

REV WILLIAM SLATER

SYKES

YDSO 81/1/1,2,3

Rev. Sykes was curate at Holy Trinity Church, Millom, from 1895 to 1900, he then went on to be the vicar at Eskdale. He was a keen antiquarian and left several note books some of which are held at Whitehaven Archives. It is with the kind permission of Cumbria Archive Centre Whitehaven and CWAAS that we have been able to photograph his books and put them into this format so that the public have better access to them for research purposes.

With thanks to our volunteers who visited Whitehaven Archive to photograph the books: Rosanna Cox, Alison Holburn, Fiona Pervez

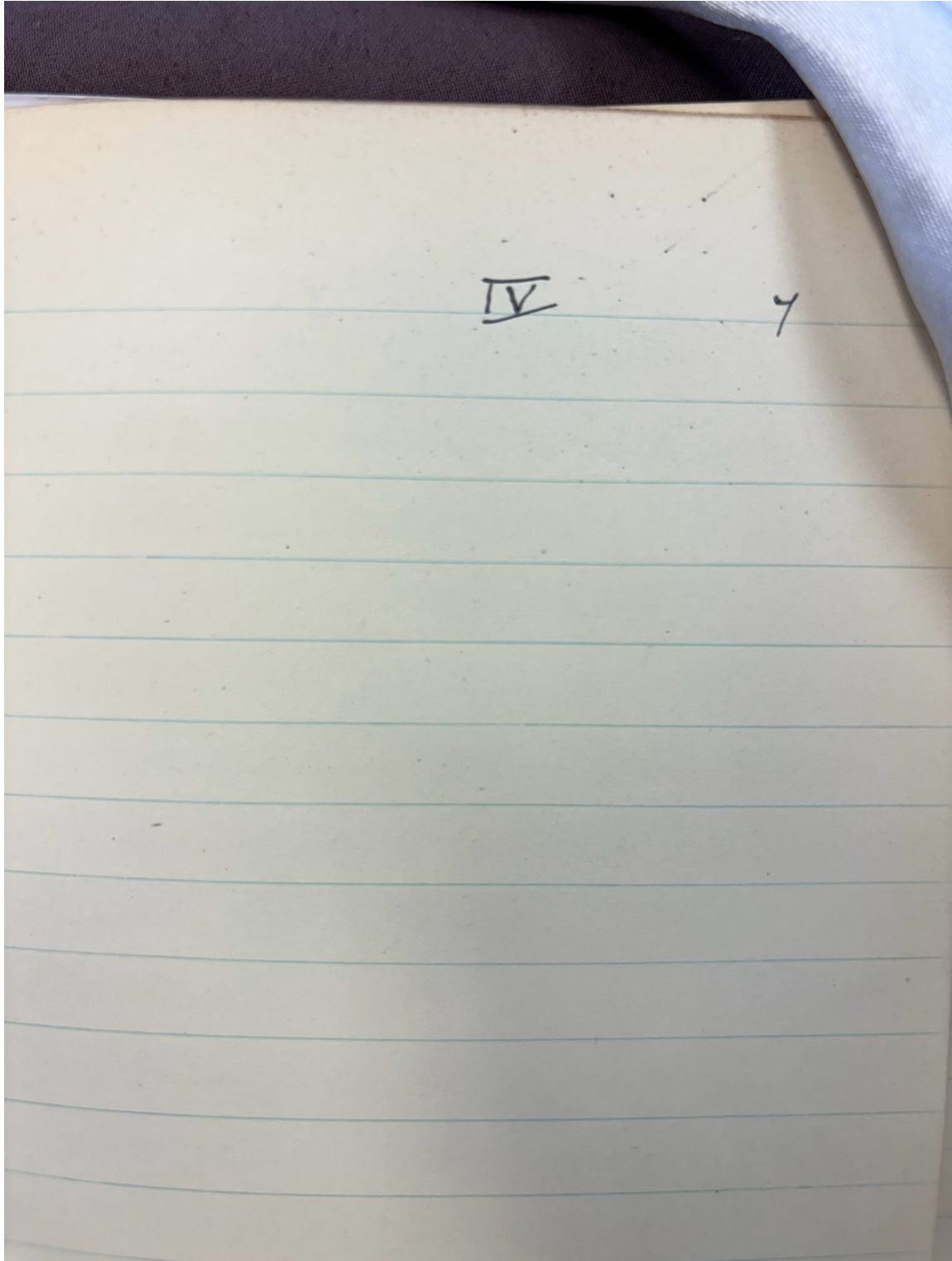
YDSO 81/1/1: Volume 1,

**Chapter IV: References to Local Customarys, Admissions
etc.**

March 2025

Millom and District Local History Society

www.millomhistory.org.uk



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These documents were copied by permission
of the owners in full knowledge that at some
time I might make use of them to illustrate
the local customary tenures. W.S.S.

1588.

To all men to whom this present writing shall come
Nicholas Tyson of Low Birker in the Countie of
Cumbland, husbandman, sends greeting in our
Lord GOD everlasting.

Know you that I the said Nicholas Tyson
for and in consideration of ONE Tremenent or farm
to me covenanted conveyed and sold by [the late]
Edward Tyson of Gillbarke in Estedale in the
said Countie, yeoman, and for the sum
of $\text{¶} 11 \text{ } \text{v} \text{ } \text{viii}$ [£13.6.8] of lawfull monie of England
to me covenanted and paid by the hands of his son
Edward Tyson before sealing and deliverance thereof
which somme of £ xiii. s. viij I acknowledge myself
to have received and every part and parcel thereof;
and I acquit and discharge the said Edward Tyson
his executors and administrators of them by these
presentes; and further for the said Tremenent and
farmhould commonly called Pielplace being within the
limits and bounds of Estedale of the yearly rent of
two shillings and five pence half penny by the year.

I have granted, conveyed, confirmed
and sold by licence of William Fletcher my
land lord and master [i.e. lord of the manor] unto
William Tyson executor of the said Edward
Tyson of Gillbank in the said county, yeoman,
all that title, estate, interest, possession and
tenement I have or hereafter might have in
that tenement or farmhold with appurtenances
within the limits and bounds of Birker in the
county aforesaid commonly known by the special
name of Low Birker parcel of the possession and
inheritance of the said William Fletcher, of Morcote,
Gentleman, and of the mail or yearly rent
of vi. viij. by the year.

To have and to hold the said Tenement or farm-
hold with all and singular the houses, edifices
buildings grounds arable, meadows pastures fisheries,
commons, turbarie, moors, mosses, wastes, ease-
ments ways liberties and rights whatsoever

To the said William Tyson his heirs executors and

assign according to the laudable customs
of the Lordship forever. yielding and paying the
yearly rent aforesaid at the seasons and times
accustomable.

And I the said Nicholas Tyson do promise for me
and my heirs executors and assigns that I will not do
or consent to any thing which might be hurtful to
the said William Tyson.

In witness whereof I the said Nicholas Tyson to
this my own deed do set my mark and seal
the XXVth day of August in the XXXth year of the reign of
our most gracious sovereign Ladie Elizabeth, by
the Grace of God of England and Ireland, Queen,
Defender of the Faith

Signed sealed and delivered in the presence of

Thomas Stanley

Thomas Wilson the younger.

Thomas Tysons.

Edward ... of Birkin

John Wilson

John Diccouson of Hurmat howes.

1609

To all Christian people unto whom this present writing shall come - I William Fisher of Eskdale in the county of Cumberland, Yeoman, greeting in our Lord God everlasting

Know that we the said William Fisher for diverse reasons and in consideration of the sum of seven score pounds of current monie of England to me, before the sealing and deliverance hereof, by the hands of Nicholas Hartley of Miterdale in the said county, yeoman, well and truly paid - and wherewith I the said William Fisher do acknowledge myself fully satisfied and I do acquit and by these presents clear and discharge the said Nicholas Hartley... And in consideration

hereof I have given bargained and sold to the said Nicholas Hartley and his heirs executors and assignes for ever all myne interest right title inheritance claim possession demesne and tenant right which I have or ought to have in and upon all that my marriage and


Inherent with all di rights and appurtenances
situated and being in Netherdale .. commonly known
by the special name of Dailhead now or late in
the tenure and occupation of me the s^r William Spicer .
parcell of the possession and inheritance of the
Right Honourable the Earl of Northumberland and of
the small or yearly value of Six shillings and eight pence
half penny by the year .. Together with all & singular
the premises .. buildings .. barns .. stables yards
tofts and crofts grounds arable meadows .. pastures
Commons, Common of pasture, timber, mosses, warles
bushes and all appurtenances whatsoever .. as fully
... as I the said William Spicer .. have had and used ..

And all that message and Tenement I do confirm
to the use and behoof of the said Richard Hartley &
according to the ancient and laudable customs allowed
written the Lordship called Tmunt right .. yielding and
rendering therefore yearly to the said Earl .. the usual
rent aforesaid and all other duties, suits & service
customs, fines and heriots as are due

And I the said William ffisher do promise ... by
these presents to give to the said Nicholas Hartley
within 30 days next ensuing peaceable possession ...
Also I do promise to come before his Lordships Commissioners
when letine of attendance and surrenders are to be taken
and then without fraud then and there in my own person
will deliver up and surrender up the said marriage ...
and give all other such good and lawful assurance for
the title and inheritance as the said Nicholas Hartley, his
heirs or their Councell learned in the law shall lawfully advise.

1 And I declare by the secrecy of this deed that I am
the sole and lawful owner ... and that I lawfully possess the
and lawful and only in my own right ...

2 In witness to this my deed .. dook and bargain of fine I the
said William ffisher do put my hand and seal this ... day
of February in the vij year of the reign of our most gracious Sovereign
Lord James, by the Grace of God King of England France and Ireland
Defender of the Faith of Scotland the viij. At Don 1609.

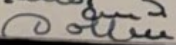
William ffisher  his mark

Signed in the presence of us

Edward Stanley

William Hartley of Langrig green

William Nicholson of Hothingham

Henry Hsally  and
Dollens, Comensary's Clerk

1613.

To all Christian people to whom this present writing shall come be seen read and understood

I William Tyson of Low Berkar in the Countie of Cumberland, Husbandman, send greeting in the Lord God everlasting.

Know ye that I the said William Tyson for divers reasons and good considerations me at this time therunto moving. And in consideration of the sum of Twelve pounds good and lawfull money to me already before hand paid by the hands of Thomas Tyson my oldest son - for the which sum of Twelve pound I the said William Tyson do acknowledge myself to have received and of every part and parcel thereof I clearly and absolutely acquit regenerate and discharge the said Thomas my eldest son ... by these presents ...

And for the which sum of £12 to me so truly paid I the said William Tyson do covenant and promise unto my said son Thomas Tyson to bargain and sell and convey clearlie and

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absolutely to the said Thomas Tyson my s^d son his
heirs and assigns forever by the licence of my
Land Lord Henry Fletcher of Moriceby in the said
County, Gentleman, all that my estate, title
and interest . . . in the tenement situate and being
within the bounds and Lordship of Birker known
by the special name of Low Birker and of the yearly
rent of six shillings and sixpence by the year to the
s^d Henry Fletcher and his heirs and assigns; together
with all and singular the houses edifices buildings orchards
gardens lands arable meadows pastures common
common pasture moors mosses wastes easements
conmodities and advantages whatsoever; and every part
and parcel of them. Hereof we arranged reserved and
decreed under the said yearly rent of vi s^d . . .
[But] the moiety or regular half part of the said
messuage or tenement to me the s^d William Tyson
and Elizabeth now my wife during our [life] or the
longer survivor of us [is] to ourselves excepted and
reserved - paying half of the s^d rent with

half of all the other accustomed duties and services,
during our lives or the longer lives of us two.

And ^{then} the said Thomas his heirs and assigns to pay
the whole rent to the s^d Henrie Fletcher his heirs & assigns
at the places and times then usual and accustomed, together
with all other duties suits and services due.

And I the s^d ~~Thomas~~ William Tyron ... promise ... the
s^d Thomas Tyron & his heirs that he and they at all times
and from time to time shall enjoy possession ... in such
manner as in this deed is expressed without disturbance
of me or any other person ... mine own occupations
and that of my wife of the one half during the longer
lives of us two ... unless excepted and reserved.

And I do for the aforesaid covenant promise that I have not
done nor hereafter will do nor consent to do any hurt
to this my present deed

In witness to this my deed I the s^d William Tyron do set my hand
and seal the 6th day of August in the 11th year of the reign of
our most gracious sovereign Lord James by the Grace of God, King
of England France and Ireland, Defender of the Faith; and of Scotland
the VI. An^o 1613

W. Tyron This mark
i the presence of John Tyron. Wm Singleton, Clerk, Jan Singleton
and Melchor Casadal.

✓ To all Christian people to whom this present writing shall come, or the same that here see or read know that I John Besbrowne of the stole house in Ulfha in the parish of Milton in the countie of Cumbria, husbandman, sendeth greeting in our Lord God everlasting.

Know ye all that I John Besbrowne - ffos and in consideration of the full and competent sum of thirty six pounds 7 s shillings of lawful money of England to me in hand paid at and before the sealing and delivery of these presents by John Mowson of Great Braken that alias The Hall in Ulfha apysaid and in the same parish and Countie, husbandman, whereof I acknowledge the receipt, and thereof and of every p^{te} and p^{cell} thereof do clearly acquit and discharge the said John Mowson, his heirs, executors, administrators and assigns and every of them for ever by these presents hath given granted, aliened bargained and sold and by these presents

with the licence and consent of the Right
wors^{pe} Sir William Huddleston of Millons
Castle my landlord and in the Countie
aforesaid Knt doe give grant alien bargain
and sell unto the said John Mowson
all the moiety and also one half of all my
messuage tenements and farmhould commonly
called and known by the name of Holehouse
situate and being in the township of Holford
the whole tenement being of the yearly rent of
Eight shillings and seven pence and now or late
in the possession of me the said John Bestrowne
or of my assigns together or else with the full
one half of all and singular the Houses, edifices
buildings orchards gardens lands arable meadows
pastures commons common of pasture turbarie
moors mosses waters waies wastes reservoirs
liberties profits commodities whatsoever belonging or
in any wise appertaining And all my whole
estate and tenement of and unto the

the s^d half part or of in or unto any pt or p^{ce}ll .

To have and to hold the said moortie
and one half pt of the said messuige Tenement and
farmehold with all and singular the appurtenances
to the same belonging or in any wise appertaining - to
him the said John Mowson his heirs or
assigns forever according to the Custom of the
Manor of Millom in the said Countie of
Cumbriaud - to hold and yielding and paying
therefore to the Lord or Lords of the fee the
moortie and one half of the yearly rent aforesaid
and all other duties rents and services due and
accustomed for the same

And I the said John Bestbrooke the moortie
and one half of the said messuige and tenement to
be divided as aforesaid unto him the said John Mowson
his heirs & assigns according to the custom aforesaid
against all people lawfully claiming the same or any
part thereof . . . shall and will aid and warrant
and defend forever by these presents clearly acquitted

freed and discharged of and from all and singular
... other gifts bargains sales ... troubles and
membrances whatsoever judicial or heretofore
this present deed by me the said John Besbrow
heretofore made done or consented in any way

And I the said John Besbrow ... do covenant ... to
the said John Mowson ... that I ... at the date hereof
am the true and rightful owner of the Tenant right ...
and that I have full power and lawful authority
with given consent aforesaid - to grant bargain
and sell the same to the said John Mowson ...

And that I the said John Besbrow and
my heirs with from tymer to tymer and at all
tymes hereafter within the space and termes
of three years next ensuing the date hereof
at the reasonable request cost and charges of then
the said John Mowson his heirs or assigns
Seal sign and deliver such further lawful
covenants or assurance of the Tenant right
as by then the said John Mowson his heirs or assigns

4050

or by his or their Council learned in the law shall lawfully and reasonably desire advice and require

In witness whereof I the said John Bestbrowne unto these presents have set my hand and seal the sixth day of May in the 13th year of the reign of our Sovereign Lord King Charles by the Grace of God King of England Scotland ff^{ce} [? France] and Ireland Defender of the Christian Faith. An: Don: 1661

Signed sealed & delivered in the presence of

Willia: Riddington

- William Carter
- William Tuman
- Hugh Atkinson his mark
- Robert Rawlison

John Bestbrowne J B his mark

1061.

[This deed witnesseth] (in latin)

That I John Mowson of Great Brackenhusali
in Welfra in the Countie of Cumberland, husbandman
~~and~~ ^{obliged} myself to Thomas Chrowson of Beggerhise
in Welfra in the said Countie, husbandman in a payment
of seven pounds of good and lawful englishe money
de solvend fide

The 23rd day of June in the thirteenth year of
Charles the second by the grace of God King
of England Scotland France and Ireland Defender
of the Faith .

maest

John † Mowson

[Some of the conditions are specified but no particulars
of the trust. The names and places are the only interest].

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1691.

Richard Dawson

came before the Court of Joseph Studdleston

the 22nd day of March 1691. - admitted as Tenant
of Laymegg.

Signed Joseph Studdleston.

1699. In the Name of God

The ninth day of July Anno Dom: 1699

I John Hartley of Milardale Head within the parish of Saint Bees and Countie of Cumberland, yeoman being in perfect mind and memorie, praised be God, make this my last will and Testament in manner and forme following: -

I give and bequeath my soul into the hands of Almighty God and Christ Jesus my merciful Saviour and Redeemer; and my body to be buried in decent Christian manner.

And as for my worldly goods chattels & personal estate I give and bequeath the same as followeth.

I give & bequeath to my son Nicholas Hartley one shilling in full for his share of my goods chattels Real & Personall & Estate

I give ^{to} to my son in law Edward Lomas and ^[wanna loom and 9] his wife five pounds in full for their share of my goods &

Item I give & to my son in law William Trouton & Bridgett his wife six pounds in full for their share of my goods &

Item, I give & ... into my son John Hartley four score [?] pounds.

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And all the remaind^r and residue of my goods chattels
rights credits and personal estate I give and bequeath
to my wife Elizabeth Hartley and to my son John
jointly whom I make whole and joint^{ly} executors
of this my last will and Testament they paying my debts
legacies and secondary expenses. It is my will and mind
that my wifes share and part of her executorship shall be
in full for her share and part forth of my goods chattels
and personal estate. This I declare to be my last will & Testament
In witness whereof I have hereunto sett my hand & seal the
day and year first mentioned in the presence of
Rob^t Stephenson. Rob. Tyson. John Nicholson.

* Ca W. vol XIV. p 166. Notebooks of W^m Thompson.

Manuscripts 1657 no 44. John Hartley of Myterdale
and Elizabeth Hunter of Wastdale head at Thornflat 13th June

John Parker Clerk, 10 June.

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(a scrap of paper $6\frac{1}{2} \times 4$ inches)

1715. Manor: de Aueskieli & Birker.

Court Baron and Customary of John Stanley, Lord of the
8^d manor held in aid for that manor 25th day of January
of the reign of George King of Great Britain & Ireland
Anno Dom: 1715. by John Newcastle Steward of the S^d Court.

Memo: At this Court came Joseph Sharpe and took
of the s^d Lord the customary message & timent with
the appertinances within the s^d manor of the annual
or yearly Customary rent of six shillings & six pence
late in the Tenure of the s^d Joseph Sharpe - but now
in the hands of the s^d Lord to be granted upon the
death of Edward Stanley my late Lord of the
s^d manor. To have and

The scrap does not name the customary holding
but the Rolls of the Court of later date show that it must
be the titheli called Low Birker. In 1765 John the son
and heir of Joseph Sharpe deceased was to be admitted as
lessee and paid £4.6.5. The titheli was made a
freehold about 1772.

1719.

Mann^r de Millom in Count. Cumb^r:

The 3rd day of August in the fifth year of the
reign of King George. An. Dom 1719.

Memorandum: That at the day and year above
written William Hunter of Park Head in this
County, Yeoman, came before the Worshipful
Ferdinand Studdleston of Millom Castle in
the said County Esq^r, Lord of the s^d Mann^r and
is by him admitted Tenant for a messuage & Tenement
and of all & every the appurtenances thereto belonging
situate, lying and being at Park Head within the
s^d Mann^r of the yearly rent of Five shillings & four pence

To have and to hold the s^d messuage & Tenement
with the appurtenances unto the s^d William Hunter
his heirs and assigns for ever - of the s^d Lord
and his heirs according to the customs of the
said Mann^r - Yielding, paying and performing

1050

all Rents, Fynes, Boons, Herriols, Dues,
Dutys and Services due and of right accustomed
to be paid, done and performed for the same
and hath paid for his generall fyne and admittance
two pounds - and is admitted Tenant according
to the custom of the said manor

Rent 0. 5. 4

Generall fyne 4. 0. 0

Per Hudleston

(a scrap)

[probably should be in the same form as the preceding page]

1719

memo:

On the third day of August in the fifth year of King
George our: Dom 1719 Richard Danson of
Layrige came by the Worsley Forder and Studerlin
of Millom Castle her ... and is by him admitted
Treasurer of all that messuages and Treasurers
situate and being at Layrige of the yearls,
rent of six shillings and fourpence.

Richard Danson bur: Feb 28. 1725. 6.

In 1725. George Danson was admitted.

In 1731 George Danson came by William Studerlin
and paid for Layrige a General Fine £4. 15. 0

No date copied.

An indenture made between

John Myers, yeoman, of Towu and Wiltbeck and
William Myers of Swinside, yeoman - on one part
and George Danson of Leynigg on the other part
witnesseth that John Myers and William Myers
sold a right of getting turf at Gultorby.

George Danson was admitted to Leynigg in 1725 and the
Registers show that he was buried March 22. 1745-6.


Between these years 1725-1745 no one of the name of
Myers held possession of Swinside in Hall Records nor
at any approximate dates before or afterwards.

John Myers was a yeoman in Wiltbeck and he and
William Myers also a yeoman are in ownership of land
in Gultorby - The Registers of Wiltbeck would probably prove
the burial of William Myers - but this seems additional proof
that there was a Swinside in the Annay area of Wiltbeck
vid C & W. Trans: Vol VII. F.F. no 62.

5th away Church matter.

1724

May 28. 1724. Thomas Viccars of Knottend in Berkeby
and John Wasdell of Bank House, Eskdale,
Yeomen do promise to pay to Edward Tyson,
of Church House and to John Dickenson
of Harriet House, Churchwards [of Eskdale]
for the time being the sum of £11 with interest
at 10^d a pound - being of the Poor Stock
belonging to the Chappelry of Eskdale

Thomas Viccars his mark 

John Wasdell.

1738.

April 3rd 1738. We Edward Tyson of Pietnest and
Joseph Sharpe of Low Birkin within the parishes
of Millom, Yeomen, have borrowed £10 of the
Poor Stock at interest of 9^d in the pound for
the use of the poor people of Eskdale

Thos Parker.

[Christie v.s. Viccars]

John Hartley
John Nicholson

Edward Tyson
Joseph Sharpe marks



1740.

Manor of Austlew^e & Birkin.

27th day of Dec. 1740.

Rent. ^{l. s d}
0. 6. 0

Fine 6. 0. 0

Forest
meal. ^{l. s d}
1. 5

Be it Remembered that this day came William Satterthwaite before me Edward Stanley Esq. J^d of the manor afo^d and did surrender into my hands all that his messuages and Tenement called Cragg and the lands and grounds belonging with their and every their appur^ts situate lying and being within the manor afo^d of the antient yearly Customary Rent of six shillings; and one shilling and five pence fforest meal — to the use and behoof of William Rogers his heirs and assigns.

And thereupon came the s^d W^m Rogers and took of me the s^d messuages and Tenement with appur^ts to hold to him the s^d W^m Rogers and his heirs and assigns forever according to the custom of the s^d manor yielding and paying therefore to me and

my heirs and Successors, Lords thereof, the
3^d annual or Customary Rent of six shillings;
and one shilling and ~~ff~~ five pence for forest mead
yearly and doing paying and performing all other
dues, duties, heriots suits and services therefore
due and ^{of} right accustomed at the days and times
accustomed

And the 5^d William Rogers, having compounded for
and paid his fine for the premises as in the margin,
is thereupon admitted by me.

In 1771 William Rogers surrendered the premises
for the use of John Vicars who was admitted
in 1772. John Vicars is described as Freeholder.

Cragg at Midden has long been united to
other lands it was probably between Second House
and Field Head some where at the back of Forge

1741. turn on a later page

1746. Manor of Mellon in Countie Anub^d.
At the Court Baron of William Crake and
William Colwinfield, Justs., Trustees under the
last will of William Studerion Esq. deceased, held
at Salt House on 21st of October 1746
Came Frances Dawson ... and was admitted
Tenant ... of Laynigg.

1783 Manor of Mellon
Court Baron and Customary Court of Dimesion
held May 9th 1783. To this Court
came John Brockbank son and heir of
Niles Brockbank deceased and prayed to take
and was admitted to all ... the Tenement ...
of Laynigg. of Customary Rent 0. 6. 0
Frie 6. 0. 0.

1794 Manor of Mellon - Court Baron, General Court
of Dimesion held 4th June 1794 upon the

death of Dame Elizabeth Williams or Park
General Admalty Lady ... came — and
prayed to take.

Signed. Lousdale.

1759. An Indenture made between John M'Pherson of
Dunmurry Well, yeoman and John Dawson of Wulcher
whereby the s^d John M'Pherson doth in consideration
of the sum of £40 and with the consent of
Sir Hedworth Williams or, Baronet, and Dame
Elizabeth his wife, Lady of the Manor of Mellau
sell unto him the s^d John Dawson, all that
Customary messuage and Tenement situate at
Wulcher held of the s^d Lady by a payment of
the yearly Customary rent of 2^s. 10^d
dated 8th May, 32nd year of George II. 1759.

Manor of Austerley and Birkw.

27th day of November 1888.

Customary Court Baron and Special Court of Dismissals
of Edward Stanley.

To this Court came Ann Wilson, widow & devisee
of John Wilson late a Customary Tenant and prayed
to take all the messuages and Tenement called Whincop
[no 24] of the Customary Rent of 8^s 6^d. She paid
£8.10.0 for a fine and an income fine of 10/.

also the sum of £5.0.0. in lieu of a Heriot on the death
of John Wilson her late husband. Also

for the messuages & Tenement [no 26] on the same ten.

Also the same Ann Wilson came to the same Court
and prayed to take all that messuages and Tenement called
Windygap [no 15] for which she paid Fine £7.16.8
and income fine 10/ and the sum of £5 in lieu of a Heriot

an old vol.

1781. Sep 17 M^r Warrington of Booth leased to Mrs Ann Davrack the messuage & Tenement of Gurnet Ground in the occupation of a family called Chemley. A rent of 1 peep per cow at the farm of St John the Baptist and a Tithes of 1st 7^d formed part of the terms on which the farm was held.

1681. The conveyance of a Customary Tenement at Kirkcanton of the rent of 5^s 1² was made with the licence of Ferdinand Studerlin by his signature dated Dec. 13. 1681 between Miss Katherine Tubman, Vendor and M^r Thomas* Whitehead, purchaser.

Reg.:

*

Thos Whitehead of Kirkcanton in Anns Muncaster. 1677.

Myles S of Thomas Whitehead of Kirkcanton 6th Feb. 1683.

1741-2 (also quoted elsewhere)

An indenture made Feb 2. in 15th year of George II.
William Audsed Studleson of Stutton Jolun on the
first part, Ferdinand Hunter of Cef/lehead on
the second part and William Studleson of Mellon
Castle on the third part - Whereas Ferdinand
Hunter stands possessor of Parkhead Holden
of the said William Studleson as parcel of his
said Manor or Lordship of Mellon by payment
of the yearly Customary of Five shillings and
fourpence and a Twenty penny fine upon
the change of every Tenant by death or alienation
and also a fifteen penny fine or fifteen times
the old rent for a fine upon change of every
land by death and other fines heriots boons
deers duties and services

(no more copied)
vid 1719.