my seyd trusty servaunt Richard Gifforde for hys dylygent labor in executynge of thys my presente testament and laste wylle one hundred merkes. Item, to the seyd John Deane and Sir Robert Kynge to eyther of them for theire lyke labors xx*li.*; and to Sir Thomas Coo my chapelyn, for his dylygence in the same behalfe, xx merkes. In witnesse wherof I the aboveseyd Sir WILLIAM SAY Knyght have subscribed this my present testament, conteynynge my last wylle, with myn owen hande, and thereunto sett my sealle the day and yere aboveseyd.

Witnesses in the same, that is to say, Jaspar Horsey, Thomas Lutman, William Trafforde, Water Percy, John Nixon, Sir Robert Madoke priest, and Thomas Carmarden.

Et sic laus et honor Deo.

G. J. A.

PEDIGREE OF THE "YATES OF CHESHIRE," AND THEREIN OF DR. THOMAS YATE, PRINCIPAL OF BRASENOSE COLLEGE, OXFORD.

OF the family of the Yates of Cheshire, of which Dr. Thomas Yate, Principal of Brasenose College, Oxford, was a member, no connected pedigree has, I believe, been hitherto published. Having searched both through the County Histories and Heraldic Visitations, from which I was enabled to gather only the names of individual members of the family, I took some trouble in consulting the parish registers, and wills proved in the diocese of Chester; and from these, and other sources[a] to which I have had reference, I have at length been enabled, correctly, I think, to deduce their descent, as in the following pedigree:

[a] I am indebted to Mr. Ormerod, the Historian of Cheshire, for a sketch of the early descent of the family which he kindly furnished to me. In a note to his History, vol. iii. p. 140, he says, "The family of Yate, or Yates, were settled at Middlewich for many generations, and allied themselves to various considerable county families. In Harleian MSS. 2161, is a pedigree of the family brought down to Thomas Yate, apparently the same person with the husband of Mary Leftwich (vide pedigree), and commencing with the great-grandfather of Thomas Yate, Principal of Brasenose." The reference here given proves to be unfortunately incorrect. I have searched through the whole of the number of the Harleian MSS. alluded to, but find no mention of the Yate family. There can be little doubt, however, I think, from the circumstances stated, that the pedigree is to be met with somewhere in the Harleian MSS.

PEDIGREE OF THOMAS YATE, PRINCIPAL OF BRASENOSE COLLEGE, OXFORD.

Thomas Yate, living in Cheshire about the close of the 15th century. = Alice Swetenham, (a) sister of Margaret, wife of Thomas Wilbraham, of Woodhey, co. Chester.

William Yate. = Ellen, daughter of ——— Kynsey, (b) of Blackden, co. Chester.

Thomas Yate of Middlewich. = Margaret, daughter of ——— Carter.

Thomas (c) Yate, of Middlewich, b. there an. 1603, entered at Brasenose Coll. Oxford in 1619, elected Fellow 16th June 1623, ad præsentationem Regis, inducted to the rectory of Middleton Cheney, Northamptonshire, 30th Sept. 1633, and graduated D.D. 1st Aug. 1660. He married Elizabeth, (d) dau. of —— Bartlet, of Gloucestershire, and wid. of Sir Richard Cave, Knt. of Stanford, co. Northampton, who fell at the battle of Naseby. Was elected Principal of Brasenose College 13th July 1648, and died 22 April 1681. His widow survived him until the 11th Jan. 1688, when she died at the age of 80, and was buried in the same vault (e) with her husband, which was in the Cloisters of Brasenose College, near the entrance of the ante-chapel.

Jeremiah Yate, M.A. of BrasenoseColl. d. 31 Jan. 1680, and was bur. in the Cloisters of the College.

1st wife Jane Meriel. = William Yate, of Middlewich, esq. 3rd son, compounded with the Parliament at the sum of 17*l.* for his Cheshire estates in 1645. = 2d wife, Mary, dau. of Thos. Holinshed. (f) = 3rd wife, Katharine (who died in 1647), dau. of ——— Walley, (g) of Stanthorne. = 4th wife, Katharine, dau. of George Malbon, (h) of Bradeley, co. Chester, and wid. of Geo. Reynolds. She died in Oct. 1667.

William Yate.

Frances.

a

b

Jesse. Daniel. bap. at Middlewich, 28 Ap. 1611. Benjamin. Israel.

Jonathan Yate, in holy orders; M.A., of Brasenose College, Rector of Blysworth and Vicar of Spratton, co. Northampton; had a son Jonathan, who died in 1680, and was buried in Stowe church, Northamptonshire. (i)

Samuel Yate, bap. at Middlew. 30 Jan. 1620, gradua. at Brasenose Coll. was Curate of MiddletonCheney, from the Restoration until the 8th May 1678, when he succeeded his bro. Dr. Yate as Rector, and held the living till his death, 7 April 1693; was bur. at Middleton, & had issue.

c

Ellen, w. of Edw. Lowe, gent.

Sarah, w. of Laurence Foster.

Peter Yate, of Middlewich, esq. obiit Oct. 1707, and was bur. at Middlewich 22d of that month. = Alice, dau. of —— Walley, of Stanthorne.

a

Thomas, citizen and mer. of Lond.

William.

b

Samuel, bur. at Middlewich, 2 Aug. 1558.

Jonathan.

Philip.

Margaret.

Katharine.

Anne.

c

William Yate, of Brasenose College, graduated there M.A. 16th April 1668, and became soon after a Fellow; d. 8 Nov. 1679, aged 33, and was buried in the Cloisters.

Thomas Yate, M.A. Fellow of Brasenose Coll. one of the executors of his uncle the Principal, died in College 4 Jan. 1682, and was buried in the Cloisters.

Peter Yate, of Middlewich, esq. lord of the manor of Ravenscroft by purchase, 27 Sept. 1704, and owner of leasehold estates in Newton, died in 1725, and was buried in Middlewich church. Will (k) dated 29 Nov. 1722, proved 11th January 1725.

Thomas Yate, of Middlewich, born 1667. He was M.A. of Brasenose College, and elected a Fellow 21 May 1690; died 25 July 1747, and was bur. at Middlewich. In the church is a monument to his memory, and that of his wife. = Mary, second dau. of Leftwich Oldfield, esq. by Alice, daughter and heiress of Richard Howorth, esq. of Parkhead, Lancashire, and granddaughter of Leftwich Oldfield, (l) by Mary, daughter of Thomas Croxton, a Colonel in the Parliamentary service, and Governor of Chester. She died 10 August 1754, aged 78.

Jane, bapt. at Middlewich, 20 July 1665, marr. William Seaman, esq. of that place, and had an only son William, who died vitâ patris, leaving issue three sons, William, Peter, and John.

Mary, married —— Faulkner, of Liverpool, whose descendant Edward Faulkner, esq. of Fairfield, Lancashire, was High Sheriff of that county in 1788, and married Bridget, only dau. of Thomas Tarleton, esq. and sister of Gen. Sir Banastre Tarleton, Bt.

Alice, died young, and was bu. at Middlewich, 29 March 1669.

Thomas Yate, M.D. lord of the manor of Ravenscroft, and also owner of the manor of Sutton, co. Chester, by devise from his kinsmen, the Vernons of Middlewich. He was bapt. at Middlewich, 24 Sept. 1711, and died 24 March 1785. In Middlewich church is a tablet to his memory.

Peter Yate, of Middlewich, marr. and had issue. Articles of marriage dated 5th Nov. 1748; will dated 16 June 1774; proved 21st Dec. same year. =

Jane, b. 1710, marr. Smith Kelsall, esq. of Bradshaw Hall, Cheshire, great-grandson of Reginald Kelsall, of Bradshaw, and Mary his wife, widow of Sir Thomas Bunbury, Bart. and died in 1781.

Mary, died s. p. 30 March 1723, and was bur. at Mid. 2 Apr. following.

Elizabeth, bap. at Mid. 30 March 1700.

Oldfield, baptised at Middlewich, 15 Feb. 1758, practised the Medical profession at Wantage, in Berkshire.

William, baptised 16 April 1760.

Richard, baptised 23 June 1762.

Elizabeth, baptised 29 May 1765.

John, baptised 30 Nov. 1768.

NOTES TO PEDIGREE OF YATE.

(a) It is most probable that this lady was only half-sister of Margaret Wilbraham, but the relationship is given as above in the pedigree from which I have gathered several of my particulars as to the earlier history of the family, and which appears to have been drawn in 1685.

(b) There is a pedigree of this family given in the Visitation of Cheshire, 1663-4. Their estates at Blackden first came to them by the marriage of Robert Kynsey with the daughter and coheiress of William de Goostree. There are several memorials of the family in the churches of Sandbach and Goostry.

(c) There was formerly, and is still, I believe, a portrait of Dr. Yate in the hall of Brasenose College, in his robes as Principal.

(d) Sister of Lady Bateley.

(e) Over Dr. Yate's monument are the Yate arms, Party per chevron or and sa. three gates counterchanged; impaling Bartlet, Quarterly per fesse az. and gu. four crescents counterchanged.

(f) Of the family of Holinshed, of Holinshed, co. Chester, and of the same descent as Ralph Holinshed the famous historian and chronicler.

(g) There are monumental brasses to this family in Nantwich and Tawin churches, and in Vale Royal, ii. 83, their descent is given. Webb, in his Itinerary of Cheshire (written in 1621), speaks of Stanthorne at that time as being the ancient seat and descent of the Walleys. Saighton Hall and demesne, co. Chester, also became their property by purchase in the 17th century.

(h) Bradeley Hall and demesne was for several centuries the property and residence of this family, and was originally granted by Johanna, daughter and coheiress of William Malbank, Baron of Nantwich, to her kinsman William Malbon. Orm. Ches. vol. iii. p. 163, 172, and 235.

(i) In the north chapel of Stowe church is a marble slab to his memory, thus inscribed:—" H. S. E. Jonathan Yate generosus, filius optimus integerrimi viri Jonathanis Yate Rectoris de Blysworth in com. North'ton, e generosâ familiâ Yatorum de Middlewich in agro Cestrensi; obiit 7o die Martii ann. ætat. suæ 39o anno D'ni 1690."

(k) By his will (of which he appointed his brother Thomas Yate, and Matthew Burch, of Audley), in the county of Stafford, clerk, executors, after " comending his soul into the hands of God his Creator; trusting assuredly through his mercies and the meritts of his Lord and Saviour Jesus Christ to inheritt everlasting life, and comitting his body to the earth to be decently buryed at his seat door, in the south aisle, within

the parish church of Middlewich," he devised all his messuages, &c. within the towne of Middlewich aforesaid, and also his leasehold lands and hereditaments in Newton, unto his executors, in trust for the descendants of his sister Seaman; and to her grandson, William Seaman, he gave "all his household and other goods and personal estate, except his silver buckles, that he usually wore, which he gave to his nephew Peter Falkner, and a sett of large hollow silver buttons for a coat, being 36 in number, which he gave to his brother William Seaman." He gave also 20*l.* to pay off a debt with which the lands purchased for the poor of the parish of Middlewich stood charged.

(l) This gentleman was nephew of Sir Philip Oldfield and of William Vernon, the celebrated Cheshire Antiquary, who married Sir Philip's sister, Margaret, then the widow of Peter Shakerley, and by him mother of Sir Geoffrey Shakerley, Knight.

The name of Dr. Yate, Principal of Brasenose College, is closely connected with the most interesting annals of the University of Oxford; and during that eventful era in the history of England, the period of the Commonwealth, he suffered greatly from persecution for his loyalty and adherence to the constitution. Walker, in his account of the Sufferings of the Clergy,[a] says, "He endured many hardships in his living of Middleton Cheney until the year 1646, when he was totally deprived of it; which was," he adds "the more to be lamented, because he had prepared a short time previous stone and timber, &c. to build a parsonage-house there," which did not then exist. Dr. Yate was elected Principal[b] of Brasenose College, as stated in the foregoing pedigree, 13th July 1648; but he had held the office a very short time only when he was deprived of that appointment also, and was not restored to it until the 10th August 1660. He was twice delegated, with Dr. Fell, Bishop of Oxford, by James Duke of Ormonde, Chancellor of the University, to execute the duties of his office during his absence as Lord Lieutenant of Ireland.

[a] See p. 101.

[b] The circumstances of Dr. Yate's election to the Principalship of Brasenose College are thus detailed in the Annals of Oxford by Gutch. "July 10, 1648. After the removal of Dr. Radcliffe from the Principalship, a guard of soldiers stayed all day at the chapel and hall door to prevent the election of a new Principal. The fellows of the college therefore deferred until the 13th, and then chose Mr. Thomas Yate, one of their Society, in a chapel at the west end of the old library."

With the same learned and pious prelate too (associated with others[c]) he had a lease of the University Press, then in its infancy, for three years from Ladyday 1672, and under their judicious management and control the foundation of that important and beneficial institution was first laid. By his will Dr. Yate devised the advowson of the rectory of Middleton Cheney, and his messuage called Willoughby House, in the parish of St. Clement Danes, Middlesex, amongst other bequests to the University of Oxford. He also left a sum of 100*l.* to be laid out in the purchase of land, which he directed should be applied for the augmentation of Church's Scholarships; and out of the rents arising from Willoughby House, he gave 24*l.* a year for scholars to be chosen from Middlewich parish, with a preference in favour of those of the lineage of his father.[d] (Vide extract from his will hereafter.)

Dr. Yate attained considerable eminence as an antiquary. Sir William Dugdale refers to him frequently as his authority, calling him "his very worthy and much honoured friend;" and Dr. Fuller does the same, styling him "his good friend Dr. Yate." He left several MS. books of Notes made by himself, which are now in the Bodleian library at Oxford.

I subjoin a copy of the inscription on Dr. Yate's monument in the Cloisters of Brasenose College:

H. S. J.[e]

THOMAS YATE, S.S. Theologiæ Professor,
a Collegii hujus sociis,
quos anno MDCXLVIII.
ob fidem Regi, Ecclesiæ, ac Deo egregiè præstitam
proscriptio nobilitavit, in Principalem electus,

[c] Sir Leoline Jenkins, Knt. LL.D. Principal of Jesus College, Judge of the Admiralty, and Secretary of State to Charles II. and James II., and Sir Joseph Williamson, Knt. D.C.L. also Secretary of State in the time of Charles the Second.

[d] Dr. Yate was feoffee under the conveyance made by the Duchess of Somerset for the founding of the Somerset Scholarships at Brasenose College. The deed is dated the 17th of Feb. 1679, and is expressed to be made between the Right Hon. the Lady Sarah Duchess Dowager of Somerset, widow, of the one part, and the Right worshipful Thomas Yate, D.D. Principal of the King's Hall and College of Brasenose in the University of Oxford and the Scholars of the same College on the other part. It is enrolled in the Chancery Proceedings of Hilary Term 1679.

[e] Hic sepultus jacet.

a Parricidis democraticis
qui Academiam sub visitationis prætextu devastarunt
exauctoratus,
dignus quem viri optimi sibi præficerent et pessimi opprimerint.
Regiis auspiciis anno MDCLX postliminio restitutus,
injuriarum immemor
gregem sibi commissum non vi et imperiis
sed benevolentiâ et exemplo rexit,
literarum et pietatis studia promovit,
ædificia instauravit, et
rem familiarem auxit.
Tandem
desideratissimus senex,
collegii pater et patronus,
et tertius tantum non fundator,
post XX annorum pacatissimum in regimine decursum
et vitæ LXXVIII.
positis hic corporis exuviis animam cœlo reddidit.
Apr. XXII Anno MDCLXXXI.

Extract from the Will of Thomas Yate, Doctor in Divinity, late Principall of the King's Hall and Colledge of Brasennose, Oxford, (dated 7th Sept. 1680, and proved in the Prerogative Court of Canterbury, 16th May 1681,) as to the Scholarships founded by him, and his bequests to that College.

Whereas I stand possessed of a residue of a terme of yeares, in my own name, of and in one capital messuage or tenement, with the courts, gardens, yards, and stables thereunto belonging, scituate, lying, and being in the parish of St. Clement's Danes, in the county of Middl'x, known and called by the name of Willoughby House, heretofore in the tenure of S^r^ William Sudley, Baronet, since divided by me into two messuages or tenements, now or late in the possession of S^r^ Thomas Littleton, Baronet, and Rowland Jenks, Esq. And whereas I have purchased the inheritance in reversion after the said terme of years of and in the said two messuages or tenements in the names of John Danvers of Baynton, in the county of Wilts, Esq. and of George Hill, late of the said parish of St. Clement's Danes,

Esq. deceased, by the name of George Hill, of Clifford's Inne, Gent. I doe will and appoint the said John Danvers, and all other persons who may have any interest by virtue of the said grant of the inheritance, shall convey the inheritance in reversion after the terme of years now in being of and in the said two messuages or tenements unto the Principall and Scholars of the said King's Hall and Colledge of Brasennose in Oxon aforesaid, and unto their successors for ever; and as to the remainder of the said terme of yeares now in being in the said two messuages or tenements, I will and appoint that my said executors, the survivors or survivor of them, or the heires, executors, or administrators of the survivor of them, doe make a lease during the residue of the said terme of yeares, to commence immediately after the death and decease of my said deare wife, and not before, to some person or persons in trust for such person or persons to whome I shall appoint the benefit of the said lease, yeilding and paying yearly during the residue of the said terme of yeares, out of the rents and profits of the said two messuages or tenements, unto the aforesaid Principall and Scholars and their successors, the sume of forty pounds of lawfull money of England at the two most usuall feasts and days of payment, by even and equall portions, without any deduction or defalcation whatsoever, with covenants to repaire and such other covenants as my executors or the survivors or survivor of them shall think meet; and that if the said rent of forty pounds shall be behind or unpaid, or any part thereof, eight and twenty dayes after either of the said feasts, being lawfully demanded, to forfeit to the said Principall and Scholars the sume of two pounds; and if the said rent or any part thereof shall be behind and unpaid threescore dayes after either of the feasts, being lawfully demanded, to forfeit to the said Principall and Scholars the sume of three pounds of lawfull money of England; and afterwards, if the said rent shall be behind and unpaid, and noe sufficient distresse can be found, that it may be lawfull for the said Principall and Scholars to enter into the said two messuages and tenements. To which lease I wish the said Principall and Scholars may be made parties, if it be advisable so to doe. The inheritance in reversion after the said terme of yeares in the said two messuages or tenements, and the forty pounds yearly to be paid out of the rents and profitts of the said two messuages or

tenements during the residue of the said terme of yeares, I give unto the said Principall and Scholers and their successors; nevertheless, upon this trust and confidence that the said Principall and Scholers and their successors shall dispose of the sume of forty pounds yearly payable to them as aforesaid during the residue of the said terme of yeares, in manner following; that is to say, that the said Principall and Scholers and their successors shall yearly pay to three scholers, to be from time to time successively for ever elected and chosen by the Principall and six senior Fellowes of the said colledge for the time being, the sume of twenty-fower pounds to be divided equally amongst them, and to be allowed unto them as other scholers of the said colledge are usually allowed. And I will and direct that the said three scholers shall be elected and chosen out of such as are of the blood and descended from my father Thomas Yate, if any such fitly qualifyed shall offer themselves; and in default of such, then such as were born in the towne or parish of Middlewich, in the county of Chester (where I was born[f]), if any such fitly qualifyed offer themselves; and in default of such, then such as were borne in the said county of Chester, if any such fitly qualifyed offer themselves; and in default of such, any borne in the countyes of Northton and Wiltes, if any such shall appeare fitly qualifyed. And my will and meaning is that the said three scholers and every of them shall have and receive their allowance only for soe many weeks as they shall be resident in the said colledge, and that their allowances shall cease and their places shall be void when any of them shall have taken the degree of Master of Artes, or have time or is of standing to take the said degree; and my will and desire is that if any of the said three scholers shall neglect his study, and the exercise of the said colledge, or shall any otherway misbehave himselfe, that the Principall would be pleased to take from such scholer one fourth part of his allowance for that week, or for soe many weekes as

f It is singular that in all the notices which have hitherto appeared of Dr. Yate, his birth-place has been left in doubt. Archdeacon Churton in his notes of the Cheshire Fellows of Brasenose College, says, "he believes he was born at Middlewich," and other writers speak with similar caution. A perusal of his will would at once have established the fact. "The Society is indebted to him, among other benefits," observes Mr. Churton, "for a valuable abstract of the Evidences and Charters of the College, a work of infinite labour, executed with the most exact fidelity and judgment."

hee shall continue soe, as a punishment upon him, and that hee would conferr and bestow such fourth soe deducted upon one other of the said three scholers that is more sober, ingenious, studious, and diligent, as an encouragement unto him; and I doe direct that whatsoever of the allowance of the said three scholers shall remaine by reason of the absence of any of the said three scholers, or the vacancy of any of the said three scholer-shipps, shall be allowed to him or them of the said three scholers that shall be resident, since I give the remainder of the forty pounds for the benefit of the Principall and Fellowes of the said colledge, and yearly to be disposed to them, that is to say, to the Principall of the said colledge shall be yearly paid on St. Thomas the Apostle's day the sume of five pounds, and that on that day shall be divided amongst the Fellowes present at morning prayer the sume of tenn pounds, and to the said three scholers, or to him or them who shall be then present at morning prayer, shall be paid twenty shillings by the hands of the Bursar of the said colledge, in such manner as is done at other commemorations; and I will and appoint that if by any accident or meanes the said two messuages or tenements should not yield clearly the sume of forty pounds yearly, in such case I would, that every one to whom the said forty pounds is hereby given and disposed, should be lessened proportionally; soe on the other side, after the determination of the terme of yeares now in being when the said two messuages or tenements will be much improved, that every one shall be increased proportionably; for my will and meaning is that after the determination of the said terme of yeares the Principall and Scholers of the said colledge shall let the said two messuages or tenements with their appurtenances, without fine and at the best improved rent, yet soe that the tenant may repaire and pay all dues and duties whatsoever, and chearfully pay a good rent without any deduction or defalcation whatsoever. And whereas I have obteyned from the King's Majestye a grant under the great seale of England of the advowson, perpetuall patronage, and right of presentation of and to the rectory and church of Middleton Cheney, in the county of North'ton, unto the said George Hill; and whereas I have alsoe purchased all the right and title to the said advowson and right of patronage of and to the said rectory and church of Middleton Cheney of Sir Robert Driden, baronet, who heretofore hath pretended some

right and tytle to the said rectory and church, and of others who by mean conveyance derive from him unto the said George Hill, I doe will and appoint that the heires, trustees and executors of the said George Hill (whose name was only used therein in trust for me), shall grant, assigne, and convey all their right, tytle, and interest of and in the said advowson, perpetuall patronage, and right of presentation unto the said rectory and church of Middleton Cheney aforesaid unto the said Principall and Scholers of the said colledge, and to their successors for ever; and I doe appoint that the said grant of the said advowson under the great seale, and all other deeds, writings, and papers concerning the advowson of the said church, be delivered unto the said Principall and Scholers; and I give unto the said Principall and Scholers the course of the Civill and Cannon Lawes in nine folios, Binmas Councells in five folios, and Nevarinus in twelve folios, in my study, for the library of the said colledge, all the rest of my books (these that are the colledge bookes, and are usually in the custody of the Principall, being delivered for the use of the colledge.)

J. N.

CHRONICLES OF THELWALL, CO. CHESTER, WITH NOTICES OF THE SUCCESSIVE LORDS OF THAT MANOR, THEIR FAMILY DESCENT, &c. &c.

(*Continued from p.* 394.)

Of Dr. Moore, who purchased Thelwall from the Brookes[a] in the early part of the seventeenth century, I am able to furnish but few particulars. He was a physician of some note in London, but whether he acquired his wealth by inheritance, or by the successful practice of his profession, I am at a loss to say.

[a] The Manor was sold by the Brookes under a deed of settlement for that purpose made, inter Thomam Brooke, de Norton, in comitatu Cestriæ, armigerum, et Ricardum Brooke militem, filium et hæredem apparentem ejusdem Thomæ Brooke, ex unâ parte, et Ricardum Grosvenor militem, filium et hæredem apparentem Ricardi Grosvenor de Eaton in comitatu Cestriæ prædicto armigerum, Thomam Mason de Halton in comitatu prædicto generosum, et Robertum Jenninge de Norton in dicto comitatu yeoman, ex alterâ parte. The following is a copy of the feoffment of Thelwall from the Brookes to the latter parties, which was by separate deed, and bears date the day following the settlement above referred to.