THE STOUGHTONS OF NEW ENGLAND: THEIR ALLEGED ELYS-NOTEBEME ANCESTRY

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ABSTRACT

An interesting descent from Thomas Elys, a late-14th-century M.P. for Sandwich, is claimed for the precursors of the New England Stoughtons in the 1619-21 Visitation of Kent. However, evidence of telescoping in the pedigree invalidates it in the form currently accepted. We attempt to determine how much of the line can be salvaged, and suggest possibilities for further research.

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The 1619-21 Visitation of Kent (Hovenden, 1898) gives the following pedigree, here translated from Latin, and with generation numbers added for convenience:

1. Thomas Ellis, founder of St. Thomas Hospital at Sandwich.
2. Constance [Ellis], daughter and heiress; m. (1) John Sepuans [*sic*]; m. (2) John Notbene [*sic*].
3. Alice ["Notbene"], her father's coheiress; m. (as his first wife) Richard Exherst, *armiger*.
4. Mary [Exherst], wife of Edward Stoughton.

Dates are completely absent. Except in the work of Hasted (1797-1801), who carefully avoided repeating the supposed first name of the "Notbeame who married Constance, widow of John Septvans," this pedigree was followed fairly uncritically by several prominent Kent antiquaries. William Boys (1792), in his *Collections for an History of Sandwich*, added some worthwhile detail and corrected the misspellings, but inadvertently deleted the third generation. Berry's well-known *County Genealogies* (1830) reproduced the pedigree exactly, *sans* dates and with all the misspellings intact. William Smith Ellis (1857), in *Notices of the Ellises*, added some further detail for the first two generations, while leaving the basic assumptions of the pedigree unquestioned. Such was the prestige of these authors, that when in 1958 Ethel Stokes proved that the last couple in the lineage were ancestors of most of the New England Stoughtons[2], many Americans hastened to claim the above lineage as their own, without regard for the chronological difficulties entailed. The line has been incorporated into various printed works, and a search of the World Wide Web conducted in November 2002 under the spellings Exherst and Exhurst found six sites avowing the Elys-Notebeme-Exherst descent solely on the basis of the Visitation pedigree or its commentators, if indeed they cited any source at all.

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2 A great-grandson of Edward Stoughton and Mary Exherst was the subject of the study *The English Ancestry of Thomas Stoughton (1588-1661)* …, "English research authorized by Frederick Arthur Stoughton through [*sic*] Ethel Stokes of London, Genealogist, supplemented and organized by Ethel McLaughlin Turner and Paul Boynton Turner" (1958). This Thomas Stoughton (actual dates 1593-1661) and his brother Israel are treated in Robert Charles Anderson (1995). They were followed to America by at least two of their sisters, Judith (Stoughton) Denman Smead and Elizabeth (Stoughton) Scudder Chamberlayne – the latter being often mistakenly called "Anne" or "Christian" until she was properly identified by Jane Fletcher Fiske (1997).

The pedigree's later historiography – which has remained largely unnoticed by American writers – has not on the whole been a happy one. In 1864 J.R. Planché published his recklessly-revisionistic *A Corner of Kent*, which insisted at considerable length but little logic that Constance Elys married *Gilbert* Septvans and *John* Notebeme[3]. His forcefully-expressed opinions concealed gross mishandling of the evidence, and misled generations of writers after him. William Smith Ellis (1881), in a supplement to his work on the Ellises noted above, actually altered his previous conclusions to accommodate Planché's claims. Planché's speculations were elaborated upon by Sir Reginald Tower (1928) in an imitative and amateurish monograph on the Septvans family, and some of the errors even crept into the work of the generally fine scholar Arthur Hussey (1915 [p.48], 1936)[4]. Thankfully, a recent refutation of Planché's thesis by Dr. Linda Woodger (now Dr. Linda Clark) (1992a) settled the point once for all that the two husbands of Constance Elys were *John* Septvans and *William* Notebeme.

In order to assess the 1619 pedigree, it is necessary to establish it within some time-frame. Boys' valuable *Collections*, which respect the mediaeval spelling of the surname, note that "Thomas Elys was a wealthy draper at Sandwich, and is mentioned by Rymer (*Foedera,* vol. 7, p. 178) as having lent forty pounds to king Richard the second, in the first year of his reign [*i.e.* 1377-78] to supply his necessities" (Boys, 1792). This "wealthy merchant who sat for Sandwich in the 1370s and 1380s and died in 1391, having founded in the town both a chantry in St. Peter's church and the hospital dedicated to St. Thomas", is mentioned in passing by the aforementioned Dr. Linda Clark (Woodger, 1992b)[5]. With the date of his birth thus suggested as prior to 1360, it may well be asked how Thomas Elys could have been great-grandfather to Mary Exherst, whose husband's date of birth can be pretty reliably fixed at 1494-95[6]. This difficulty is particularly acute as the line, which would ostensibly require an average generation length of over 44 years, runs almost exclusively through females[7].

But despite the manifest evidence of telescoping in the 1619 pedigree, we are reluctant to reject its statements entirely. Not least of its claims to our attention is the fact that in the circumstances of the Visitation's composition in the early 17th century, and considering the relative obscurity of most of the personages concerned, it would have been simply impossible to have assembled so much authentic material – however badly garbled or misplaced – without recourse to family muniments[8]. Even in the succeeding centuries, as the local fame of Thomas Elys led to systematic searches for evidence of

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3 Planché (1864). The nadir of his discussion of these families is surely reached at p. 335, where he silently changes a contemporary reference: "Dame Alice Septvans, the widow of *Thomas* Septvans, Esq., late of the parish of Ayshe beside Sandwich", to read '*Christopher* Septvans' (for the true reading see Hussey, 1925).

4 Also in several places in his edition of "Ash Wills" (Hussey, 1920-25).

5 We wrote in October 2001 to Dr. Clark asking if the draft of the forthcoming entry for Thomas Elys of Sandwich was in preparation (as the *History of Parliament* project makes these drafts available for examination), but were informed that "it will be a very long time before biographies of the MPs of the earlier part of the 14th century will be written, as the period before 1386 has not yet been started by staff."

6 He was 75 years of age in May 1570, per a deposition cited in *The English Ancestry of Thomas Stoughton*, p. 52, see note 2 above.

7 This problem, which I pointed out in 1999 in my Exherst webpage at: http://cybrary.uwinnipeg.ca/people/Dobson/genealogy/ff/Exherst.cfm, was independently noticed by Brice M. Clagett (personal communication), and I believe we have arrived at much the same conclusion.

8 It will be noted that the pedigree correctly names Richard Exherst's father, John Exherst (*see below*), whose will was proved in 1493 and who had therefore died at least 126 years earlier. This was a man of whom there are but scant traces in the public records of the time.

the descent in the public records, considerable exertions were required to achieve even minor corrections in the account.

Working backward from the most recent generation of the pedigree, we note that a suit in Chancery was brought against "Edward Stoughton of Ash by Sandwich, gentleman, son-in-law of Richard Exherst, and Francis and Thomas his sons," by Walter Mayney concerning the "detention of deeds relating to the manor of Exherst in Staplehurst, bought of John Monnynges, of Dover, gentleman, and Margery his wife."[9] We have already noted Edward Stoughton's birth in 1494-95. The 1574 Visitation of Kent (Bannerman, 1923-24, vol. 2, p.35), made not more than a year after his death, corroborates the name of his wife as "Mary daughter of Richard Exherst."

Next, Richard Exherst can be reasonably assumed, on various grounds, to have been born around 1463. The possibility that his wife was named Alice is lent some credence by the bequest to Richard Exherst of "a pair of red amber beads" and to Alice Exherst of "a pair of coral beads" in the 1501 will of Master Walter Sherborne, priest in the Septvans chantry at Ash-next-Sandwich (Anon., 1925a). However, according to the 1619-21 Visitation of Kent (Hovenden, 1898), the name of Richard Exherst's mother – who may well have been still alive in 1501 – was also Alice[10]. Richard Exherst himself apparently left a will, as "Thomas Iden and John Pennell, executors of Richard Exherst of Ash by Sandwich" brought a suit in Chancery against Robert Norwiche, serjeant-at law, relating to the manors of Goldstone and Lees[11]. Such a document would doubtless be illuminating if it exists, but it is not to be found in a published collection of Ash wills (Hussey, 1920-1925) and we have failed to discover a reference to it in any catalogue. Thus, although the name of Richard Exherst's wife may be tentatively stated as Alice, we can adduce no evidence that she was by birth a Notebeme.

Now let us examine the *early* generations of the Visitation pedigree, this time working forward from Thomas Elys. The licence of mortmain, dated 20 Oct. 16 Ric. II (*i.e.* 1392), which served as a foundation charter for the Elys chantry alluded to above, stipulated that "masses were to be celebrated every day for the souls of Thomas Elys and Margaret his wife; Thomas, Cicely, John, Mabel, Richard, Fitzbernard, Richard, Beatrice, John, Joan, Margaret, William, Constance, Thomas, Isabel, John, Joan, Helen, William, Amy, Gustach, Joan, [and] John, their sons and daughters...."[12]. Although the chain of evidence is complex, we see no reason to doubt that this Constance was the "wife Constance" mentioned in the 1396 will of John de Septvans, who requested burial at Ash-next-Sandwich (Anon., 1925b), but was evidently of Sittingbourne,[13] and the wardship of whose "lands and heir" were confirmed on 18 Sept.

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9 Public Record Office, Kew, England. *Court of Chancery: Six Clerk's Office: Early Proceedings, Richard II to Philip and Mary*. Online catalogue reference C1/1450/16-19. http://catalogue.pro.gov.uk/ (which supplies no date for the document).

10 The will of John Exherst, of Ash-next-Sandwich, proved 1493, Canterbury Archdeaconry Register, vol. 5, fo. 353 [FHL 188,920], is very difficult to read in the microfilm copy, and while a reference to "Richard Exherst my son" can be seen, we have not located a reference to the testator's wife.

11 Public Record Office, Kew, England. *Court of Chancery: Six Clerk's Office: Early Proceedings, Richard II to Philip and Mary*. Online catalogue reference C1/421/80. http://catalogue.pro.gov.uk/ (which supplies no date for the document).

12 We quote the translation by Boys (1792, p.186), since it corresponds perfectly with the Latin original which he prints on pp.190-193. The date of the licence is supplied by Ellis (1857, p.176).

13 Of his son, John Septvans (the younger), the valuable information (Hussey, 1920-25, vol. 36, p.54) that his tomb was "said to have been brought from Sittingbourne Church" led us to consult Weever (1631) where, under the account of Sittingbourne (near Maidstone), occurs the following transcription: "Pray for the soule of Iohn Septvans Esquire, of the Isle of Thanet, sonne of Iohn Septvans, of this parish [*i.e.* Sittingbourne], Esquire, and for the soule of Katherine his wife. Which Iohn dyed Decemb. 18. 1458." Planché's outlandish claim (Planché, 1864, p.321) that he was "Esquire of the Body to King

1396 to the Archbishop of York[14]. John Septvans is said to have died in September of the 20th year of the reign of Richard II [*i.e.* 1396], leaving a widow Constance who was subsequently remarried to William Notbeame (Ellis, 1881)[15]. This man's surname has usually been modernized as Nutbeam, but most of the contemporary references are spelled Notebem(e) or Nottebem(e)[16]. Constance was presumably the "Custancia Notebem" who in 1431 was assessed for £5 for "certain lands and tenements, with appurtenances, in the parish of All Saints" of which she was seized, this parish being in the Isle of Thanet, immediately adjacent to Ash[17].

But although she was evidently still alive in the 1430s, Constance (Elys) Notebeme, who was first married well before 1396, could by no possibility have been the mother of (the purported) Alice Notebeme, who cannot have been born before the 1460s. Constance's only known child by her second husband was the latter's heir, John Notebeme, as revealed in Dr. Clark's excellent "William Nutbeam" article (Woodger, 1992a). This John, who was presumably born not later than 1410, was still alive well beyond 1421. Clark states that he "held land in Stratfield Saye, Hants, and at Selmeston, Suss[ex]," [18] and we have located a document mentioning "William Bisshop and Margery his wife, John Webbe and Joan his wife, daughters of John Nutbeme and of Agnes his wife," in connection with land at Selmeston aforesaid[19]. But there is no mention in this document of John Notebeme having a daughter Alice, and none has been found elsewhere. Conceivably, Margery (Notebeme) Bisshop or Joan (Notebeme) Webbe might have been Alice's mother – this presents no obvious chronological problem – but we have found no evidence for such a possibility.

Regrettably, then, we must conclude that any connection of the Notebemes with the Exherst and Stoughton families remains unproven, the 1619 Visitation pedigree breaking fatally between the second and third generations. We hope this article may serve as a stimulus to others to seek out further documentation which might resolve the matter.

Henry VI" is probably a garbling of the statement in the 1530-1 Visitation of Kent (Bannerman, 1923-24, vol. 1, p.79) that a John Septvans was "Lieutenant to John Lord Gray of Codnor, at Harflet [*sic*] in Normany in the wares of Henry the 5[th's] tyme" — a statement which, while it is obviously placed at the wrong generation in the pedigree, is quite possibly correct, as John Grey, 5th Lord Grey of Codnor, was indeed stationed at Harfleur during 1418 (Cokayne, 1926). College of Arms MS D13, printed in the 1530-1 Visitation of Kent (Bannerman, 1923-24, vol. 1, p.18) states that John Septvans (the younger) died "sans yssue" and credits him with two younger brothers, Thomas and Gilbert, of whom the latter's issue was then extant. The existence of Thomas is confirmed by a Latin inscription formerly to be found in Sittingbourne church, praying for the souls of "Thomas Septvans and Constancia his mother," and illustrated with the arms of Septvans and Elys, preserved in Philipot's "Church Notes," Harleian MSS 3917, p. 39, and quoted by Ellis (1857, p.283).

14 *Calendar of Fine Rolls*, 11:188.

15 Citing De Banco Roll, Trinity Term, 1 Henry IV [*i.e.* Spring 1400], membrane 215, which we have not seen.

16 As pointed out in Webb (1899) and also by (Reaney, 1958), notebem[e] was a mediaeval term meaning nut-tree. The 17th-century herald John Philipot, in his "Church Notes," records the arms of the "Notbeame" family in St. Nicholas Church, Ash-next-Sandwich, as *gules, a fess nebulée ermine* (Councer, 1980, citing British Library Egerton MS. 3310).

17 Evaluation of Ringeslo Hundred, Kent, 1431 (Public Record Office, 1904, our translation). Evidence for this identification may be found in Public Record Office (1915), which reveals that in 1437 her son, John Septvans, "of the parish of All Saints, Thanet," made grant of lands described as "late of Thomas Eleys or of Thomas Chyche, in the parish of All Saints in the Isle aforesaid or elsewhere in co. Kent."

18 Citing PRO Court of Chancery 1/11/496 and *Sussex Feet of Fines*, no. 3010.

19 Public Record Office, Kew, England. *Court of Chancery: Six Clerk's Office: Early Proceedings, Richard II to Philip and Mary*. Online catalogue reference C1/32/307. http://catalogue.pro.gov.uk/ (which supplies no date for the document).

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