second wife, was a frequent visitor. Her name is disguised in various ways, but usually written backwards, as "Dna n.o.t.l.p.a.t.s.," and she consults him on all sorts of questions.—7th Oct., 1645, "de conjugio au fiel," and again, 10th Dec., "de viro desiderato," for some lady born 28th Dec., 1624, to whom "small pocks" at 15 or 16 had proved, as it did to so many, "a lingering disease,"—At other times, "de sorore cęgrota"—"How an estate in land shall be settled"—"De patris mariti" (*sic*)—"De amico," whose name is indicated under the thin disguise of "nospmis,"—20th Jan., 1646, "Sr Martin's plate lost,"—19th June, "De rebus variis, de puero, &c.," and later on, "Puer de furto," showing the thief was suspected. Other visits "De nummis"—"de diet-drinke"—and "de phlebotomia," show that Mr. Lilly had a wide practice in answers to correspondents, and for each answer an astronomical figure, and no doubt a substantial fee, was drawn. Lady Wildgoose, the "soror cęgrota," was another of his patients. She is sometimes called, not inappropriately, "Dna Anserina," or the letters of her name are transposed. A note of Mr. Lilly's explains the cause of her anxiety, "mulier habens malum virum pro marito." Madame Slingsby is another client in 1646, perhaps the wife of Sir Henry, alarmed at the success of the Parliamentary forces. She is described by the astrologer as "a very handsome woman," "altæ staturæ mulier."

Robert Stapilton was only just of age when his grandmother left him sole executor of her will and residuary legatee, powers being reserved to Baron Thorpe, the judge, and Sir Henry Cholmley to advise him, for which service she left them each £10 to buy a ring. Robert was admitted a student of Gray's Inn in 1657, and called to the Bar in 1664.⁵ He married Dorothy, second daughter of Henry, 4th Lord Fairfax of Denton,⁶ but had no children, and died intestate in 1675. During his short tenure of Wighill, 1673–5, he managed to settle an annuity of £200 a year on his young wife, which she enjoyed for seventy years, dying 14th Jan., 1745, at the ripe age of 90,⁷ making a third widow chargeable to the estate. Her second husband was Bennet Sherard of Whissendine, co. Rutland, Esq., first cousin of the 1st Earl of Harborough, and in remainder to the title.⁸ She was mother of Philip, the second earl.

³ Ashmolean MSS., no. 245, fo. 168.

⁴ *Ibid.*, nos. 178, 184, and 185.

⁵ Dugd., Visitation of Yorkshire (*Surveys Soc.*). Lodge's Irish Peerage, vii. 10.

⁶ Act Book of the Ainsty Deanery

(York Registry).⁷

⁷ Herald and Geneal., vol. vi. Case of Stapilton v. Stapilton, Chancery Proceedings, *infra*.

⁸ Patent, 19 Oct., 1714. Collins, iv. p. 364.

Henry Stapilton, eldest son of Sir Philip by his second marriage, succeeded to Wighill in 1675, at the death of his half-brother. He was never married, and lived mostly in London. His father left him £1,500, to buy land to be "estated" on him and his heirs male, his mother receiving half the income during her life. Land was then the best investment for capital. On one occasion he presented the church at Wighill with an altar-cloth of red velvet, with the letters "H.S. 1712," worked upon the top in gold cord; which is still in use (1884). A slab of blue stone on the chancel floor bears his arms, the lion rampant, with supporters, and a crest, and an inscription, now half hidden by a pew.

His will shows that he was a complete Londoner. It was made in 1716, and proved 1724, the executors being his niece, Mrs. Ann Breton, widow of William Breton, Esq., of the parish of St. Martin's-in-the-Fields, Charles Longueville, of the Inner Temple, and his nephew, Robert Powell. To Powell he leaves £100, and the two other executors £20 apiece. His personalty is to be sold, and laid out in the purchase of an estate within a day's journey of London, for the benefit of his niece's eldest son and his heirs, &c.

At Henry's death the inheritance of Wighill descended to his youngest brother. Philip was only two or three years old at his father's death in 1647, and lived with his mother in St. Martin's Lane. On the 1st May, 1682, having arrived at the discreet age of seven-and-thirty, Philip married Margaret Gage, the daughter of Thomas Gage, his father's faithful coachman, who attended Sir Philip in his last moments at Calais.⁹ They had seven children, who were all baptized at Fulham church, and duly entered in the parish register, as follows:—

1. Henry, baptized 19th Jan., 1684, died young.
2. Frances " 22nd Dec., 1686.
3. Philippa " 13th Dec., 1688.
4. Robert " 5th May, 1690, died young.
5. Henry " 6th April, 1692.
6. Mary " 22nd Nov., 1696.
7. Philip " 3rd April, 1698.

It was not till he was nearly 80 years of age (1724) that Philip came into possession of Wighill. His family had always been larger than his means. Under his father's will he received only a capital sum of £300, and £40 a year. He may have supplemented it by one of those many government offices which Pepys was always looking out for, for his father's friends were all Royalists now. Even Denzil Holles had been restored to favour at Court, and was created Lord Holles soon after the Restoration, though he was now recently dead. He was not on the best of terms with his bachelor brother. The man of fashion disapproved of his low marriage, and left him only "a guinea piece of gold" in his will. Philip had even to purchase "his household goods and personal estate," which Henry had left away to his nephews and nieces. He began by redeeming the tithes of Wighill (which Henry

⁹ *Supra*.

had mortgaged to Mrs. Breton), and had arranged to borrow the money (£1,100) of his attorney at York, giving him a bond for £2,300, as security for repayment. He also made a small provision for his wife, in lieu of dowry. To discharge these debts he must sell some of his outlying property; but Sir Bryan of Myton, who was a remainder-man under Sir Miles' settlement in 1661,¹⁰ had raised a question in the Ecclesiastical Courts as to the legitimacy of his children, and their power to give consent to such a sale; and when the intention of selling was mentioned at the Manor Court at Wighill, on the 4th April, 1724, the question came up again. The old man and his wife loudly protested before the assembled tenants that they were twice lawfully married; but the wily lawyer, afraid of losing his bond if Sir Bryan succeeded in proving his case, insisted that a new settlement ought to be made before the old man died, "with the utmost expedition that the laws of England will admit of;" and that young Henry should be summoned home from Ireland immediately. The lawyer's letter will best explain the position. It is addressed to "Henry Stapilton, Esq., Ensign in the Lord Middleton's Regiment, at Kinsale in Ireland."

"15 April, 1724.

"SIR,

"Yesterday I was keeping a Court at Wighill, when we had some talk about the family affairs, and among the rest that of cutting off the entail, in order to bar the estate from coming and descending to Sir Bryan's family. . . . Besides this there is another cogent reason, for your father has come to agreement with your cousin Breton about the tithes, for which he is to pay her £1,100. There must be some part of the Outskirts sold off, not only to pay this sum, but likewise to enable your father to discharge his debts, which he contracted in purchasing the household goods and the personal estate of your late uncle Stapilton, and some other debts for subsistence of himself and family during your uncle's life. . . . Wherefore, it is highly expedient that you should come to England," &c.

"S^r, your most humble Servant,

"F. TAYLOR."¹¹

Thus pressed, and knowing very little of family affairs, young Henry gave his consent, and a conveyance was drawn, in the common form of "Lease and Release," dividing the estate equally between himself and his brother. It was dated 9th and 10th Sept., 1724, Edward Thompson, of Marston, and Robert Fairfax, of Newton Kyme, being made trustees. The lease was for one year, according to the usual form which gave possession. The re-lease, conveying the "right," must be deferred for a prescribed period, to prevent clandestine conveyances;¹² but Henry dying before the expiration of this period,¹³ the arrangement came to an end, and a second deed was drawn, 12th and 13th April, 1725, ignoring Henry's children altogether, and conveying one half to Philip, and leaving the other half to his father, to dispose of as he liked.

¹⁰ *Supra*.

¹¹ Petition to the Court of Chancery, 11 Jan., 1736. Chancery Proceedings (*Record Office*) 1714-58, No. 119, Index "Sewell."

¹² 27 H. VIII., c. 10 and 16.

¹³ Buried at Wighill. Parish Register. His will is indexed in the York Registry, but is not to be found.

Philip the elder died a few years later, and was buried at Wighill, 2nd Feb., 1729. His will is in the Registry at York. He confirms the settlement of £200 a year on his wife made in 1723, and leaves everything to his son Philip, who is sole executor. Relying upon this will and the second agreement of 1725, young Philip (who had recently married Miss Thompson, of Marston, daughter of one of the trustees), and his mother, took possession of the whole estate; upon which an action was commenced on behalf of Henry's child, now a boy at school, to set aside both agreements, and establish his title to the whole, under Sir Miles' original settlement of 1661. This claim was subsequently abandoned, and another was laid on the lines of the first agreement of 1724, viz., to divide the estate equally between Henry's heir and Philip. Accordingly a bill was filed in Chancery, 22nd April, 1730, in which Henry Stapilton, an infant, and Ann Stapilton, his mother and next friend, were the plaintiffs, against his uncle Philip and his grandmother Margaret Stapilton, defendants. Interrogatories were sent down to York, and the defendants answered by affidavit.¹⁴ Margaret now swore she was never married till 1695, *i. e.*, after her son Henry was born, and Henry was therefore illegitimate. The other witnesses only repeated what they had heard her say since the action was commenced. And upon this unsupported evidence a verdict was returned in the Court of King's Bench adverse to Henry's legitimacy.

The following year (Jan., 1736) the plaintiff petitioned the Lord Chancellor for a new hearing, on the ground of "discovery of fresh evidence," viz., that,—“Before and after the settlement of 1724, his grandfather and grandmother had both declared they were twice married, and their second marriage was occasioned by Sir Bryan Stapylton, or Henry Stapilton (the Londoner) threatening to put them to trouble on account of their first marriage being privately held, and in regard that his grandmother was daughter of one Thomas Gage, coachman to Sir Philip Stapilton deceased, or one of his ancestors. And his great uncle, Henry Stapilton, and others were so irritated at her mean birth, that they tried to prevent her issue inheriting. And further, that on the 7th Feb., 1695 [*i. e.*, just before the second marriage], his grandfather and grandmother made affidavit before D^r Henry Newton, Chancellor of the Bishop of London's Court, wherein they both positively swore they *were* married by a minister in Holy Orders, at the house of the said Thomas Gage, on the 1st May, 1682.”

To which the defendant Philip replied:—“That he never heard them declare they were married in 1682. But he *had* seen the affidavit at Doctor's Commons, though he does not believe it to be in his mother's handwriting, and she has since declared to him that if she signed it, it was not read over to her. He admits that Sir Bryan, being a remainderman in the settlement of 1661, had commenced a suit in the Consistory Court, which was dismissed, but he appealed to the Court of Arches, and obtained a sentence there.”

Mrs. Stapilton, the defendant, answered:—“That she was married to Philip, on or about the 25th March, 1695, and not before. She denies all unlawful combination and confederacy in the said Bill charged.”

The trial dragged on till the 2nd August, 1739, when Lord Chancellor

¹⁴ Chancery Proceedings, no. 103.

Hardwicke gave judgment, as follows :—"The Plaintiff is entitled to have a decree. There was a sufficient foundation for Philip, the father, and Henry and Philip, his two sons, to execute the Lease and Release of the 9th and 10th Sept., 1724. It was to save the honour of the family, and was a reasonable agreement," &c.¹⁵

The Chancellor's decision only touches the arrangement made by the family lawyer in a time of panic. It takes no notice of the "fresh evidence" urged in the plaintiff's petition. But the question of legitimacy is that with which we are most concerned. The decision in the King's Bench rested solely and entirely on the evidence of the grandmother, who was a defendant in the case ; and being by affidavit, it was neither tested by cross-examination in Court, nor corroborated by other sufficient evidence. Up to the old man's death, she and her husband had both solemnly and repeatedly declared that the first marriage in 1682 was good. But Philip had been brought up at home, and was her favourite child. Henry had been away in Ireland, an ensign in a militia regiment at 31, and moreover was now dead. His widow was a stranger, of whom we know nothing but that her name was Ann Maitland : she was ignorant of law, and had no means to carry on a protracted trial. Neither the widow nor her children would be likely to get much favour and affection from a lady who was bent upon keeping Wighill for her favourite child. But there are other still more important considerations in favour of the plaintiff. For more than 40 years, Philip and Margaret had passed as man and wife ; and, living twelve years or more at Fulham, the baptism of every one of their children had been recorded in the Register by the rector of the parish, as "born of Philip and Margaret Stapilton," or "of Philip Stapilton and Margaret his wife." It mattered not that the first marriage was private. Before Lord Hardwicke's Marriage Act in 1753, parties were often married in private houses, or even at inns, or in prison, by regularly ordained clergymen ; and such marriages were quite as good in law as any others. This one would certainly hold good, even in the present day.

Born in 1645 and dying in 1729, old Philip Stapilton had lived in six reigns besides the Commonwealth. Brought up in St. Martin's Lane, he might have witnessed the execution of Charles I. He was only a schoolboy at the Restoration, but might have been present at some of those gay scenes in Whitehall when Charles II. dined and supped, and danced and played hazard in public.¹⁶ He had probably shared in the popular excitement at the acquittal of the seven bishops and the abdication of the King, and welcomed the Protestant succession in the person of the Princesses, his daughters. In maturer age he had rejoiced at the quieter times of William and Mary, and the brilliant military successes abroad of Queen Anne. And he lived to see the coronation of the first two Hanoverian Kings.

Henry Stapilton, the plaintiff in the Chancery suit, was only eight years old at his grandfather's death (1729). His mother, Mrs. Ann Stapilton (Maitland), was left in very straitened circumstances. Her two boys were maintained by their uncle Philip as long as the cause

¹⁵ Atkyn's Reports, i. p. 1. Tudor's
Leading Cases, vol. ii. p. 840.

¹⁶ Macaulay, i. p. 366.

was pending. At the conclusion, the eldest boy was allowed a pittance of £50 a year, and the younger £20, out of the estate, for maintenance and education.¹⁷ The effect of the Chancellor's decision was a division of the estate between young Henry and his uncle. Philip and his mother continued to reside at Wighill, paying Henry or his mother their moiety. But the long protracted trial had greatly exhausted the estate. The whole annual value was now less than £900; from which an annuity of £300 to Robert's widow, Mrs. Dorothy Sherard, and £200 a year to Mrs. Margaret Stapilton (Gage) had to be deducted.¹⁸ Margaret died in 1743. Her will is in the York Registry, leaving everything she had to her son Philip. Philip died in 1744, without heirs, and old Mrs. Sherard the same year, when the whole estate reverted to Henry free from incumbrances, and he was now in comparative affluence at three-and-twenty. He had married when his prospects were at their worst, for his eldest son was baptized at Hatfield, near Doncaster, where he resided, on the 26th March, 1741, before he was twenty. He had but a brief enjoyment of the estate. A monument in the chancel at Wighill tells the story of his life in a few words:—"Near this place lies the body of Henry Stapilton, Esq., of Wighill Park. Ob^t y^e 1st of Sept. 1746, aged 25. He married Elizabeth, dau. of George Healy Esq. of Burningham, co. Lincoln, by whom he had issue Henry and Philip." Henry never moved into his ancestral home.¹⁹ An inventory of his goods was taken at Hatfield, 2nd and 3rd Oct., 1746. A few of the items will show his pursuits:—In his dressing-room, an armed chair, joiner's tools, a French horn, a cross-bow, a speaking-trumpet, three new stirrup leathers and four new irons, two dog couples, and a pair of bridle bits, "Bradley's Art of Gardening," "Coles' Dictionary," and sundry pipes. In the "seller," 13 half hogsheads, 10 barrels, and 5 gantrys, all empty. In the stable, two coach-horses, one of them blind, valued at £15; one black mare, 5 guineas; one chestnut mare, 15s.; one gray galloway, £1; one dark brown gelding, 10 guineas; a pillion and cloth, worth £1 10s.; four saddles and bridles, £1 16s.; &c. In the coach-house, "The Charriot, 2 pairs of harness, and several more things that belongs to the Charriot, £40." In the garden, 6 melon-frames, &c. In the close, one cow, £2; 19 sheep, £4 15s.; shee ass and foal, £1 10s. At Wighill, a bull, £2; a pleasure-boat, worth four guineas, &c. The "Thorne" plate (specified) is valued at £47 3s.²⁰

His will is dated 1st April, 1746, proved 22nd Oct., devising all his manners, messuages, cottages, closes, lands, tenements, and hereditaments to trustees to maintain and educate his son Henry "in a handsome and suitable manner," till he is 21, and after that, to his son absolutely; £200 a year to his widow for life, as long as she remains unmarried; to his son Philip (who died at 22) £1,000, when he comes of age; to his mother, Mrs. Ann Stapilton, £30 a year for life, and to his brother Philip, £500.

Captain Philip, the brother, was born about 1723. In August, 1748, he was at St. Andrews, in Scotland.²¹ Very likely he was there during

¹⁷ Accounts of John Lund the Bailiff. Chancery Proceedings, no. 103.

¹⁸ Chancery Proceedings, no. 103 (*Record Office*).

¹⁹ Mr. R. H. Skaife.

²⁰ Mr. R. H. Skaife.

²¹ Accounts of Mr. Lund the Bailiff.

the Rebellion of 1745. The county of York raised no less than four new regiments of Militia.²² A picture, painted in 1770, represents him in a scarlet uniform coat and waistcoat, with buff facings, a crimson sash across his shoulders, and a "gorget." The gold buttons, however, show that he was in the Regulars. He died in 1783. The parish register contains the brief record, "Philip Stapilton, Backlor, buried at Wighill." His will is in the Registry at York, dated 28th Nov., 1782, proved 8th July, 1784, desiring—"To be buried in a decent manner in a plain oak coffin; and leaving his niece, Elizabeth Webb of Beverley, Spinster, who is sole executor, his silver tankard and silver spoons, two guns 'touched with gold,' one large china punchbowl, and all his books, his pinchbeck watch, silver hilted sword, and King William's picture.—To John Dawson of Wighill, with whom he lodged, another gun, 'touched with steel'; and to Dawson's wife, his china coffee pot and cups."

One Brigadier Stapleton comes to the front on the rebel side in "the '45," in command of the "Irish piquet." This "French Irish" family has always been regarded as an offset of the North Riding stock in very early times. A pedigree in the Heralds' College²³ says, "One Sir John Stapleton, Knt., went to Ireland with Strongbow and the English Colony, temp. Henry II. An exemplification in 1566, of a grant from King John, shows that Sir John received some of the confiscated lands there." "In the reign of Charles I.," says Sir Bernard Burke,²⁴ to whom we are indebted for the later history of this family, "John Edmund Stapleton of Thorlesbegg, co. Tipperary, being completely ruined by his adherence to the Royal cause, the family sought new fortunes abroad. Some went to Spain, where they attained high military rank; others to France, and there also became eminent in arms. Of the latter, one branch acquired a large estate at Dervaliers, near Nantes,²⁵ and bore the title of Counts of Treves." John Edmund left two sons, Redmund the eldest (of whom presently), and Patrick, who was ancestor of the Stapletons of Nantes.

It was to the last-named family that the Brigadier belonged. By the help of some English merchants at Nantes, the young Chevalier, grandson of James II., procured two French men-of-war, on board one of which, *La Doutelle*, he landed in the Hebrides in July, 1745. Before the end of the year he had established himself at Holyrood House, and defeated General Cope at Preston Pans. He afterwards marched into England as far as Derby. It was not till Jan., 1746, that Lord John Drummond and General Stapleton arrived, "with the piquets of six Irish regiments in the service of France,"²⁶ and joined Lord Strathallan at Perth. Stirling was already invested, and the English Army, advancing to raise the siege, was defeated with great loss at Falkirk Muir. The Irish piquet did good service, and Stapleton gained considerable credit, but, as soon as the Duke of Cumberland appeared, the Scots fell back on Inverness. Fort Augustus was of importance to them to keep open their communications, and Stapleton took it after a three days' siege. Fort William was defended by the fire of two sloops of war, and, at the end of a month, he

²² Paper in Dodsley's Museum, 1746, tit. Sir F. Stapleton.

P. 30.

²³ Collins' Baronetage, vi. p. 505.

²⁴ Burke's Peerage and Baronetage,

²⁵ *Ibid.*

²⁶ Home's Hist. of the Rebellion, pp.

158-160.

spiked his cannon and drew off to Inverness. The Duke of Cumberland was now at Aberdeen, with a line of communications at Blair, Castle Menzies, Dunkeld, and Perth,²⁷ and, after halting a little to refresh his men, he advanced, and gave the Chevalier a finishing stroke at Culloden. Stapleton commanded the second line of Scots, consisting of seven battalions and the Irish piquets.²⁸ The French officers acknowledged themselves prisoners of war, but were liberated on parole,²⁹ and Stapleton received a handsome note from the Duke in pencil, assuring him of "fair quarter and honourable treatment."³⁰

Returning for a moment to Redmund, the elder son of John Edmund Stapleton of Tipperary, we will briefly trace the descent of the Oxfordshire Baronets. Redmund had four sons,—of whom the eldest died childless; the second, Edmund, Governor of Nevis, in the West Indies, also *d. s. p.*—3, William; 4, Edmund, who was Governor of Montserrat, and left a daughter Honora. The third son, Sir William Stapleton, Knt., followed the fortunes of Charles II. into exile, and, after the Restoration, being constituted Captain General and Governor-in-Chief of the Leeward Islands, was created a Baronet 20th Dec., 1679. He married Anne, daughter of Colonel Randolph Russell, Governor of Nevis, and had,—Sir James, who *d. s. p.*—2, Sir William; and 3, Miles, who married Elizabeth, daughter and sole heir of Sir Charles Gerard, Bart., of Flambards, near Harrow. Sir William, the third Baronet, resided in Nevis, and marrying Frances, daughter of Sir James Russell, left two sons, Sir William, and James Russell Stapleton, a Colonel in the Guards. The latter married the daughter and heiress of Sir John Conway, Bart., and left four daughters, of whom the youngest was mother of Sir Stapleton Cotton, first Viscount Combermere, one of the Duke of Wellington's generals in the Peninsular War. Sir William, the fourth Baronet, M. P. for Oxfordshire, married Catherine, daughter and heir of William Paul, Esq., of Braywick, co. Berks, by Lady Catherine Fane, daughter of the fifth Earl of Westmoreland. By which marriage his grandson, Sir Thomas Stapleton of Rotherfield Greys, Oxon, eventually succeeded to the Barony of Le Despencer. This Barony, created by writ of summons in the reign of Henry III. (1264), was long merged in superior titles: first in that of Beauchamp, Earl of Abergavenny, and afterwards in the Earldom of Westmoreland. On the death of the last Earl of Westmoreland of that creation, it fell into abeyance between his two sisters, Lady Margaret Dashwood, and Lady Catherine Paul, above mentioned. The abeyance was terminated in 1763, in favour of Sir F. Dashwood, Bart., but failing issue, it was again revived in Sir Thomas Stapleton (1788), as great grandson of Lady Catherine Paul.³¹ The present Baroness is wife of Viscount Falmouth.

We may now return to Wighill. After Philip's death, in 1744, it remained for some years untenanted. His nephew, Henry of Hatfield, left the estate in trust, to nurse. The only occupant seems to have been old Mrs. Ann Stapilton (Maitland), if she is correctly described in the

²⁷ Dodsley's Museum, 1746, p. 508.

²⁸ Home's Hist. of the Rebellion, p. 228.

²⁹ Dodsley, p. 520.

³⁰ Home, p. 235.

³¹ Burke's Peerage, tit. le Despencer.

Parish register, as "of Wighill Hall," who had a pittance of £30 a year under her son's will. The heir was only five years old at his father's death, and the widow and her children were living at Beverley. In that quiet little country town, she commenced her acquaintance with the Wartons, and there, in 1752, she married her second husband, Barnard Webb, Esq., of Clovenmilion, co. Waterford, as he is described in the marriage licence. Mr. Webb died in 1757. His widow was living in 1766.³²

The Bailiff's accounts rendered to the Trustees contain two or three items of interest. "Board, clothes, and schooling," for the two boys cost £81 for the first year after their father's death, and £65 for the half-year ending Sept., 1751. In March, 1754, "a harpsichord (purchased) for Master Stapilton," cost £30. In May, 1755 (when he was 14), a gun with wood and list case cost £4 6s. 6d.

Some Lottery tickets must have been a speculation allowed by the Trustees. "Sept., 1751, paid to Miss Birbeck for $\frac{1}{4}$ part of four tickets in the State Lottery, £11 12s. 6d.;" only partially recouped in January, by £9 10s. 7 $\frac{1}{2}$ d. received from the same lady, "for a fourth part of a £20 prize, and three blanks, in the Lottery."³³

Henry came of age in 1762, and in 1765, being then a Captain of the Yorkshire Militia,³⁴ he married Harriet, fourth daughter and one of the co-heirs of Sir Warton Pennyman Warton, Bart. of Beverley Parks. Her mother was a daughter of Sir Francis Hotham of Scarborough. A pair of miniatures, set in a bracelet, painted three years before (1762), show that it was a long engagement. The old Hall at Wighill was refurbished up afresh. A long minority had greatly improved the estate. But a file of acceptances, and receipts for money borrowed by his brother officers and friends, show that "Harry" was a too generous fellow; and a long wine bill in 1769 proves he was not behind the rest of Yorkshire in hospitality. A set of small oval portraits in oil, painted at Wighill in 1770, represent the family and some of their friends. They comprise the Laird and his wife, with their only child (who afterwards married Captain Chetwynd), and old Mr. Healey, her great grandfather; Captain and Mrs. Hotham (a sister of Mrs. Stapilton), and William Bethell of Rise, her first cousin; Mr. Bethell of Burton, and Uncle Philip. Harry died, 4th April, 1779, at eight-and-thirty, and was buried at Wighill. His widow survived him twelve years, dying at the house of her brother-in-law, Colonel Maister of Winestead Park,³⁵ which became her home after her daughter's marriage. She was buried at Wighill.

The widow and her child continued to reside at Wighill till her daughter's marriage. At 17, Martha Stapylton married Captain Chetwynd, second son of the fourth Viscount Chetwynd. The marriage took place at St. Michael's-le-Belfrey, in York, 27th July, 1783,³⁶ and at the same time they had the Royal Licence to take the name of Chetwynd-Stapylton. Born in 1758, Granville Anson Chetwynd received his first commission at 15, as Ensign in the 2nd Queen's, and continued in the regiment, when not employed on the Staff, till 1791. Two of their

³² Mr. R. H. Skaife.

³³ Mr. Lund's accounts, 1746-1757.

³⁴ Gentleman's Magazine, 1765.

³⁵ Parish Register at Wighill, 1791.

³⁶ Family Bible, Gent. Mag., 1783.



HON. MRS. CHETWYND STAPYLTON.
from a Crayon Drawing.

children were born in Yorkshire³⁷ in 1784 and 1789; another was born at Gibraltar in 1786,³⁸ the regiment being quartered there, and died there in 1787. Some farewell lines "to Mrs. Chetwynd-Stapylton," cut over a seat on the rock, by Governor O'Hara, show that they left Gibraltar in Dec., 1790. The same year they commenced pulling down the old house at Wighill,³⁹ built by Sir Robert Stapilton two hundred years before, and built the present house on higher ground in the Park.

In 1793-4 Colonel Stapylton was recommended by the City of York, "under the Patronage of Earl Fitzwilliam,"⁴¹ to raise and command a regiment of Regulars, and he commenced raising men at a considerable bounty;⁴¹ but the Government having determined to raise Fencible Corps for home service instead of adding to the Regular Forces, appointed him Colonel of the York regiment in 1794. In 1795 he took the regiment to Ireland. The historian of the Rebellion praises his "coolness and intrepidity" at the battle of Saintfield⁴²:—

"At the report of a rising in co. Down, Colonel Stapylton marched with a detachment of the York Fencibles, and some yeomanry cavalry and infantry, and two pieces of cannon, towards Saintfield. The main body of the rebels lay in ambush in a hollow way, within a quarter of a mile of Saintfield. The hedges on each side were very high, and the rebels having suffered the principal part of Colonel Stapylton's party to pass unmolested, opened a very heavy fire on their rear, consisting of the yeomen cavalry, which they threw into confusion. Several were instantly killed. Col. S., with the most cool intrepidity, dismounted, went into the fields, and formed the grenadiers there. Captain Chetwynd, Lieut. Unit and Ensign Sparks, in attempting to follow him, were killed. Col. S., having attacked the insurgents with the grenadiers and the cannon, which he brought to bear upon them, repulsed, and killed three hundred and fifty of them."

For two years after the Union he had his head quarters at Derry, and was detained in Ireland till the peace of Amiens (1802), by the threatening attitude of the French at Brest. On the 22nd of April, 1800, he writes:—

"We are anxious to see the Brest fleet disposed of, for nobody seriously expects them here. It keeps our light luggage packed, that the army may move at a moment's notice. In consequence the Regiment is all together, and we make a brilliant appearance."⁴³

In 1803 he was appointed Colonel of the 15th Reserve, and his son Henry was removed from Eton at 14, to join it. In 1805 the regiment was reduced, and the family returned to Wighill, after an absence of three years. They resided there till 1811; but money matters were beginning to press. In a letter to the Duke of York, the Commander-in-Chief, he ascribes his difficulties to "heavy expenses in raising men for the Regulars in 1793, and to losses by the death of one Paymaster of his regiment, and the absconding of another." The building of the new house and the lavish hospitality in which he lived, added to his troubles, and the estate was eventually sold to Mr. Fountayne Wilson, for £70,000.

³⁷ Family Bible.

³⁸ *Ibid.*

³⁹ *Ibid.*

⁴⁰ MS. letter to the Duke of York in

1812.

⁴¹ *Ibid.*

⁴² Musgrave's Ireland, p. 554.

⁴³ Letter to his wife.

About 1815, General Stapylton was made Paymaster of Marines ; and subsequently held the office of Chairman of the Victualling Board of the Navy, with an official residence at Somerset House.

After his retirement, he resided at Snowdenham, near Guildford, and died 2nd Dec., 1834. His wife, the last of her race, had predeceased him in 1822, and was buried at Hadley in Middlesex.

Nevertheless, the family is by no means extinct. The Carlton family are still living on the lands they had from the Bruces 600 years ago—and the Bruces from the Conquest. The Wighill family is still flourishing under the name of Chetwynd-Stapylton, though they sold the estate, after an occupation of 450 years. The Myton family have held theirs for 270 years, and still hold it ; and Mr. Foster shows⁴⁴ a younger branch of Myton, descended from Bishop Cosins' Secretary, who can still claim an unbroken male descent from the original Richmondshire stock, though they never held the lands.

⁴⁴ Yorkshire pedigrees.



1. ELIZA

1. J

Sir BRIAN

ELIZABETH

THOMASIN,
the

1. ELEANOR

RICHARD of
d. circa

ELIZABETH
Philip H
Saxton,

1. RICHARD
1670.

BRIAN and
H

GILBERT, d.
young.

1. CATH. d.
Henry W
of Cliffe.

MILES of C
ton, d. un
1836.

Pedigree of the Stapletons of Wighill and Myton, &c.

Sir BRIAN STAPILTON of Carlton and Wighill, K.G., d. 1394. — ALICE, da. of Sir John St. Philibert, wid. of Waleys of Helough.

BRIAN of Carlton, "junior" (eldest son) — ELIZABETH, da. of Sir W. Aldburgh.
 d. v.p. 1391.

From whom the Stapletons of Carlton are descended.

MILES of Wighill, d. 1399. — JOHANNA, da. of Sir Gerard Uffet.

Sir JOHN of Wighill, d. 1455. — MARGARET, da. of Chief Justice Norton.

Four daus.

I. MARGARET, da. of Sir Jas. Pickering of Oswaldkirk. — Sir Wm. of Wighill, = 2. Wid. of Sir R. Warde.

JOHN, THOS., and MILES.
 CHRISTOPHER of Cottingham.
 BRIAN of York.

ELIZABETH and ISABELLA.
 CATHE. m. Thos. Roos.
 AGNES, m. Reresby.

MARTIN, = Hon. G. A. BERTWYLD, who assumed the name of Chetwynd-Stapilton by Royal Licence. d. 1822.
 From whom the Chetwynd-Stapiltons are descended.

MARTIN BEEPE, who succeeded to Myton, on the death of his uncle, in 1817, and took the name of Stapilton. From whom the Stapiltons of Myton are descended.
 And other children.

EVIDENCES

OF THE

PEDIGREE OF STAPELTON.

FOR THE MOST PART UNPUBLISHED.

I. CALENDAR OF CHARTERS AND INQUISITIONS.

9 H. iii.—ROBERTUS DE STAPELTON.

Stapelton	} lib. waren.
Thorpe	
Cudworth	

16 H. iii.—MILO BASSETT.

Est hamsy &	} Ebor. lib. waren.
Midel hamsy	
Norburton, Berks.	lib. waren.

56 H. iii.—W. ARCHIEPISCOPUS EBOR.

NICHOLAS DE STAPELTON.

Stapelton	} libera waren. Ebor.
Wathe	
Kirkby	
North Duffeld	
Oustwyck	

32 E. i.—MILO DE STAPELTON.

West hathelsay	} libera waren. Ebor.
South Duffield	
Wykenthorp	

32 E. i.—MILO DE STAPELTON ET NICH. DE STAPELTON.

Stapelton	} lib. waren. Ebor.
Kirkeby Wath	
Oustwyke	
Kirkeby Fletham.	
Fletham	

29 E. i.—**JOHES DE BELLAAQUA ET LADERANA UX. EJUS.**

Inq. p. m.

Thorp Arches maner extent	}	Ebor.
Walton villa, 18 acr. prati, et 18 acr. bov. tre.		
Newton in the wilghes maner		
Carleton maner extent		
Ayre passagium		
Tibethorpe villa extent	}	Lanc.
Northburne 8 bovat terr.		
Southburne 14 bovat terr.		
Eshton maner dimid. extent	}	Westm.
Stodhagan molend.		
Kentmere villa in Kendale	}	Westm.
Molend. ibm. & pannag. pro porcis		

5 E. ii.—**NICHOLAS DE STAPELTON.** Lic. feoffandi.

Carleton juxta Snayth maner	}	Ebor.
Kentmere maner		
Southbourne		
Tibethorpe quinque bov. terr.		
Eston maner		
Stapleton maner		
Kirkeby juxta Fletham maner		
Housewike maner	}	Ebor.
Housewike maner		

2 E. ii.—**JOHES DE STAPELTON.**
Melshamby lib. waren, Ebor.

8 E. ii.— MILO DE STAPELTON. Inq. p. m.	}	Surrey.
Tenementa in the Mershe juxta Suthwerke maner. ibm. extent. infra libertatem Episcopi Wynton		
North Morton maner, Berks.	}	Ebor.
Est hathelsay maner cum West hathelsay, 3 partes		
Duffield, 40 acr. terr.		
Carleton maner juxta Snayth		
Wathe maner in Rydale	}	Ebor.
Wathe maner in Rydale		

18 Ed. ii.—**PRO REGE.** (*Rot. pat., ps. 2, m. 11, dors.*)

Kirkby under Knoll	}	lib. waren. Ebor.
Dighton vivarium ibm.		
Wathe		
Kirkeby Fletham et Stapelton		

9 E. iii.—NICH'US DE STAPELTON. Inq. p. m.
 Walkingham } libera waren. Ebor.
 Melshamby }

17 E. iii.—NICH'US DE STAPELTON. Inq. p. m.
 Kentemer vallis Westmland.
 Carleton in Balne maner }
 Dalton Michell maner }
 Stapelton maner }
 Fletham maner }
 Wathe maner }
 Kirkeby Fletham maner } Ebor.
 Austwyck maner }
 Langeston }
 Slyngesby) cert. }
 Wigethorp) terr. }
 Tyverington) ibm. }
 Thorp d'Arches) }

46 E. iii.—MILO DE S. DE HATHELSEYE, CHR. Inq. p. m.
 Suthwerke un. mess. in Parochia Sancte }
 Margarete } Surrey.
 Carleton juxta Snayth maner ext. }
 West hathelsay }
 Southbrune }
 Tibbethorp }
 Hathelsay maner }
 Pontefract honor de }
 Inkelesmore }
 Baildon }
 Wathe in Ridale maner }
 Slingsbye } Ebor.
 Winbelton }
 Northolme }
 Winthrope }
 Tyverington }
 Wigenthorpe }
 Stapelton maner }
 Dalton Riell }
 Molshumby }
 Kirkeby Fletham maner }
 Langton }
 Thorp Arches }

Kentmere vallis separatus infra vallem	}	Westmland.
de Kendale		
Salvayne libera chacea		

47 E. iii.—THOMAS STAPELTON FEOFFAVIT JOHEM LEGETT ET ALIOS

Carleton maner	}	Ebor.	
Southbrune			
Tibethorpe			
		}	Westmland.
Kentmere maner	}		
Kerby in Kendale maner, reman eidem Thomæ			

47 E. iii.—THOMAS DE STAPELTON. Inq. p. m.

Kentmere maner	}	Westmland.
Eshton maner		
Scotford in Lonesdale	}	Lancaster.
Southwerke ten. in paroch Sanctæ Margarete		
Carleton juxta Snaythe maner	}	Surrey.
Hathelsey maner ut de honore de Pontefract		
West hathelsey	}	Ebor
Sewarby hamelet		
Southbrune et Tibthorp et Pontefract terr. et ten.	}	Ebor
Inclesmore mora		
Bryne et Baildon terr. et ten.	}	Ebor
Wathe in Ridale maner		
Slingsby	}	Ebor
Wimbildon		
Muscotes	}	Ebor
Northelme		
Wygenthorpe	}	Ebor
Tyverington		
Spitelclose	}	Ebor
Stapelton maner		
Dalton Riell maner	}	Ebor
Melshamby terr. et ten.		
Kerkeby Fletham maner	}	Ebor
Langton		
Thorp Arches	}	Ebor

5 Ric. ii.—THOMAS DE STAPELTON. Inq. p. m. (*Inq. deest*).

Hathelsay maner	} Ebor.
West hathelsay unum mess. et 5 bov. terr.	
Baildon maner dimid	

21 Ric. ii.—WILL'US FITZWILLIAM ET MATILDA UXOR EJUS.

Inq. p. m.

Est Hathelsay maner cum membris de Middel
Hathelsay et West Hathelsay ut de Castro
de Pontefract

6 H. v.—JOHES FITZWILLIAM MILES.

West Hathelsay

12 E. iv.—THOMAS METHAM DE METHAM MILES.

Wath maner	} Ebor.
Kirkeby Fleteham maner	
Stapilton super Teis maner. (and other property)	

18 R. ii.—BRIANUS DE STAPILTON, CHR. [of Wighill].

Inq. p. m.

Bampton	} quedam terr. et ten. Cumb.
Ughtrithby	
Crosseby	
Comwhynton	
Ormesby et Karlioll	

Carleton juxta Snayth maner	} Ebor.
Querneby maner que se extendit in villas de	
— Querneby	
— Lyndelay	
— Langwod	
— Staynland	
— Hudersfeld	
— Wodhous et Scameden	
Ferlyngton maner tertia pars	

1 H. iv.—MILO DE STAPILTON. Inq. p. m.

Wighall maner	}	Ebor.
Esedyk maner		
Clifford maner		
Farlington maner		
Langton Parva maner		
Skelbroke terr.		
Frythby mes. et ten.		
Askham Brian terr. et ten.		
Carlton juxta Snaith terr. et ten.		
Camelsford terr. et ten.		
Shirefhoton sect. cur.	}	Suff.
Kessyngland maner		
Cratingham reddit.		
Ashfield in Tam. reddit.	}	Linc.
Baumburgh iii mes. &c.		
Divers terr. et mes. in civ., Ebor.	}	Cumb.
Ughtrethby maner		
Bampton hamelet		
Crosseby maner		
Cumquyntyn		
Ormesby quarta pars villæ		

5 H. v.—BRIAN DE STAPELTON, CHR. [of Carlton, 1417].
Inq. p. m.

Kentmere maner in Kendale	Westm.	
Baumburge divers mess. et terr.	Linc.	
Carleton maner juxta Snaith	}	Ebor.
Camelsford ten. vocat. Boynton land		
Ten. vocat. Snaithland		
Ten. in Carlton vocat. Bointland		
Querneby maner ut de maner de Wake- field		
Walkingham maner ut de castro de Knaresburgh		
Ferlington tertia pars maner, ut de castro de Sheriffhoton		

6 E. iv.—No. 19. MILO STAPILTON, MILES [of Norfolk, 1467].
Inq. p. m.

Hampworth maner et advoc. ecclie . . .		Suthton.
Codford Marie maner et advoc. ecclie . . .	} med. maner et advoc. ecclie	} Wiltes.
Stapul Langford		
Deene		
Grymstede		
Bedale	} med. maner.	} Ebor.
Askam Brian et Cotherston		
Ulvington et	} terr. &c.	} Ebor.
Rumbaldkirk		
Bedale advoc. ecclie	} maner et advoc. ecclie	} Berks.
Melshamby advoc. ecclie		
Northmorton et Hemsays		
Horsey maner et advoc. ecclie	}	} Suff.
Sideston advoc. ecclie		
Ingham	} maner.	} Norf.
Waxtonesham		
Lammas	} 80 acr. terr.	} Suff.
Stereston		
Ingham et		
Waxtonesham		
Weybrede maner		

2. DOMESDAY SURVEY.

In Staplendon h'b Tor i man de v. car. ad g'ld. et totidem caruce poss' e'e N'c h't Emsan de comite', wast' e.' T.R.E. val' x sol.' Tot. ii leug l'g et dim' lat.

3. BENEDICT DE STAPELTON, 1154-81.

Stapelton. Here two carucates make a knight's fee. Martin de Cowton gave an oxgang here and half an acre in Ramire, which were confirmed by Galfrid son of Werre de Appleby, Benedict de Stapelton, Roger Archbishop of York, and Ranulph, Earl of Chester.—*Chartulary of Fountains Abbey, Burton's Mon. Ebor.*, p. 201.

4. BENEDICT AND NICHOLAS—SURETIES OF ROALD FITZALAN,
1208–16.

Noi'a pleg. Roaldi fil Alani receptorum per Hug. de Nevill.

Nicol de Stapelton de v. m.

Bndcus de Stapelton de v. m.

Hardy's Rot. de Oblatis et Finibus, 9 Joh. 1208.

Noi'a pleg. Reuland fil. Alani Constabular. Richemund, de ducent. marc., p quas finem fec. cu dno Rege, p henda benevolencia sua et pace sua, et hoium suorum qui capti fuerunt in castro Richemund. Et de ducentis marcis quas dno Regi prius debuit, pacand. ad iiij^{or} terminos scriptos in rotulo ex alia p'te.

Isti fu'unt p'sentes, Nich. de Stapelton &c.—*Hardy's Rot. de Finibus, p. 603. 18 Joh. 1216.*

5. SETTLEMENT OF LANDS AT STAPELTON, FORMERLY BELONGING
TO BENEDICT OF STAPELTON, 1245–6.

Finalis Concordia—Inter Radu fil Heliæ de Bely'by (Bellerby), et Alic. ux ejus, pet., et henr. Abbm de Sca Agatha, ten de duabus car. terræ et uno mess. cu ptin. in Stapelton. P'dci Rad. & Alic recogn. p'dca. ter. & mess. cu ptin. scilt. v mess., ter., et ptin. in dnico quam in s'vicio, que idem Abbas tenuit, die quo hoc concordia facta fuit, de illis tenementis que aliquando fuerunt Benedic de Stapelton, &c.—*Index of Fine Rolls, Com. Ebor. 30 H. iii.—Record Office.*

6. PROCLAMATION OF THE KING'S PEACE, 1216.

REX omibus baillis et fidelibus suis, tc. Sciatis qd suscepimus in gram et b'volencia nram dil. et fid. nrm. Nich. de Stapelton (and others). Et ne occasione guerre habite inter nos et barones nros molestiam ei faciatis vel gravamen, has litteras nras patentes fecimus. T. me ipso ap. Novu Castru sup Tyuam viij die Jan. a. r. n. xvijmo.—*Rot. Pat. 17 Joh.*

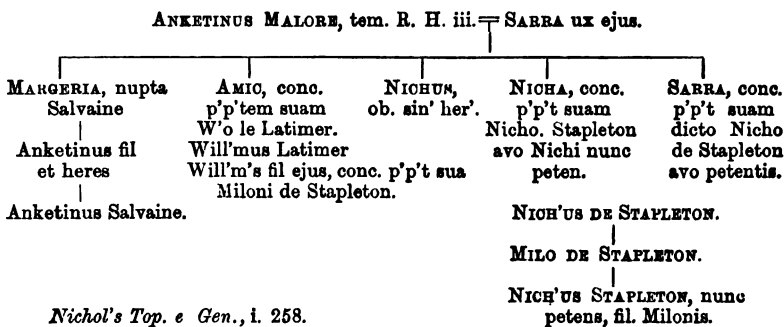
7. NICHOLAS DE S. PUT IN COMMAND OF MIDDLEHAM
CASTLE, 1216.

Mandatu est Constabul de Richemund p litt'as claus. qd castr de Midehal lib'et Nichol de Stapelton custodiendum, et ponatur in illo cu eodem Nich. de gente sua scdm qd videt

expediri. Ita q bn custodiatur ad comodum et honore dni Reg, et qd fac de castro illo id qd dns Rex ei mandab et dco Nicho—p G. de Nevill et p litt'as pat. Ap knareb xvij die Febr.—*Rot. Claus. 16 Joh.*

8. PEDIGREE FROM PLEA ROLL, 5 E. iii. (1332).

Ebor. 25. Nichus Stapleton pet' v Anketinu Salvayne quartu turnu p'sentacois ecclie de Tiverington.



9. RESCUE OF A PRISONER FROM SHERIFF'S CUSTODY, 1266-7.

Ebor. Henr de Midelton optulit se v'sus Brianum fil. Alani, Gilbertum de Stapelton, et multos alios ibi nominatos de placito, quare nuper venerunt ad manerium de Melsanby qd est in custodia sua, et bona et catalla sua ibm inventa ad valorem viginti librarum ceperunt et asportaverunt; et Adam de Nairford fil Hugonis de N. similiter in custodia sua existentem ceperunt et asportaverunt.—Et ipsi non venerunt.—Ideo præceptum fuit Vicecomiti qd distringat eos, &c.—*Plac. coram Rege 51 H. iii. rot. 10, rot. 16 dors.*

10. CASE OF MAIMING, 1267-8.

Pro Nicho de Stapelton } Omibus &c. saltm—Sciatis, qd
de p'donacoë maemii. } p'donavim^s q'antum in nobis est,
dil. et fid. nro Nicho de Stapelton sectam pacis nre que ad
nos p'tinet, p maemio fris Rogi Landry de Norbury castrati
ut dicitur, et etiam aliis transgressionibus eid. Nicho p p'dcm
fratrem Rogum impostis, de quibus rectatus est, et firmam
pacis nræ ei inde concedimus &c.—*Rot. Pat. 52 H. iii. m*
16, 1267-8.

11. CHARTER OF FREE WARREN AT STAPELTON, &c., 1272.

Rex Archiepis &c. saltm—Sciatis nos ad instantiam venerabilis patris W. Ebor. Archiepi. Angl. primatis, concessisse et hac carta nra confirmasse dil. et fid. nro Nicho de Stapelton qd ipse et hæredes sui imp'petuu habeant lib'am warennam in omibus dnicis terris de Stapelton, Kirkeby, Wath, North Duffield & Oustwyk in com. Ebor., dum tamen &c. Hiis testibus &c. Dat p manum nram apud Westm. primo die Jan.—*Rot. Cart.* 56 H. iii.

12. HOMAGE OF ALEXANDER KING OF SCOTS, 1278.

Memod qd in Parl° R. Edw. apud Westm. in festo sci Michis a. r. ejusdem R. sexto, in presencia Eporum Wynton &c., Comitum Cornub, Glouc. &c., Magri Galfridi de Aspale, Walteri de Wynborne, Nichi de Stapelton, Radi de Hengham &c., et alior. multorum, venit Alex. Rex Scot., fil Alexi quondam Regis Scot., ad p'dcm Edwardu Regem Angl. apud Westm. in camera ejusdem Regis, et ibidem optulit idem Rex Scot. eidem Regi Angliæ devenire hominem suum ligeum et facere ei homagium suum, et illud ei fecit in hæc verba, "Ego Alex. Rex Scot. devenio lig. ho. dni Edwardi Reg Angl cont' omes gentes." Et idem Rex Angl. homagium ejusdem R. Scot recepit, &c.—*Rot. claus.* 6 E. i. m. 5 dors.—*Palgrave's Writs.*

13. SIR NICHOLAS DE STAPELTON GRANTED A HOUSE AND LAND AT WEST HATHESLAY, 1280.

Rex concessit p se et hered. suis q^{ntum} in ipso est Nicho de Stapelton unum mes. et quinque bovat terræ cu ptin. in Westhalsey, que nup. in cur. coram justic. R. de Banco recup' avit versus Rob. de Crepping, tenend de R. et hered. suis eidem Nicho et hed suis inp'pm ad feodi firmam. Reddito inde Regi p ann. xls. p. omi s'vicio, &c. T. Rege apud Westm. primo die Decemb.—*Rot. Pat.* 9 E. i., no. 29.

14. LETTER FROM QUEEN ELEANOR, 1282.—*Printed in Rymer's Fœdera*, 8 Oct. 16 E. i.

15. EXTENT OF STAPELTON AT KIRKBY'S INQUEST, 1284-5.

Stapelton—Sunt ibi v caruc., unde xii faciunt feod. unius milit. De quibus Rogerus de Stapelton tenet ii bov., Alanus Orre di. car., Galfridus de Stapelton ii bov., de Nicholao de Stapelton; et Nicholaus tenet illas, cum aliis ii caruc. de Roaldo de Richemund et Roaldus de comite, et comes de Rege. Item Abbas de Sancta Agatha tenet ii car. de pdco Roaldo in puram elemosinam.—*Kirkby's Inquest, ed. R. H. Skaipe, Esq., vol. 49 of Surtees Society publications.*

16. MILO DE STAPILTON REPLIES TO WRIT OF QVO WARRANTO, 1293.

Milo de Stapelton sum. fuit ad respondendum dno R. de placito, quo waro clam. here lib'am warenn in omibus d'nicis terris suis de Stapelton, Kyrkeby, Wath, North Duffield, Oustwyk et Esthatelsaye sine lic. et vol. dni Regis et p'gen. suorum, &c.

Et Milo venit et dic. qd ipse clam. lib. warenn. in omibus d'nicis tris suis de Stapelton, Kyrkeby, Wath, North Duffield et Oustwyk, p cart. dni. Regis, patris dni R., huic datam a. r. sui 56^{mo} . . . Profert etiam p'dcam cartam que hoc idem testatur. Clam. etiam lib. warenn. in oi'bus d'nicis terris suis in Est Hansy et Middelhansy p cart p'dci dni R. dat. anno r. sui 48mo., p quam concessit Miloni Basset avo istius Milonis, cujus heres ipse est, qd ipse et heredes sui inp'm heant lib'am warenn. &c. Et Rogus de Hengham qui sequitur pro dno R. dicit qd p'dcus Milo het t'ras in Suth Duffield, et petit si p'dcus Milo clam here lib. wahren. in t'ris suis de Suth Duffield, et Milo dic. qd ipse non clam. lib wahren. in eadem villa, &c.—*Placita de Quo Warranto, Trin. 21 E. i.*

17. GRANT OF LAND AT HOVINGHAM FROM MOWBRAY, 1294.

Rex omibus ad quos saltm. Licet accepimus p inq. quam p Vicecomitem nrm Ebor fieri fecimus, qd esset ad dampnu nrm, si concedendo dil. et fid. nro Rogo de Mubray in obsequium nrm p p'ceptum nrm ad partes Gascon profecturo,

qd ipse dare possit dil. et fid. n'ro Miloni de Stapelton sexdecim acras vasti sui cu p'tin in Hovingham juxta Wath quas de nob. tenet in capite (videlicet amittendo custodiam vasti pdci, si custodia terrarum et ten. p'dci Rogi ad man. n'as deveniret, et etiam escaetam vasti illius, si conting'et p'fatum Rogum t'ras et .ten sua p'dca forisfac'e) tamen licentiam dedimus qd ipse pdcas sexdecim acras vasti dare et concedere posset pdco Miloni. Et pdco Miloni pdcas sexdecim acras vasti ab eod. Rogo recipere, similiter licentiam dedimus specialem. T. Rege apud Motesfunte, 12 Sept. 22 E i.—*Rot. Pat.* 22 E. i. m. 10. Milo de S. finem fecit cum Rege p dimid. marc p licenc ingredi.—*Rot. Orig. in Cur. Scacc.* 3 E. ii.

18. INQUEST PRIOR TO ENDOWMENT OF CHAUNTRY AT NORTH MORTON, 1299.

Inq. cap. coram Esc. in pleno comitatu Berks 16 Mar. 27 E. i.,—si sit ad dampnum vel prejudicium Dni R. aut al. si Dns R. concedat Miloni de Stapelton qd ipse unam virgatam terræ et duas acras prati cum ptin. in North Morton dare possit et assignare duobus capellanis divina celebraturis singulis diebus in capella S. Nicholai de North Morton. . . . Jur dicunt sup. sacrm suum qd non est ad prejudicium Dni Regis aut aliorum, nisi tantum Dnæ Johannæ quæ fuit uxor Willi de Valence Dicunt etiam qd pdcm mess. valet p annum xii*d.* in omibus exit., et pdca virgata tre valet xxs, et pdcm pratum valet ivs. Dicunt etiam qd tre et ten. quæ sibi remaneant ultra donationem et assignationem pdcas in pdca villa de N. Morton valent p. annum decem et novem libras, &c.—*Inq. a.q.d.* E. i.

LICENSE TO ENDOW THE SAME.

℞. omibus, &c.—Licet de coi consilio regni nri statutum sit, qd non liceat viris religiosis seu aliis ingredi feodum alicujus, ita qd ad manum mortuam deveniat, sine licentiæ nra &c. Volentes tamen dil. et fid. nro Miloni de Stapelton gratiam valde specialem, dedimus ei licentiam quantum in nob. est qd ipse unum messuagium, unam virgatam tre et duas acras prati cu ptin in North Morton dare possit &c. T. Rege apud Westm. xxvii die Martii. p ipsum Regem.—*Rot. Pat.* 27 E. i. m. 34.

19. GRANTS TO THE TEMPLARS AT TEMPLEHURST, 1302.

Sir Miles de S. grants to the Master and Brethren of the Knights of the Temple, at Templehurst, totum jus et clamium :—

- in quodam prato qd vocatur le Calf Enge ;
- in uno crofto cu molend ventritico qd Mag. et fratres tenent de feodo meo in Hathelsay (elsewhere called “ In Est Hathelsay ex opposit. portæ dom. suæ de Hyrste ”) ;
- unum toftum et 5 acras que Ingelardus fil. Rogi de Templo tenet in West Hathelsay ;
- unum toftum et tres acras que Robtus de Camelfford de Templo tenet in eadem villa ;
- unum toftum et 4 acr., que Ricus Ayr de Templo tenet in ead. ;
- unum toft et di. bovat. que Hugo le Taillur de Templo tenet in ead.
- unum toft qd Adam fil Hugois Balcok de Templo tenet in ead.
- et unum toft, unam bovat, & sept. acr. que Alanus Balcok de Templo tenet in Middel Hathelsay.

Dat. apud Ribbestan, die veneris px post festum Sci Mathie Ap'li, anno 1302.—*Cart. Harl.* 84 A. 44 and 42.

20. SIR MILES, ONE OF THE “ GUARDIANS OF THE TEMPLARS,” 1307.

Indent. facta inter Johem de Crepping Vic. Ebor., et Milone de Stapulton, 17 Apl. 1 E. ii., testatur q^d. pdcus Johes lib'avit pdco Miloni totum manerium de Templehurst cu Bonis et Catal in eod manerio inventis, app'ciatis p Ricum de Carleton cl'icu et al. *Then follows the inventory of the goods.*—*Add. MSS., Brit. Mus., no. 6165, fo. 328.*

INQUIRY AS TO THE LANDS OF THE TEMPLARS, 1307.

Inquis. facta apud Potterlowe coram Vic. Ebor. Johe de Crepping 2 Mar 1. E. ii., sub annuo valore omium terr. ten. et beneficior Ecc'asticor. que fres Milicie Templi in Angl. hent in wapp. de Osgotcross et Barketon. Fres. Milicie Templi huerunt ad festum Natal Dni apud Templehurst unu capitale mes. qd valet infra clausum cum columbare p. annu

xxs. (*Here follows an inventory of their lands, held under Henry de Lacy, Earl of Lincoln.*) Item hab. ibidem tres acras pastur, val vis. Item decem acr prati, val xxxs. Item unu molend. ventriticum, qd cum sua placea valet p. annu xiiis. iiiid. et ten. ista sunt in manu dni Regis, et tenentur de Milone de Stapelton et antecessor ejusdem, qui dcis fribus ea contulerunt in subsidu terræ sanctæ, &c.—*Addl. MSS., Brit. Mus., No. 6165, fo. 324.*

21. ADDITION TO SIR MILES' ESTATE AT KIRKBY
FLETHAM, 1304.

E. Rex Archiepis, &c., Saltm.—Sciatis qd cum celebris memoriæ dns Hen., quondam Rex Angliæ nr pater, p cartam suam quam inspeximus, concessit Nicho de Stapelton, qd ipse et heredes sui imp'pm herent warenn. in omnibus d'nicis tris suis de Stapelton, Kirkeby, Wath et Oustwyk; Nos dil. et fid. nro. Miloni de Stapelton (fil et her. pfati Nichi), qui tras illas una cum warennâ pdca hereditario jure tenet intuitu laudabilis et diutini svicii qd idem Milo nobis impendet et de die in diem impendere non desistit, volentes eciam in hac parte facere uberiorem, concessimus et hac carta nra confirmavimus eidem Miloni, qd ipse et heredes sui imp'pm heant liberam warenn. in omnibus d'nicis suis pdcis, ac etiam in omnibus dnicis terris suis de Kirkeby Fletham et Fletham in com. pdco. Hiis testibus, John de Warennâ Comite Surr., Thoma Com Lancastr., Rado de Monte hermer, Com. Glouc. et Hertford; Humfredo de Bohun Com. Hereford et Essex; Guidone de Bello Campo, Com. Warr; Johe de Britann' juniore; Rob. fil Rogi, &c. Dat p manu nram apud Dumfermelyn, 1 Jan., 1304, p bre de p'vato sigillo.—*Rot. Cart. 32 E. i., no. 100.*

22. LETTER FROM THE PRINCE OF WALES, 1305.

Dated Kennington, 4 Oct., 33 E. i. — To the Earl of Lincoln. Whereas the Earl is ordered to go to the Court of Rome, and he wishes to leave Miles de Stapleton in charge of his household. The Prince replies that he would willingly allow the Earl any Knight or Esquire in his household that he pleased; but as to Sir Miles he has no power to give him leave without the command of the King, who has charged him with the direction of the Prince's household and affairs;

so that the Earl must speak to the King himself on this business.—*Appx. ii. to the 9th Report of the Deputy Keeper of Public Records, p. 248.*

23. STEWARD OF THE KING'S HOUSEHOLD, 1308.

P. p'tectione } Milo de Stapelton, Senescallus hospicii Regis
qui cum Rege, in obsequio Regis, p pceptum Regis, profec-
turus est ad partes transmarinas, habet literas Regis de protec-
dur. usque ad festum Paschæ proximo futur. T. Rege apud
Cantuar. secundo die Januar.

Similar letters to Johes de Mauleverer, qui cum pdcō
Milone profecturus est ad partes pdcas. And to Johes de
Stapelton, qui cum Henrico de Lacy comite Linc., in obsequio
Regis morato in partibus transmarinis, habet literas Regis de
protectione durantes ut supra, &c. T. ut supra.—*Rot. Pat.,*
1 *E. ii., ps. i. m. 2.*

24. LICENCE TO REBUILD CHAPEL OF ST. JOHN AT
HATHELSAY, 1313.

Licentia Edwardi Regis quod Milo de Sta . . . n terr in
West Hathelsay et Est Hathelsay dare possit Capellano in
capella de Sco. Johanne per ipsum Milonem in Est
Hathelsay de novo construenda.—*Cart. Harl. 83, c. 12.*

Finem fecit cum Rege p viginti solid. pro licen.—*Rot.*
Orig. in Cur. Scacc. Abbrev. p. 197a.

ENDOWMENT OF THE SAME.—Sciāt præsentes et futuri
qd. Ego Milo de Stapelton, miles, concessi, dedi et hac
presente carta mea confirmavi Deo et capellæ Sci Johis
Baptist scituate in Est Hathelsay, Ebor dioc., et dno Willo
de Calthorn capellano et al. in dca capella divina cele-
brantibus p anima mea et Sibillæ quondam uxoris meæ
defunctæ et animabus &c.,—unum messuagium in Est
Hathelsay infra precinctas ejusdem capellæ scituatum ; et
unam bovatom et sex acras terræ in West Hathelsay, cum
tofto ad pdcam bovatom terræ spectando, quæ quidem toft.
et bovatom Robertus de Camelford ad voluntatem meam
aliquando de me tenuit ; et quatuor acras prati in Est
Hathelsay, simul jacentes in quodam prato voc. le Vestyenge,
ex parte occident. ; et duas acras bosci in Est Hathelsay,
jacent. in bosco meo qui vocatur le Westwode ; et viginti

solid. annui reddit. percipiend. de H'bagh (? herbage) cujusd. pastur. in Est Hathelsay, que vocatur Rideholm ; Hend et tenend eisd. Capellanis &c. Dat. 29 Aug. 1313, cum sig.—*Cart. Harl.*, 84 A. 45.

25. SUMMONS TO PARLIAMENT AS BARON, 1313.—*Printed in Dugdale's Summonitiones.*

26. INQUISITIO POST MORTEM, 1315.

Ebor } Inq. cap. apud Carleton in crastino Sci Mathei Apost. 8 E. ii.—Jur. dicunt &c. Milo de Stapelton tenuit die quo obiit manerium de Est Hathelsay &c. et tertiam partem de West Hathelsay de dno Comite Lanc. per servicium duorum solid. et septem denar per an. pro omnibus serviciis, et valent per an. in omnibus exitibus *xxlii. vis.* Item tenuit unum mess. et undecim bovat terræ in West Hathelsay de dno Rege in cap. per serv. redd. xls. ad Scacc., et valent xls. Item dicunt qd idem Milo ten. 40 acr. ter. arabilis in Duffeld de Epo Dunelm., per serv. un. rosæ per an. ad festum Sci Johis Bapt., et valet per an. *iiij.* Item Milo tenuit manerium de Carleton juxta Snayth de Nicho. de S., fil ejusdem Milonis, ad term. vitæ ipsius Milonis. Et dcum man. de Carleton p'dco Nicho remaneret, et valet p. an. *xxxli. iijs. iiijd.* Item Milo ten. manerium de Wath in Rydale de dno Johe [de Moubray] per serv. uni paris . . . per an. Item jur. dicunt qd Nichus fil Milonis de S. est propinquior heres ipsius Milonis et est *xxiiij* annor.

Berks } Inq. cap. apud Suth Morton. Nichus fil et her. p'dci Milonis propinquior heres est, etatis viginti et sex annorum . . . Dicunt etiam qd in conceptione Sci Johis Bapt. 3 Edw ii, coram Gilbo de Hereford &c. Justic in banco, p'dcus Milo recog. maner [de North Morton] esse jus Gilberti de S. fratris sui . . . Et dicunt qd idem Gilb. huit de dono p'dci Milonis, et . . . idem Gilb. concessit p'dco Miloni p'dcum maner. &c et illud ei reddidit in ead. cur. habend et tenend. eid Mil. . . . tota vita ipsius Milonis. Et post decessum Mil. p'dcum maner &c integre remaneret Gilberto filio ejusdem Mil &c. Virtute cujus finis id. Gilb post decess. Milonis ingressus est et tenuit.—*Esch. 8 E. ii., no. 17.*

27. GILBERT DE STAPELTON, CLER., CUSTOS OF ST. LEONARD'S HOSPITAL AT YORK, 1308.

Rex omnibus &c—Sciatis qd dedimus et concessimus dil. cler. nro Gilberto de Stapelton custodiam Hospitalis nri Sci. Leonardi, Ebor, habend. et tenend. ad totam vitam suam cum omnibus ad dcm hospitale spectantibus. Ita qd. statutas Eleemosinas et alia pietatis opera in eodem hospitali modo debito faciat et sustineat. T. R. apud Commenok 20 Apl. Et mand. est universis et singulis fratribus hospitalis pdci, qd. eid. Gilberto tanquam Custodi ejusdem hospitalis, in omnibus que ipsum contingunt ratione custodie pdce, intendentes sint et respondentes.—*Rot. Pat.* 1 *E. ii.*, ps. 1, memb. 21.

Further patents appointing Gilbert de Stapelton Archdeacon of Berks, and Prebend of Graham in the Cathedral of Salisbury.—*Rot. Pat.* 11 *E. ii.*, m. 27.

28. JOHN STAPELTON, ONE OF THE MESNE LORDS OF STAPELTON, 1304.

Rex Vic. Cumb. saltm. Quia accepimus p inq. qd. unum messuag., due bov. tre, et quadraginta acre more cu ptin. in Stapelton, que Johes fil. Steph. del W'ra, (qui pro feloniam quam fecit relegatus fuit, ut dicitur) tenuit, escaetaverunt in manum nram per unum annum et unum diem, et qd idem Johes messuag. illud t'ram et moram tenuit de Johe de Stapelton, et qd Wills de Mulcastre messuag. illud, t'ram, et moram, modo tenet, et annu unu et diem inde huit, et nobis inde respondere debet; Tibi precipimus qd p'fato Johi de Stapelton de eisdem messuag. t'ra et mora, de occone felonie pdce et non alia de causa in manu nra existent. plenam seisinam habere faciatis, salvo jure cujuslibet. Dat. apud Lincoln, xxvi die Decemb.—*Rot. claus.* 33 *E. i.*, m. 22.

29. PURCHASE OF BAILDON AND MELSONBY, 1307.

Fine at Westminster in the Octave of the Purification of the B. V. M., 35 *E. i.* Between John son of Nicholas de Stapelton complt and Adam de Nairford deforc. Of the Manors of Baildon and Melsonby near Gilling, the right of John and his heirs, with warranty to hold to the said John and his heirs—for which he gave the said Adam £200 stg.—*Harl. MS.*, 802, fo. 14.

30. GRANT OF FREE WARREN TO SIR JOHN S. OF MELSONBY,
1310.

R. Archiepis &c—Sciatis nos concessisse et hac carta confirmasse Johi de Stapelton qd. ipse et heredes sui imp'pm heant lib'am waren. omibus d'nicis suis de Melshamby &c. Hiis testibus Ven'abilibus patribus R. Archiepo Cantuar, totius Angl. p'mate, Rado London Epo, Gilberto de Clare, com. Glouc. et Hertford, Henr. de Lacy, com. Linc, Humfro de Bohun, com. Hereford et Essex, Guidone de Bello Campo, com. Warr, Adomaro de Valencia, com. Pembrock, Johe de Hastings, Rob'to de Clyfford, Rob'to fil. pagani, sen. hospicii nri, et aliis. Dat. p manu nram apud Westm. xxviij die Novemb. P. ipum Regem.—*Rot. Cart. 2 E. ii., no. 42.*

31. NICHOLAS DE STAPELTON. PARTITION WITH HIS AUNT
JOAN, 1312.

Johes de Bella Aqua et Laderina ux. ejus defuncta tenuerunt maner. de Thorparch, Tibthorp, et Carleton in com. Ebor., maner. de Essheton in com. Lanc., et maner. de Kentmere in com. Westm. Nichus de Stapelton fil. et hæ. Sibillæ unius filiarum et her. p'dce Laderanæ,—et Joha uxor Ancheri fil. Henrici altera filia et heres p'dce Laderanæ—Concessio inter eos de terris p'dcis.—*Index, Rot. Claus., 5 E. ii.*

32. INQ. AD QUOD DAMNUM, PRIOR TO DEMISING PART OF HIS
ESTATE TO HIS FATHER, 1311.

Inq. cap. coram Rob'to de Wodehouse Escaetor. cit. Trent., apud Pontefract, die Sabbat px post fm Sci Hillarii 5 E ii. De maneriis de Carleton juxta Snayth, Kentmere, et novem librat. t're in Southburn et quinq. bov t're in Tybthorp. Si Nichol de Stapelton dimittere possit Miloni de S. pdca ten. ad vita ipius Milonis, ad qd dampnu &c. Jur. dic. qd. mania de Carleton juxta Snayth, et Kentmere tenent' de dno Rege in cap. p. serv. uni. feod. mil, et valent p an. iiijli. Item dic. qd. ix lib. t're in Southeborn et quinq. bov. t're in Tybthorp tenent' de Willo le Ros de Hamelak p serv. uni. spurvarii sori, et valent xiili. vis. viiid. Itm dic. qd non est ad dampnu. neque p'judicium dni Regis neq. alior. Itm dic. qd. eid. Nich. remanet maner. de Eston cu

p'tin et tenet^r de dno Rege in cap. per serv. integ. p'tis feodi uni milit, et val. p. an. xx marcs. Itm dic. qd reman. eid., maner. de Stapelton, et tenet^r de Thom. de Richemund p. serv. uni clav. galeofry, et val. p. an. xxli. Itm dic. qd rem. v'ma et maner. de Kirkeby juxta Fleth^am, et tenet^r de Willo Giffard p. serv. unius rose p. an. et val. p. an. xx marc's. Itm dic. qd. remanet eid., maner. de Houstewyk cu p'tin, et tenet^r de Johe de Moubray p. serv. xme partis feodi uni mil. Et valet p. an. xx marc's. In cujus rei test huic inq. dict. jur. sigilla sua apposuerunt.—(In dors.) Fiat p. finem centu solid.—*Inq. a. q. d. pro licentia feoffandi*, 5 E. ii., no. 11. Also *Rot. Orig. in Curia Scacc. Abbrev. p.* 198 b.

33. RELIEF FROM PAYMENT OF SCUTAGE AND OTHER MATTERS, 1314.

Rex collectoribus Scutagii de Exercitu Scot., saltm— Cum t're et ten. que fuerunt Laderane (unius soror. et heredum Petri de Brus dudum defuncti, qui de patre nro tenuit in cap., quam Johes de Bella Aqua defunctus duxerat in uxem,) ab 18 Aug. 29 E i (quo die t're et ten. p'dca, p mortem ejusdem Johis, qui ea tenuit p legem Angliæ, ratione prolis int' eum et p'fatam Laderana surcitati, in manu ipius patris nri capta fuerunt), usque 27 Dec. 4 E ii. (quo die cepimus homagium dil. et fid. nri Nichi de Stapelton, de proparte ipsi contingente de omnibus tris et ten. que id. Johes sic tenuit, et eid Nicho propartem reddidimus,) in manu ipius p'ris nri et nra extiterunt. Vob. mandamus qd demande quam facilis eid. Nicho in tris et ten. Laderane, et que id Johes sic tenuit p legem Angliæ, pro scutagio ad opus nrm pro exercitibus pdcis sup'sedeatis; et districoem sine dilone relaxetis eidem. T. Rege apud Clipston p'mo die Novemb.—*Rot. Maresc.* 8 E. ii., m. 5 dors, *Palgrave Writs.*

34. FORFEITURE AFTER THE AFFAIR OF BROUGHBRIDGE, 1322.

Nichus de Stapelton de com. Ebor, qui se reddidit, &c. finem fecit p. duo milia marcarum, et invenit manucaptors Johem de Stapelton, Johem de Crumbwell, Georgium Salvayn, et Rob'tum de Colvill, de com Ebor, Johem Darcy le Nevou de Com. Lincoln, et Johem de Caunton de com.

Norhumbri, qui manuceperunt dem Nichum de gestu suo sub pena duorum milium marcarum. Et idem Nichus, pro recognicione transgressionis p'dce, obligat se et her. suos et omnes t'ras et ten. sua, dno R. in duobus doliis vini, solvend R. et her. suis singulis annis ad scacc'ia sua Sci. Michis et Pasche p. equales porcoes imppm, et faciet inde scriptum suum ut supra q'mcito, &c.—*Palgrave's Writs, App.* vol. ii. p. 203.

SECURITY FOR PAYMENT OF FINE.

Rex commisit Walto de Kilvyngton custodiam man'iorum de Kirkeby, Fletham, Stapelton, Dighton, Crethorn, Wath, Brampton, Holmes, Southbrune et Tybethorp et quasdam t'ras et ten. in Escrick et Kirkeby Undercnoll cum ptin in com. Ebor.—*Abb. Rot. orig.* 17 E.-ii.

35. ROGER DE BURTON, TENANT OF THE DEMESNE AT CARLTON, 1303.

Rogerus de Burton filius Rogeri est heres dicti Rogeri defuncti propinquior, et fuit ad festum Translationis Sci Benedicti Abb. triginta sex annorum.

Dictus Rogerus tenuit in dnico suo ut de feodo, de Nicholao filio Milonis de Stapelton, consanguineo et altero heredum Laderanæ (quæ fuit uxor Johannis de Bella Aqua, dudum defuncti, qui de domino Rege tenuit in Capite), et in custodia ipsius Regis existente, tres acras et dimidiam prati in villa de Karleton. Dictus Rogerus die quo obiit tenuit de Auchero filio Henrici et Johanna uxore ejus (altera heredum prædictæ Laderanæ), tres acras et dim. prati in prædicta villa. Et Rogerus filius p'dci dni Rogeri est hæres ejus propinquior, et est ætatis quadraginta annorum.—*Esch.* 31, E. i. no. 9. *Calend. Geneal*, p. 638.

36. PARDON OF ROGER DE BURTON, EXHIBITING BURTON'S ESTATE AT CARLTON, 1335.

Rex omnibus, &c. Quia per inquisicoem per Will. de Clapham Esc. Ebor, Northumb et Westm., (constat quod) Petrus de Brus tertius, quondam dns manerii de Carleton in Balne (qui de dono Hen. quondam Regis Angl. avi mei tenuit in cap.), in anno 1265 per cartam suam dedit et concessit Johi de Burton tunc militi, unum messuagium,

67 tofta, 13 bovat et quatuor acras terr., 442 acras terr. quæ tunc fuerunt de vasto manerii, 7 acras prati et 8 acras pasturæ, reddendo sex denarios vel unum par calcarium deauratorum. Et post mortem pdci Johis, Rogus de Burton (i.), frater et heres, ingressus fuit; et post mortem ejusdem Rogi, Rogerus (ii.) fil et heres ingressus est, et post mortem Rogi fil Rogi, Rogerus de Burton mil (iii.), qui nunc est, fil et her, et ea tenuit nostra licentia, seu progenitorum nostrorum; nos, consideracoem habentes p. finem quem idem Rogerus de Burton, qui nunc est, fecit nobiscum, perdonavimus transgressiones in hac parte factas, &c. T. Rege apud Karl. xii. die Jul.—Endorsed—per finem viginti solidorum.—*Fines*, 9 E. iii. *Calend. Geneal*, p. 638.

37. SETTLEMENT OF SIR NICHOLAS' ESTATE, 1338.

Finalis Concordia—Inter Nichum de Stapelton chivaler quer. et Willm de Brume clericum et Will. de Farnham. De maniis de Dalton Michel, Stapelton super Tese, Fletham, Wath in Rydale, Kyrkeby Fletham, et de quarta parte manii de Austwyk, et de . . . messuagiis, viginti et tribus bov. tre, octodecim acris prati, et tribus solidatis redditus, in manio Langton sup. Swale, Muscotes, Slyngeshy, Wigthorp, Thorp d'Arche, et Tyverington, &c. Et per eam (concordiam) idem Wills et Wills concesserunt p'dco Nicho p'dca mania et quartam partem et ten. cu p'tin, hend, tota vita ipius Nichi. Et post decessum ipius Nichi p'dcm man. de Dalton Michel integre remanebit Miloni fil ejusdem Nichi et Isabellæ ux. ejus, et hered ipsorum Milonis et Isabella. Et p'dca man. de Stapelton, Fletham, Wath, Kyrkby, Fletham et p'dca quarta pars, integre remanebunt pdcis Miloni et Isabellæ et her ipsius Milonis, et per defectum, rectis her pdci Nichi. Et pdca messuagia, tre, p'tin et redditus, integre remanebunt pdco Miloni et her. de corpore procreat, et p. defectum, certis her. p'dci Nichi.—*Fines*, *Ebor*, 12 E. iii. no. 83.

38. SUMMONS AS A BARON TO PARLT., 1342.—*Printed in Dugdale's Summonitiones.*

39. INQ. POST MORTEM, 17 E. iii., 1343.
Very much worn, and almost illegible.

40. SIR MILES OF HATHELSAY—PAYS RELIEF FOR ONE-
EIGHTH PART OF BARONY, 1348.

De term. Hill. a^o. 21 E. iii. Milo filius et heres Nicholai Stapylton dat Regi xvli. vs. vid. ob. pro relevio suo pro man. de Carleton, villa de Southbrune, et duob. bov. tre in Tybthorp in com. Ebor., et quadam chacea vocat. Kentmere in com. Westm, q. dcus Nichus tenuit de Rege in cap. per descensum hereditarium post morte Milonis de Stapilton avi ipsius Milonis, tanquam octavam partem hereditatis q. fuit Petri de Bruys, scilicet octavam partem unius Baronie, que quidem octava pars hereditatis, scil. med. hered. q. fuit Laderane un. fil. et hered. dci Petri de Bruys, descendebat dco Miloni avo, ut de jure Sibillæ ux. suæ, primo genite filiar. et her. ipsius Laderanæ.—*Harl. MS.* 34, p. 164.

41. COMPLAINT OF THE TENANTS AT CARLTON, 1359.

Rex omibus ballivis et fid. suis &c.—Sciatis qd. div. debata et dissensiones int'. dil. et fid. nrm Wm. de Ayremyn et quosdam alios tenentes nros de Carleton, et dil. et fid. nrm Milonem de Stapelton de Hathelsaye, sup' quib. vastis in ead villa de Carleton, ac sup. quib. al. injuriis eisd. Willo et tenentibus nris p. p'dcm Milonem fcis, coram nob. et consilio nro pendeant discuciend. Ydemq. Wills et ten. nri metuant sibi tam de corporibus q'm de bonis et rebus suis, dampnum posse evenire. Nos, securitatem suam volentes, suscepim. ipsos ac bona et res suas quasunque in protectoem et defensionem nras speciales. Et ideo vob mandamus, qd. eisdem Willo et tenent. nris p'dcis, in corp. vel in bonis aut rebus suis injuriam, molestiam, dampnu, aut gravamen non inferatis; nec quantum in vob. est, ab aliis inferri permit-tatis. Et si quid eis dampnum fuerit, eis sine dilouē debite corrigi et emendari fac. In cujus rei &c. per unum annum duraturum. T. Rege apud Westm ij. die Junii—p. consilium. *Rot. Pat.* 33 E. iii., m. 28.

42. INFRINGEMENT OF RIGHTS BY THE QUEEN'S AGENTS, -
1364.

Rex dil. et fid. suis Willo de Skippwyth &c, saltm. Ex parte dil. et fid. nri Milonis de Stapelton de Hathelseye nob. est ostensum, qd. licet ipse dns man. de Carleton existat, ipseque et omnes antecessores sui habuerunt medietatem

aquæ de Ayr infra d'minium manerii, usq. ad filum ejusd. aque, a temp. cujus contrarii memoria non existit,—
 Ministri tamen Phe Reginæ Angl. consortis nre. carissune de Snayth, ipsum Milonem. quominus proficua aque illius p'cip'e et here possit, jam de novo impedierunt et adhuc impediunt, in ipsius Milonis grave dampnu et exheredacois periculum manifestum, sup' quo nob. supplicavit sibi remedium adhibere.—Nos volentes in hac parte fieri qd. est justum, assignamus vos tres et duos vestrum, ad inquirend. p sacrm tam militum quam alior. probor. et leg. hoim de com. p'dco, majorem notitiam p'missorum, p quos rei veritas melius sciri poterit. In cuj. rei &c. T Rege apud Westm. xxviiij. die Januar.—*Rot. Pat.* 38 E. iii., m. 48, *dors.*

43. MORTGAGEE OF INGHAM, 1364.

Hœc est finalis Concordia facta in Cur Regis apud Westm. in crastino Purificationis de Marie, 38 E iii., Inter Milonem de Stapelton de Hathelsay chir, Brianum de S. chir, Ricu de Richemund, Johem de Kirkeby, Radu de Codeford p'sonam ecclie de Langford, Reginaldum de Eccles, Hen. de Ekyngham, Rogum de Ways, Johem Chapman p'sonam Ecclie de Cystern et Johem de Waynton p'sonam ecclie de Waxtonesham quer, —et Milonem de Stapelton def. De maneriis de Ingham et Waxtonesham, et de man. de Bedale et Cotherston, et de man. de Northmorton. Unde placitum, &c. Scilt qd p'dcus Milo de S. de Bedale conc. pdcis Miloni de S. de Hathelsay et al. pdca man. cu p'tin. Et illa reddidit in ead. cur., hend. et tenend. eisdem Miloni de S. de Hathelsay, &c., de p'dco Miloni de S. de Bedale et her. suis, tota vita ipsorum Milonis de S. de Hathelsay, &c. Reddendo inde per an. p'dco Miloni de S. de Bedale tota vita ipsius Milonis quingentas marcas, scilt. med. ad Pentecostam et aliam med. ad festum sci Martini, et heredibus ipsius Milonis de S. de Bedale unam rosam, ad festum Nativ. Sci Johis Bapt., p. omni serv. consuetudinē et exacoē, ad p'dcm Mil. de S. de Bedale et her suis p'tinente, tota vita ipsius Milonis de Hathelsay, &c. Et post decessum ipsius Mil. de S. de Hathelsay p'dca man. cu p'tin integre rev'tent ad p'dcum Milonem de S. de Bedale et her suos, quieta de her. p'dcor. Milonis de S. de Hathelsay, tenend de capit. dnis feodi illius in p'petuu. Et pro hac concessione, reddicoe, fine et concordia, iidem Milo de S. de

Hathelsay, &c. dederunt p'dco Miloni de S. de Bedale, mille libras sterlingorum—Norf—Ebor—Berks.—*Pedes Finium. Com. Var. 3 Feb. 1364.*

44. INQ. P. M. OF SIR MILES OF HATHELSAY, 1373.

Very much stained, and illegible. The substance of it is found in Compendium Escaet., Harl. MS. 708, p. 417.

45. WILL OF SIR MILES OF HATHELSAY, 1372.—*Printed in Test. Ebor. Surtees Society, vol. i. p. 88.*

46. THOMAS DE STAPELTON SETTLES CARLTON ON SIR BRIAN OF WIGHILL IN DEFAULT OF HEIRS MALE.

Settlement recited in the Inq. p. m. of 18 R. ii., no. 68, infra.

47. THE ESCHEATOR TO GIVE METHAM POSSESSION OF STAPELTON, &c.

Precept. est Willo de la Vale Esc. R. in com Ebor qd Thome Metham chivaler et Eliz uxori ejus, que fuit soror et heres Thome de Stapelton def. ; de terr. et ten. in Suthbrune et Tibthorp ; de ter. in villa de Pontefracto et Inkelesmere ; de ter. in campo de Bryne in man. de Wath in Rydale ; de ter. et ten. in Wymbelton, Muscotes, &c. ; et de tribus partibus advocacionis ecclie de Tyverington ; de man. de Stapelton cum ptin. in villis de Dalton Ryell et Melshamby ; de man. de Kyrkeby Fletham, &c. ; et de t'ris et ten. in Thorp Arch &c., plen. seisin hre fac. Salvo, &c. *Abb. Rot. Orig. Cur. Scacc., 47 E. iii., p. 325, b.*

48. HATHELSAY AND BAILDON PUT IN TRUST PENDING TRIAL, 1375.

Edwardus dei gra Rex Angl. &c. Sciatis qd cum placitum pendeat coram nob. de man. de Hathelsay cum p'tin, et de uno mess. et quinque bov. t're cum p'tin in West hathelsay, et de aliis ter. et ten. in Bayldon in com. Ebor., que fuerunt Thome de Stapelton defuncti, qui de nob ten. in cap., et que p. mort ipsius Thome p. Willm de Brymer nup' esc. nrm. capta sint in manu nram. Inter Nos et Johannam que fuit

ux. ipsius Thome de S. et Thomam de Metham et Eliz. uxem ejus, soror. et her. p'fati Thome de S., et Johem fil. William chr, Willm de Calthorn, Hugonem Rene cl'icum et Willm Spink de Sprotburghe. Nos p. salva custod. manerii, &c., dco placito pendente, comisimus dil. Rado de Bracebrigg et al. custodiam dci man. &c., in West hathelsay et Bayldon, hend. pendente pl'ito p'dco indiscisso. Et qd. man., messuagium, tras et ten illa et edificia eor'dem absq vasto et destrucioe custodiant, et serv. realia et omnia alia serv. inde debita faciunt, etc. In cujus rei testimoniū has l'ras nras fieri fecimus patentēs. T. meipso apud Westm. xviii. die februar. anno r. nri Angl. quadragesimo octavo, et r. nri franc. tricesimo quinto.—*Cart. Harl.* 83. C. 15.

49. WEST HATHELSAY GIVEN TO THE PARSONS OF SPROT-BURGH AND HATHELSAY, 1376.

Hugo Rene persona ecclie de Sprotburgh, et Will'us de Calthorne tenens terrarum Milonis de Stapelton de Hathelsay, chir, tenent unum mess. et quinque bov. terr. in West Hathelsay de Rege in cap., per serv. reddendi Regi per an. ad scacc. suum xvs. pro omni servitio.—*Reliefs, term. Hill.*, 50 E. iii. *Harl. MS.*, No. 34, p. 267.

50. DOWRY OF AGNES FITZALAN, 1317.

Rex dilco et fid. nro Robto de Sapy, Escaet nro ult^a. Trentam, saltm.—Cum dns Edw^a. quondam Rex Angl., pater nr, dedit et concessit henrico de Lacy, nuper Com. Lincoln, custodiam terrar. et ten. que Brianus fil Alani defunctus die quo obiit tenuit per servicium militare de herede Johis quondam Ducis Britannie defuncti (qui de dco. patre nro. tenuit in capite). Cujus quidem hedis tre. et ten. per mortem dci Ducis in manum p'dci patris nri devenerunt, hend cum omibus ad custodiam illam spectantibus, usque ad legitimam etatem filiarum et heredum p'dci Briani, infra etatem et in custodia ipsius patris nri, una cum maritaggio filiarum earundem absque dispagacoe, sicut per inspectacoem rotulorum nobis constat.—Ac Agnes una filiar. et heredum predicti Briani quam Gilb'tus de

Stapelton duxit in uxorem, etatem suam sufficient. p'baverit, coram dil. et fid. nro. Johe de Eure nup. Esc. nro. ult. Trentam. Et postmodo idem pater nr. per cartam suam dedisset et concessisset dil. et fid. nro Johi de Britannie Com. Richmond, cum. p'tin., hend et tenend. sibi et hedibus suis cum feodis militar, advocationibus ecclesiar., &c. Vob. mandamus qd. de proparte ipsam Agnetam contingente vos in nullo intromittatis. T. R. apud Windsor xvi. die Decemb. *Rot. claus.*, 11 E. ii., m. 4.

51. GILBERT DE STAPELTON HAS CHARGE OF PROPERTY OF
TEMPLARS, 1311.

Rex constituit Gilbertum de Stapelton ad colligendum et recipiendum omnes fructus, &c., ad ecclesiam Templi de Kelyngton.—*Abb. rot. orig.* 5 E. ii.

BUT HAS TO GIVE UP THE SAME TO THE HOSPITALLERS, 1313.

Mand. est. Gilb. de Stapelton custod. ecclie de Kelyngton cum ornamentis ejusdem ac etiam j'ribus et p'tin. suis quibuscunq., liberand Hospital.—*Rymer Fæd.* 7 E. ii.

52. GILBERT DE STAPELTON—APPOINTED ESCHEATOR, 1320.

Rex commisit Gilbto de Stapelton officium escaetrie citra Trentam hendum quamdiu, &c.—*Rot. Orig. in Cur. Scacc. Abb.*, 13 E. ii., p. 250.

53. SUMMONS OF ESCHEATORS TO A PARLIAMENT, 1321.—
Printed in Palgrave's Writs.

54. DATE OF SIR GILBERT'S DEATH.

Rex Vice Comiti, Ebor. Cum, 6 Aug., 14 E. ii. (1320), cepimus fidelitatem Egidii Archiepi Rothomagenisis . . . et mand. Gilberto de Stapeltone tunc. Esc. nr. ult. Trentam, qd. omnes terras, &c., lib. eid. Archiepo, et præfat. nr. Esc. manerium de Kilham in man. nram cessit, et manerium illud postmodum usque ad diem obitus præf. Escaetoris in manu nra retinuit, &c.—Dat 12 Aug. 15 E. 11 (1321).—*Rymer Fæd.* iii. 889.

55. SIR MILES OF BEDALE AND NORFOLK. SETTLEMENT
OF NORFOLK ESTATES, 1350.

Finalis Concordia—Inter Milonem de Stapulton et Johannam uxor. ejus, quæ Johanna feoffavit personam ecclesiæ de Middleton [Oxon] quer. et Johannem Walloland personam ecclesiæ de . . . , def.—De manerio de Weybrede, com. Suff.; maner. de Ingham, Waxtonesham, Horsey, et Stirston, et advocacionibus ecclesiarum de Ingham, Waxtonesham, et Lamassæ com. Norf.; de maner. de Codeford et Hampworth, et mediet. maner. de Langeford, Deene, et Grymsted com. Wylts, et advoc. ecclesiarum. Jus Johis, qui conc. Miloni et Johæ in tallio; reman. Johi de Stapelton filio pdci Milonis et Isoldæ uxori ejus, in tallio; reman. rectis hered. Johæ.—*Pedes fin. Com. Var.*, 24 et 25, E. iii.

56. SETTLEMENT OF THE YORKSHIRE ESTATES, 1355.

Finalis Concordia—Inter Milonem de Stapelton de Bedale chivaler et Johnam ux. ejus, quer.; Magrum Laur. de Thornhill, p'sonam ecclie de Bedal, Johem de Ayngeston p'sonam ecclie de Melshamby, et Walter de Brandon p'sonam de Lamas, def.—De manerio de Cotherston et mediet. manerior. de Bedale et Askham Brian, et advoc. medietat. ecclie de Bedale com. Ebor.; et de manio. de North Morton com. Berks; Jus Laurentii, qui conc. Miloni et Johæ et heredibus masculis Milonis corpore suo procreat., in tallio.; reman. Briano de Stapelton fratri Milonis in tallio; reman. Miloni de Stapelton de Hathelsay, et heredibus masculis de corpore suo procreat.; reman rectis heredibus Milonis.—*Pedes fin. 28 E. iii. Com. Var.*

57. REWARD OF SERVICES, 1360.

P. Milone de Stapelton } Rex omnibus ad quos, &c, saltm.
—Attendentes fidelitatis constantiam, et strenuitatis eminentiam, quibus dil. et fid. nr. Milo de Stapelton de Bedale merito commendatur, necnon indefessos labores et laudabilia obsequia nob. p ipsum in nr. guerrivis actibus impensa et impendenda, ac volentes providere ipsi Miloni suis exigentibus meritis de premio laborum suor. prout liberalitatem decet regiam implere, concessimus pro nob.

et heredibus nris eid Miloni centum libras, percipiend. singulis annis ad scacc. nrm., ad festa sci Michis et Paschæ p. equales porcoes ad totam vitam ipsius Milonis, vel quousq. sibi de centu libratis tre, vel redditus p. ann. tota vita sua hend., in loco competente, fecerimus provideri. In cujus rei &c. T. R. apud Westm. xxi die Junii. Per ipsum Regem. *Rot. Pat.* 34 E. iii. ps. 2, m. 30.

58. LICENSE TO FOUND CHAUNTRY AT INGHAM, 1360.

Pro Milone de Stapelton } Rex omnibus &c. Licet de
coi consilio regni nri Angl. statutum sit qd. non liceat viris
religiosis seu aliis ingredi feodum alienius tre, qd. ad manu
mortuam deveniat, sine licentia nra et capitalis dni de quo
res illa in medietate tenetur; pro centum tamen solidis quos
dil, et fid. nr. Milo de Stapelton de Bedale chivaler nob.
solvit, concessimus et licentiam dedimus pro nob. et hered.
nris, quantum in nob. est, eid Miloni et Johannæ ux. ejus qd
quandam cantariam de uno custode et duob. capellanis, in
honore Sce Trinitatis, in Ecclia parochiali de Ingham de
novo fundare, et quintam partem manii de Stalham-halle
cu p'tin. dare possint, &c. T. Rege apud Westm. xxvi. die
Junii.—*Rot. Pat.* 34 E. iii. ps. 2, m. 25.

59. LETTERS OF GENERAL ATTORNEY, 1364.

Milo de Stapelton de Bedale chivaler, qui de licentia
Regis ad partes transmarin. profectur. est, het l'ras ut de
generali attorn., sub noibus Rici de Codeford p'sona ecclie de
Langeford et Johis de Boys, sub attornacoë, ad lucrand, &c.
in quibuscunque cur Angl., p. triennium duratur. T. R. apud
Westm. xxviii die Januar.

Idem Milo het alias l'ras R. de gen. attorn., sub noibus
Rog. Coneye chivaler et Reginaldi de Eccles [for Norfolk].

Idem Milo &c. sub noibus Rici de Richemund et Nichi de
Shefeld [for Yorkshire].

Rog. de Boys qui cum dno Miloni ad partes transmar. de
licen. R. profectur. est, het l'ras R. de gen. attorn. sub noibus
Reginaldi de Eccles et Johis de Boys, ad lucrand. &c.—*Rot.*
Pat. 38 E. iii., ps. 1, m. 49.

60. WILL OF SIR MILES OF BEDALE AND INGHAM, 1419.

Institution Books of the Chapter House at Norwich, viii. 144. Part printed in the 4th vol. *Norf. Archæol. Journal*, p. 321.

61. WILL OF SIR BRIAN OF BEDALE AND INGHAM, 1438.

Registrar's Office at Norwich.

62. INQ. P. M. Berks & Norf. 17 H. vi. no. 34.

63. SETTLEMENT OF THE LAST SIR MILES OF NORFOLK ON HIS SECOND MARRIAGE, 1456-7.

Finalis Concordia inter Milonem de S. mil. et Katherinam ux. ejus, quer, et Ricum Fryston et Thomam Aslak, deforc. De maner. de Ingham, Waxtonesham, Lamass, et Steveton co Norf., et advoc. eccles. ; Weybred co Suff. ; Codeford et dim. Stepyl Langford, Deene, et Grymsted, co. Wilts, et advoc. eccles. ; Hampworth, co. Suth'ton ; North Morton et Hemsayes co. Berks, et advoc. eccle^m. ; dim. maner. de Baynton, Cotherston, Bedale, et Askham Bryan, et tofta et ten. in Ulvington et Rumbaldskirk co. Ebor., et advoc. de Bedale et Melshamby. Recog. jus Rici, qui conc. Miloni et Katherinæ maneria in co. Norf. et Berks pro vitis —Reman. Aubrico de Vere mil. et aliis fiduciariis.—*Fines*, 35 H. vi.

64. INQ. P. M. OF SIR MILES, IN CO. BERKS,
29 OCT. 1466.

Jur. dicunt qd Milo Stapilton non tenuit die quo ob. tras nec ten. in cap. de Rege, nec de alio, in com p'dco ; sed Ricus ffreston, clericus, seisitus de maneriis de North Morton et Hemseys ac advoc. eccl., p. quandam cart. tripartitam, in evidenciis ostensam, dimisit, feoffavit et confirm. præfat. Miloni ac Katrine ux. ejus, et hered. ipsius Milonis. Et si contingat p'dcum Milonem sine herede obire, qd tunc omnia p'dca maneria ac advoc. rem. her. de corpore Briani Stapilton arm., fratris p'dci Milonis, legitime procreat. Et si contingat quoscunque hered. Briani sine herede obire, qd tunc p'dca maneria remaneant rectis heredibus p'dci Milonis.

Cujus p'textu, iidem Milo et Katrina fuerunt inde seisiti, videlt. p'dcus Milo in d'nico suo ut de feodo talliat. Et p'dca

Katrina in dnico suo ut de libero tenemento. Et Katrina ipsum supervixit.—*Esch.* 6 E. iv.

65. INQ. P. M. OF KATRINA, THE WIDOW, 1494.

Norf—Inq. indentat cap. apud Thetford, 4 Nov. 10 H. vii., coram Jacobo Braybroke, Esc. &c. Jur. dicunt super sacrm suu qd Ricus ffreston clericus fuit seisitus de maner. de Ingham, Waxtonesham, Lammas, et Westhall in dnico suo ut de feod. Et sic inde seisitus maner. illa cum ptin dedit Miloni Stapilton mil. et dne Katrine, hend. sibi et hered. de corpore ipsius Milonis exeunt., pretextu cujus, iidem Milo et Katrina fuerunt inde seisiti. Scilt idem Milo in dnico suo ut de feod., et dca Katrina in dnico suo ut de libero tenemento. Posteaq. idem Milo obiit, et pdca Katrina ipsum supervixit, et inde fuit seisita in dnico suo ut de libero tenemento. Dicunt ulterius qd. dca Katrina obiit ult. die Julii, anno dci dni Regis nunc quinto. Et qd Elizabeth uxor Willi Calthorp militis, et Johana uxor Johis Huddleston militis sunt filia et propinq. heredes dce Katrine. Et qd ead. Elizabeth est etatis quinquaginta annor. et amplius, et qd dca Johana est etatis quadraginta et octo annor. et ampl. Et qd omnia pdca maner. valent ult. repris quadraginta marcas. Et qd tenent^r de Johe Paston per serv. fidelit., et redditum 12*d.* per an., pro omibus serviciis et consuetudine.—*Inq. p. m.* 10 H. vii. *There is no Inq. for Berks.*

66. SIR BRIAN STAPILTON OF CARLTON AND WIGHILL.—
PURCHASE OF WIGHILL, 1376.

Finalis Concordia facta in curia Regis apud Westm. 50 E. iii. Inter Brianum de Stapilton chr et Aliciam uxorem ejus, quer, et Guidonem Blaumonster clericum, deforc., de maneriis de Wyghall et Calneton in Rydale cum p'tin., 15 mess., una carucata, 10 bov. et 12 acr. terr., 23 solidatis, et 4 denariatis redditus, in Wyghall, Edlyngton, Skelbrok, Ebor., et Soureby juxta Thresk ; unde placitum, &c. Selt qd pdcus Guido recogn. p'dca maneria &c. esse jus Briani, et post decessum Margarete, (que fuit uxor Johis Blaumonster chivaler, et tenuit ad term. vitæ de hereditate pdci Guidonis) integre revenient p'dcis Briano et Alicia, &c.

Et pro hac recogn., remissione, quieta clam., concessione, warr, fine, et concordia, iidem Brianus et Alicia dederunt p'dco Guidoni mille libras sterlingorum.—*Fines*, 50 Edw. iii.

PURCHASE OF THE LIFE INTEREST OF MARGARET TALBOT.—Finalis Concordia facta in curia Regis apud Westm., 50 E. iii., Inter Brianum de Stapelton chivaler, quer., et Gilbertum Talbot et Margaretam uxem ejus, deforc. De maneriis de Wyghall &c. [*ut supra*]. Unde placitum, &c. Scilt qd. p'dci Gilbertus et Margareta concesserunt p'dco Briano p'dca &c, et quicquid iidem Gilbertus et Margareta huerunt in p'dcis ad term. vitæ ipsius Margarete. Reddendo inde per annum p'dcis Gilberto et Marg. tota vita ipsius centum marcas argenti. Et pro hac concessione &c., idem Brianus dedit p'dcis Gilberto et Marg. ducentas marcas argenti.—*Fines*, 50 E. iii.

67. GRANT FROM THE EARL OF SALISBURY FOR SERVICES.

Omnibus &c. Wills de Monte Acuto Comes Sar. salt'm in Dno. Noveritis nos remisisse relaxasse et imppm. quietum clamasse dil. nob. Briano de Stapilton, chivaler, pro bono et laudabili servicio nobis impenso, et præcipue de tempore quo ultimo habuimus custodiam ville Cales, totum jus &c. in manerio de Baumburgh in com. Linc., et Bamptom et omnibus aliis terris et ten. redditibus et s'vicis cum p'tin., in comitatibus Karliol, Westml. et Cumb., simul cum avvocacoe ecclie ejusdem ville de Bampton, que nuper fuerunt Willi de Karlet. Dat. apud London, 1 May, 3 Rich. ii.—*Rot. claus.* 6 R. ii. ps i. 16m. in dors.

68. INQ. POST-MORTEM, 1395.

Capt. in Castro Ebor, 20 Jan. 18 Ric. ii. . . Jur. dicunt qd. Brianus Stapilton chr. tenuit in dnico suo ut de feodo, maner. de Carlton jux^a Snayth cu. p'tin. (except. centum solid. ann. redditus quos Isabella que fuit uxor Isaldi Fauconberg militis tenet ad term. vitæ ex dotacoe Rogi de Burton militis quondam viri,) omne quod quidem maner. tenet. de dno Rege in cap. per serv. militare. De quo quidem maner. quidam Thomas de Stapilton seisitus tempore Edwardi Regis avi dni Regis, dedit Johi Leget clerico, Willo de Chapell, capellano, et Willo de Burne, hend et tenend. &c. qui quidem Johes, Wills, et Wills per licentiam

Edw. Regis feoffaverunt pdcum maner, hend eid. Thome et hered. mascul. de corp. suo exeuntibus. Ita qd si idem Thomas obierit sine hered. masc., pdcum maner Briano de Stapilton chr. et hered. de corp. suo exeuntibus remaneret. Et si Brianus sine hered. masc. obierit, Miloni filio Milonis de S. et hered. masc. remaneret, &c. Item pdcus Brianus tenuit in dnico suo ut de feodo maner. de Querneby, quod quidem se extendit in Querneby, Lyndelay, Langwod, Staynland, Hundersfeld, Wodhous et Scameden, reddendo inde per an. hugoni de Annesley et Johanæ ux. ejus, ad term. vitæ dcæ Johanæ adhuc superstitis, xviii. et xvs. ad annos, apud Pontefractum in Ecclia nom. Hospitalis Sce Ursule in Mikilgate. Et dictum maner. tenetur de Johe de Heton de Mirfield. Item p'dcus Brianus tenuit in d'nico suo ut de feodo tertiam partem maner. de fferlyngton, per legem Angl., ad term. vitæ suæ, ut de jure Alicie nuper uxoris suæ. Et post mortem Briani descendit Briano de S., ut consanguineo et heredi dce Alicie, filio Briani, filii p'dcor. Briani et Alicie. Et tenetur de Rado de Nevill dno. de Raby. Et Brianus, filius Briani, filii p'dci Briani de Stapilton chr, est consanguineus et heres ejusdem Briani et est etatis septem annorum et amplius.—*Ing. p. m.* 18 R. ii. *Ebor.*

69. WILL OF SIR BRIAN OF WIGHILL, 1394.—*Printed in Test. Ebor.*, vol. i. p. 198, *Surtees Society.*

70. THE HEIRS OF WILL. DE ALDBURGHE, JUNIOR, OF HAREWOOD, 1392.

Brianus Stapelton et Elizabetha uxor ejus, ac Wills de Ryther et Sibilla ux. ejus, sorores et heredes Willi de Aldeburgh, tenent de Rege in cap. per serv. xii^o partis unius feod. militis, i. mess. et ii acras ter. in Harwode, ac reddunt iiiij^{li}. vis. xid. annuatim exeunt. de 30 mess. et . . . et 44 bov. ter in Harwod, &c.—*Fines, Hill.* 17 R. ii. *Yorksh. Arch. et Topog. Journal*, iv. p. 97.

71. SETTLEMENT OF HAREWOOD ON REDMAN'S CHILDREN, 1402. 7.

Finalis Concordia facta in cur. Dni Regis apud Westm. Pasch. 3 H. iv, et postea in Octavis Sci. Hillarii anno

regni octavo ibidem concessa et recordata coram eisdem Justic. et aliis. Inter Johem de Ingleby et Willm Asthorp personam ecclie de Dyghton, quer., et Ricum Redmayn chivaler et Elizabeth ux. ejus, deforc. De medietate maner. de Harwod cum p'tin. Unde placitum &c. Scilt q^d. pdci Ricus et Elizabeth recogn. pdcam medietatem esse jus Johis et Willi. Et pro hac recognitione fine et concordia iidem Johes et Wills concesserunt p'dcis Rico et Elizabethæ medietatem &c., hend. et tenend. eisdem Rico et Elizabethæ tota vita ipsorum. Et post decessum ipsorum pdca medietas integre remanebit Matho filio eorundem Rici et Eliz. et her. masc. de corpore suo. Et si contingat qd idem Mathus obierit sine her. masc., tunc p'dca medietas integre remanebit Rico, fratri ejusdem Mathei. Et si contingat qd Ricus obierit sine her. masc., p'dca med. integre remanebit hered. masc. de corp. pdcorum Rici Redmayn et Eliz. Et si nullus heres masc. de corp. Rici et Eliz., tunc p'dca medietas integre remanebit Briano Stapilton fil pdce Eliz., et her. de corp. suo procreat, &c.* Et hæc concordia facta fuit per preceptum ipsius Dni Regis.—*Pedes Finium*, 8 H. iv. *Record Office*.

72. WILL OF SIR RICHARD REDMAN, 1425.—*Printed in vol. iv. of the Yorkshire Arch. and Top. Journal*, p. 92.

73. INQ. POST MORTEM BRIANI DE S. DE CARLTON (iii.),
1417.

Inq. capta apud Selby in com. Ebor., 5 H. v. Jur. dicunt qd Brianus de Stapilton chr. obiit seisitus in d'nico suo ut de feodo de maner. de Carleton juxta Snaythe de dco dno Rege, per serv. milit., qd valet per an. *xxli*. Item de uno mess. et de lx acr. terr. jacent. in Camelford, voc. Boynton-land, que tenentur de Dno Rege in cap. per serv. milit., que valent per an. *vs*. Item de xxvi acr. terr. jacent. in Camelford, vocat. Snaythland, que val. per an. *xxiis*. Item de xx acr. terr. et de xxiii acr. prati in Carleton vocat. Boynton-land, que valent *iiii*li. Item de x acr. prati in Carleton vocat Snaythland, que val. per an. *xxs*. Item de maner. de Quernby, qd tenetur de Duce Ebor. ut de maner. suo de Wakefield, qd val. per an. *iiii*li. Item de maner. de Walkyngham, qd tenetur de dno Rege ut de castello suo de

Knarburghe, qd est parcell. de ducatu suo Lancastre et val. x marc. Item de tertia parte maner. fferlyngton, que tenetur de Rado Nevell Com. Westmoreland ut de castello suo de Scherifhoton, et val. per an. vd iiii^ad. Et dicunt qd Brianus de S. ob xiii die Oct ult. preterito, et qd. Brianus de S. fil. Briani est heres ejus. Et fuit ætat. quinque annorum die Veneris px post festum Sci Leonardi.—*Inq. p. m.* 5 H. v. no. 26.

74. **WARDSHIP OF THE HEIR GIVEN TO THE DUKE OF BEDFORD, REGENT OF FRANCE.**

Rex omnibus &c.—Sciatis qd concessimus carissimo fratri nro. Johanni Duci Bedford Custodi Angliæ, custodiam omnium terr. et ten. quæ fuerunt Briani de Stapulton, chivaler defuncti, qui de nobis tenuit in cap., et quæ ratione minoris ætatis Briani fil. et hæredis, in manus nras deveniunt, hend. una cum maritagio ejusdem Briani . . . Proviso semper, qd. idem frater noster inveniet herede pdco sustentacionem suam, ac domos, edificia, et clausuras terris et tenementis pdcis pertinentia, manuteneat et sustentet, necnon omnia onera ejusdem terris et ten. incumbentia, faciat et supportet, quamdiu custodiam habuerit supradictam. T. Rege xviiiij. die Nov. 5 H. v., 1417.—*Hardy's Rot. Normanniæ*, p. 205.

75. **PROBATIO ÆTATIS BRIANI (IV.) 1434.**

Escaet 12 H. vi. no. 59.

76. **SIR BRIAN OF CARLTON (V.) PROBATIO ÆTATIS; 1476.**

Escaet 16 E. iv. no. 68.

77. **INQ. POST MORTEM, 1550.**

Inq. p. m. of Sir Brian of Burton Jorce and Carlton (v) taken at Doncaster 1. May 4 E. vi. *Printed at length in the Beaumont Peerage case (Sessional Papers)*, p. 59.

Sir Brian was seised of the following estate, settled on himself and his heirs male (as is evident from a deed dated 28 July, 47 E. iii. 1373). The manor of Carlton and its members, held of the King in cap., of the annual value of £82 19s. 4d. ; the manor of Bedale and its members, held

of the King as from the Earl of Richmond by a rent of 45s. 7d., in lieu of service, and worth per an. £54 19s. 0½d.; and the manors of Walkingham Hill, Kyrkby, Kyereby, Scotton and Sutton, and certain lands in those manors, which he had recovered under a Writ of Entry on disseisin in the King's Bench at Westminster, 3rd May, 1530.

Sir Brian had also lands and hereditaments in possession and reversion, which he had disposed of in his will, (recited in the Inquisition,) of the total yearly value of £404 0s. 13d. The manor of Kentmere and lands in Westmoreland, £40 8s. 8d.; the manor of Byngham and lands in Notts, £98 20s. 3d.; the manor of Kekryngton and lands in Lincolnshire, £22 10s. 6d.; the manor of Kirkby and Kyereby and lands in co. York, £17 12s. 5d.; the manor of Walkingham Hill and lands there, £10 6s. 8d.; the manor of Sutton in Holderness and lands there, £19; the manor of Burton Jorce and lands in Notts, £18 0s. 12d.; the manor of Bedale and lands there, £51 8s. 10d.; the manor of Brian Askam and Rufford and lands in the county of the City of York, £43 7s. 5d.; and the manor of Carlton nygh Snaythe with lands there, worth per an. £82 19s. 4d.

78. MILES DE STAPILTON OF WIGHILL—INQ. P. M.,
1400.

Inq. indentata cap. apud Ebor, 20 April 1 H. iv. coram Thomas Bromflete Esc.—Jur. dicunt qd. Milo de Stapelton tenuit die quo obiit maner. de Wighall cum hameletto de Esedyk de dno de Moubray per homag. et fidelitat., et val. per an. xli.; Item maner. de Clifford de Comite Kant per homag. et valet iijli. Item duas partes maner. de ffarlington de Comite Westmd.; Item maner. de parva Langton, val. viili.; Item quandam parcell terr. in Skelbroke, val. vis.; viii. mess. et tres acras in Frytheby, et valent per an. vis.; Item certa terr. et ten. in Askam Bryan, et tenentur de dno de Gray de Rotherfeld et Milone de Stapelton chr., et val. xxiii. Et idem Milo tenuit omnia supradicta maner. &c., sibi et hered. masc. Et dicunt jur. qd tenuit certa terr. et ten. in Carlton juxta Snayth et Camelford de hered. Briani

de Stapilton patris p'dci Milonis, per finem reddendi eid. her. xiiis. per an. et valet per an. xli. Et Johes fil. ejusdem Milonis est heres, etatis xxxii septiman.—*Inq. p. m.* 1 H. iv.

79. SUBSEQUENT INQ. TAKEN AT CLYFTON BY ORDER OF THE DUKE OF BEDFORD, 1419.

Inq. cap. apud Clyfton 7 H. v. . . . Jur. dicunt qd Milo tenuit, die quo obiit, sibi et her. suis, ex dono et feoffam'to Agnetis Arondell, sororis et hered. Rici de Boynton nuper Rectoris ecclie de Bynbrook, certa terr. et ten. in Carlton juxta Snayth, de quibus in breve fit mencio, et eadem terr. et ten. tenentur de heredibus Briani de Stapilton chr, per serv. reddendi eisdem xiiis. per annum.—*Inq. p. m.* 7 H. v.

80. ASSIGNMENT OF DOWRY TO THE WIDOW, 1400.

Assignatio dotis Johanne que fuit ux. Milonis de Stapilton defuncti. Inprimis Thomas Brounflete Escaetor assignavit Johanne, nomine dotis, Magnam cameram lapide retro aulam pro aula sua, inde hend. cum camera supra eandem, cum cameris vocat. Wythdrawing Chambre, Norysry, Lardarhouse, Gardroba, et omnibus aliis cameris ibm annexis versus occident, cum camera supra portam exthorem cum sub cameris ejusdem, cum le Clokhous, cum libero introitu et exitu per eandem portam, cum integro gardino vocat. le Gardyn, cum quadam camera vocat. le loge in eodem gardino constructa, cum libero introitu et exitu per murum intra cameram juxta Capellam et Columbare, et sit pd'cum gardinum usque in privum gardinum jacens juxta magnam aulam ex parte occident, cum parte ejusdem privi gardini ex opposit. d'carum camerarum ad eundem finem prout per metas et bund limitat. Et cum tertia parte domus torabilis et profitus ejusdem, cum libero introito et exitu. Item in curia exthori grangiam feni cum stabul. in fine austral. ejusdem, cum le hayhous, cum stabul., cum le carhous juxta portam exthorem ex eadem parte, cum parte ejusdem curiæ quæ se extendit a fine boreal. dci stabul. ex opposit. versus Austrum, salvo semper dno Regi, heredi prædicto et custodi ejusdem, liberum introit et exit. ad Columbar. (quod quidem Colum-

bar. stat pro indiviso inter partes pdcas), et tertiam partem ejusdem cum profitu assignavit pro dote. Item tertiam partem communis furni in Wyghall et cois furni in Esedyke, molend. ventrit. in Wyghall, unius forig. ibm., et piscar. in aqua de Qwerff, cum profitu eorundem. Item tertiam profitus liberæ curiæ de Wyghall, cum tertia parte americiament. sectatorum cur. ibm. &c.—*Rot. claus.* 1 H. iv., ps. 2, m. 7.

81. SIR JOHN OF WIGHILL. PROB. ÆTATIS, 1422.—*Esch.* 8 H. v., no. 122. INQ. POST MORTEM.—*Esch.*, 33 H. vi.—*Corporation Records at York.* HIS WILL, 1454.—*Printed in Test. Ebor (Surtees Soc.)*, vol. ii. p. 181. HIS WIDOW'S WILL, 1465.—*Printed in Test. Ebor.* vol. ii., p. 270.

82. SIR WILLIAM STAPILTON OF WIGHILL—HIS WILL, 1503.—*Printed in Test. Ebor.*, vol. iv., p. 221. HIS WIDOW'S WILL, 1507.—*Printed in Test. Ebor.*, vol. iv., p. 273.

83. SIR BRIAN OF WIGHILL—INQ. P. MORT., 1518.

Capt. apud Guihald in com. civ. Ebor. 27 Oct. 10 H. viii., coram Will. Wright majore civ. Ebor. . . . Brianus ob. 18 Sept. ult. preterito. Et Cristofer S. est ejus fil. et propinquior heres, et est etat. triginta et triu. annorum.—*Corporation Records, Liber $\frac{B}{y}$* fo. 205^a.

84. SIR BRIAN'S WILL, 1518.

In Dei nomine Amen. The 4th July, 1518, and in the 10th year of King H. viii., I Brian Stapilton of Wighall Knight, with an holle and p'fytte mind, &c., give and bequeath in the name of my mortuary and corps present my best horse. Also to the Vicar of Wighill for my forgotten tithes 20s. Also the church work of Wighill, 40s. Also to the House of Helagh Park, 20s. Also to Our Lady's House at Synningthwait, to be prayed for, 20s. Also to the House of Our Lady beside York, 40s. Item to the House of St.

Robert besides Knaresburghe, 13s. 4*d.*, &c. Also to Xpofer Stapilton my son and heir, my chain of gold weighing 20 ounces of fine gold, and he to find a priest to sing in Our Lady's Chapel where my body lies, 7 years, for my father's soul, my mother's soul, my wife's soul, and mine. Also to the said Xpofer, a bason and ewer of silver, and it to remain to his heirs everafter. Also all my chapel stuff, as my father left me it. Also ij draughtes, ij ironbound waynes, with all plowes, cowpes, and harrowes. Also to Alice my daughter in law, a ring of gold with a diamond in it, and ij milke kyen. And to every of my iiij younger sons, a young horse Ryden or able to Ryde. Also to my said iiij younger sons and my ij daughters a piece of black velvet, containing 12 yards, to be sold, to buy every of them a gown withal. Also to Jane Conyers my daughter, ij kine with calf or calved. Also to the said Jane a ring of gold graven with feathers, which was the last token betwixt my wife and me. Also to Elinor Wharton my daughter, ij kye ii whies, and a ring of gold with a stone in it called a turkis. Also to Margaret my daughter, a cross of gold with a crucifix of the one side and the five wounds of the other, with a small chain of gold belonging to it. Also to Dame Isabel Stapilton my daughter, 10s. To Sir John Carbot my chaplain, 10s., and to the church of Wyghall, my tawny damask gown, to make a cope or a vestment or both of, and a gown of argent damask, the which my wife gave to Wyghall Church. Also to every house in Wighall, to pray for my soul, iiij*d.* Also I will that my executors the day of my burial deal penny dole, to priests 4*d.*, to parish clerks 2*d.*, and the parish clerk of Wighall 12*d.* Also 13 tapers, 12 of them a lb. apiece, in the worship of the 12 Apostles, and the 13th of 3lbs., in the worship of the Father, Son, and Holy Ghost, and it to be burned afore the Sacrament of the Altar whiles it will last. Also to Brian, son and heir of Xpofer my son, a flat cup covered, silver and gilt, with the talbots on it, and it to remain to his heirs. Also I will that my executors give each one of my sons-in-law, at their discretion, a token of remembrance to pray for my soul. The residue of my goods not bequeathed, to be disposed for the well of my soul by my executors, whom I ordain and make, Xpofer Stapilton my son and heir, and William my youngest son. Proved 26 Sept. 1518.—*York Registry*, 9, 71a. *By favour of R. H. Skaife, Esq.*

85. CRISTOFER STAPILTON'S WILL, 1537.

In Dei nomine, Amen. I Cristofer Stapulton, of Wyghall, Esquier, something seke in body, but of and in perfect mind and remembrance, blessed be Almighty God, the 30th day of July, 29 King Henry viii., make and ordain this my last will and testament. First I bequeath my soul to Almighty God, Our Lady Saint Mary, and all the holy Company of Heaven, and my body to be buried within the Chapel of Our Lady in the North Aisle of the Parish Church of Wighall, before the image of Saint John Baptist. Also I give and bequeath in the name of my forgotten tithes, my best horse, to be taken at the election of the Vicar of Wighall, &c. Item to Elizabeth my wife, my chain of gold, and she to find a priest to sing and say mass in Our Lady's Chapel in Wyghall Church, where my body shall lie, seven years next after my death. Item to the said Elizabeth my wife, a salt of silver, covered, parcel gilt; Item to the said Elizabeth, a goblet of silver gilt, without a cover. Item a long spoon for green ginger, that was her own. Item to the said Elizabeth 12 silver spoons of Saint John that was her own. Item one silver cup of the old fashion; item, a little silver flagon for rose-water. Item to Robert Stapulton my son and heir, a gilt cup with a cover, called a pear, and another cup covered of the fashion of a nut called grypeg, and they both to remain from heir to heir, as long as they will endure. Item the seal of my arms in silver, and a ring called a sygnet, with a Saracen's head graven on it, and they both to remain as heirlooms. Item to Robert my son and heir, a bason and ewer of silver, two bottles and a cover "of Antyke worke." Item one great hollow bowl, gilt, with a cover; item one other little flat cup of silver, and engraved with the Talbots on the cover. Item to my said son all my draft oxen, waynes, and ploughs, and my crop of corn growing, except necessary corn for the finding of the house during a quarter of a year after my death. Item all my Chapel stuff, as my father left me, except such stuff as my wife brought with her, vizt. a vestment of red damask with a cross of green satin brigges, imbroidered with flowers of gold, and an albe, an amice, a stole, and a faynell thereto belonging. Item I will that a furnace pot, a brew lea.l, 2 wort leads, and 2 racks of iron shall go to the said Robert and his heirs as heirlooms.

Item, mine Armory with all my harness thereto belonging. Item to my said son Robert, a russet damask gown. Item to William my son, a gown of black cloth, lined with black damask. Item to the parish church of Wyghall, a pair of organs, that standeth in the high quire of the said church. Item I will that my house and household be kept whole together for a quarter of a year after my death, and all my servants that be disposed to tarry so long to be paid a quarter's wages. Item to my said son Robert, two new cups of silver gilt with covers, for ale. The residue of my goods not bequeathed, to be disposed for the wealth of my soul, and performance of this my will without grudge of conscience, and payment of my debts, by Elizabeth my wife, whom I ordain and make my sole executrix. Proved 29 Jan. 1538. —*Registry at York*, xi, 269, b. *By favour of R. H. Skaike, Esq.*

86. SIR ROBERT STAPLETON—PARDON, 1548.

Rex omnibus &c. Sciatis qd. nos de gratia nra speciali ac ex certa scientia et mero motu nris, ac de advisamento et consensu percharissimi avunculi nri Edwardi Ducis Somes, gubernatoris personæ nræ ac regnorum et dom. nostrorum protectoris, &c., perdonavimus remisimus et relaxavimus Roberto Stapleton nuper de Wygthill in com. Ebor. militi, et Roberto Haldenby nuper de Haldenby in com. Ebor. armigero, alias dictis Thome Haldenby et Robto Stapleton armigeris, dnis de Swanland, seu quibuscunque aliis noibus vocentur, omnes et omninos exitus, fines, et amerciamenta per ipsos Thomam et Robtum ante vicesimum octavum diem Januar. anno regni nri forisfact. T. Rege apud Westm. xxvi die Januar.—*Rot. Pat.* 1 Edw. vi. *ps. 5, m. 21.*

87. SIR ROBERT'S WILL, 1557.

In the name of God, Amen, the vj day of June 1557. I Robert Stapleton of Wighill w^tin the countie of the citie of Yorke, Knight, being seke of bodye and perfecte of remembrance, doth make this my last will and testament as well of all my goodes and cattells as also of all my landes tenements and hereditaments which the lawe permittes to declare my will. First, I bequeth my soull to God Almighty and only

redemer, my body to be buried at the next parishe church where it shall please God to call me to his mercye, and for all my funerall expenses I will it be at the discrecion of my Executors to be taken of my holl goodes. Item I will and bequeth to Brygett my daughter four hundreth poundes of English money, to be taken in maner and forme following, that is to say *ccli.* of my goodes and *ccli.* of my landes, and if my goodes will not extend thereto, then the residewe to be taken of my landes, and I will that my brother Sr. William Yngilby Knight shall have the custody and bringing up of my said daughter Briget; and the same somm of *ccccli.* to be in the custody of the said Sr. William Yngilby and my brother Mallorie. Item, I will and bequeath unto Elizabeth my daughter four hundreth poundes of English money to be taken in like manner, and I will that my brother in lawe George Bowes shall have the custody and bringing up of my said daughter Elizabeth, and the said somm of *ccccli.* to be in the custody of the said George Bowes. Item, I will that Robert Swail, son of John Swail of Stanely deceased shall have one tenement and fermhold in Wighill of the yerly rent of *iiij^{li} vis. viiij^d.* now in the occupation of the said Robert Swail, &c. Item I will that Dame Elizabeth my wyf have lands and tenements of the clere yerely valewe of fifty poundes for the term of her life in recompense and consideracion of all her feoffaments and dower. Item I will that William Stapleton shall have yerely *xxvj s. viii d.* going out of my landes for the term of his lif, and further I give to the said William Stapleton *xx s.* in money to helpe to get him a mr. Item, I will that if either of my daughters dye before they be married or com to accomplish the age of *xvi yeres*, than I will that my other daughter that doth overlyve shall have the said somm of *ccccli.*, bequethed to my said daughter so deade. And I order and constitute my executors of this my last will and testament, my well beloved Sr. William Yngleby of Ripley, Knight, Sir Thomas Mallevery of Allerton Mallevery, Knight, William Mallorye of Studley, Esquier, and George Bowes of South Cowton Esq., and doth require them to see the bringing up of my children in vertue, and this my will to be performed. And for eche of their paynes I give unto every of them one gelding to be taken of the best that I have. And I will that the comodities of the ferme of Bramfurth be for the performance of this my will, &c. Proved 21 July

1557.—*Registry at York*, xv. pt. 1. fo. 307 a. *By favour of R. H. Skaiſe, Eſq.*

INQ. POST MORTEM, 1557.

Inq. indent. cap. apud Caſtr. Ebor, 20 Jul. 3 et 4 Phil. et Mariæ. Jur. dicunt q^d. Robtus Stappylton mil. die quo ob. fuit ſeis. in dnico ſuo ut de feod. de et in maner. de ffarlington, Clyffurth, et Hanley in p'dco com., ac de et in 7 meſs., 15 cotagiis, 200 acr tre, 80 acr prati, 120 acr paſtur, 6 acr vaſti, 300 acr moræ, et de advoc. ecclie ſive capelle in ffarlington. Ac de et in 4 meſs. 7 cot. un. molend. aquaticum, 120 acr terræ, 60 acr prati, 60 acr paſtur, 10 acr vaſti, 200 acr moræ in Clyfford. Et de et in 10 meſs, 16 cot, 400 acr tre, 100 acr prati, 200 acr vaſti, 500 acr moræ, un. molend. aquat. et tribus molend. fullonic. in Hanley. Et de et in annual. reddit. xiiii*li*. vii*ss*. viii*d*. exeunt. de maner, ter. ac ten. de parva Laughton. Et ult jur dicunt qd. p'dcm maner. de ffarlington &c. tenetur de Rege et Regina, ut de caſtello de Sherifhoton. Et qd maner de Clyffurth &c. tenetur de dcis Rege et Regina, p ſerv. ſept. part. feod. mil. Et qd. maner de Hanley tenetur de Rege et Regina, ut de Honore ſuo de Pontefract, per ſerv. quart. ptis feod. mil. Et Robtus Stappylton obiit 12 die Junii ult preterito.—*Eſch. 3 et 4 Ph. et Mar.*

88. SIR ROBERT STAPILTON (ii)—LETTER OF QUEEN ELIZABETH TO MRS. TALBOT.—*Printed in Nichols' Progresses of Queen Elizabeth, vol. ii. p. 628.*

89. SETTLEMENT OF EASDYKE ON MRS. TALBOT, 1585.

Regina omniſibus &c. Cum Wills Conſtable gen. et Franciſcus Newton gen., term Paſchæ anno 27^o nri regni in curia nra coram juſtic. nris de Banco, per finem acquisiverunt ſibi et hered. de Roberto Stapleton mil. maner. de Eaſdyke, qd. de nob. tenetur in cap. Quæquidem alienatio facta fuit, licentia nra regia inde prius non obtenta. Sciatis igitur qd. nos de gratia nra ſpeciali ac pro quinque libris &c., virtute literarum patentium, perdonavimus et remisimus transgreſſionem, &c., T. R. apud Weſtm. 28 die Januar.—*Rot. Pat. 30 Eliz. par. 11.*

90. INQ. POST MORTEM, 1607.

Capta apud Guihaldum civ. Ebor., 3 Dec. 5 Jac. Jur. dicunt qd. Robertus Stapleton miles, nuper de Easdike, seisitus in dnico suo ut de feodo in maner. de Wighell cum terris dominicalibus ibidem, et de uno Parco ibm, vocato Wighell Parke, et uno molend. vent., et de quibusdam mess. et ten. in Wighell, et de uno ten. vocato Follifoote, et de capitali messuagio, dominio, sive grangia de Easdyke, ac etiam de Rectoria de Wighell et decimis garbarum et feni ibidem crescentium, conveiavit et concessit per finem et alias sufficientes assurantias in lege, ad opus et usum Henrici Stapleton, arm., fil. et her., et Mariæ uxoris ipsius, et heredum masc. Et per eundem finem concessit et conveiavit p'dcum capitale mess. de Easdyke ad opus et usum ipsius Roberti et Olivæ ux. suæ, et post eorum decessum ad opus et usum dci Henrici S. et her. masc. &c.—*York Corporation Records. Lib. Record. 1600–17, fol. 85 a. Other Inquisitions show him to have been possessed of lands at Sherburn and Helaugh—and of the Manor of Little Burdon in Durham.*

91. TRUSTEES OF MYTON, 1598.

2^{do} die Sept. 40 Eliz. Regina conc. Roberto Stapleton mil, Willo Ingilby, arm., et Rico Hutton arm., et Antonio Desson generos., licen. alienare mess. et ten. in Nether Dunsforth, parcell. maner. de Myton in com. Ebor., Jacobo Thwaite.—*Calend. Rot. Pat. 40 Eliz. ps. 2, p. 3.*

92. PURCHASE OF MYTON FROM TRUSTEES, AND DESCRIPTION OF THE ESTATE, 1610.

Finalis Concordia facta in Cur. dni Regis apud Westm. anno. 8 Jacobi, Inter Johem Mallory, mil., Joh. Courthope, mil., et Will. Vavasour arm. quer., et Will Ingilby mil., Ricum Hutton, serv. ad legem. et Antonium Desson, gen. deforc. De maner. de Myton, et de 20 mess. et 10 cotagiis, et duobus toftis, duob. molend. duob. columbar., 30 gardiniis, 30 pomar., quingentis acris terr., 200 acris prati, 600 acris pastur; et 40 acris jampnorum (furze) et brueriæ (brushwood) in Myton, Rufforth alias Sumforth, et Aldborough—Inde pltum &c.

Scil. qd. pdci Wills, Ricus, et Antonius recogn. maner. et ten. esse jus Johis Malory, ut illa quæ iidem Johes, Johes Courthope et Wills Vavasour hent de dono Willi Ingilby Rici et Antonii. Et pro hac recogn. et concessione iidem Johes et Johes et Wills Vavasour dederunt pdcis ducentas libras sterlingorum. *Fines term. Pasch. 8 Jac.*

93. BRIAN STAPYLTON AND HIS MOTHER IN POSSESSION OF MYTON, 1615-7.

Rex primo die Aprilis concessit Briano Stapleton gen. licentiam alienare mess. et al. in Myton in com. Ebor. Pho Stapilton et al.—*Rot. Pat. 12 Jac. ps. 32.*

Rex primo Mart. conc Briano S., Francescæ ux ejus, et Olivæ S. viduæ, licentiam alienare due molend. et alia in Myton co. Ebor. Petro Fardington et al.—*Rot. Pat. 14 Jac. ps. 38.*

94. HENRY STAPILTON OF WIGHILL—INQ. POST MORTEM, 1631.

Inq. cap. apud Guihaldum civ. Ebor. 28 Sept. 7 Car. Jur. dicunt qd. durante vita Henrici, *Wighill was settled on him, as recited in the last Inquisition.* Et ulterius dicunt qd. pdcus Henricus et Maria uxor ejus seisiti in dnico suo ut de feodo de et in maner. de Little Burdon cum suis membris in com. Dunelm., et de capitali messuagio cum diversis terris in Mileforth, Lewerton, et Shereborne, per finem et alias suff. conveyancias concesserunt henrico Constable vice comite Dunbar (*and other feoffees*) ad usus sequentes, vizt. De maner. de Little Burdon ad opus et usum Henrici Stapilton et cujusdam Isabelle ffoster, pro term., vitarum &c. Et post decessum eorum, tum ad opus et usum Roberti fil. Henrici, et hered. masc. ex corp. Katherine uxoris suæ. Ac de et pro Milforth Lewerton et Sherburn, ad opus et usum Katherinæ pro termino vitæ suæ, in loco furuitur (? *jointure*), ac post decessum, ad opus et usum Roberti, et hered. masc. Roberti. Et sic inde seisiti existentes, pdca Isabella obiit, et Henricus ipsam supervixit. Et Henricus sic existens seisitus de Easdyk et de ceteris premissis, obiit 28 Februar. ult. præterito. Et Robertus est proximus heres, et est viginti et sex annorum. *Excaet 7 Car.—Record Office.*

95. HENRY STAPILTON'S WILL, 1630.

In the name of the undivided and blessed Trinitie, the Father, Sonne, and Holy Ghoste, Amen. I Henry Stapilton of Wighill Esquire, not knowing how soon it may please God to call me out of this vaile of myserie, doe hereby ordayne this my last will and testament. First I bequeath my soule into the handes of Almighty God of whom I receyvid it And for my personal estate as corn, cattle, houses, bonds, bills, household stuff, plate, and all other my goods moveable and unmoveable, of what kind soever, my debts discharged, I give them to my dear and loving wife Mary, and my youngest daughter Jane, whom I make joint executors of this my last will and testament. In witness whereto I have set my hand and seal 14 Feb., 6th Charles.—Proved 2 April 1631.—*Registry at York.*

96. HIS WIDOW'S WILL, 1656.

In the name of God, Amen. I Mary Stapilton of Wighell, Gentlewoman, of good and perfect memory, praised be God, do make my last will and testament in form and manner following. First I give and bequeath my soul into the hands of Almighty God, hoping for a blessed resurrection in and through Jesus Christ my Lord. Next I bequeath my body to be buried in the Parish Church of Kirkdeighton. And as for my bodily goods, first I give and bequeath unto my grandchild Miles Stapilton Esquire, one great silver bason and ewer and two silver cans, with all my waynes, ploughs, and all the furniture belonging to them, and eight oxen, and all my corn growing in the fields. Item I give to Mary Stapilton his wife six of my best kine, and all my needlework in my house, and all the bedding and furniture in the blue chamber and in the white chamber. Item I give to my grandchild Henry Stapilton, brother to Miles Stapilton Esq. one hundred pounds, if he returns safe into England. I give to my three daughters, Dame Catherine Cholmley, Dame Mary St. Quintin, and Mrs. Jane Fenwick, all the rest of my plate to be divided equally amongst them. Item I give to my grandchild Hugh Cholmley twenty pounds to buy him a gelding. Item to my grandchild Henry Saint Quintin twenty pounds to buy him a gelding. Item to my grandchild John Fenwick twenty pounds to buy him a gelding. Item to my

grandchild Mrs. Mary Fenwick all arrears of money due to me from Sir John Fenwick, and all my wearing clothes, and all my rings and bracelets, and one hundred pounds in money. Item, I give to my grandchild John Stapilton of Warter Esq., my gold watch. Item, my will is that the Library left by Mr. Richard Burton shall continue to the heirs of the house of Wighell. Item, I give to Mr. Richard Burton, son to Thomas Burton, clerke, forty pounds. Item, to my servant William Potter, £10, and to my servant William Hunton, £10. Item, my will is that Baron Thorpe, and Henry Cholmley, Knight, shall have power to advise and assist my grandchild Mr. Robert Stapilton, whom I make my Executor, and for their advice and assistance I give to either of them £10 to buy each of them a ring. Item, I give to a minister for preaching a sermon at Kirkdeighton for Mr. Burton every year on the last day of June, and so to continue for ever, 20s. a year. Item, I give to my grandchild Mr. Robert Stapilton, whom I make sole executor of this my last Will and Testament, all the rest of my goods and chattels, moveable and unmoveable, my debts and funeral expenses being first discharged. In witness whereunto I have set my hand and seal the 9th Feb. 1656.—Mary Stapilton.—Item, I give also to William Saint Quintin Esquire, £20 to buy him a gelding.—Witness my hand also—Mary Stapilton.—Witness William Potter—Will. Hunton.

Item, My will and desire is that the suit now depending in Chancery concerning the Intail, shall be followed on by Sir Henry Cholmley upon the proper cost and charge of my Executors.—*Will Office, Somerset House, London.*

97. SIR ROBERT STAPLETON, THE POET, HIS ESTATE.—
FROM THE ROYALIST COMPOSITION PAPERS, 1647.

His Delinquency being that he left his dwelling and went and lived in Oxford while it was a garrison holden for the King against the Parliament ; and was there at the time of its surrender. Particulars of his estate:—He was seised in right of his wife, of and in the remain of a term of 12 years in the Manor of Brockend in the Isle of Thanet by demise of the Dean and Chapter of Christchurch, Canterbury. Also, in right of his wife, of and in the remain of a term

of 30 years in five small tenements in Canterbury, held by lease from the Mayor and Corporation. Also a frank tenement during the life of his wife in 200 acres of woodland in Marley, co. Kent, worth heretofore £40, but the woods have been wasted and cut down since the war, and are now not near that value. Also an Annuity of £100 a year during the life of his mother who is 80 years of age, payable out of Bedale and Carlton and Camelford, co. York. After his mother's death, another annuity of £30 from the same manors—and there are also debts owing to him and from him.

Signed ROBERT STAPLETON.

Dated 30th March, 1647.

98. SIR PHILIP STAPILTON'S WILL.

In the name of God, Amen. I, Sir Phillipp Stapilton, of Warter in the County of York do make this my last Will and Testament. First I ordain that £1500 be bestowed in buying of lands which shall be bought to the use of my son Henry, and estated on him and his heirs male, and in default, then upon my son Phillipp, upon the same limitations, and in default of issue, then to my eldest son on the same limitations, and so the rest of my sons successively; only I will that half the yearly profit shall be to the use of my dear wife for the increase of her jointure during her life, and the other half for the present maintenance and education of my said son Henry. Item I give to my three daughters Katheryn, Mary, and Frances to each of them one thousand pounds for their portions. Item I give the tuition and care of education of my eldest son John, to my beloved son William Gee Esq. with the full possession of the whole manor of Warter; and all the rents thereunto belonging I wish that my said son Gee shall receive to the use of my son John till he shall attain the age of 20 years, being very confident of the love of my son Gee to me and my children. And I do charge my son John by that duty that he owes to me and as he will answer it before God, that he lead his life in the fear of God and love of his country, as may make him worthy of being my son. Item, I will that whatsoever shall be received by my son Gee out of the aforesaid manor, lands, and tythes,

the maintenance of my son John and the following annuities being deducted, shall be employed in the buying of lands for the bettering of my eldest son's estate to be entailed upon him and his heirs male, with entails over to all my other sons as they are in seniority. Item I will that my said son Gee do likewise receive the rents and be in possession of a certain parcel of ground called Blanch to the same uses and purposes as is before expressed for the manor of Warter. Item I give and bequeath to my sons Robert and Phillip, to each of them one annuity of forty pounds per annum during their natural lives. Item I will that whatsoever portion or advantage can be got in marriage with my son John shall be wholly to the advance of his estate, which I desire may be laid out in land. Item I give and bequeath all my bonds, statute recognisances, and debts to be laid out in land, to be entailed upon my said son. And I do hereby charge my son John not to marry himself, but by the advice and consent of my son Gee. Item I give and bequeath unto my two sons Robert and Phillip £300 apiece, to be paid them by my Executors. Item I do leave my son Robert wholly to the care and disposing of my good mother, she having him given both by his mother and myself. Item I give unto my dear wife all my plate, jewels, and household stuff, and likewise the lease that I have of my house in St. Martin's Lane. Item I give unto my son Gee my black shoued horse and my first wife's picture. Item, I give unto my daughter Katheryne the pearl necklace which she useth to wear, or the money that is due upon it to buy another. Item, to my daughter Mary the pearl necklace that she useth to wear. Item to my daughter Frances my best diamond ring. Item to my sister the Lady Wildgoose the table diamond that I use to wear. Item I give unto my mother the clock that I use to wear in my pocket. Item I do make my dear wife, my mother, my sister the Lady Wildgoose, and my son William Gee, Executors. In witness whereof I have set my hand and seal this 5th June in the 23d year of His Majesty's reign, A.D. 1647.—Ph. Stapilton—Mem. I do give unto my sons Robert and Phillip all my horses (except my black one before mentioned) to be sold to their use, and I do give three cases of my best pistols to my noble friends Mr. Holles, Sir William Lewes, and Sir John Clotworthy, and to my Chaplain Mr. Cole twenty pounds.—Sealed and delivered in

the presence of John Coale, James Ginglehurst, Benjamin Strenter. Proved at London, 2 Oct. 1647.—*Will Office, Somerset House.*

99. DEATH OF ROBERT STAPILTON, SIR PHILIP'S SECOND SON.

Duodecimo die mensis Octob. 1675, commissa fuit adm^o. bonorum Roberti Stapleton, armig, de Wighill, dioc. Ebor., ab intestato ut afferitur, dep. Dorotheæ Stapleton, viduæ ejus relictæ, coram Henrico Watkinson legum doctore.—*Act Book of the Ainsty Deanery, Registry at York.*

100. WILL OF HENRY STAPILTON.

18 July 1716, Henry Stapilton of Wighill made his will appointing his niece Mrs. Anne Breton, Charles Longueville of the Inner Temple, and his nephew Robert Powell, executors. To his brother Philip he left a guinea piece of gold, "and he should be received in a better manner was he not from my death to take the remainder of a good estate of inheritance, as it may appear by y^e settlement of Sir Miles Stapilton of Wighill our kinsman." To his nephew Powell £100, and to the other two Executors £20 apiece. His personalty, after being sold, to be laid out in the purchase of an estate within a day's journey of London, for the benefit of William Breton his niece's eldest son and his heirs—if no heirs, then to George Breton the 2^o son. Remainder to Powell and his heirs &c. Proved 1729.—*York Registry.*

101. PHILIP STAPILTON OF FULHAM AND WIGHILL.

Copies of Registers of Baptisms at All Saints, Fulham.

Henry, Son of Philip and Marg^t Stapleton, bapt. 19 of Jan. 1684 (died young).

Henry, Son of Phillipp Stapleton and Margaret his Wife, bapt. 6 April 1692.

102. PHILIP'S WILL.

6 May 1729, Philip Stapilton the elder, of Wighill Esq. Whereas by indentures of Lease and Release, bearing date on or about the 24th and 25th days of January 1723, and made between me and my dear wife Margaret Stapilton of the one part, and Robert Fairfax late of Newton Kyme Esq.

deceased and Francis Taylor of York, gent, of the other, I did give grant &c. to the Lord Robert Fairfax and Francis Taylor and their heirs upon Trust &c. to raise the sum of £200 per an. for the use of my said wife, in case she should survive me, in full of her dower or thirds, I do hereby confirm the same. And whereas also I have settled and disposed of my real estates (except the tithes of Wighill aforesaid, which I purchased of my niece Mrs. Bretton, and which are subject nevertheless to a mortgage of £1150 and interest, and being minded to dispose of the said tithes, I give and bequeath the said tithes, with profits and advantages incident thereunto, to my only son Philip Stapilton his heirs and assigns for ever. Residue to my said son. He sole Executor.—Witnesses, J. Lancaster, Vicar of Wighill, Richard Wate, John Pearson.—*York Registry. By favour of R. H. Skaipe, Esq.*

103. WILL OF HENRY STAPILTON OF HATFIELD, 1746.

In the name of God, Amen. This is the last Will of me Henry Stapilton of Hatfield, co. York, 1st April 1746. First I will and devise that all my debts and funeral expenses shall be fully paid and satisfied out of my personal Estate. Also I give all my manors, messuages, cottages, closes, lands, &c., unto my trusty friends Will. Simpson of Stainforth, co. York, Esq., Mordecai Cutts of Thorne in the same county, and my dearly beloved wife, upon trust, that they shall pay for the maintenance and education of my son Henry Stapilton in an handsome manner suitable to his fortune, till he shall attain the age of 21 years, and after my said son shall have accomplished the full age of 21 years, I give and bequeath all my said manors to him and his heirs for ever. And also upon this further trust and confidence that the said trustees will pay unto my wife £200 a year, until my son Henry attains the age of 21 years and after such attainment, it shall be paid by my son. Also I give and bequeath unto my said wife all my household goods or implements of household for life, but if she marry again, from and immediately after such marriage, I give the same to my son Philip and his heirs. Also I give unto the said Philip the sum of £1000 to be paid him when he attains the age of 21. Also I bequeath to my mother Mrs. Anne Stapilton £30 a year for

life, payable out of my estate at Wighill. Also to my brother Philip Stapilton the sum of £500 to be paid him by my Executors, &c.

(Signed) HEN. STAPILTON.

104. PHILIP STAPILTON, BACHELOR, HIS WILL.

28 Nov. 1782. Philip Stapilton of Wighill Esq. To be buried in a decent manner in a plain oak coffin. To Elizabeth Webb of Beverley, spinster (his niece) my silver tankard and all my silver spoons, and one breastbuckle, with Bristol stones set in silver, and two mourning rings, and two guns touched with gold, and one large china punchbowl, and all my books, my pinchbeck watch, silver-hilted sword, and King William's picture. To Mary Porter of Wighill, spinster, my silver teapot, two pair of sleeve buttons set in gold, and one gold ring with a pebble set in gold, bed, bedstead, and bed linen, whatsoever thereunto belonging, now being and lying at John Dawson's in Wighill, and all my body linen, cravats, handkerchiefs, shirts, stockings, shoes, coats, waistcoats, breeches, and two trunks, and one small oak box, and all my pewter, and all my drinking glasses, and glass mugs. To John Dawson aforesaid, one gun touched with steel. To his wife Mary Dawson my china coffee pot and coffee cups. To Dorothy Atkinson of Hull, spinster, one gold ring with two diamonds in it. Residue to the above mentioned Elizabeth Webb. She sole Executrix. Proved 8 July 1784.—*York Registry. By favour of Mr. Skaise.*

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* * *The Roman numerals refer to the three Parts into which the Volume is divided ;
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