





WILLIAM PALEY BAILDON

1924

## PREFACE TO VOL. II

The death of my brother, William Paley Baildon, on March 14th, 1924, was not only a great loss to his family and friends, but also a misfortune to the subscribers to his book, *Baildon and the Baidons*, which he did not live to complete.

The first two volumes, which contain the history of the Manor of Baildon, and of all but one of the Yorkshire branches of the Baildon family, are exactly as he published or intended to publish the material he collected for so many years. But for the delays caused by the Great War, he himself would have had the satisfaction of seeing the whole work in print and "digesting his collection" as he intended to do.

As it is, the task of editor has fallen upon me, and I must carry out the instruction expressed in his will that the book should be completed. To do this as he would have done it is impossible, but the remaining material is in such form that the essential facts are recorded in his manuscript and notes, and these will be carefully collated and printed.

He had been in ill-health for some months, but continued to work almost to the day of his death, which took place with unexpected suddenness. His reputation as an antiquary and a lawyer is best shown by printing the obituary notices which appeared in *The Times*, the *Yorkshire Post*, *The Solicitors Journal*, and *The Journal of the Society of Antiquaries* and *Yorkshire Archaeological Journal* and the *Thoresby Society*.

In addition, many resolutions of regret and sympathy were received from the numerous Societies to which he belonged (for list see p. 482), and also from other bodies with which he was connected, *e.g.*, the Cocked Hat Club, and the Essay Club, of which he was one of the founders.

By his will he left his collection of Yorkshire notes and manuscripts to the city of Bradford, with the proviso that they should be preserved in such a form as to be freely available for the use of students. In addition, many of the original deeds, seals, and other material relating to Baildon and the Baildon family, have been placed in the custody of the Bradford authorities.



*Portrait by Edgar and Winifred Ford*

*In Stone Buildings, Lincoln's Inn, 1922*

*W: Paley: B. Baird*



In 1922 he wrote for *Country Life* the account of the origin and history of Lincoln's Inn, which appeared in that paper on the occasion of the quin-centenary of the foundation of the Inn. Mr. and Mrs. Edgar Ward, who illustrated the article under the guidance of my brother, took a photograph of him seated at his table in No. 5, Stone Buildings. I am grateful to them for their permission to reproduce the photograph as a frontispiece to this volume.

One difficulty I regret I cannot get over. This is to place on record a list of those who so freely helped him since the publication of Vol. I. I have found among his papers a note of a few names only, and believe it is better to leave out all names than to print an imperfect list. That my brother was deeply grateful to those who helped him I know, and I can only hope that my assurance of this will be accepted by all—and their number was a large one—who gave him their generous assistance.

FRANCIS J. BAILDON.

42, *Hoghton Street,*  
*Southport.*  
*December, 1924.*

# OBITUARY NOTICES

*The Times, March 17th, 1924.*

## WILLIAM PALEY BAILDON

A correspondent writes :—

“ Mr. William Paley Baildon, of Lincoln's Inn, the Chancery barrister and draftsman and eminent antiquary, died at his house in Westbourne Park late on Friday. Mr. Baildon was called to the Bar in 1885. His work was on the Chancery side and in conveyancing, in which branch he was a minute and skilful practitioner. He would have attained further eminence in his profession if he had not devoted unlimited time, unceasing energy, and the most talented powers of research to his main study of antiquarian matters, in which he held a very high position. Mr. Baildon was elected a Fellow of the Society of Antiquaries in 1892, had served on the Council, had been for many years a member of the Library Committee of that body, and was a Vice-President at the time of his death. He was until quite recently a constant and an active attendant at the meetings of the society. Mr. Baildon was a valued member of the Selden Society, to which body he had rendered important service. He had been engaged in writing a valuable history of Baildon, in Yorkshire, which work was suspended in the war. It would take a large space to chronicle Mr. Baildon's invaluable contributions to historical literature, and his services to Lincoln's Inn merit a separate notice. He had rendered his Inn much service as an editor and otherwise. Mr. Baildon will also be well remembered in the E Company of the old I.C.R.V. His social merits, his kindly nature, his pleasant character, coupled with a witty tongue, and his constant willingness to assist his co-workers will be long remembered ; and his place cannot be filled.”

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*Yorkshire Post, March 18th, 1924.*

## THE LATE MR. W. PALEY BAILDON

“ The funeral takes place to-day at Golders Green, London, of the late Mr. William Paley Baildon, the eminent antiquary, who died at his house in Westbourne Park, London, on Friday. Mr. Baildon was by birth a Staffordshire man, but he traced his family connections to the village of Baildon, near Shipley, and during many years his association with the study of antiquarian matters in Yorkshire was intimate. He had devoted during very many years a large share of his time to research among the documents at the Record Office and the British Museum, and probably no person of his generation had a knowledge at all comparable with his of the intricacies of family history in the North, particularly during mediæval and Stuart times.

His contributions to local history have been very numerous and important. Many years ago he, in conjunction with the late Mr. Samuel Margerison, of Calverley, compiled for the Thoresby Society three valuable publications, making a large volume, of the Trevelyan Papers in the British Museum, constituting the history of the Calverley and kindred families of Yorkshire. A still greater work, and one which he was fated never to finish, was the production of a history of Baildon on a great scale, in respect to which he acted both as author and publisher. More than a thousand large quarto pages of this had been produced when the war and the increased cost of printing caused its suspension, intended to be only temporary. The variety of the contents and the meticulous documentation of this work placed it almost alone in the whole range of local history. It certainly has no rival in Yorkshire, and it is regrettable that the



work must remain unfinished. Mr. Baildon wrote also many articles, especially on family history, for the *Yorkshire Archæological Journal*, and the *Miscellany* of the Thoresby Society, and such was his good nature and willingness to help others that he was the universal referee of students in difficulties. His collection of manuscripts was of great value, and there is hope that provision, of which he once or twice spoke, has been made which will assure these coming to Yorkshire.

By profession he was a barrister. He was called to the Bar in 1885, and on the professional side made a high reputation as a Chancery draughtsman and conveyancer. On the social side his company was extremely popular, for he was kindly, witty, and ever willing to assist co-workers, and especially devoted was he to the traditions of Lincoln's Inn, of which he was a member. He was elected as a Fellow of the Society of Antiquaries in 1892, and served on the Council, and was a Vice-President at the time of his death."

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*Solicitors Journal*, Saturday, March 22nd, 1924.

#### THE LATE WILLIAM PALEY BAILDON

"The death of Mr. W. P. Baildon last week has removed from Lincoln's Inn a learned conveyancer and a most scholarly black-letter lawyer. The historian of his own Inn and of the Chancery Bar, Mr. Baildon it was who first traced back its origin to its old home in Thavies' Inn, and elucidated its subsequent migration to Furnivall's Inn and Staple Inn, both of which were inhabited for a space by the students and apprentices-in-law who finally became the Chancery Bar. The importance of the old Order of 'Serjeants' and their distinct origin from that of the Bar, now generally accepted by historians of our mediæval legal institutions, was in the main a discovery of Mr. Baildon. His devoted labours on the Committee of the Selden Society, several of whose publications he either wrote or edited or supervised—a form of useful service to jurisprudence which meets with neither pecuniary emoluments nor with academic or professional recognition—ought also to be mentioned. It is one of the great merits of the Bar that it has always produced in each generation a number of scholarly lawyers who have been willing to devote high talents to the laborious task of elucidating the growth and history of law, thereby broadening our knowledge of law and making it more truly worthy of a great liberal profession. Amongst these Mr. Baildon deserves an honourable mention for distinguished service."

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*The Antiquaries Journal*, July, 1924. Vol iv., No. 3.

#### OBITUARY NOTICE

"*William Paley Baildon*.—By the death in London on 14th March, 1924, of William Paley Baildon at the age of 64, the Society has lost one of its most familiar and distinguished Fellows.

For several months his health had given rise to anxiety, and he had borne much suffering with cheerful courage. The wide scope of his knowledge, which had won for him a leading position in more fields than one, and the services which he had rendered to the Society and his Inn during a long range of years, are but a small measure of the loss which archæology has sustained. A large circle of friends will remember his kindly humour, the soundness of his judgment, his unfailing readiness to place the results of his won researches at the disposal of others, and his power, inspired perhaps by his

association with F. W. Maitland, of putting life into what some may regard as merely the dry bones of law and history.

In one of his lectures on Maitland, the late master of Balliol had occasion to remark, speaking as an historian, that 'a converted lawyer is peculiarly welcome.' Baidon was not a convert to history in this sense ; indeed, he continued his practice as a Chancery barrister until the end. But he brought to bear on his archæological pursuits the careful training of the lawyer ; and the precise historical fact which he could often deduce from a mediæval document of unusual character, was due to his exact knowledge of mediæval law.

Descended from a Yorkshire family, he had more interests in that county than elsewhere ; and certainly his acquaintance with the mediæval families of the West Riding was unrivalled. But genealogy was not with him an end in itself ; it was a branch of knowledge through which the human life of the Middle Ages could be illuminated. And his treatment of genealogy proceeded on definitely scientific lines. No pedigree could be accepted which not only did not stand the test of careful scrutiny, but which could not actually be proved in the light of documentary evidence. In a passage in *South Yorkshire*—an example of topographical history to which Baidon was wont to give his highest praise—Joseph Hunter expresses the wish 'that Dodsworth had written dissertation upon the descents of the old families on Yorkshire rather than given us pedigrees' ; and Baidon's constructive work on Yorkshire genealogy, based largely on the Plea Rolls, would have been after Hunter's own heart. His published work was almost invariably the result of original research ; and the permanent value of his contributions to the Selden Society and the Yorkshire Record Series—to speak almost at random—bears witness to this.

His connexion with the Society of Antiquaries dated from his election in 1892. He made frequent communications to the Society, which have been published in *Archæologia* and *Proceedings*, and took a constant part in the discussions. On eleven occasions he was elected a member of Council, for many years he had been on the Library Committee, in 1906 and again in 1920 he served on a special committee for the revision of the Statutes, and in 1922 he was nominated to the office of Vice-President, an office which he was holding at the time of his death."

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*The Yorkshire Archæological Journal.* Vol. xxviii. 1924.

#### WILLIAM PALEY BAILDON

"Archæology has lost one of its most zealous and capable students and the Yorkshire Archæological Society a devoted friend and helper by the passing of William Paley Baidon, who died at his house in Westbourne Park, London, on the 14th of March last. His health had for some months given rise to anxiety, but he bore up bravely under much suffering and remained at work, patient and cheerful, to the end.

Born in Staffordshire, 7th July, 1859, the second son of Joseph Baidon of New-castle-under-Lyme, Baidon took up Law as his profession and was called to the Bar in 1885. He attained a high reputation as a Chancery barrister and draughtsman, having few equals as a conveyancer. Indeed, he would have risen to greater eminence in his profession had he not devoted so much of his time and energy to antiquarian research. It was in the study of our national muniments that he found full scope for his talent : upon these he brought to bear a mind accurate and precise, carefully trained in the sifting and weighing of evidence, capable of reading between the lines of a dull record facts of high historical value. The intricacies of a mediæval pedigree, the descent of an ancient estate, the problems of manorial rights—in such was his delight. At the end of a busy day in chambers, he would be found at the Record Office snatching the last

few minutes before closing time to carry on a systematic search of some series of rolls or other records. There was nothing small or selfish about Baildon : the results of his labour were freely placed at the disposal of all who sought them ; he was ever ready to assist and advise fellow-workers in the fields of research, to encourage with helpful criticism all who sought his aid. Genealogy, to Baildon, was no mere collection of dry sticks, but a living tree that brought him into closer touch with the past, in every detail of which he took deep interest.

In 1892, Baildon was elected a Fellow of the Society of Antiquaries of London, in whose work he took a very prominent share. He was for many years on the Council and was a Vice-President at the time of his death. He contributed often to the publications of the Society, and took a frequent part in the discussions. His legal acumen and shrewdness were of peculiar value when the Statutes were revised, and on other committees of importance. He also rendered great service, as editor and otherwise, to Lincoln's Inn, of which he was a valued member ; nor will he soon be forgotten in ' E ' Company of the old Inns of Court R.V. He was indeed a man of many friends, to whom his genial nature and kindly wit are precious memories of one whom they sorely miss.

Wide as were his antiquarian interests, it was to Yorkshire, the home of his race, that Baildon devoted the chief part of his labours. His zeal found expression in *Baildon and the Baildons*, a work of extraordinary interest based entirely upon personal research. It was unfortunately suspended during the late War and printing ceased with the issue of Part XI ; but the material for the remaining Parts is all available, and it is hoped that they will shortly be in print. The whole will form a worthy monument to a man whose industry, patience, research and critical skill, have produced so detailed a history of a Yorkshire village. To the various Societies in Yorkshire that deal with the history and records of the County, Baildon was a warm friend. His contributions to the Yorkshire Archæological Journal include :—The Elland Feud (1891) ; Star Chamber Proceedings (1899) ; Acaster Malbis and the Fairfax Family (1906), and The Keighley Family (1923) : he had just completed for our Journal an important paper on the early Savile Family, which it is hoped may be available for publication. For the Record Series, he edited a volume of Monastic Notes and collected material for another volume, with a MSS. index for use in the Y.A.S. Library. He also edited the Feet of Fines for Yorkshire (2 volumes) for Edward III, and had calendared ready for publication those for Edward I. To these must be added two volumes of Wakefield Manor Rolls and (in conjunction with J. W. Clay) a volume of Yorkshire Inquisitions *temp.* Henry IV. and Henry V. He was always full of interest in the work of our Society and anxious to promote its interests. His contributions to the volumes of the Thoresby Society were also important, including papers on the Skyrack and Claro Muster Rolls and the Families of Lethley and Maude : and he was joint editor of the Calverley Charters and the Kirkstall Coucher Book. He bequeathed to the Bradford Library his splendid collection of manuscripts, the result of his life's work among national and private records. There they will be available to those who would consult them—a mine of information for all who take interest in the early history of our County. But William Paley Baildon, the wise counsellor, the kind helper, the witty, pleasant companion and friend, has passed : and we cannot fill his place."

J.W.R.P.

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*Obituary Notice to be published in the forthcoming volume (No. 29, Part 1) of the Thoresby Society's publications.*

The Council of the Thoresby Society deeply regret the death of William Paley Baildon, Vice-President, Society of Antiquaries, one of the most distinguished antiquaries of his generation, and a very old friend to the Society which he was ever ready to help by contributing many genealogical and antiquarian articles to its volumes of

*Miscellanea*. Early in the Society's existence he edited with the late William Thomas Lancaster, F.S.A., *The Coucher Book of Kirkstall Abbey*, and in conjunction with the late Samuel Margerison, a volume of Calverley Charters, which were printed by the Society. He also contributed to the *Miscellanea* exhaustive articles on the Lethley and Maude families, and the Skyrack and Claro Muster Rolls.

He was willing on every occasion to give others the benefit of his vast stores of information, such assistance being most warmly appreciated by those who benefited by it.

He was the son of Joseph Baildon of Newcastle-under-Lyme, and was born in July, 1859. Called to the Bar in 1885, he was frequently consulted in cases which required profound antiquarian knowledge and laborious research. In 1892 he was elected a Fellow of the Society of Antiquaries, attaining to the office of Vice-President, a position he held at the time of his death. Throughout his long connection with the doyen of our Antiquarian Societies he took a very active part in its work.

He became a member of the Thoresby Society in 1892, soon after its foundation, and was a Vice-President from 1904 to the time of his decease. The Society had at that time in print part of an article by him on the Copley family, of which the remaining portion is in MSS. Mr. Baildon was also collecting material for articles on the Mauleverer and Leeds families which he promised that the Society should print, and which his friend, Mr. C. T. Clay, F.S.A., has kindly offered to complete. To the publications of the Yorkshire Archæological Society he contributed much, and he was the author of a monumental work on *Baildon and the Baidons*. He bequeathed to the Bradford Public Library his valuable collection of MSS., including an exhaustive manuscript index. In addition to his professional and antiquarian work, Mr. Baildon took an interest in the Volunteer movement and was a member of that famous corps the Inns of Court Volunteers. His death, which took place on 14th March, 1924, removes one whose place it will be very hard to fill, and who will be especially missed by all those engaged in the archæology of Yorkshire.

November, 1924.

# BAILDON

## & THE BAILDONNS

### BOOK III

#### GENEALOGICAL

*“Aire . . . . . commethe . . . . . to Bayldon,  
wher Mr. Baildon leaveth, as his auncestors  
of long tyme have done, in good repute.”*

Roger Dodsworth, 1619.

*“My earnest requeste & suite unto yow is y<sup>e</sup>  
yow would be soe freindly unto me as to  
send . . . . y<sup>r</sup> Petigree & ours, & how they  
have beene & arr matched, soe farre as yow  
may, untill this time . . . . . If I could, I  
would have itt frome y<sup>e</sup> first of y<sup>e</sup> name  
untill this day.”*

Edward Baildon, 1589.



# INTRODUCTION

## TO BOOK THREE

The arrangement of this Book is as follows:—

- (1) The main line of the family seated at Baildon.
- (2) The descendants of Francis Baildon, the last male of the main line.
- (3) The various Yorkshire branches, in the order in which they are supposed to have left the parent stem.
- (4) The Baidons of Lincolnshire.
- (5) The Baidons of Wales.
- (6) The Baidons of London; some of these appear to have come from Lincolnshire and some from Yorkshire, but it seems convenient to treat them together in the absence of any certainty.
- (7) Waifs and Strays in Yorkshire.
- (8) Waifs and Strays in other counties, excluding Lincolnshire, Wales and London.

These last two sections consist of notes of persons who cannot be included under any of the previous headings, but I have inserted in the early part of Chapter I a number of unattachable Baidons who lived in the immediate neighbourhood of Baildon itself, down to about 1400.

I have spoken above of “branches” and a “parent stem,” but it is only right to point out that in most of the cases the descent cannot be proved with absolute certainty. I have tried, and I think successfully, not to gloss over these weak spots in the way that is so frequently done; here are no forged charters, either simply printed, or artfully “faked” and then photographed; I give my reasons and arguments for certain affiliations and identifications, and I do not state anything as a proven fact unless I consider the evidence sufficient to warrant it. The evidence is there; if my arguments are bad they may be refuted.

This question of younger branches is a perpetual source of difficulty to the genealogist; it is too often treated in a way that

is absolutely fraudulent. Readers of *The Ancestor* and Mr. Round's various works will easily recall instances of well-merited castigation of either deliberate falsehood, or imbecile credulity, or both.

A difference must be noted between different classes of surnames. It is obvious that in the case of a name derived from a trade there is no *prima facie* consanguinity between families bearing the same name. There may be as many distinct families of Smith, for instance, as there were smiths existing when names of this kind were becoming hereditary. The same applies with equal force to patronymics; a name like Williamson or Johnson no more predicates blood relationship than did the original personal name of William or John. Names derived from common-noun localities are in the same category, for there were oak-trees, bridges, brooks, streets, and so on, all over the country, to give us the surnames of Oak, Bridge, Brook and Street. When we come to deal with proper-noun local surnames, derived from towns, villages or manors, the problem becomes much more complex. It is complicated by the fact that so many village names are multiplied up and down England (for instance, there are 19 Thorntons in Yorkshire alone, and no fewer than 32 Thorpes), each of which may have given name to a family. This is fortunately not the case with Baildon, and we have only one place to deal with.<sup>1</sup>

The difficulty lies in determining the exact significance of a name like "de" Baildon. It is held by some antiquaries of repute that it may denote merely place of birth,<sup>2</sup> or a *locus a quo* when a man moved into another town or district, in other words that it shows the local and not the family origin of the bearer. This theory has perhaps arisen from the fact that in early times it was the custom to describe the younger sons of the royal family by the places of their birth, and certain ecclesiastics by the name of their religious houses. I do not share this view, for, though I am not prepared to say that such an adoption of a name is impossible, I have never met with a clearly proved instance of it,

<sup>1</sup> There is no evidence that the Northumberland Beldon, mentioned in vol. 1, page 77, was ever more than the name of the hill; it is, however, possible that the William Belledon of Northumberland, who occurs in 1446 (*post*, Waifs and Strays), took his name from this place.

<sup>2</sup> As to this significance in the case of ecclesiastics, see *post* under Mauger de Baildon.



and it seems to me contrary to the practical methods of our ancestors.

This practical side is too often overlooked in dealing with names, both of places and families. We are in the habit of saying that a man "assumed" a certain surname, and in modern cases the verb is correctly used; but in the days when surnames were coming into use I doubt if any man deliberately assumed a surname, and it would be much nearer the truth to say that it was conferred on him by his neighbours. Many existing surnames, even making every allowance for corrupt spelling and pronunciation, are too unpleasant either in sound or meaning (*e.g.*, Bugg and Paramour) to have been voluntarily assumed by anyone, while in earlier times many persons were known by designations so coarse as to be quite unfit for noting here. A man's surname was as much given to him as was his baptismal name, and the practical object of each was to distinguish the individual. Now if every person born at Baildon, or moving thence to a neighbouring village, had called himself or been called "de Baildon," and the same had been done in the places round, it would in a very short space of time have resulted in such a surname being quite useless for the purpose of identification, and thus would have defeated its own object. In my opinion a name like "de Baildon" implies a descent from a person who took his name, not from the casual fact of birth or migration, but from his being a member of the family which was seated at Baildon. This general rule applies, I believe, to all similar cases, though, of course, where there is a multiplied place-name there is a multiplication of the possible sources of origin.

What are generally called "local surnames" should really be divided into two distinct classes, those derived from common nouns, such as trees, or other local features, whether natural or artificial, and those derived from proper nouns, the names of towns, villages and manors. The former class, which might be distinguished as "object names," denote merely residence at or near the particular object; their original English form is usually prefixed by *at*, which is sometimes retained but more often dropped; thus we have Atridge and Ridge, Atley and Ley, Atwood and Wood.

The second class, which we may call "town names," clearly denotes something more than mere residence, for otherwise we should find every person residing in a particular place called *de* or *of* that place. That it did originally imply residence I regard as

certain, but it meant also something more, namely, property giving pre-eminent local importance.

The custom of using as a surname the name of a manor or village was introduced by the Normans, and was entirely unknown in England before the Conquest. Many of the Norman barons and lords of manors who followed Duke William are recorded in the Domesday survey under the names of their foreign lordships, such as the Bruces, the Percies and the Byrons, while many others again were known by a nickname, such as the Fossards and the Giffards, or a name of status or office, as the Vavasours, or a name of origin, as the Poitevins, or a patronymic. But the town name was the most frequent, and it generally denoted lordship, that is, that the head of the family was the lord of the place the name of which was used.

How soon the English began to ape Norman fashions in the matter of names we cannot say exactly. They probably started with Christian names; William and John and Richard came in, Godwin and Etheldred and Edward went out. For a few generations we can see the process actually going on. The Pipe Rolls of the latter part of Henry II's reign show many instances where the father has an English Christian name and the son a French one. Perhaps a Norman lord stands godfather to an English vassal's child, who is given the lord's name; and the fashion, once started, spread apace. The change, says Freeman, began at once. "In every list of names throughout the eleventh and twelfth centuries we find the habit spreading; the name of the father is English, the name of the son is Norman."<sup>1</sup>

In the same way the custom arose among the English of using the names of manors or villages as surnames. Each succeeding Pipe Roll of Henry II shows us an ever increasing number of such names. Some of their users were no doubt of Norman descent, but certainly very large numbers of them were English. This is shown conclusively in the numerous cases where an English personal name forms one of the component parts, such as Peter son of Essulf de Birkin. Peter alone might be Norman, but Essulf can only be English.

The Normans, Bretons, and others, who settled in England, did not, with a few exceptions, take the names of their English lordships, but retained the names they had borne previously.

<sup>1</sup> *Norman Conquest*, vol. 5, pp. 560, 561.

While the foreign fashion of the surname was being adopted by the English in the 12th century, a very large number of manors were in Norman hands, there were the great possessions of the crown, the church and the religious houses, while not a few of English descent, too, had more than one manor. Yet we find that practically all these manors had resident families bearing the manorial names.

The explanation, I think, is this. The English began to ape the French fashion, and English lords of manors called themselves or were called of such-a-place. Then the usage filtered downwards, as such things always do, and men who were not lords of manors followed the fashion, *where there was no resident lord using the name*. The custom may well have started as a subtle piece of flattery among dependants and servants.<sup>1</sup> We see the same thing in our own day; every German is *Herr*, every Frenchman is *Monsieur*, every Italian is *Signor*, every Spaniard *Señor*; in England we speak of nearly every one as "Mr.," we address them as "Sir," and write to them as "Esq.," though these terms are strictly applicable to only a small minority; similarly every medical man is a courtesy "Doctor."

It is therefore not surprising to find that a somewhat similar practice prevailed in early times, and to this is due the undoubted fact that in England the "town name" lost to a large extent the seigniorial aspect that it kept on the Continent. The true significance of such names in England is this, that they were given to or accepted by the principal person residing at a given place; where the lord of the manor resided there he would naturally be that person, but where the lord was non-resident, or used another name, or when the manor belonged to the crown or an ecclesiastical corporation, then the principal resident freeholder was known by the name of the place. Instances might easily be multiplied, *e.g.* the manors of Hawksworth, Bingley, Otley, Gargrave, Mirfield, etc., did not belong to the families bearing those names;<sup>2</sup> a glance through the returns known as "Kirkby's Inquest" [*Surtees Society*, vol. 49] will furnish many other examples.

<sup>1</sup> An old Scotch gardener in the service of an uncle of mine, when asking for a special favour, used to address him as "Duncliffe," the name of the house, thus making a "laird" of him.

<sup>2</sup> In several instances, *e.g.* the Hawksworths, the manor was acquired long after the adoption of the surname.

This I believe to be the general significance of surnames derived from villages and manors, but it is obvious that it will not explain all names in *de*; for we find instances of foreign countries, districts (*e.g.* Craven, Holderness, Lindsey), counties, cities, large towns, and even streets, so used. Clearly, the men who were called *de* Ireland, *de* Craven, *de* Cheshire, *de* London, *de* Nottingham, or *de* Cheapside, did not derive their names from any notion of ownership, nor (with a few possible exceptions) from residence. In most of such cases the *de* probably denotes origin, and nothing else. It is only the larger entities which were likely to be used in this way, and then in relatively remote places. The Irishman settling in England in early times would be sufficiently distinguished from his neighbours by being called "*de* Ireland," a name which would be meaningless in his own country; "England" and "English," as surnames, must have taken their rise in some neighbouring country. If this argument is sound (as I think it is) it follows that the nearer the surname is found to the place-name from which it is derived, the less likely is it to denote origin rather than residence; *de* London as a surname would have a significance in Yorkshire which it would lack in Middlesex or Surrey. When, therefore, we find a surname derived from the name of a village or manor spreading outwards from that village or manor in various directions, it signifies, as I have said above, a descent from a person who was given that name because he was emphatically *of* that place, the principal resident. I do not go so far as to say that such a name was never derived from the circumstance of birth alone, but, apart from the cases noted above, and with the exception of royal princes and perhaps a few ecclesiastics, I have never come across any clear evidence of it.

One other point remains while dealing with this kind of surname. The *de* was only used in Latin and French; in English speech and writing it was translated into *of*. Thus Reynold de Baildon in 1404, writes himself, "your poor servant Raynold of Baildon." Strictly speaking, therefore, the *de* should be translated with the rest of the document. I have not done so because the *of* has become so entirely obsolete as to be misleading. The modern reader would, for the most part, be puzzled to read of "Hugh of Baildon"; he would not associate this with a surname at all; while "Richard of Baildon of Otley" would appear absurd. I have therefore kept the *de* for the sake of convenience, just as I have

used *Fitz* even in cases where it is probable the persons themselves never did so.

Both *de* and *of* began to drop out of use towards the end of the 14th century, and by the middle of the next century they had become obsolete or nearly so;<sup>1</sup> a few elderly men kept up the custom till their deaths, just as the swallow-tailed coat and the stock survived for a time among the old-fashioned. The modern revival of the *de* by a few families is a piece of ridiculous affectation, though not quite so fatuous as the two little *ff*'s [*ante*, vol. 1, p. 196]; both date from the sham-gothic absurdities of the early nineteenth century.

For this somewhat lengthy disquisition I make no apology, for the views I have expressed are the sole justification for a good deal of the contents of this part of the work. Holding, as I do, the strong probability that all Baidons are of the same stock, I have included bearers of the name wherever I have found them. I have also printed a few cases where the spelling leaves the question doubtful whether the name is a variation of Baildon or not, a note of caution being always given.

With regard to the modern spelling of the name, it is practically confined to four or five varieties, Baildon, Bayldon, Baylden, Beldon, and Belden. The branch of Carlton and Royston have settled down as Bayldons, and in the account of them I use that spelling; the Almondbury branch have adopted Beldon, and the American branch Belden. Except where there is a recognised modern spelling, such as these, I have used Baildon throughout.

The only omissions are the few cases which might give annoyance to living persons, and some individuals whose names occur in modern directories and about whom I know nothing more.

The question of identity is often of great difficulty. Where, as often happens, there are two or more notes referring to persons of the same name, but without any description, proof of identity is almost impossible unless it can be made through property. The plan I have adopted in such cases is to place the note under the person to whom any indication, however slight, may point, and, failing any such indication, either under the earliest, or sometimes the relatively most important, of the persons possibly referred to, but always with a caution that it may really belong to some one

<sup>1</sup> The latest *de* I have found in the Baildon family is in 1433.

else. The case of removals is another source of difficulty, a man may be described as of one village one year and of another in a subsequent year. In very few of such cases can identity be proved, though it may be guessed at, and most of the instances will be found in the chapter headed "Waifs and Strays"; I have thought it the safest plan to treat them as separate individuals, with suggestions of identity where possible.

The usage of town names as surnames began to break down towards the middle of the 14th century; it is a little-known phase, which I do not remember to have seen discussed in any book. The population was then increasing, and the ravages of the Black Death did not affect the change once it had started; there was little migration from one place to another; the result being a number of persons bearing the same Christian and surnames in one village. The various devices by which we attempt to overcome the difficulty now-a-days, such as two or more Christian names, differentiated spelling of surnames, and hyphenated surnames, had not been thought of. The only available method was to add some sort of description, which generally took the form of a patronymic or an occupation. These in turn tended to become hereditary surnames, when the original town surnames frequently became disused altogether and forgotten. The difficulty in such cases is to find clear evidence of identity.<sup>1</sup> Several cases appear in the Baildon family, which can be proved beyond any possibility of doubt.

About the middle of the reign of Edward III there were several John de Baidons living or having property at Baildon. There were John son of Henry, John son of Walter, John son of Adam, a later John son of Henry, and one or two others whose parentage is not quite clear. John son of Walter appears as *Johannes filius Walteri de Baildon* or as *Johannes Watson de Baildon*. Another son of Walter's, Henry, also occurs as Henry Watson, and Henry's son John occurs both as "John son of Henry son of Walter de Baildon" and as "John Hanson." One of John "Watson's" sons, another Henry, appears as "Henry Johnson" to distinguish him from his contemporary and cousin "Henry Watson." Another John de Baildon, probably a son of John "Watson," was known indifferently as "John de Baildon, smith," or "John Smith of Baildon." A "William de Baildon, smith," or "William Smith of Baildon," was probably his brother. An

<sup>1</sup> See note on page 12, *post*.

instructive point occurs in the case of John "Smith"; at various times he appears to have lived at Selby and York; at both places he appears as "John de Baildon, smith"; there was not the same necessity, away from Baildon, of distinguishing himself from the other Johns. He had two sons, Henry and Richard; Henry occurs as "Henry son of John Smith of Baildon" and as "Henry Smith of Baildon," while his brother is "Richard de Baildon."<sup>1</sup>

There was yet another John, whose parentage is doubtful, who was known alternatively as "John de Baildon, souter," and "John Souter of Baildon."

Another William was known as "William de Baildon, milner," or "William Milner of Baildon," to distinguish him from other Williams.

The variation on account of locality also appears very clearly in the case of John son of Henry son of Walter de Baildon. He lived for a time at New Malton, having married a wife with some property there. When sued at Malton he is "John de Baildon"; but he had also some property at Baildon, or at any rate lived there sometimes, and in connection with Baildon he is generally "John Hanson," but occurs once as "John son of Henry Watson of Malton."

Another family was known as "Hobson otherwise Baildon" at Hawksworth, but generally as Hobson alone in Baildon documents. I have not identified the original Robert from whom these people derived their patronymic.

Daniel "Obson," who occurs in the Musters at Baildon in 1539 [*ante*, vol. 1, p. 214] is, I feel no doubt, identical with the Daniel Baildon of Baildon who made his will in 1565. William and Thomas Hobson otherwise Baildon occur frequently in the Hawksworth Court Rolls from 1557 to 1600; the latter is probably the Thomas Bailedon of Hawksworth who made his will in 1613. John Baildon alias Hoobson of Horsforth, who died intestate in 1607, may have been his brother or son.

The family deeds, had they been preserved, would certainly have cleared up many of the doubtful points with regard to younger sons; in their absence, guess-work is unavoidable.

<sup>1</sup> See pedigree, *post*.

## NOTE TO PAGE 10.

Positive evidence can so seldom be found in cases of the change of name under discussion, that it is worth while printing a few instances. The best example I have found is the following:

1362.—Robert atte Kirke of Brantingham, indicted for the death of Robert Couper of Plumpton, produced a pardon for the death of Robert de Plumpton, couper. Counsel for the prosecution said that these were two distinct persons, and this question was left to the jury. The verdict was *quod Robertus Couper tantum et Robertus de Plumpton, couper, est una et eadem persona*.—Coram Rege 408, Mich. 36 Edw. III, m. 1 Rex.

The following may also be noted:

1336.—Adam de Stirkeland, called le Bogher [Bowyer].—Fine Roll, Brit. Mus., Add. Roll 26,590.

1340.—Richard de Ask, named Richard Conandsone de Ask.—Controlment Roll 5, m. 25.

1362.—Elena widow of Gervase de Rouclyf, Alice daughter of the same Gervase, and Robert Gervaysson de Rouclyf, were parties to an action.—Coram Rege 407, Trin. 36 Edw. III, m. 38 d.

1368.—John Mareschall, son of Richard de Okelesthorp, was indicted for felony.—Coram Rege 430, East 42 Edw. III, m. 15 d. Rex. A marshal was a farrier.

1378.—Robert de Dyghton and Robert de Dyghton *alio nomine Robertus Joneson Mautill' de Dyghion*, were indicted for felony.—Coram Rege 471, Mich. 2 Ric. II, m. 21 d. Rex. Mautill' is probably for *Matillidis*, the genitive of *Matillis*, Maude; the use of a genitive in this way is shown by the very numerous class of patronymics ending in *s*, such as Williams, Roberts, etc.; it still survives colloquially in Yorkshire and Lancashire, where Tom o' Dicks, for Tom son of Dick, may yet be heard. The full expansion of Robert's *alias* would therefore be, Robert son of John son of Maude de Dyghton; he was no doubt known generally as Robert Johnson.

1397.—Hugh Tankard [Tancred] of Boroughbridge sued Hugh Williamson Tankard for breaking into his house.—De Banco 545, East. 20 Ric. II, m. 242.

Since the above was written I have read some valuable remarks by Mr. George J. Turner, M.A., F.S.A., on the subject of early surnames, in the introduction to his *Calendar of Feet of Fines for Huntingdonshire* (Cambridge Antiquarian Society, vol. 37, 1913), from which I quote the following passages:

Parties to early fines are frequently described by a Christian name, the preposition *de*, and a place name, which usually denoted the



place of residence of the party. When a man changed his residence he would generally be described thereafter by the name of the place to which he had moved. . . . They [the names of villages] represent actual places of residence, and cannot be considered as hereditary surnames [p. xix].

But if this statement be well founded, every one residing at Baidon (for instance) would be called *de* Baidon, which was certainly not the fact. Later on Mr. Turner gives a somewhat different explanation.

Men were often described by the preposition *de* followed by a place name, which was itself followed by the same preposition and a second place name. The first of these names is that of the place of family origin, the second a place of residence [p. xx].

I agree with this last statement; *Ricardus de Baidon de Otley*, for example, clearly means Richard de Baidon, living at Otley. Mr. Turner does not explain what he means by "the place of family origin," and he tells me that he purposely inserted this rather vague phrase. I have shown him my theory as to the meaning of these names [*ante*, p. 7], and he authorises me to say that he does not dissent therefrom.



# CHAPTER ONE

## THE BAILDONS OF BAILDON.

In most family histories considerable difficulty is experienced in tracing back to an ancestor who can be called the first of the name, and in many cases it is absolutely impossible. The first person to call himself "of Baildon" can fortunately be fixed with considerable certainty. This was one Hugh, who flourished in the reigns of Richard I and John, and was probably born about 1155 to 1160. He seems to have been a man of some substance; having property in Castley, Stainburn, and Bolton-in-Bolland, in addition to what he had at Baildon, and was at one time joint sheriff of the West Riding, an office that disappeared at an early date. He was not lord of the manor of Baildon, but apparently the principal freeholder residing there.

I have not found any positive evidence proving the parentage of Hugh de Baildon, but there are certain facts which show such a strong presumption that I feel justified in printing them. The indications all point to his being a descendant of the family of Essulf-son or Fitz Essulf<sup>1</sup> of which the late Richard Holmes of Pontefract printed an account in 1897.<sup>2</sup> Most of the facts given by Mr. Holmes had been previously collected by me without my knowing that he was interested in the matter. I do not agree with all his conclusions, but as to the main outlines I can indorse his statements from my own researches. The litigation between John FitzEssulf and William de Leathley in 1181-2 and subsequent years [*ante*, vol. 1, pp. 145, 146], when John claimed land in Baildon through a predecessor [*i.e.* ancestor] alleged to have been in possession on December 1, 1135, the day of the death of Henry I, proves clearly some sort of connection between one of Essulf's sons and Baildon.

<sup>1</sup> As to the use of *Fitz*, see vol. 1, p. 345, note 1.

<sup>2</sup> *Thoresby Soc.*, vol. 9, pp. 23-55; see also *Pontefract Chartulary, Yorks. Record Series*, vols. 25, 30, pp. 254, etc.

Perhaps the most striking argument in this connection is afforded by a Fine levied in 1337, which will be given later on. In that year, Adam de Everingham of Laxton, co. Nottingham, was lord of the manor of Fairburn, which is in the parish of Ledsham. He represented Peter FitzEssulf, the eldest of Essulf's sons. Peter's eldest son, Adam de Birkin, left a son and heir, John de Birkin, who died in 1227, when his son and heir, Thomas de Birkin, gave 200 marks [£133, 6s. 8d.] for seisin of his lands.<sup>1</sup> Thomas de Birkin died without issue in 1230;<sup>2</sup> his heir was his sister Isabel, who was apparently of age, and was the wife of Robert de Everingham;<sup>3</sup> she and her husband also paid 200 marks for seisin.<sup>3</sup> Their great-grandson was the Adam de Everingham above referred to.

Three of the free tenants of the manor of Fairburn mentioned in the Fine of 1337 were John de Everingham of Birkin, Roger de Leeds, and William de Baildon. John de Everingham was a second cousin of Adam's, and Roger de Leeds was descended from Thomas de Leeds, Peter FitzEssulf's second son; if William de Baildon was, as appears probable, a descendant of another of Essulf's sons, it explains his presence in a place somewhat remote from Baildon in company with rather distant relations.

In 1268 Richard son of Richard de Baildon was surety for Maude de Tonge in an action claiming common of pasture in Tonge. Tonge had belonged to Richard FitzEssulf, the progenitor of the Tonge family, in whose possession it remained until it passed by the marriage of an heiress to the Mirfields in the fifteenth century.

In 1323 Robert de Tonge recovered land at Cowling [in the parish of Kildwick, near Skipton] from William de Baildon, by a writ of *quare cessavit*; this means that the defendant held land of the plaintiff by certain services which the defendant had neglected to perform, and consequently the plaintiff claimed the land as forfeited.

In this connection it is important to note that certain lands at Baildon are still known as Tong Park, and that in the 15th century they still belonged to a branch of the Tonge family [*ante*, vol. 1, p. 37].

Lastly there is the evidence afforded by heraldry. Several of

<sup>1</sup> *Excerpta e Rotulis Finium*, vol. 1, p. 162.

<sup>2</sup> *Ibid.*, p. 202.

<sup>3</sup> *Ibid.*, p. 206.

the sons of Essulf founded distinct families, and nearly all of them bore bars or fesses. Thus the Birkins, who represented the eldest son, Peter, bore a fess and a label;<sup>1</sup> the Leeds family, also descended from Peter, differenced their fess by adding three eagles; the Thornhills cut their fess in two, making two bars, and at a later date these were again subdivided, forming two bars gemelles, to which some branches added a chief.

Papworth states that the arms, Silver, a fess gules, were borne by Burkin of Norfolk and Tweng or Thweng.<sup>2</sup> I hesitate to say that this is an early coat of the Tonges, though the mention of Burkin strongly suggests it. The better known coat of Tonge, azure, a bend cottised, silver, between six martlets, gold, may have been taken on the marriage of one of them with an heiress, possibly a Luterell, who had a similar coat, but without the cottises.

The Baildon coat, a fess between three fleurs-de-lis, may well have been differenced in a similar way to the Leeds coat, from the original family arms of a fess, and indeed the Leeds family used a fleur-de-lis as a crest.<sup>3</sup>

I do not attach much weight to the heraldic argument, as a fess between charges is a very common coat; I give it, however, for what it is worth. I have no evidence when the Baildons first used arms; the absence of the family deeds is especially felt in this connection.

Now these facts, taken collectively, seem to me to have a cumulative weight, strongly suggesting, though not proving, that the Baildons were intimately connected somehow or other with the descendants of Essulf. We find John FitzEssulf alleging that an ancestor had owned land at Baildon; we find the descendants of Richard FitzEssulf actually in possession of land there; and we find later Baildons as feudal tenants of Essulf's descendants in two places, neither of them very near Baildon. We find further that the arms of the Baildons are not inconsistent with those of other families sprung from Essulf, and in the case of the Leeds arms, the differencing is exactly on the same lines, and the charge, the fleur-de-lis, which the Baildons put on their shield, the Leeds used as a crest.

<sup>1</sup> Seal of Thomas de Birkin, who died in 1230; Dodsworth MSS., 17, fo. 82d., 146, fo. 89; *Surtees Soc.*, vol. 83, p. 248.

<sup>2</sup> Tonge was spelled *Thuang* in 1194; see *post*, p. 25.

<sup>3</sup> See brasses at Kirkby Wharfe and Beverley Minster; *Yorks. Arch. Journal*, vol. 12, p. 200, vol. 15, p. 28.

I now proceed to consider this suggestion in greater detail.

Essulf,<sup>1</sup> who was an extensive land owner in the West Riding, probably died before 1159, leaving a large family, eight sons seem clearly proved. There is some indication that he was married more than once, and his son John was probably the eldest of a second or even a third family. Essulf's name shows him to have been of Scandinavian descent. Mr. Holmes thought him "a new man in the district," "probably a monied trader, who aided King Stephen in some of the financial difficulties of the earlier part of his reign, and who received in payment, or perhaps bought by his action [*sic*], a vast tract of country in the centre of Yorkshire."<sup>2</sup> I think this very improbable; the days of successful traders investing their surplus wealth in landed estate were not as yet, and it seems much more likely that a considerable portion of his property came by descent. The subject is too long to deal with here; I can only say that in my opinion Essulf was probably a grandson of Gamel, who had many manors in the West Riding before the Conquest, and was in possession of some at the date of Domesday Survey in 1086. At that time he held, under Ilbert de Lacy, the manor of Birkin,<sup>3</sup> which subsequently became the principal seat of and gave a surname to Essulf's senior descendants. In the time of Edward the Confessor Gamel also had property at Flockton, Oworm, near Halifax, and Thornhill, at all of which places we find Essulf's sons or grandsons in the 12th century.<sup>4</sup>

Gamel was the pre-Conquest owner of the manor of Bradford, with its six un-named berewicks;<sup>5</sup> Adam son of Peter FitzEssulf gave to Rievaulx lands in Shipley, Heaton and Chellow, all within the manor of Bradford.<sup>6</sup>

Gamel was probably one of the seven un-named thanes who held seven manors in Leeds,<sup>7</sup> since the one subsequently known as the manor of Northall remained the property of Essulf's

<sup>1</sup> Flower, in his Visitation of 1563-64, (pedigree of Thornhill), calls him "*Enfulsus*," and states that he was son of Jordan, who was son of another "*Enfulsus qui erat apud Conquestum*." This is a fine example of Flower's imagination, and also of the habit of ante-dating practised by the 16th century heralds, of which I have already noted some instances, FitzWilliam, Hawksworth and Stopham; see vol. 1, pp. 343, 383, 436. Thoresby calls him "Askolphus"; *Ducatus*, p. 113.

<sup>2</sup> *Pontefract Charters*, p. 395; *Thoresby Soc.*, vol. 9, p. 25.

<sup>3</sup> Domesday Book, fo. 315d.

<sup>4</sup> *Ibid.*, fos. 317d., 318d.

<sup>5</sup> *Ibid.*, fo. 318.

<sup>6</sup> *Surtees Soc.*, vol. 83, p. 60, etc.

<sup>7</sup> Domesday Book, fo. 315.

descendants for several centuries. It is highly probable that Gamel was one of the three un-named thanes each holding a manor in Horsforth, since Adam FitzPeter FitzEssulf gave to Haverholm Priory, near Sleaford, co. Lincoln, a carucate of land in Horsforth, which was afterwards transferred to Kirkstall Abbey.<sup>1</sup>

No sons of Gamel are mentioned as such in Domesday, but there are certain indications.

Gamel and Ulf held two manors in Hazlewood before the Conquest; Ulf succeeded Gamel as King's Thane at Kilnsey-in-Craven; and Ulf had a carucate of land at Birkin, which is mentioned in the Claims as being then in the possession of Gilbert de Gand.<sup>2</sup>

These entries suggest the possibility of Ulf having been Gamel's son. A reference to the Hazlewood property in the Claims tells us that this Gamel was the son of Osmund.<sup>3</sup>

Thornhill, which belonged to Gamel, Aldene and Gerneber in King Edward's days, was apparently held solely by Gerneber at the time of the Survey. Like Birkin, it belonged to Essulf's descendants and gave a name to one family of them. Other properties of Gerneber's are also found in the possession of Essulf's grandsons, e.g. Lepton. So far then from Essulf being a new man in the district, there seem strong reasons for supposing that he represented Gamel and, in part, at least, Gerneber. Ulf was probably Gamel's son, and may have been Essulf's father; the dates would fit, but there is no evidence of it.

Peter, Essulf's eldest son, does not come into my story, but I must begin with a few notes about him, which are important as giving a clue to the dates of his brothers.

Peter FitzEssulf first appears as a witness to William Paynell's charter founding Drax Priory; his two sons, Adam and Thomas, are also named as witnesses, though they must have been quite young children.<sup>4</sup> The deed is not dated; it states that it was made

<sup>1</sup> *Thoresby Soc.*, vol. 8, p. 1, etc; vol. 15, p. 225; *Mon. Ang.*, vol. 6, p. 949.

<sup>2</sup> Domesday Book, fos. 321d., 331d., 373d. Mr. A. S. Ellis thought that this land at Birkin had belonged to Ulf "Senisc," whose estates in Lincolnshire and Notts had been given to Gilbert de Gand. Mr. Ellis, however, mistranslates the passage; he renders it "the jurors say Gilbert has it, for it had been Ulf's," [*Yorks. Arch. Journal*, vol. 4, p. 231], whereas the record states merely that "Gilbert has one carucate of the land of Ulf in Berchine"—*habet Gislebertus de Gand j carucatam de terra Ulf in Berchine*—a very different thing. The passage is ambiguous, and is quite open to the construction that Gilbert had wrongfully taken possession of what really belonged to Ulf.

<sup>3</sup> *Ibid.*, fo. 373d.

<sup>4</sup> *Mon. Ang.*, vol. 6, p. 196; Stapleton, *Holy Trinity Priory, York*, pp. 29, 31.

"by the admonition and advice of the Lord Turstin, Archbishop of York," who died in 1141. Mr. Stapleton says that William Paynell was dead in 1138,<sup>1</sup> and if this is correct (he gives no authority) 1138 is the latest possible date for this charter. Mr. Holmes says "about 1131 or a little later." Peter was probably then of age and his two eldest sons are mentioned, which would give about 1105 to 1110 as the latest possible date for his birth. This in turn would indicate 1080 as an approximate date for Essulf's birth.

Peter was dead in 1159.

Adam FitzPeter, Peter's eldest son, occurs as witness to a charter about 1138 [see above], though he must have been a mere child at the time; the practice of adding children's names as witnesses was not uncommon, and may be compared with the custom of whipping small boys at the beating of parish boundaries, which continued almost to our own times.

He was a considerable benefactor to monastic houses, principally to Rievaulx Abbey, Pontefract Priory and Nostell Priory.<sup>2</sup> Some of his grants to Rievaulx were confirmed by a Bull of Pope Alexander III, dated 12 Kal. December [Nov. 20], 1160, and by an undated charter of Henry II, to which Walter, Bishop of Chester, who died in 1159, was a witness.<sup>3</sup> Adam's father and grandfather were clearly both dead when he made these grants.

Adam also attested Henry de Lacy's grant to Kirkstall Abbey, before October 14, 1153,<sup>4</sup> and Avice de Rumelli's grant to Drax Abbey between 1151 and 1158.<sup>5</sup> Several of his original charters to Rievaulx Abbey have been preserved, and are among the muniments of Col. Parker, C.B., F.S.A., of Browsholme.<sup>6</sup>

Adam's first appearance on the Pipe Rolls is in 1165-6, as Adam son of Peter son of Essulf, in company with Jordan son of Assulf, John de Huuerum, Richard de Tuenche, Helias son of Assulf and Hugh son of Essulf. They were all amerced before the Justiciars for concealing a plea of the crown [*pro placito corone*

<sup>1</sup> *Op. cit.*, p. 34.

<sup>2</sup> *Rievaulx Chartulary*, *Surtees Soc.*, vol. 83; *Pontefract Chartulary*, Yorkshire Record Series, vols. 25, 30; *Nostell Chartulary*, Cotton MS., Vespasian E. XIX.

<sup>3</sup> *Surtees Soc.*, vol. 83, pp. 153, 186, 143.

<sup>4</sup> *Thoresby Soc.*, vol. 8, p. 50n.

<sup>5</sup> Stapleton, *Holy Trinity Priory*, pp. 38, 39; *Mon. Ang.*, vol. 6, p. 196.

<sup>6</sup> *Yorkshire Deeds*, pp. 78, 79, etc.



*celato*] in Morley Wapentake; Adam was amerced 40s., the others each one mark.<sup>1</sup> Mr. Holmes fell into a serious error with regard to these fines. He thought that they were "the death duties with reference to the succession to his [Essulf's] estate," and that "those who managed the royal revenues seem to have become suddenly aware that the dues on a large portion of his estates had eluded them."<sup>2</sup> The matter is quite simple; the persons fined (and there were many others) had not presented to the justices, or perhaps to the Wapentake jury, certain offences which it was their duty to present, such as murders, homicides, and such like; the payments have nothing whatever to do with "death duties" or "succession" to property.

Adam gave lands at Leeds to his brother Thomas, who or whose descendants thereupon became known as "de Leeds." A copy of the grant is entered in an Elizabethan book of Knights' Fees of the Honour of Pontefract,<sup>3</sup> under the heading *Manerium de Northall infra manerium de Ledes*. A translation follows:

I, Adam son of Peter of Birkin, have given and granted and by this my present charter confirmed, to Thomas, my brother, all my land in Ledis and the mill, and all my land in Sipeker [Sheepscar], with all their appurtenances, and the whole service of Richard Henne of Harmelai [Armley], except one toft which was of Richard Bode, which I retain in my hands; To hold of me and my heirs, to him and his heirs, by the service of half a knight, in fee and inheritance [*hereditate*], free and quit, etc. Witnesses: William son of Eustace, Robert de Stapilton, Adam son of Horm, Ranulf[?] and Peter his sons, William de Bulbi, Henry de Mungeia, William Ward and Richard de Leiis.

This charter is difficult to date; I am inclined to think that 1180 is approximately correct.

Mr. Holmes states that Adam died in 1207;<sup>4</sup> the only authority he gives is an undated charter to Pontefract, and I think he died earlier, though I cannot fix any date. He was certainly living in 1181-82, when he owed 50 marks [£33, 6s. 8d.] for having the soke of Snaith.<sup>5</sup> Some notes on his descendants appear above [*ante*, p. 16].

<sup>1</sup> Pipe Roll, 12 Henry II.

<sup>2</sup> *Pontefract Chartulary*, p. 347n.; *Thoresby Soc.*, vol. 9, p. 28.

<sup>3</sup> *Duchy of Lancaster, Knights' Fees*, bundle 2, no. 28, p. 61.

<sup>4</sup> *Thoresby Soc.*, vol. 9, p. 49; *Pontefract Chartulary*, p. 425.

<sup>5</sup> Pipe Roll, 28 Henry II.

John FitzEssulf was a younger son. I cannot accept Mr. Holmes's method of determining the seniority of Essulf's sons from the order in which they occur as witnesses to charters; it seems to me somewhat arbitrary and unsound. Mr. Holmes considered Jordan to be the second son and John the third, though in another place he says that Richard was the second son.<sup>1</sup> As I interpret the evidence, John, Richard and Jordan were full brothers, sons of a second or third wife, and consequently half-brothers to Peter. I think that John was the eldest of the three and Jordan the youngest, because John apparently claimed the land at Baildon as though he were heir, while Jordan's descendants certainly held some of their lands of Richard's descendants. The fact that Jordan sometimes appears as a witness before John, may perhaps be explained by his official position as Constable of Wakefield.

John and his two brothers were probably born in the decade 1120 to 1130. As John *filius Axolf* he witnessed a charter of John Malherbe and Maude his wife, daughter of Adam FitzSwein, giving lands at Worsborough, near Barnsley, to Rievaulx Abbey.<sup>2</sup> This gift is mentioned in the confirmation of Henry II, and is therefore before 1159.<sup>3</sup>

Mr. Holmes thought he was identical with the John de Huurum [Owram, near Halifax], who is mentioned in the Pipe Roll of 1165-66.<sup>4</sup> This is possible, since Owram had belonged to Gamel before the Conquest and was subsequently a part of the Thornhill property. From 1168 to 1185 he occurs in the Pipe Rolls for Yorkshire sixteen times, but without any place-name attached, simply as John son of Essulf, his father's name being spelt variously as Essulf, Essolf, Æissulf, Æissolf, and Aissolf.

In 1184-85 he paid a mark for license of concord with Richard de Wath,<sup>5</sup> who was probably the son of his brother Jordan.

By an undated charter he gave to Monk Bretton Priory a tene-ment in Wintewrth and Torp [Wentworth and Thorpe Hesley, near Rotherham] which Hugh son of Henry held of him, together with the services that he [Hugh] did to Adam son of Swan [Adam FitzSwein] and to John; this grant is expressed to

<sup>1</sup> *Thoresby Soc.*, vol. 9, pp. 29, 38.

<sup>2</sup> *Surtees Soc.*, vol. 83, p. 63.

<sup>3</sup> *Ibid.*, p. 153.

<sup>4</sup> Holmes, *loc. cit.*, p. 34; Pipe Roll, 12 Henry II.

<sup>5</sup> Pipe Roll, 31 Henry II.

be made with the consent of John's wife and heirs; it was attested by John's brother, Jordan.<sup>1</sup>

Dodsworth has recorded a copy of this deed, (or perhaps of another one relating to the same property, since there are some slight variations), setting out the services, and with the following list of witnesses: Jordan son of Aissolf, Thomas his brother, Richard son of Jordan son of Aissolf, William son of Thomas son of Aissolf, Michael and John his brothers, and William Nofmarche.<sup>2</sup>

By another undated charter he gave 5 bovates of land and a mill at Stansfield, in frank-marriage with Amabel his daughter, to Roger FitzWarin, reserving a rent of 15*d*. This was witnessed by his son Eustace, and his same two brothers, Jordan and Thomas.<sup>3</sup>

He is probably identical with the John son of Assolf of Herdewic who with Maude his wife had a grant of land in Huntwick [near Pontefract] from William son of Robert de Huntewic, which land John granted to the Prior and Convent of St. Oswald [Nostell] in exchange for half a bovat of land at Hardwick.<sup>4</sup>

The latest dated document in which John appears is a grant to Pontefract Priory of land at Whitwood [near Pontefract], which was made "in the second Lent after King Henry II took the Cross," that is, in 1189; to this charter Jordan, John and Thomas, sons of Assolf, were witnesses.<sup>5</sup>

With the exception of "de Ouram" and "de Hardwick" mentioned above, John never occurs with any place-name attached; Mr. Holmes, it is true, calls him John "de Baildon,"<sup>6</sup> but he gives no authority, and I cannot help thinking it is a slip due to a recollection of John's Baildon claim against William de Leathley.

In addition to the two children, Eustace and Amabel, already mentioned [see above], John had another son, William, who witnessed two Pontefract charters relating to Flockton, about 1189.<sup>7</sup>

Mr. Holmes states that "Mr. Hunter thought the Flemings of

<sup>1</sup> Monk Bretton Chartulary, Lansdowne MS. 405, fo. 28d.

<sup>2</sup> Dodsworth MS. 155, fo. 41; Hunter, *South Yorkshire*, vol. 2, p. 79.

<sup>3</sup> Dodsworth MS. 118, fo. 156, in *recordis Castri de Pontefract*.

<sup>4</sup> Nostell Chartulary, Cotton MS. Vespasian E. XIX, fo. 174d. Hardwick is probably West Hardwick, in the parish of Wragby.

<sup>5</sup> *Pontefract Chartulary*, p. 333.

<sup>6</sup> *Ibid.*, p. 254.

<sup>7</sup> *Ibid.*, p. 345, 347.

Wath to have sprung from this John,"<sup>1</sup> and accordingly he gives a line of descent from John's son William, below which is printed "(?) The Flemings of Wath." I can find no such statement by Hunter; on the contrary he shows a pedigree of the Flemings from Reynold Flandrensis who was living in the time of Henry I, and his only conjecture bearing on the question is that the Thornhill manor in Wath (Thornhill Hall) may have been a subtenure of the Flemings.<sup>2</sup>

Beyond the scanty notes just recorded, I can find no trace of any descendants of John, and such of the property as can be identified is found later in the descendants of his brothers, Richard and Jordan. From this I infer that John's three children died without issue, and probably in their father's lifetime. This is borne out by the old pedigrees of the Thornhills, in which "Askolphus of Thornhill" is given three sons, John, Jordan and Thomas, and John is expressly stated to have died without issue.<sup>3</sup> The pedigree printed by Thoresby is stated to be copied from Hopkinson's MSS.,<sup>4</sup> a by no means first-rate authority. Hopkinson, however, undoubtedly had access to and made use of early deeds in some of his pedigrees; and therefore, when I find that his positive statement coincides with the negative evidence, I believe that he had some good ground for his assertion.<sup>5</sup>

It seems probable, therefore, that John died without surviving issue, not long after 1189, and that his next brother, Richard, was his heir.

Richard FitzEssulf I believe was the second son of Essulf's second (or third) marriage, the full brother of John and Jordan, and the half-brother of Peter.

His earliest appearance is as *Ricardus filius Esulfi*, when he witnessed an undated charter of Cicely de Rumelli granting the vill of Kildwick to Embsay Priory,<sup>6</sup> and a charter of William Fitz-Duncan, husband of Adeliza or Alice, Cicely's daughter and

<sup>1</sup> *Loc. cit.*, pp. 35, 36.

<sup>2</sup> *South Yorkshire*, vol. 2, pp. 65, 79.

<sup>3</sup> Thoresby, *Ducatus*, p. 113.

<sup>4</sup> A good many copies of Hopkinson's Pedigrees exist. There are two at the British Museum, Harley MS. 4630 and Additional MS. 26739; there is also one in the Leeds Library.

<sup>5</sup> The early Thornhill deeds are in the possession of Lord Savile, and so far as I am aware they have never been printed or made accessible.

<sup>6</sup> *Mon. Ang.*, vol. 6, p. 203.

heiress, apparently confirming this.<sup>1</sup> The Priory of Augustinian Canons at Embsay, near Skipton, was founded in 1120 or 1121, and was removed to Bolton when Adeliza de Rumelli granted the manor of Bolton to the canons in 1 Henry II, 1155; this charter was witnessed by Jordan Fitz Essulf.<sup>2</sup>

Richard appears less frequently than John on the Pipe Rolls, which is what we should expect if he were a younger son. He is probably identical with the Richard de Tuenche who owed a mark in 1165-66;<sup>3</sup> Tuenche seems an intermediate form between the Domesday Tuinc and the later Tange or Tonge.

In 1175-76 as Richard son of Essolf he owed 40s. for a forest amercement.<sup>4</sup>

As Richard de Tanga he, or possibly his son Richard, witnessed a grant to Pontefract, dated by Mr. Holmes as 1192.<sup>5</sup>

As Richard son of Essolf de Tang he granted a villein to Kirkstall Abbey; the deed is not dated, and the witnesses' names are not recorded.<sup>6</sup>

In 1194 Richard son of Essul de Thuang essoined himself *de malo veniendi* in a plea of land against Richard son of Jordan.<sup>7</sup> There is an unfortunate gap in the Rolls, and the later details are missing. Apparently a record of this action was preserved at Tonge Hall in 1829, which is thus noted in Jones's *Views*:

The first document with a date is the recital of a trial in the King's Court, Westminster, 1194, before the Archbishop of Canterbury, the Bishop of London, and other Barons, between Richard de Tonge of Tonge, Jordan Fitz-Esolf and Richard his son, concerning the manors of Thornhill, Huddesworth and Birle [Hunsworth and Bierley], which had been granted to Jordan Fitz-Esolf by Richard de Tonge, and were held by him by military tenure and a rent of 10s., which is still received by the lord of the manor of Tonge.

The original of this Fine is not among the Feet of Fines preserved at the Record Office. A copy, purporting to be made from a Court Roll of the Honour of Pontefract, 13 Henry IV, 1411-12,

<sup>1</sup> Whitaker, *Craven*, 3rd ed., plate facing p. 448.

<sup>2</sup> *Mon. Ang.*, vol. 6, p. 203.

<sup>3</sup> Pipe Roll, 12 Henry II.

<sup>4</sup> Pipe Roll, 22 Henry II.

<sup>5</sup> *Pontefract Chartulary*, pp. 325, 326.

<sup>6</sup> Kirkstall Coucher Book, fo. 60; *Thoresby Soc.*, vol. 8, p. 205.

<sup>7</sup> *Rotuli Curiae Regis*, vol. 1, p. 123.

(which roll I am unable to find), is at Tonge Hall. A translation of it is as follows:

1194-95, Conversion of St. Paul, Jan. 25, 6 Richard I.—Fine between Richard de Tonga, plaintiff, and Jordan son of Esolf and Richard his son, whom Jordan put in his place to win or lose, tenants, of the land of Thornhill, Hunddesworth and Birle, with the appurtenances, etc.; the said Richard de Tonga grants to the said Jordan and Richard his son, and their heirs, all the aforesaid land, to hold of him and his heirs, in wood, etc., doing therefor to the said Richard de Tonga and his heirs the service of the fourth part of a knight's fee, and [paying] 10s. yearly for all service.

The early Tonge deeds were probably destroyed in a fire which burnt down the old Hall about 1700.

Richard probably died very shortly after this date. He left a widow named Maude, a son Richard, and a daughter Maude who married Stephen *Hibernicus*.<sup>1</sup> I believe that he had another son Hugh, Hugh de Baildon, to whom he gave a part of the Baildon property inherited from his brother John. I have no positive evidence of this, but it seems the only theory that will explain all the known facts.

Richard the son is doubtless the Richard de Tanga who in 1194-95 was amerced 50 marks [*£*33, 6s. 8*d.*] for participation in the massacre of the Jews at York;<sup>2</sup> the father, if living, was presumably too old for such an affair. In 1203 he acquired by a Fine the interest of Agnes wife of Geoffrey de Pudekeshee [Pudsey] in some property in Tiresdale [Tyersall].<sup>3</sup>

In 1211-12 there was some litigation between Richard de Tange and John de Thornhill, probably about the Thornhill property;<sup>4</sup> I have not found any details.

This Richard occurs as witness to a good many undated charters of the early part of the 13th century.<sup>5</sup>

Jordan FitzEssulf, who was, I believe, the youngest of the three

<sup>1</sup> Harley MS. 804, fo. 103*d.*, 158*d.*, two notes by Dodsworth "out of Bolton Leiger" (now lost); (1) a grant by Maude, widow of Richard de Tanga, to Bolton Priory of her mill of Raveneswath and all lands which she had of her father's gift in Trepwood; (2) a grant by Maude daughter of Richard de Tonge of a mill in Newbiggin and Ravenswath. The places named were in the neighbourhood of Kildwick.

<sup>2</sup> Pipe Rolls, 6, 7, 8 and 9 Ric. I, and see *ante*, vol. 1, pp. 158, 159.

<sup>3</sup> *Surtees Soc.*, vol. 94, p. 79.

<sup>4</sup> Pipe Rolls, 13-15 John.

<sup>5</sup> *Pontefract Chartulary*, pp. 282, 283; *Thoresby Soc.*, vol. 4, p. 45, vol. 6, pp. 2, 3, 5, 7*n.*, 17; *Bradford Antiquary*, vol. 1, p. 275.

supposed full brothers, witnessed the grant of Bolton to Embsay Priory in 1155 [*ante*, p. 25], and Adam FitzPeter's grant of land in Shitlington to Rievaulx Abbey, before 1159; also Adam's grant in Hattelton, Shipley, Heaton and Chellow, apparently after 1159, as Jordan son of Esseolph.<sup>1</sup>

He also attested his brother John's charter to Monk Bretton and John's settlement on his daughter, [*ante*, p. 23]; also two undated grants to Nostell Priory of land at Swinton, in the parish of Wath-upon-Deerne, near Rotherham.<sup>2</sup>

His first appearance on the Pipe Rolls is in 1165-66, when, as Jordan son of Assulf, he owed 40 marks [£26, 13s. 4d.] for saying that Hugh son of Ketelbert was an outlaw, and failing to prove it [*defecit*].<sup>3</sup>

In 1175-76, as Jordan son of Essulf, he paid an amercement of 5 marks [£3, 6s. 8d.], and in 1177-78, as son of Æissulf, he owed 100s. for not having a warranty that he had vouched.<sup>4</sup>

An undated charter from Hamelin [Plantagenet], Earl of Warenne, granting 30 wether-sheep [*breisnas*] yearly to St. Mary's Abbey, York, apparently in connection with a cell at Santoft, co. Lincoln, was witnessed by the Constables of Tickhill and Conisburgh, and by Jordan son of Aissolf, Constable of Wakefield.<sup>5</sup> Earl Hamelin was an illegitimate son of Geoffrey, Count of Anjou, and brother to Henry II; he married in 1164 Isabel, daughter and heir of William de Warenne, Earl of Surrey, lord of the manor of Wakefield, and died in April, 1202.<sup>6</sup> I cannot date this deed, but I am inclined to think that it was nearer 1202 than 1164. Jordan was evidently in favour with the Earl; Collins, quoting a deed then in the collections of Ralph Thoresby, states that Jordan de Thornhill "had great possessions in Ovenden, Skircoate, Rishworth, Norland, Barkisland, etc., as by evidence *sans date*; to which Jordan, Hamlin Plantagenet, Earl Warren, owner of the manour of Wakefield, confirm'd his inheritance in Sowerbyshire, *circa* 1169."<sup>7</sup>

Watson, in his *History of Halifax*, also mentions what appears

<sup>1</sup> *Surtees Soc.*, vol. 83, pp. 57, 60.

<sup>2</sup> Cotton MS., Vespasian E. XIX, fos. 49, 49d.

<sup>3</sup> Pipe Rolls, 12, 13 and 14 Henry II.

<sup>4</sup> Pipe Rolls, 22, 24 and 25 Henry II.

<sup>5</sup> *Mon. Ang.*, vol. 3, p. 618.

<sup>6</sup> *Complete Peerage*.

<sup>7</sup> Collins, *Baronetage*, vol. 1, p. 213.

to be the same deed. He cites at considerable length a trial in the Duchy of Lancaster Court in 6 Elizabeth, 1563-64, between the Crown and Edward Saville of Thornhill. The record of a similar claim in 1526-7 was put in evidence, when a verdict was given for Henry Saville, the then defendant. He had produced old Court Rolls to prove his title, and also "shewed an ancient deed under seal, without date, declaring that Hamelyn, Earl Warren, owner of the lordship of Wakefield, had granted to Jordan son of Askolf, ancestor to the defendant, his inheritance in Sowerbyshire; and that the said Jordan did grant the fourth part of the said inheritance to Helie, his brother, and seven oxgangs of land in Stansfeld and Rottonstall, and that the said Helie and his heirs should hold the said fourth part of the said Jordan and his heirs, as of the first begotten, by right of foreign service."<sup>1</sup>

Watson cites another deed, "without date, under the seal of arms of William, Earl Warren," a counterpart of which is at the Record Office.

Undated; about 1239.—Grant by John de Thornhull to William, Earl of Warenne, and his heirs, of all beasts and birds taken on his land in Sowrebisire, to be kept by the Earl's foresters, provided the latter do no injury to the said John nor exact food or hospitality from his men. The Earl grants to John and his heirs that they may do what they like in his lands and woods in Sowrebisire, and take freely every year 5 fat stags and 5 hinds in season, by view of the Earl's foresters; but if in hunting deer [*feras*] John's dogs shall pass the bounds, John and his heirs shall stop at the bounds and recall their dogs. Witnesses: Richard, Abbat of Roche, Walter, Abbat of Sallay, John de Stuteville, Thomas Fitz William, Ralph de la Haye, John de Longevilerz, Adam de Narford and Robert de Stapelton. Seal, broken; a floral device in a pointed oval; legend S' JOHANNIS · DE · THORNHILL.<sup>2</sup>

I give the date as 1239 because in that year the Earl sued John de Tornhull *et participes suos in Sourebisire*, in a plea of wood.<sup>3</sup>

The most notable episode in Jordan's life is his connection with St Thomas à Becket, narrated by two monks of Canterbury, William and Benedict, who were contemporaries of the murdered Archbishop; their collected accounts of the miracles are said to have been made within a few years after the murder, and the

<sup>1</sup> Watson, *History of Halifax*, pp. 75, 86-89.

<sup>2</sup> P.R.O., Ancient Deeds, A. 317.

<sup>3</sup> Curia Regis 120, m. 13.



incidents are therefore probably not later than 1180.<sup>1</sup> The story is given in the notes to Dean Stanley's *Historical Memorials of Canterbury*, with some omissions and one important misprint; the following is in the main the Dean's translation, with some corrections and additions from the Latin text.<sup>2</sup>

William the Monk begins his tale thus:

There came to Canterbury a knight, Jordan son of Heisulf, of the town which is called by the name of Broken Bridge [*nomine Fracti Pontis*, i.e. Pontefract], with his wife, and a son about ten years old, who was, as he asserted, being dead, restored to life by the Blessed Martyr Thomas.

Benedict omits the important reference to Pontefract,<sup>3</sup> and begins:

The hand of the Lord was heavy on a knight of great name, Jordan son of Eisulf, and smote his household with disaster from the time of August unto the Easter days. Many were sorely sick in his house, and there was no one who could help. The nurse of his son William, surnamed Brito [*cognomine Britonis*],<sup>4</sup> died of a violent disease [*morbo acuto*], and was buried. Then the son himself died. Mass was said—the body laid out—the parents were in hopeless grief. It so happened that there arrived that day a band of twenty pilgrims from Canterbury whom Jordan hospitably lodged for love of the Martyr. When the priest came to bear the corpse to the church for burial, the father cried “By no means shall my son be carried forth, since my heart assures me that the Martyr Thomas is unwilling that I should lose him; for I was his man while he was in the body, and his familiar friend.”

From the pilgrims he borrowed some water in which a drop of the Saint's blood had been mixed,<sup>5</sup> and bade the priest pour it into the boy's mouth. This was done without effect. The father still delayed the burial, and the priest, while admiring his faith, thought him mad, as the boy had now been dead two days. Jordan then himself uncovered the body, raised the head, forced open the teeth with a knife, and poured in some of the water. A small sign of red showed itself on the boy's left cheek. A third draught was poured down his throat. The boy then opened one eye, and said, “Why are you weeping, father? Why are you crying, lady? Be not sad; behold the Blessed Martyr Thomas has restored me to you.” He was

<sup>1</sup> Possibly before 1176, when Benedict was appointed Abbat of Peterborough.

<sup>2</sup> *Miracula Sancti Thomæ*, Rolls Series 67, vol. 1, p. 160, vol. 2, p. 229.

<sup>3</sup> Dean Stanley also omits it.

<sup>4</sup> I cannot explain this name; possibly William had been born in Brittany, and was jestingly nicknamed “the Breton.” A William Brito was *dapifer* or house-steward to Pontefract Priory about 1190-95, which office had previously been held by Thomas FitzEssulf—*Pontefract Chartulary*, p. 528; *Thoresby Soc.*, vol. 9, p. 35.

<sup>5</sup> This was given to pilgrims in small leaden *ampulle* or flasks.

then speechless till evening. The father put into his hands four pieces of silver, promising that the boy should offer them to the Martyr at Mid-Lent, and the parents sat and watched him. At evening he sat up, ate, talked, and was restored well to his parents.

But the performance of the vow was neglected and delayed. And so St. Thomas appeared to a leper, Gimpe, by name, in his sleep, who lived on the knight's estate, about three miles from his house, and said "Gimpe, art thou asleep?" The leper said "I was, until you awoke me. Who art thou?" "I am Thomas, Archbishop of Canterbury; knowest thou Jordan, the son of Eisulf?" And Gimpe replied "Very well, lord, as the best of men, who has done many good things to me." He was then ordered to go and warn Jordan of the evils that would befall him unless he instantly fulfilled his vow. The leper did nothing. The Saint appeared a second time, and ordered the leper to send for his priest, who refused to convey so idle a tale to a great and powerful man. St. Thomas appeared a third time, and ordered the leper to send his daughter for the knight and his wife. They came, heard, wondered, and fixed the last week in Lent for the performance of the vow.

But it so fell that the Earl Warenne,<sup>1</sup> the knight's lord, in whose name alone the aforesaid knight possessed his property [*cujus nomine res soli miles praetaxatus possidebat*],<sup>2</sup> came to that place, and prevented them from setting out on their pilgrimage; thus they did not keep their vow. On the last day of the last week, namely, on Holy Saturday before the day of our Lord's Resurrection, the Lord smote with a violent disease another son of the knight's, a little older, and more beloved than the one resuscitated, because his father's race was shown more perfectly in his features. On the morrow the parents themselves were taken ill and confined to bed, and were despaired of. And the disease took hold of the boy, and he slept in death on the seventh day, on the sixth day [*feria*] of Easter Week. Twenty of the knight's household were also sick.

Then the knight and his wife determined at all hazard to accomplish their vow. By a violent effort—aided by the sacred water—they set off; the servants by a like exertion dragging themselves to the gate to see them depart. The lady fell into a swoon seven times from the fatigue of the first day, and was in despair at the long journey; but her husband said "Alive or dead she shall be brought to Canterbury." When she saw the pinnacle of the Temple of Canterbury, she dismounted from her horse, and with her husband and son, barefoot, walked the remaining three miles to the Martyr's sepulchre,<sup>3</sup> and then the vow was discharged.

Benedict adds that he received this story in a letter from the priest, who stated that the boy was undoubtedly dead and brought to life again.

<sup>1</sup> Stanley has "the Lord Warden"! Both texts agree: William says *Comes Warenensis veniens*, Benedict has *superveniente Comite Warennensi*. This Earl was Hamelin Plantagenet, already mentioned; the reference conclusively proves the identity of Jordan.

<sup>2</sup> See *ante*, pp. 27, 28.

<sup>3</sup> The celebrated Shrine was not erected until 1220.

The windows of the Trinity Chapel at Canterbury were formerly filled with illustrations of the Saint's various miracles; three of them still remain, and fragments of others are scattered through the building. They are supposed to have been made about 1220 to 1240. Each window consisted of a number of medallions arranged in a geometric pattern, and each medallion represented a single incident in some miracle. Several of those relating to the story of Jordan have been preserved; they are (1) the funeral of the nurse, (2) the younger son at the point of death, (3) the father administering the miraculous water, while the mother supports the boy's head, (4) the boy reviving, and the four pieces of silver being put into his hand, (5) the boy revived, feeding himself with a spoon from a basin, (6) the Archbishop and the leper, (7) the leper warning the parents, (8) the death of the elder son, and (9) the final offering at the shrine at Canterbury.<sup>1</sup>

Jordan Fitz Essulf is said by Mr. Holmes to have died in 1195,<sup>2</sup> but he gives no authority, and I am unable to check the statement.

His son and heir, Richard, witnessed the charter of John FitzEssulf to Bretton Priory [*ante*, p. 23]. He is probably the Richard "de Wath" who had a concord with the same John in 1184-85 [*ante*, p. 22], but he was subsequently known as "de Thornhill," and was the progenitor of the Thornhill family. Wath is Wath-upon-Dearne, near Rotherham, where John FitzEssulf had property which belonged later to the Thornhills, and was known as "Thornhill Hall in Wath."<sup>3</sup>

His litigation with his uncle Richard in 1194 has already been mentioned [*ante*, p. 25]. The manors of Thornhill, Hunsworth and Bierley continued to be held of the Tonges, and it seems clear, from this fact, that the property had been granted to Jordan FitzEssulf by one of his brothers, John or Richard. I am inclined to think that it was John who thus made provision for a younger brother, and that the feudal services reserved passed to Richard on John's death. I think that John was the probable grantor, because there would be no occasion for such a provision if Jordan had been then possessed of his property in Sowerbyshire, which points to an early date for the grant of Thornhill. The only

<sup>1</sup> For a detailed description of these, see Mr. George Austin's notes in the Appendix to Dean Stanley's book, and *Notes on the Painted Glass in Canterbury Cathedral*, (by Miss M. Williams), 1897. I have not seen any engravings of the medallions above referred to.

<sup>2</sup> *Thoresby Soc.*, vol. 9, p. 32.

<sup>3</sup> Hunter, *South Yorkshire*, p. 79.

difficulty here is that Earl Hamelin's charter speaks of "confirming his [Jordan's] inheritance" [*ante*, p. 28]. What meaning are we to attach to the word inheritance? If the strict modern significance be given to it, we are bound to assume that Jordan inherited the property, in which case it would not require confirmation. A possible explanation would be that the Sowerbyshire estates came to Jordan's wife, somewhat late and unexpectedly, on the death of her brother or other male heir of her father; the confirmation by the Earl might then have been a re-grant on a surrender, with a life estate to Jordan himself and the remainder to the heirs of his body. *Hereditas*, however, was constantly used to denote heritable property, that which would descend to the heir, not necessarily that which had so descended; "every fee-simple or fee-tail which [a man] has by purchase is called inheritance, because his heir can inherit it from him."<sup>1</sup>

The theory I put forward may be summarised thus:

(1) That John, Richard and Jordan were full brothers, sons of Essulf by a second or possibly a third wife, John being the eldest son of this marriage, and heir of his mother.

(2) That John, as heir of his mother, recovered certain lands in Baildon from William de Leathley.

(3) That John's children, William, Eustace and Amabel, and possibly others, died without issue, probably in the life-time of their father.

(4) That on John's death without surviving issue, about 1190, his next brother, Richard, was his heir, and succeeded to his property at Baildon, Wath, and elsewhere.

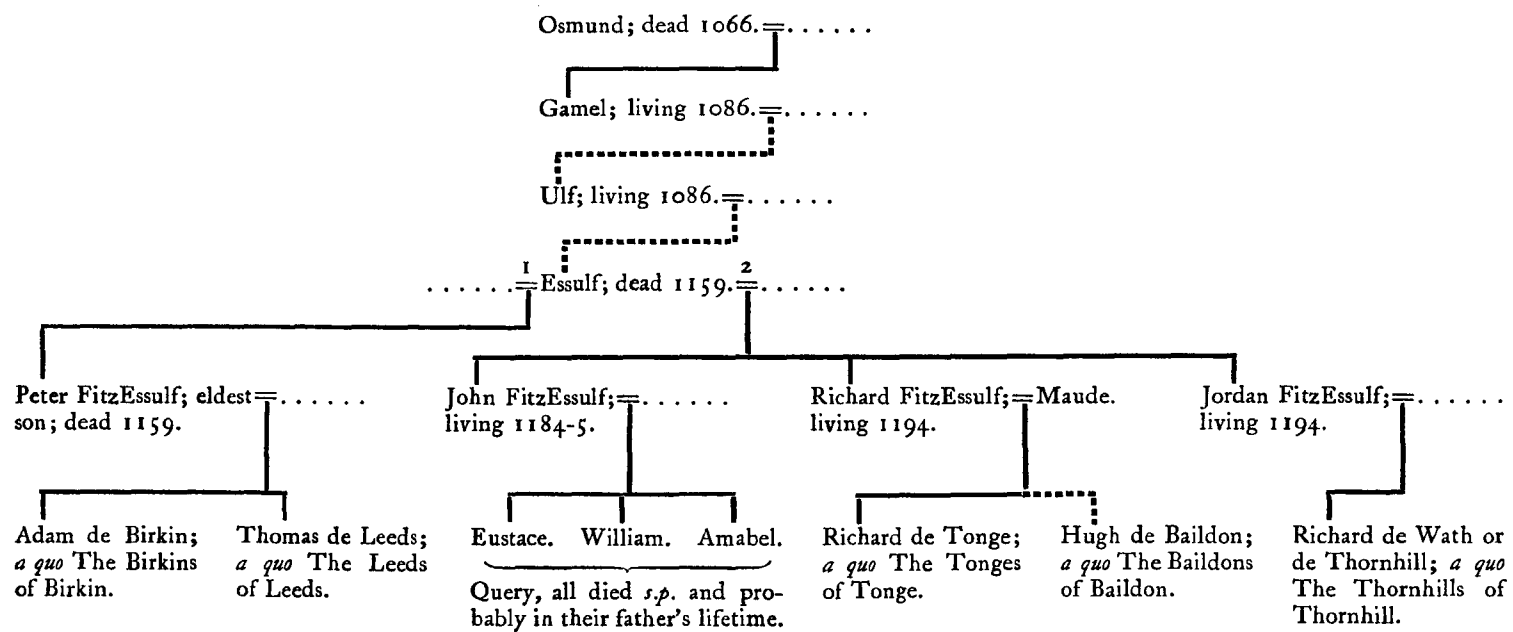
(5) That Richard gave a part of the Baildon property to a younger son, Hugh, who thereupon became known as Hugh "de Baildon."<sup>2</sup>

(6) That the remainder of the Baildon property was retained by Richard, and was subsequently known as "Tong Park," just as the Thornhills' property at Wath was known as "Thornhill Hall" [*ante*, p. 24].

<sup>1</sup> *Coke upon Littleton*.

<sup>2</sup> This may be compared with Adam FitzPeter's grant of land at Leeds to his brother Thomas, who (or whose descendants) became known as "de Leeds" [*ante*, p. 21]. A parallel case will be found in *The History of The Wrottesleys of Wrottesley* by Major-Gen. the Hon. George Wrottesley, p. 20 *et seq.*; William de Coughton had two sons, Ralph de Coughton, living 1184, and Simon, generally known as Simon de Verdun, who was the father of William de Wrottesley.

## Pedigree showing the probable origin of the Baildon Family.



(7) That Richard (or some later head of the family) also gave to Hugh (or one of his descendants) some lands at Cowling, to be held of the grantor by certain services, and land at Fairburn, held of the Birkins or Everinghams.

If these suggestions are correct, they explain nearly every difficulty.

We see (1) why no further trace appears of any descendant of John FitzEssulf; (2) why the descendants of Essulf's eldest son had no interest at Baildon; (3) why Thornhill, Hunsworth and Bierley were held under the Tonges; (4) why Tong Park at Baildon was so called; (5) why William de Baildon held land at Cowling under Robert de Tonge, and at Fairburn under Adam de Everingham.

I think that these cannot all be mere coincidences; some common ground seems to underlie them, and I venture to suggest what that common ground may well have been.

HUGH DE BAILDON, I.A., was probably born about 1155 to 1160. The earliest dateable note referring to him is in a charter preserved among the Wentworth Muniments at Woolley, of which, by the kind permission of the late Miss Wentworth, I am enabled to give a photograph.

Undated; 1195 to 1199.—I, Alice, daughter of Serlo de Poule, have sold and abjured in the County Court of York and in the Wapentake Court of Skirheic [Skyrack], and surrendered *fuste et baculo*, and quit-claimed to Serlo son of Serlo, and his heirs, for 3 marks of silver [£2], 2 bovates of land in Poule and 10 acres in the fields, which Serlo, my father, gave me in marriage. Witnesses: Roger de Bavent, then Sheriff of Yorkshire, Robert de Lelei, then Bailiff of the West Riding, Alan de Sinderbi, Robert Vavasore, Malger his brother, Hugh de Baildon, Simon de Mohaut, Robert Peitevin, Thomas de Heddingeia, Peter de Arthington, William Ward, Walter de Yadon, G. Mansci, Ralph son of Baldwin, William son of Hugh de Lelei, Hugh de Cressekelde, and Odard de Lindelei.<sup>1</sup>

The first of these witnesses, Roger de Bavent, is described as Sheriff of Yorkshire; he filled that office as deputy for Archbishop Geoffrey Plantagenet from the middle of 6 Richard I, 1195 to the end of 10 Richard I, 1199; the date of this deed, therefore, must lie within that period. The other witnesses are

<sup>1</sup> Wentworth MSS., Woolley.

mostly local, and nearly all of them are well-known. We may incidentally observe from the form of the charter, that Alice was a childless widow, using her maiden name, as was very commonly done where the transactions had nothing to do with the husband's affairs.

Poole, like Baildon, is in the parish of Otley, but lies on the east side, towards Harewood. The Pooles held the manor under the Archbishops, and are frequently met with in records of the period. The curious personal name of Serlo<sup>1</sup> is almost peculiar to this family and its connections, so much so that the occurrence of a Serlo de Baildon, holding lands in Farnley (where the Pooles had property), seems strong presumptive evidence that his mother was a Poole [see *post*, p. 39].

Undated; about 1195 to 1205.—Helias son of Baldwin de Bramhope, by the advice and wish of his heirs, granted to the monks of Salleia [Salley Abbey]  $4\frac{1}{2}$  acres of meadow in the territory of Panehale [probably Painley, near Gisburn], etc. Witnesses: H. de Perci, R., parson of Thornton, H. de Braiswell, Malger Vavassor, Hugh de Baildun, R. Vavassor, William son of Robert, and John de Halton.<sup>2</sup>

Undated; about 1195 to 1205.—I, Walter son of Alan de Jedune [Yeadon], have granted to the Monastery of Kirkstall, Hugh son of Garuin of Jedune, with his wife and children, and all their chattels and *sequelæ*, quit of homage and all service which he or his predecessors ever owed to me or my predecessors. For this grant the monks have given me 26s. sterling, before the Wapentake [Court] of Scirakes at Burcheleia [Burley], Hugh de Baildun and Robert the Clerk of Lethaleia and Henry the Clerk of Kelinton, being then Sheriffs of the West Riding.<sup>3</sup>

Undated; about 1195 to 1205.—Ralph son of Baldwin de Bramhope granted a bovaté of land, [presumably in Bramhope], to Kirkstall Abbey, namely, that which was Richard Mohert's. Witnesses: Hugh de Baldun [misprinted *Baldwin*], Serlo de Poule, William his son, Nigel de Horsford, Alan de Brerehage, Henry de Mora, and Hugh de Creskeld.<sup>4</sup>

Undated; about 1195-1205.—William son of Adam de Carleton granted to St. Peter's Hospital at York [afterwards St. Leonard's], 3 acres of land in West Carleton, whereof one half acre lies near the boundary between Carleton and Gisleia [Guiseley]. Witnesses: William Ward, Peter Ward, William son of Hugh de Leleia, Hugh de Beldona, Hugh his son, Neil de Horsford, and Robert de Roudon.<sup>5</sup>

<sup>1</sup> Serlo is the Latin nominative; I do not know what the English form may have been, unless it survives in the surname *Serle*.

<sup>2</sup> Dodsworth MS. 155, fo. 166d.

<sup>3</sup> Kirkstall Coucher Book, fo. 60d; *Thoresby Soc.*, vol. 8, p. 208.

<sup>4</sup> *Leeds Mercury Weekly Supplement*, Feb. 17, 1883; authority not stated.

<sup>5</sup> Dodsworth MS. 120, fo. 74b.

Undated; about 1195-1205.—Hugh de Baildun and Hugh his son witnessed a charter relating to lands in Hawksworth [*ante*, vol. I, p. 385].

Undated; about 1200-1207.—Serlo de Poule confirmed the quitclaim which William son of Serlo made in the Court of his lord, Geoffrey [Plantagenet], Archbishop of York, releasing to the Archbishop and his successors certain land and rents in the vill of Farnley [near Otley], as well of free tenants as of villeins, reserving the service which William and his heirs are bound to render yearly to Serlo and his heirs. Witnesses: William son of Everard, Jordan de Bugthorp, Richard de Hudeleston, Richard de Luterington, Jordan de Launde, Hugh de Stiveton, Osbert de Breton, Otho de Barkeston, William Ward, Geoffrey Mansel, Hugh de Beldon, Mauger Vavasour, Robert de Luttrington, Henry his brother, Gilbert de Rither, Geoffrey de Ottelay, Henry Neeloc, Paul de Ottele, and Reynold de Newhall.<sup>1</sup>

This Serlo de Poole is no doubt identical with the grantee in the previous charter [*ante*, p. 34] and the William son of Serlo was probably his brother. Archbishop Geoffrey was a son of Henry II; he was consecrated in 1191, and deprived in 1207. The date of the charter is probably between 1200 and 1207.

Undated; about 1200-1210.—William son of Nicholas de Allertona granted a bovate of land in Murallertona [Moor Allerton, near Leeds], to John son of Alan de Eubank with Silk, his daughter, in frank marriage, namely, that bovate which Adam de Colwelle held. Witnesses: Simon de Monte alto, Hugh de Bayldon, Adam the Chaplain of Harwode, Thomas Pictavensis, Adam Samson, Alexander de Allerton, Thomas de Birtona, Henry de Murton, Henry de Alwoodley, Adam de Eubanke, Geoffrey de Duningtona, William de Lofthous, and Alan de Brerehagh.<sup>2</sup>

1203-4, Hilary Term.—Eva widow of John claimed against Hugh de Beldon one third of a carucate of land in Castelay as her reasonable dower. They made an agreement [*concordati sunt*].<sup>3</sup>

1203-4, February 23.—Fine in the King's Court at York, Monday after St. Peter in Cathedra, 5 John, Between Eva widow of John de Castelai, claimant, and Hugh de Beldon, tenant, of Eva's reasonable dower, viz. of one third of a carucate of land in Castelai, which she claimed against him through the gift of the said John, formerly her husband, as to which there was a plea between them in the said Court; Eva released and quitclaimed all her right and claim thereto to Hugh and his heirs for ever; Hugh gave her 20s. sterling.<sup>4</sup>

The relationship between Hugh and Eva, if any, does not

<sup>1</sup> *Surtees Soc.*, vol. 56, p. 279.

<sup>2</sup> *Yorkshire County Magazine*, 1891, p. 90; from the collection of the late Fairless Barber, F.S.A.

<sup>3</sup> *Curia Regis* 67, m. 1d.

<sup>4</sup> Feet of Fines, Yorks., case 261, file 7, no. 24.



appear, nor can any be necessarily inferred. The action for dower lay against a purchaser as well as against the heir. John de Castley, Eva's husband, is probably the man who gave land at Hadelton near Bingley to Rievaulx Abbey.<sup>1</sup> A later John de Castley, possibly the son of the earlier one, was dead in Hilary Term, 1233-4, when his widow Amabel, together with her second husband, Robert le Bulur, released her dower in Hadilton to the Abbat of Rievaulx.<sup>2</sup>

Undated; about 1210-15.—To all the sons of Holy Church, present and to come, Richard Vavasour, greeting. Know ye that I have given and granted, and by this present charter confirmed to God and the Monks of Blessed Mary of Sawley, for the safety of my soul and the souls of my heirs, all my land of Bolton, which I held of Hugh de Baildon, in free, pure and perpetual alms, with all its easements and liberties and appurtenances, within the vill and without the vill, without any retention by me or my heirs; To hold and to have it as well and fully as ever I held it, discharged, free and quit from all secular service and from everything pertaining to the land, paying to Hugh de Baildon and his heirs yearly 18*d.* only, to wit, half at Pentecost and half at Martinmas; And I and my heirs the aforesaid alms to the aforesaid monks will warrant and defend in all and against all. These being witnesses, Henry de Percy, Stephen de Hammerton, Ailsy son of Hugh, Jordan de Clayton, Alan de Bens, John de Halton, and others.<sup>3</sup>

Hugh Vavasour confirmed the gift of Richard his father. Witnesses: Henry de Percy of Gisburn, Laurence the Parson of Giggleswick, William de Hebden, William de Arches, William de Malham.

Malger Vavasour confirmed the gift of Richard Vavasour his uncle [*patruus*]. Witnesses: Henry de Percy, William de Stiveton, William de Malham, Stephen de Hammerton, John de Halton.<sup>4</sup>

This transaction is not easy to explain. Richard Vavasour was a younger son of Mauger Vavasour of Hazlewood [*ante*, vol. 1, p. 505]; he clearly held certain land in Bolton-in-Bolland under Hugh de Baildon, by a yearly rent of 18*d.*, which the monks of Salley Abbey were to continue to pay. Bolton is near Gisburn, close to the Lancashire border. I have no further information about the rent.

Undated; about 1220.—See *ante*, vol. 1, p. 292. The payment by Roger Poitevin for land in Stainburn is stated to have been made "in the

<sup>1</sup> *Surtees Soc.*, vol. 83, p. 283.

<sup>2</sup> *Ibid.*, p. 387.

<sup>3</sup> Harley MS. 113, fo. 28d.

<sup>4</sup> *Ibid.*

court of Hugh de Baildon." Hugh was not the lord of the manor of Stainburn, which had been given by Hugh de Leathley to his daughter Iseult on her marriage with Roger Poitevin [*ante*, vol. 1, p. 148], and was given to Fountains Abbey by Iseult after Roger's death [*ante*, vol. 1, p. 293]. I can only suggest that Hugh de Baildon had some temporary interest in the manor, such as a lease, under the Poitevins.

If I am right in supposing that Serlo de Baildon [*post*, p. 39] was Hugh's son, (for there is no positive evidence of it), then Serlo's mother, Margery, must clearly have been Hugh's wife, perhaps his second wife. She was in all probability a daughter of Serlo de Poole the elder. The Pooles had lands at Farnley, and we shall see presently that Serlo de Baildon had lands there also.

Hugh de Baildon had a son Hugh, but no other children are proved; there were, however, four other Baidons who must, I think, have been his sons, though there is no evidence of it, these were Simon, Serlo, Alan, and Richard.

HUGH DE BAILDON, 2.A., son of Hugh, 1.A., [*ante*, p. 34], occurs in company with his father as a witness to two charters, both undated, but probably about 1195 to 1205 [*ante*, p. 35, and vol. 1, p. 385].

I have no further notes about him, unless some of those already printed refer to the son and not to the father, which is quite possible. There is no evidence of any family, and I conclude that he died without issue. He was probably born about 1180-1185.

SIMON DE BAILDON, 2.B., probably son of Hugh, 1.A., [*ante*, p. 34], was born about 1180 to 1185.

The only certain reference I have found to him is that he was pledge for his son Hugh in Trinity Term, 1231.

Simon's children appear to have been as follows:

1. Hugh.
2. William de Baildon, called the Forester; this descent is not proved.
3. Walter the Forester; doubtful.
4. Joan.
5. Eleanor wife of Michael de Menston; not proved but probable.

As Joan, the daughter, in 1252 calls Walter de Hawksworth

"cousin" [*consanguineus*] [*post*, p. 44], it is possible that Simon's wife was a Hawksworth. In 1251-2 Walter de Hawksworth was surety for Hugh, Joan's brother, [*post*, p. 42], which rather supports this.

SERLO DE BAILDON, 2.C., was probably a younger son of Hugh, 1.A. [*ante*, p. 34]. His mother's identity has already been discussed. The following two notes are all that I have found concerning him. There is no evidence of any wife or children, unless he was the father of Serlo the Miller of Baildon, who, in 1279, was suspected of felony, fled, and was outlawed, his chattels, valued at 18*s.* 8*d.*, being seized by the Sheriff.<sup>1</sup>

1231, Trinity Term.—John son of Jordan brought an assize of *mort d'ancestor* against Serlo de Balden and many others, as to 29 acres of land in Farnle [Farnley near Otley], but afterwards abandoned his claim. The plaintiff and his pledges were therefore in mercy, viz., William son of Martin de Helawe and John the Forester of Kairton.<sup>2</sup> This possession of land in Farnley, coupled with the name of Serlo, strongly suggests that his mother, Margery, was a daughter of Serlo de Poole [*ante*, p. 38].

1231, Trinity Term—Pleas of the Crown at York.—It was presented that Serlo de Baildon was found crushed by the wheel of a certain mill in Baildon. He was first found by his mother, Margery. She appeared, and was not suspected. A verdict of death by misadventure was found. The wheel was forfeited as a deodand, and was valued for that purpose at 12*d.*, for which William de Stuteville, the Sheriff, was answerable.<sup>3</sup>

A deodand, *Deo dandum*, was any chattel, animate or inanimate, which caused the death of a human being; it was held forfeited to the Crown, in order to be disposed of in pious uses by the King's Almoner.<sup>4</sup>

ALAN DE BAILDON, 2.D., was probably a younger son of Hugh, 1.A. [*ante*, p. 34]. He was the father of John son of Alan de Baildon.

I believe that he was identical with Alan the Priest or Chaplain of Baildon, who witnessed two charters to Esholt Priory, undated, but about 1200 [*ante*, vol. 1, p. 158].

<sup>1</sup> Assize Roll 1057, m. 7; 1060, m. 4*d.*, 65*d.*; 1064, m. 6*d.*

<sup>2</sup> Assize Roll 1042, m. 20*d.*

<sup>3</sup> Assize Roll 1043, m. 12.

<sup>4</sup> See an article on "Yorkshire Deodands in the reigns of Edward II and Edward III," *Yorks. Arch. Journal*, vol. 15, p. 99.

The question of clerical marriage in medieval times is generally ignored or misunderstood, and yet the facts are quite simple and beyond contradiction. A celibate priesthood was unknown in the early Church, and the idea probably arose very gradually owing to the spread of monastic life. Vows of chastity, which were taken by monks and nuns, began to be applied to the secular clergy, not without great resistance on their part. One of the reforms urged by the monks of the Abbey of Cluny (founded about 910) was the prohibition of clerical marriage, though the practice was at that time common among the secular clergy throughout the whole of Latin Christendom.<sup>1</sup> The reform was not cordially accepted by those most concerned, and it will be remembered that St. Dunstan (died 988) met with great opposition in enforcing it. A series of Synods and Councils declared such marriages not only to be unlawful, but null and void in themselves, and they were gradually stamped out. In England the process was very slow. Henry of Huntingdon states that Anselm, Archbishop of Canterbury, at a Council held in London in 1102, forbade wives to the English priesthood, "heretofore not forbidden."<sup>2</sup>

In 1236 the Constitutions of Robert Grosseteste, Bishop of Lincoln, repeated the prohibition; "it is clear from the constitutions of this and the following centuries that the attempt to enforce clerical celibacy was not successful."<sup>3</sup> In fact the custom lingered sporadically in Germany and England until the last few years of the 13th century, though it seems to have died out earlier in France and Italy.<sup>4</sup>

The curious poem called *Instructions for Parish Priests*, by John Myrc,<sup>5</sup> printed from a MS. of not later than 1450, and possibly a little earlier, is a translation from a Latin work which Edward Peacock, F.S.A., the editor, was unable to identify. Dealing with impediments to matrimony, he states that by baptism "Alle these be cosynes to hym for ay, That none of hem he wedde may, The preste that foloweth, the preste's chylde," etc.; as to confirmation he says, "The same cosynage in all thyng, Is in the

<sup>1</sup> *A History of the Church of England*, by the Rev. M. W. Patterson, 1909, p. 63.

<sup>2</sup> *Encyclopædia Brit.*, 11th ed., art. Celibacy; Henry of Huntingdon, *Historia Anglorum*, Rolls Series 74, p. 234; Wilkins, *Concilia*, vol. 1, p. 384.

<sup>3</sup> Patterson, *op. cit.*, p. 143.

<sup>4</sup> *Encyc. Brit.*, *loc. cit.*

<sup>5</sup> *Early English Text Society*, vol. 31.