ISSUE

Sep-Oct 2025

Newsletter of THE **METCALFE** SOCIETY

# **MECCA NEWS**

## Surname **Variants**

Metcalfe

Metcalf

Medcalfe

Medcalf

Metcaff

Midcalf

Medecalf

Metecalf

Metkalff

Mydcalf

Mitcoff

Mitkiff

Meytecalfe

Matcalve

Modcalfe

Metcleff

Midcoff

Meatcoff

Midcalph

Me'cca' is phonetic dialect for Metcalfe

Can you add to this list from records you have come across? Please email

editor@metcalfe.org.uk



# THE METCALFE SOCIETY

Established 1980

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#### Message from the Chair

Well, it has come round to that time of year when we will all, hopefully, meet up once again. We have booked the Cloisters at Tennants Auction House in Leyburn, where we have held the Muster in previous years, but this time we are in the new extension towards the back of the building, so we have the whole of the car park extension to ourselves and a beautiful new-build with a courtyard and cloister around it – very medieval, very impressive. We hope that you will consider coming along to the meeting, for the AGM and Muster or just the Muster if you prefer.

We are attaching menus for some of the meals although there are other meal deals, depending on how hungry you are likely to be. Check out the website tennants.co.uk. We can arrange for any lunches that have been booked in advance to be delivered to the Cloisters so they will be ready for us at lunchtime, more details available for those who book in. You can also bring your own lunch.

Liz and I went up to check everything out and it is a lovely venue, which we hope will suit us well.

Otherwise – with the AGM as a major part of the event, we do need more helpers for the Committee, whether to take on an official capacity or help out someone who is already working for us – the more members we can call on, the lighter the load for everyone, and looking to the future, none of us are getting any younger – so can you help? Even a couple of hours a month would be very supportive and would be very much appreciated.

Our main speakers this year are Laura Yeoman who will be able to give us information on the Cause papers held by the Borthwick Institute in York which includes a number of Metcalfes, and Anne Giller, from Sheffield, who will be talking about the history of surnames. We also intend to [cont.'->]

hold another 'Brickwall' session - so if you have any problems, please let us know so we can aim to find an answer for you – whether you can attend or not. There will also be a session on step-by-step accessing the new website and all the new information we are putting on there – which also means that if you have any images you would like to share, people or places, do let us have them, the more the merrier and interesting for everyone. We are slowly populating the Image Library so can you contribute?

Well enough from me. Looking forward to seeing as many of you as can make it on the 4th October, whether in person or online.

Take care and keep safe

Jo Heron, Chair.

The Cloisters https://www.tennantsgardenrooms.com/room-hire/our-rooms/





#### Reception Menu

£17pp

#### Savouries

Mini quiche

Pork & sage sausage rolls Chicken liver parfait on toasted brioche Tomato & goats cheese bruschetta

Selection of sandwiches

#### Sweets

Mini scones, jam & cream Bakewell slice

\* 01969 621146 \* events@tennantsgardenrooms.com \* The Garden Rooms, Leyburn, DL8 5SG \*



#### Light Lunch Menu

£12.50pp inclusive of VAT

Please choose your soup from our selection...

Leek & potato

Seasonal vegetable

Creamy tomato & basil

Broccoli & blue cheese

A selection of finger sandwiches

71.:...

Chips

\* 01969 621146 \* events@tennantsgardenrooms.com \* The Garden Rooms, Leyburn, DL8 5SG \*

# Simon Metcalfe, fur trader

This information is from Susan Wallace, Member 0998, of London, ON, Canada. It's a fascinating story, built on greed and cruelty. Simon Metcalfe figures in <u>Jason Momoa's Apple TV+ series</u> which premiered yesterday (August 1, 2025): <u>Chief of War</u> is a Hawaiian historical drama starring Jason Momoa. The story begins at the end of the 18th century when the four major kingdoms of the Hawaiian Islands were in a state of war: Hawai'i, Maui, Oʻahu, and Kaua'i. The series follows Ka'iana, a warrior chief (ali'i) of Kaua'i who travels outside the islands as the "most famous Hawaiian in the world", returns home and joins a bloody campaign until, at the last minute, he rebels against the unification of Hawai'i that took place from 1782 to 1810 under Kamehameha I. [Editor: Jason Hood as Captain Simon Metcalfe – three episodes 3, 6, & 7]

The following is from Wikipedia: Haida Gwaii, formerly the Queen Charlotte Islands, is an archipelago on Canada's west coast bordering British Columbia and Alaska. It was first sighted by Europeans in 1774 by Juan Pérez, at Langara Island, then in 1778 by James Cook and in 1786 by Lapérouse. In 1794, the Haida (First Nation tribe) captured and sank two American maritime fur trade vessels seeking to acquire sea otter pelts. Ino, under captain Simon Metcalfe, was captured in Houston Stewart Channel near Ninstints, and Resolution, captured near Cumshewa Inlet. In both cases only one crew member survived. In 1851, the Haida captured the Georgiana, a ship carrying gold prospectors, and held its crew for ransom for nearly two months.

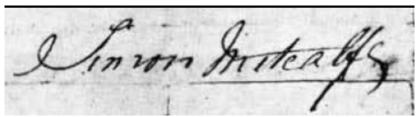
Simon Metcalfe (also spelled Metcalf) (April 23, 1741 – 1794) was a British-born American surveyor and one of the first American maritime fur traders to visit the Pacific Northwest coast. As early visitors to the Hawaiian Islands in 1789, Metcalfe and his son Thomas Humphrey Metcalfe unwittingly provided Western military weapons and advisors for Kamehameha I, when two of their men and a ship and its armaments were captured. These helped the chief win strategic battles and unify the Hawaiian Islands. The son Thomas and most of his crew were killed about 1789-1790 in an attack by Hawaiian warriors, which the father never learned about.

Simon Metcalfe later returned to the Pacific Northwest. He and all but one of his crew were killed in 1794 in an attack by Haida warriors who were allowed on the ship for trading. This was in what were then known as the Queen Charlotte Islands, now known as Haida Gwaii in present-day British Columbia, Canada.

See also: <u>Captain Simon Metcalfe</u>: <u>Pioneer Fur Trader in the Pacific Northwest</u>, <u>Hawaii and China</u>. Rhys Richards. 1991.

And: Simon Metcalfe from Images of Old Hawaii.

A full text pdf of CAPTAIN SIMON METCALFE and the BRIG "ELEANORA." Can be read here.



Signature of Simon Metcalf dated March 22, 1790. Notice his name is signed Metcalf not Metcalfe which is the version that appears most in history. This paper and signature is the oldest document in the Hawaii State Archives and among the oldest written document in Hawaiian history. Wikipedia.

[Thank you, Susan Wallace, for this storyline. Editor.]

# **Enquiries**

- 1. Do you know of John Metcalfe? We have one in the UK who became famous as 'Blind Jack' see articles in previous newsletters and publications, but an enquiry came into the Facebook page about a John Metcalfe who did a similar thing in Canada, surveying from Winnipeg to the Rockies. Without any information other than his name and that he lived in Winnipeg, we cannot trace his family. Can you help? Do you know anything about him? Please contact enquiries@metcalfe.org.uk
- 2. Do you have a Harriet Cocker in your tree? We have had this query about her.

I would be pleased to hear from anybody in your organization that has an interest in the Cocker family or associated families as I am collating a family history and any information they can provide would be greatly appreciated.

I am always happy to correspond with relatives however distant in a mutual understanding of the family history and how we have spread ourselves within Britain and across the globe.

I am aware of three marriage references between Cocker/Metcalfe since 1840 to date but would appreciate more family history, if possible, please.

A quick look through our database shows three Cockers marrying Metcalfes, one in Leeds and two in Lancashire, but widely spread in date from 1600's to 1800's. Can you help? Please contact <a href="mailto:enquiries@metcalfe.org.uk">enquiries@metcalfe.org.uk</a>

3. A Medcalfe clockmaker. Have you come across a Peter Medcalf in the 15th-16th centuries? He was one of the earliest turret clockmakers in England and manufactured most of the turret clocks in Tudor London. These were the clocks that were specifically made to mount on in a tower on public buildings such as churches and town halls, and later on university buildings – including London and Salisbury Cathedral. Peter may have been born c. 1540 and was a freeman of the Clothworkers Company. He has been associated with towers in Southwark and Lambeth. Watch out for further information in a future issue of Mecca News.

Again, if this is your ancestor, please contact enquiries@metcalfe.org.uk

# **Image Gallery**



Susan Harper, M0266, editor.

The Society is working on getting our image gallery functioning but there are some technical difficulties yet, as I write. However, that gives us time to look through our photos for something to upload.

This is me at St. Oswald's, Thornton Steward, in June, 1994, as we were heading to Manchester after a tour of Scotland. We stayed in Leyburn for a few days and visited most of the cemeteries in the area. Many of my Metcalfes were from Leyburn and area, including here, Thornton Watlass and Rookwith.

Do you have pictures from your genealogical pursuits? A story about them with pictures would be most welcome for a newsletter.

## Cemetery Research

I often walk in the 135-acre Royal Oak Burial Park near Victoria, BC, Canada, where four of my Metcalfe family are interred or commemorated (spanning 3 generations) but this is someone unrelated that I found. I decided to learn a bit more of him and his family.

Plot info: Sec J 2-25 Arthur Ruben George Metcalf 10 Dec 1883 – 31 Jan 1954

BC Archives has his death registration which provided that he was single, a carpenter by trade and born in Ontario. It further provided that Arthur's father, James Metcalf, was also born in Ontario, as was his mother Eunice Goelender/Gollenger. Their marriage was registered with the Medcalf spelling in March 1878 in Orillia, Simcoe, Ontario. At that time James was a widower, born in Ontario and his parents were James Metcalf and Elizabeth Holtby.

James and Eunice were enumerated there in the <u>1891Canadian census</u>. Details provided that James was born in Ontario in 1854, was a carpenter and that both his parents were born in Ontario however, that was incorrect. Death register of James (father of Arthur) gave names of his parents and that they were born in England.

Arthur's grandfather, James Metcalf (b abt 1821 in England) and grandmother, Elizabeth (Holtby), came to Canada c1850 with their two oldest children Thomas 16 and John 13. Son James was the first one born in Canada and at least four more were born after him. Enumerated in York, Canada West in 1861. Image of the 1861 Canada census from Ancestry:



James Metcalf and Elizabeth Holtby married in 2nd Q 1842 in Malton. The <u>1851 Census Scampston</u>, <u>Yorkshire</u> provides more information as James and Elizabeth were living with James' parents. GRO lists a daughter Elizabeth born in 1850, son Thomas was not at home to be enumerated but Mitchel Holtby was living next door to the Metcalfs. He was a carpenter with wife and three children and two "lodgers" Mary and Thomas Metcalfe, aged 8 and 5. Yes, GRO lists the eldest of James and Elizabeth's children, Mary born 2Q 1843. They must have left England soon after this census was recorded.

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In conclusion for this brief exploration, I believe that John Metcalfe born abt 1795 in Ripley, Yorkshire, married Ellen Jowett there in 1818.

Is this your family? Do you have any related stories to write about or any cemetery research you would like to share? Please contact editor@metcalfe.org.uk.

Susan Harper, M0266

# Now Then 14 Testamentary cases

In previous articles written in the 'Now Then' series, I have tried to explain how on a person's death their assets would be distributed in accordance with their will or under the rules of intestacy and what sort of records may be available to research.

I am conscious that I have not dealt, so far, with what happened when there were disputes between warring members of the family.

In this article I propose to write about testamentary disputes in the Church Courts from the fourteenth century to 1858, what records may have survived, where they are located and how they may be of assistance to you when furthering your research. In a later article I will complete the picture by dealing with the numerous cases which were heard by civil common law and chancery Courts prior to 1858 and how the situation changed thereafter.

A quick search against Inheritance Dispute Index 1574-1717 on FindmyPast resulted in 43 Metcalf(e) entries including variants.

As previously stated, the Ecclesiastical Courts were (apart from the Commonwealth period in the seventeenth century) the Courts which proved wills or appointed administrators of intestates. This changed on 12 January 1858. The common law Courts took over the role together with the Courts of equity. I explain that in a follow up article.

Disputes regardless of where they were dealt with broadly were of three kinds:

- 1. Disagreement with a Court's decision to prove a will or at its appointment of an administrator;
- 2. Challenges by dissatisfied family members or beneficiaries versus executors or administrators or other family members: e.g. challenging the terms of the will;
- 3. Seeking action against personal representatives who failed to honour the terms of the will or intestacy or who were slow in paying legacies.

The role of the Church Courts in the probate process commenced initially with determining:

- whether or not the will was valid: was it dated, witnessed properly, signed by the testator/rix and unaltered;
- whether the will was authentic or forged;
- what was the mental capacity of the Testator/trix when making their will
- in intestacy cases considering if the applicants for the grant of letters of administration were the relevant relatives or next of kin and
- how the executors or administrators were managing or mismanaging the distribution of the estate. Delays in paying legacies could be claimed but the Church Court could not sanction any malpractice other than by excommunication!

When an application for probate of a will was produced to the Court, they would check the points mentioned above before deciding whether, or not, they could accept the will to be proved and if all was in order, then they would issue a grant of probate.

In the previous Now Then article 13 in the July-August 2025 newsletter25-4, I explained how administratively the Church of England was divided into two Provinces; the Northern Province, being based in York, under the auspices of the Archbishop of York and the Southern Province being under the control of the Archbishop of Canterbury.

I additionally explained where the relevant Church Court records of the dioceses the Provinces are to be found: the Northern Province in Carlisle, Chester, Durham and Sodor and Man but chiefly at the Borthwick Institute in York (BI). The Southern Province records similarly are also held in Diocesan archives as well as in the National Archives (TNA).

The wills which we locate, in the archives, have been proved in what was called non-contentious 'common form' in the Ecclesiastical Courts. This meant that there was no dispute prior to a grant of probate or letters of administration being issued, since the Court was satisfied that the will was valid or that the correct application for letters of administration had been made.

As part of this process, the Courts would often ask for 'affidavits' (sworn statements). Whilst not disputes as such, they formed useful evidence of the checks leading to the Court's decision whether or not to issue a grant which could lead to a dispute.

The affidavits might be from the witnesses, who attested the will, to the effect that they had witnessed the will being signed by the deceased; or that the handwriting was that of the testator since the witness knew it well from business dealings; or from intending administrators seeking further evidence and details of relationships between the next of kin.

An example of this can be seen in the will of someone whose will I have referred to in previous Now Then articles, namely George Metcalfe of Rigg House Hawes, the former plantation and slave owner in Dominica. The Court register shows that the Court sought affidavits from business colleagues before they accepted that the codicil added at the end was written by him and attested. Use this link to see a copy of the entry on the paying site <a href="Master Search: TheGenealogist">Master Search: TheGenealogist</a> or go to TNA direct or see my earlier articles with a transcription.

The outcome of the Court's decisions could result in disputes, when beneficiaries or next of kin felt the decision to accept a will for probate or to appoint an administrator was wrong. These cases would go to appeal to a higher Church Court. I explain below the sequence of such appeals.

Any disputes would be noted in the Probate act book records as 'sentence' or 'decree' shortened to 'sent.' or 'dec.' thereby indicating cases to look up.

As part of the process, once the Court was satisfied that all was well, they would check in the Caveat book kept by the Court.

#### **CAVEATS**

As I say above part of the probate process required the Courts to check whether anyone had issued a caveat. Potential litigation was often started by the lodging of a caveat with the Church Court, by a 'caveator'.

A caveat was a warning to the Church Court that someone might oppose the granting of a Probate or Letters of Administration. The effect was to 'stay' (stop) the common form process of proving the will, hence why the Court checked the caveat book. Once a caveat had been filed the process could not continue in common form until such time as the caveator withdrew the caveat. If a caveat had been lodged, the executors or potential administrators, would serve notice on the caveator 'warning them off', demanding that they show cause why the application should not proceed.

It was often used as a procedure to get the parties to negotiate and did not always result in litigation, the caveat being released after agreement was reached between the family, beneficiaries and executors.

An executor, who supposed or knew that there might be a challenge or caveat, could and often did, pre-empt the service of a caveat by asking the Court to prove the will in solemn form. It was

felt unlikely that anyone would appeal the decision of the Court that the will was valid if proved in open Court in solemn form.

You can consult Caveat books covering the period 1666 - 1858 for the Southern Province of the Prerogative Court of Canterbury (PCC) these being held by TNA in series PROB 40 and PROB 41, the latter book showing what happened after the caveat was filed. These were indexed by the name of the deceased as well as usually referring to the plaintiff caveator. The books for the Northern Province will be found in the Borthwick (BI)

If no caveats had been registered, prior to the Court completing the common form process, the executor would be asked to swear an oath and provide an inventory of the deceased's assets either then or within 6 months of the executor's oath, and to pay the Church Court fees based on the value of the assets.

The Court would then grant probate of the will to the executors or letters of administration to applicants.

Upon doing that the Court would enter details of the grant in the Probate Act Book. Additionally for a fee the executor could ask that a registered copy of the will also be made.

The Probate Act books of the Prerogative Court of York (PCY) date from 1587 until 1858. There are gaps in the 16th and 17th centuries so the series is not complete. Prior to 1502, all the Archbishop of York's business is found in the Probate Act Books of the York City Deanery. The originals of their Probate Act books are in the BI.

In Prerogative Court of Canterbury (PCC) the Probate Act books date from 1526 and are held in TNA. A search of the catalogue reveals over 10,000 results albeit of course not all testamentary disputes. Over 3,000 are downloadable.

#### PROOF IN SOLEMN FORM

From the reign of Henry VIII if a will was challenged, before a grant was issued by the Court, it could be proved instead through the Ecclesiastical Courts in what was known as 'solemn form', not common form. The wills were proved by witnesses.

Regardless of whether or not a caveat was filed, in order to bring an action before a Church Court, a summons would be issued in the form of a citation. The Court would 'cite' (like a subpoena) the parties requiring them to complete documents and appear before the Court, with a lawyer. Often, until 18th century, the lawyer would be a specialist canon law practitioner called a Proctor, who acted like a solicitor, having rights of audience in the Church Courts only. These documents named the judge, before whom the case would be heard, as well as the plaintiff and the defendant, together with the cause of action and the time and place when the parties had to appear in Court. The party who was cited (usually the claimant called the plaintiff) could appear in Court personally or be represented by a proctor, who would be appointed by a document called a proxy.

A Court hearing would then consider the issues of validity of the will or the right to administration as appropriate. There would then follow written pleadings. In the case of a dispute 'the pleadings' may have survived, these being a number of documents setting out what the applicant was seeking to achieve, and including other legal documents called 'pleas', 'allegations', 'answers' and 'depositions', the latter two being the written statements of witnesses.

In the Church Courts, the pleas and allegations would contain a statement of facts under separate heads, numbered according to the subject matter or the order in which they occurred. In the Church Courts, the defendant's responses to the allegations were called answers.

Following the issuing of the above documents it was up to the Court to seek evidence from witnesses. The proctors would raise a number of questions for the witnesses to answer in respect of facts known to them. These documents were called 'interrogatories' or 'articles'.

Documents which were produced to the Court as evidence were called 'exhibits'. In the Southern Province, a number of exhibits survive at TNA in the series PROB 31 (1722 to 1858). Miscellaneous types or records and documents can be found including inventories, accounts, copies of false wills for example. These exhibits can contain plenty of family history information and be illuminating. PROB 31 is helpful since it states if there were exhibits for a specific case. Other series in TNA, with exhibits, include in addition to PROB 31, PROB 32, PROB 35, PROB 36, PROB 37 and PROB 49. One can search for them (apart from PROB 35) online as I shall explain later.

Once all these documents had been back and forth and lodged with the Church Court, the judge would read the papers and convene a hearing in open Court. Lawyers would address the Court and set out their case including points of law and fact. Unless the judge, having read the papers, decided that he did not require them to do so, the lawyers would read out the evidence. After further submissions by lawyers for the parties the judge would give his decision.

In the Southern Province you can trace the progress of a case using the act of Court books. The TNA holds two series of these records- in PROB 29 and PROB 30. Records prior to 1733, apart from during the Commonwealth, were written in Latin. There are, however, useful books to help with Latin texts, the most recent being a Latin Glossary and How to read documents in Latin, available from the Family History Federation Making Sense of Latin Documents + Latin Glossary TWINPACK.

#### APPEALS AND CAUSE PAPERS

If parties were unhappy with the outcome of a Court case (called 'causes') it was possible to appeal. An appeal would suspend the judgment of the Court pending the hearing of the appeal. There were several levels of appeal.

Cause papers have for long been neglected but a large number of cause papers are being or have been digitised and indexed, so it is worthwhile looking at Diocesan records to see what might be ongoing in the diocese of family history interest.

These records included testamentary causes or disputes, hence why they are referred to but they contained many more records involving disputes such as matrimonial disputes (in the days before divorce was available to all but the wealthy), libel and slander, heresy, sorcery, witchcraft, perjury, tithes and complaints against clergy to name but a few!

Southern Province appeals and cause papers

Appeals from the lower Archdeaconry Courts went to the Concistory Court of the Bishop.

Any appeals from the Concistory Court went to Court of Arches (or alternatively from 1581 to 1641 to the High Commission for Causes Ecclesiastical).

The Court of Arches and yet another Court called the Archbishop's Court of Audience in 1660 were merged as a reformed Court of Arches.

The records of the Court of Arches are held by Lambeth Palace Library not TNA. A British Record Society Index Library volume 85 (Published 1972) contains an index to the cases in the Court of Arches 1660 -1913.

Final appeals prior to the Reformation, when Henry VIII split from the Pope, would have been dealt with by the Pope. However, from 1533 any higher appeals would be referred not to the Pope but to a newly created final Church appellate Court called the High Court of Delegates (HCD).

This continued until 1834, when the Judicial Committee of the Privy Council took over this appellate function. The records of the HCD are to be found in the TNA in the series with the prefix DEL. There are seven sets of records DEL 1-7. Records of HCD are held at the TNA under the series DEL 1-7 which contains all the appeals to this appellate Court.

If you look at reference DEL 11/11 you will find a list of all appeals 1533-1832. Many of DEL series are searchable under the names of the parties to the cases on the TNA catalogue. In addition, there is a list of all the appeals taken to the HCD between 1533 and 1832 in Parliamentary papers.

In the case of the PCC prerogative Court, a case could be appealed from the PCC to the Court of Arches.

Any appeals from Court of Arches (or High Commission) went to the Court of Delegates post 1534 until 1834.

From 1834 until 1873 appeals from the Court of Arches went to the Judicial Committee of the Privy Council so the Ecclesiastical Courts were then avoided. 1833 sees the beginning of the loosening of power of the Church Courts over testamentary affairs, culminating in the creation of a civil Court in 1858 instead of the Church Courts.

Northern Province Appeals and cause papers

In the Northern Province early suits (causes or cases) between individuals would usually be started in the Concistory Court of York until 1590 when the suits were heard by the Exchequer Court of York instead.

Appeals from Archdeaconry Courts went to the Exchequer Court in York.

The Concistory Court additionally heard appeals from other Concistory Courts in the Province: e.g. Chester or Durham, but by 1600 such appeals too went to the Exchequer Court in York. Appeals from the Exchequer Court in York went to the HCD referred to above in relation to the Southern Province. From 1834 until 1873 any appeals went instead of the HCD to the Judicial Committee of the Privy Council.



CHESTER CONCISTORY COURT within the cathedral

(Copyright acknowledged of Doing History in Public which is a showcase of the research being done by graduate and ECR historians at the University of Cambridge <a href="https://creativecommons.org/chester-Concistory-Court96-1.jpg">chester-Concistory-Court96-1.jpg</a> (4032×3024))

A number of Church Court cause papers have been the subject of projects. The cause papers in the Chester diocese have been indexed and scanned so copies can be viewed online. "The numerous and varied documents generated by the Court process are known as cause papers, many of which are in Latin. This project aims to make available online images, transcripts and translations of all the surviving sixteenth-century cause papers held by Cheshire Archives and Local Studies." The online directory which can be searched alphabetically by surname where there are currently about 270 surnames.

None that I can see for METCALF(E) or variants but they might be very useful for other surnames in which you are interested. Copies of the original documents are available to download and view here Chester Concistory Court - Cause Papers Archive.

Appeals from decisions of the Archbishop of York's Prerogative Court (PCY) prior to 1533 went to the Pope, and just as in the Southern Province thereafter appeals went to the HCD until 1834 when instead appeals went to the Judicial Committee of the Privy Council until 1873. Records of HCD are held at the TNA as stated above.

The surviving Church Court papers (Cause Papers) in the Northern Province are held by BI. There are 14,000 cause papers – but many are not testamentary. As explained above the cause papers dealt with all cases brought before the Church Courts and these did not just relate to testamentary cases.

You can search an online index to the cases by surname via BI. See the link here. <u>The Cause Papers</u>.

A search against METCALFE reveals 103 instances and by limiting the search to 'testamentary causes' the number is reduced to 21.

Here is the first result: Reference: CP.G.3308 Repository: Borthwick Institute GB 193 the Court: Concistory Case: Testamentary (forged will) Details: 2 Pieces; No deposition; Has libel; No sentence Outcome: Date:1500 — 1600.

The case involved Leonard Smithson and Agnes Lightfoot who were the plaintiffs and THOMAS METCALF the defendant, all of North Riding in the Archdeaconry Court of Richmond, itself in the Diocese of Chester taken on appeal before the Concistory Court of York. It related to an alleged forged will.

At the forthcoming Muster, a representative from BI will be speaking generally about the cause papers, and what might be discovered, with we hope instances of Metcalf(e)s. Do come to the Muster!

Any appeal from the Archbishop's PYC prerogative Court (where it will be recalled estates classified as having bona notabilis (over £5) would be proved) went to the Chancery Court of the Province of York (this is NOT the same as the non-Ecclesiastical Court of Chancery which was based in London and to which I will refer in a later article).

The records of the Chancery Court for the Ecclesiastical Province of York are held by the Borthwick.

The next article will refer to what records of testamentary cases might be available in common law and chancery Courts mainly in TNA. It was often the case that proceedings were started in the Church Courts and independently cases were brought in the civil Courts too.

**David Lambert** 



# The Metcalfe Society Annual General Meeting and Muster Saturday 4<sup>th</sup> October 2025

Our meeting this year will be to celebrate the 45<sup>th</sup> Anniversary of the Society. We have come a long way since those first days in 1980 - so we hope as many of you will come along to the live event as possible at Tennants Auction House in Leyburn to make this a special day. We have used this venue before and it was a very popular choice, so we look forward to seeing as many of you as can make it.

We expect to open the day at 9.30 am BST, starting the meeting about 10.00 BST. We will break for lunch and attendees can either bring their own lunch or visit the café/restaurant at Tennants. Refreshments will be available mid-morning and mid-afternoon, although there is a café available all day in the main building. All timings above are British Summer Time.

Specific details of the timing will be available by email to those opting to come to the meeting, but rough details are included below. We hope to have an online element to the meeting, so if you cannot make the meeting in person but would still like to join in by computer, please let us know so we can send you the link.

Our speakers this year include Laura Yeoman from the Borthwick Institute in York and Anne Giller from the Sheffield & District Family History Society. We also hope to include a detailed introduction to the workings of the new website, which we believe you will find useful.

Following the success of the 'Where do I go from here?' last year, we intend to run a second session along the same lines to help you break down those barriers and brick walls we all come across from time to time. Jackie Depelle, who will be well known to many of you, has agreed to be part of this session again. It will be in the form of question and answer – so if you have a specific problem, do let us know so we can make sure we can give you the best answer possible.

The Application form to join us at the AGM and Muster is available below with details of the timings to date. In addition, if you are unsure as to whether you will be able to join us but would like to take part in any voting that occurs, you can return the Proxy Voting form to the address below.

We look forward to seeing you there in person!

The Metcalfe Society Committee



# The Metcalfe Society Registered Charity no. 1000879 45th ANNUAL GENERAL MEETING Saturday 4th October 2025 **AGENDA**

- 1. Chairmans opening remarks
- 2. Apologies for absence
- 3. Minutes of the AGM 2024
- 4. Matters arising from the previous Minutes
- Presentation of Accounts for 2024-2025 (See below) 5.
- 6. Appointment of the Independent Examiner
- 7. Subscription for 2026
- 8. Annual Trustees Report (See below)
- 9. Elections:

The current Trustees are willing to re-stand:

| i  | Chair | .lo     | H | leron |
|----|-------|---------|---|-------|
| 1. | Orian | $\circ$ |   |       |

ii. Treasurer Vacant

iii. Database Keeper David Metcalfe **David Lambert** 

Committee Member & President ίV.

#### Extended team:

Gill Caulfield-Plevin i. Book-keeper

ii. Secretary Vacant **Archivist** Liz Waller iii.

DNA project Martin Metcalfe iv. Social Media Lesley Longworth ٧.

Dianne Fox (Australia), Susan Harper (Canada) **Overseas Agents** ۷İ.

Committee member Ella Burton

- 10. Any Other Business
- 11. Date of the 2026 AGM



# The Metcalfe Society Registered Charity no. 1000879 44th ANNUAL GENERAL MEETING

#### MINUTES OF THE AGM HELD ON 5TH October 2024

#### 1. Chairmans opening remarks

The Chairman welcomed members to the meeting and thanked all those logging in online. She also thanked Ms. Quinney for her excellent opening presentation.

2. Apologies for absence

There were none

3. Minutes of the AGM 2023

The previous minutes were approved and signed by the Chairman

4. Matters arising from the previous Minutes

There were no matters arising which were not covered by the Agenda

5. Presentation of Accounts for 2024-2025

Mr. Dobson presented the Accounts for the year 2023-2024, but tendered his resignation from the post of Treasurer. The meeting thanked him for his years of service as Editor and Treasurer and wished him well in the future. He had arranged for someone to take over the bookkeeping for us.

6. Appointment of the Independent Examiner

Mr. Ian Wright, FCA was thanked for his work and appointed for another year.

7. Subscription for 2026

It was proposed, and agreed unanimously, that there would be no change in the subscription rate, remaining at £10 (UKP) for all members including those overseas from the UK, as at present

8. Annual Trustees Report

This had been circulated by the committee before the meeting to all members and was the trustees' annual report on the Society's activities during the past year in order to comply with the Charity Commission's requirements

9. Elections:

The following Trustees and Officers were willing to re-stand:

Chair Jo Heron
Database Keeper David Metcalfe
President & Committee Member David Lambert

Treasurer Vacant Secretary Vacant

All those standing were proposed and AGREED nem con.

The chairman reported that the extended team listed below who carried out specific tasks for us were willing to continue and she thanked them for their support

Ella Burton volunteered to join the Committee – AGREED with thanks

#### Extended team:

Archivist Liz Waller
DNA project Martin Metcalfe
Social Media Lesley Longworth

Overseas Agents Dianne Fox (Australia), Susan Harper (Canada)

Mr. Dobson proposed Gillian Caulfield-Plevin for book-keeper in the interim. AGREED

It was further proposed that Mr. Peter Dobson should be elected Vice President in recognition of all his work for the Society. Prop. D Lambert, Sec. J Heron. AGREED *nem con* 

#### 10. Any Other Business

There being no further business, the meeting broke for lunch.

11. Date of the AGM 2025 – Saturday 4th October, meeting arrangements to be confirmed.

# The Metcalfe Society Financial year 2024-25 (Ending 5 April) Income & Expenditure Account as at 05.04.25

| •   |              | Restricted |               |
|---|--------------|------------|---------------|
|   | General Fund | Fund       | Previous Year |
| Income  | £            | £          | £             |
| Memberships   | 1,607.40     |            | 1,922.53      |
| Donations   | 150.00       |            | 105.00        |
| Gift Aid  | 0.00         |            | 151.96        |
| History of the Clan                                   | 274.00       |            | 811.05        |
| Metcalfe Family Histories                             | 117.00       |            | 0.00          |
| Other Sales   | 10.00        |            | 85.73         |
| Muster Sales  | 0.00         |            | 135.00        |
| DNA Project   | 0.00         |            | 0.00          |
| Interest received                                     | 85.34        | 0.00       |               |
| Total Income  |              |            | 3,286.75      |
| Total Income  | 2,243.74     | 0.00       | 3,286.75      |
| Eupanditura   |              |            |               |
| Expenditure<br>AGM/Muster - Venue Hire                | 0.00         |            | 354.00        |
| AGM/Muster - Expenses                                 | 0.00         |            | 0.00          |
| Fairs & Exhibitions                                   | 0.00         |            | 84.00         |
| Website Development                                   | 2,400.00     |            | 2,400.00      |
| Web Site Update                                       | 24.73        |            | 302.22        |
| Website Hosting                                       | 360.00       |            | 0.00          |
| Metcalfe History of the Clan                          | 0.00         |            | 1,956.00      |
| Metcalfe Family Histories                             | 0.00         |            | 0.00          |
| Storage   | 0.00         |            | 300.00        |
| Committee Costs                                       | 0.00         |            | 0.00          |
| Archivist/Research Costs                              | 0.00         |            | 169.99        |
| DNA Project   | 0.00         |            | 0.00          |
| PayPal Costs  | 6.52         |            | 47.55         |
| Sales Costs & Purchases                               | 0.00         |            | 580.32        |
| Admin Costs (inc Parish Chest, leaflets)              | 8.54         |            | 8.00          |
| Affiliation Fees -<br>GOONS/FFHS/YGFHS/YNP/NWGFHS/ICO | 53.00        |            | 150.04        |
| Accountancy   | 210.00       |            | 210.00        |
| Insurance   | 130.31       | 0.00       | 130.31        |
| Total Expenditure                                     | 3,193.10     | 0.00       | 6,692.43      |
|   |              |            |               |
| Net Surplus/Deficit                                   | -949.36      | 0.00       | -3,405.68     |

# Statement of Assets & Liabilities for year ending 5 April 2025

Assets Stock 5,359.58

Cash Funds

Barclays Bank 10,768.48

| Scottish Widows       | 5,802.68  |
|-----------------------|-----------|
| Paypal                | 0.00      |
| Total Assets          | 21,930.74 |
| Liabilities           |           |
| Membership in advance | 555.00    |
| Total Liabilities     | 555.00    |
| Total Elabilities     | 333.00    |

#### **Year End Comments**

The Society accounts show a deficit of £949.36 for the financial year but liquid assets of £16571 before inclusion of estimated stocks and forward liabilities giving total assets of £22486. See attached financial statement.

The independent Examiner Mr. I Wright FCA has approved the Society's Accounts (see attached IE Report).

#### **Receipts**

- Memberships income has reduced this year as there were fewer members.
- Donations refer to overpaid memberships (at the old rate).
- Gift Aid is still to be submitted for the year due to change of Treasurer and collating information.
- Sales from books has decreased throughout the year in comparison to the previous year
- Interest. Received from Scottish Widows shows an increase in the rates during the year.

#### **Payments**

- There were no AGM/Muster cost
- Website Development. The final instalment relating to the introduction of a new Society website.
- Website Fees. Charges for hosting Metcalfe Website.
- PayPal and Admin costs. Charges/Fees incurred during the year.
- Accountancy. Charge for independent examination
- Affiliation Fees. Metcalfe Society memberships fees
- Remaining costs are similar to the previous year.

The Society's current financial position is satisfactory based on shown reserves. As such the Society has sufficient liquidity based on these reserves for at least the next five years. A separate budget estimate for the current (2024-25) financial year is attached.

Gillian Caulfield-Pleavin

24th August 2025

#### THE METCALFE SOCIETY

### Independent Examiner's Report to the Trustees of The Metcalfe Society

I report to the trustees on my examination of the accounts of The Metcalfe Society (the charity) for the year ended 5 April 2025.

#### Responsibilities and basis of the report

As the charity trustees of the charity, you are responsible for the preparation of the accounts in accordance with the requirements of the Charities Act 201 1 ('the Act').

I report in respect of my examination of the charity's accounts carried out under section 145 of the 2011 Act and in carrying out my examination I have followed all the applicable Directions given by the Charity Commission under section 145(5)(b) of the Act.

Independent examiner's statement

I have completed my examination. I confirm that no material matters have come to my attention in connection with the examination giving me cause to believe that in any material respect:

- 1. Accounting records were not kept in respect of the charity as required by section 130 of the Act; or
- 2. The accounts do not accord with those records.

I have no concerns and have come across no other matters in connection with the examination to which attention should be drawn in this report to enable a proper understanding of the accounts to be reached.

9 Wight

I Wright FCA Chartered Accountant 15 Stretton Drive Southport

PR9 7DR Dated: 6th June 2025

#### Report of the Trustees for 2024-2025

The Trustees were elected at the AGM on 5<sup>th</sup> October 2024 particularly on guiding and advising on Society matters. The AGM 2024 was held online with both UK and overseas members joining.

Following the pandemic, we had found it more convenient to hold our Committee meetings online, and this we have continued to do. It has enabled us to include our Agents in Australia and Canada to our mutual benefit and also to hold the meetings more frequently. Unfortunately, we have not been able to attract a member to act as our liaison in the United States, but we remain hopeful.

The Society has continued to develop close links with the Family History Federation and we now use Parish Chest facility to retail our products. We also have representatives on their National and Regional Committees and have taken part in their regular training and online sessions they have been running. In particular we continue to attend meetings of their Groups in the North West and Yorkshire when available and are building links with the Guild of One Name Studies. In 2024, we attended the Family History Fair in York which was useful as we were able to connect with those members who attended, answered queries from visitors and distributed literature. Our Facebook page still has a large number of followers although queries do often have little background

information to enable us to find an answer. Sales have slumped but appear to be picking up again more recently, and we are looking for new products to retail.

We are still working on the website, bringing it up to date, this includes a new version of the Image Library. We have stalled on entering new information until the site is up and running although we continue to collect and collate information on Metcalfes around the world. Our Canadian representative who took over the post of Newsletter Editor has been a great success - with a new format and lots of interesting articles.

We continue to look for ways to attract new members but also to serve those who have remained loyal to the Society for so many years.

Jo Heron, Chair David Lambert, Trustee David Metcalfe, Database manager



The Metcalfe Society ...for the name, history, heritage & genealogy

Dear Member:

The AGM and Muster will be held at Tennants, Leyburn, on Saturday 4th October 2025.













We are intending to hold the meeting live this year, and following a discussion with the venue, we may be able to hold an online section to the meeting. Final details will be available later but if you wish to get ahead, we are offering an early bird booking fee.

The Annual General Meeting will be free of charge

The charge on the day will be £12.00 per head, to cover refreshments and speakers' expenses, however, if you wish to get ahead of the crowd, the Early Bird discount reduces the fee to £10.00 per head – this applies to both members and visitor alike. The same charge will apply whether live or online sessions are joined. If you wish to take advantage of this offer, there are a number of ways to pay:

- a. by cheque to the address below,
- b. through PavPal
- c. Family History Federation's Parish chest at https://www.parishchest.com/societysubscriptions-2494.php before 1st October 2025.
- Those of you who pay your subscription by Standing Order already have the details of the bank account and you can pay that way.

If you still not happy about any of the above, please contact <a href="mailto:membership@metcalfe.org.uk">membership@metcalfe.org.uk</a> to ask for the bank account details.

Some of you have not given us an email address, or otherwise may not wish to join online, so to ensure that you can still have your say, we are offering you the chance to vote through the post on agenda items by appointing the Chairman your proxy. The proxy form is attached below and means that you can register how you would wish to vote on those items where a vote is to be taken - as if you were able to attend in person.

Please note that you can send in a proxy form at any time up to the date below, but if you are able to attend the meeting live or online, your proxy vote will not be counted. Either complete your details and vote in the spaces provided below and post to 17 Bailey Walk, Wakefield, WF4 3QW or scan and email to membership@metcalfe.org.uk

# PLEASE COMPLETE DETAILS BELOW, SIGN AND RETURN BY 27<sup>th</sup> September 2025.

| I WOULD LIKE TO RE   | GISTER FOR THE                            | AGM AND MUSTER                           |  |                                     |  |
|--|---|--|--|-------------------------------------|--|
| NAME:  |   |  | MEMBERSHIP NO:   |                                     |  |
| ADDRESS:   |   |  |  |                                     |  |
| EMAIL ADDRESS:   |   |  |  |                                     |  |
| I will attend:   | In Person                                 | Online                                   | Please delete as appropriate   |                                     |  |
| SIGNATURE:   |   |  |  |                                     |  |
| SOME FURTHER DET   | AILS OF THE AGN                           | <u>1.</u>                                |  |                                     |  |
| counted as being 'pre<br>indicate a voting pre   | esent' for the purp<br>ference on those p | poses of the quoru<br>proposals which re | articipating on the day. By signing the part and to be in attendance at the meeting uire a vote. You can still give the chairn a should not tick any of the preference I | g. You are asked to nan a proxy but |  |
|  | -   |  | BY 27 <sup>th</sup> September 2025 to Jo Heron 17 nembership@metcalfe.org.uk   | Bailey Walk                         |  |
| NAME:  |   |  | MEMBERSHIP NO:   |                                     |  |
| ADDRESS:   |   |  |  |                                     |  |
| EMAIL ADDRESS:   |   |  |  |                                     |  |
| AND/OR PROXY (CO   | NSENT SIGNATUR                            | RE):                                     |  |                                     |  |
| TO VOTE, TICK THE BOXES AS PREFERRED. THE CHAIRMAN WILL HOLD YOUR PROXY TO VOTE UNTIL NECESSARY. |   |  |  |                                     |  |
|  |   |  |  |                                     |  |

| ITEM | SHORT DESCRIPTION                   | VOTE FOR | VOTE AGAINST |
|------|-------------------------------------|----------|--------------|
|      | Approval of Minutes                 | [ ]      | [ ]          |
|      | Recommended subscriptions           | [ ]      | [ ]          |
|      | Elections:                          |          |              |
|      | Chairman: Jo Heron                  | [ ]      | []           |
|      | Treasurer: Vacant                   | [ ]      | []           |
|      | 2 other officers:                   |          |              |
|      | David Lambert (Trustee)             | [ ]      | [ ]          |
|      | David Metcalfe (Trustee & database) | [ ]      | [ ]          |
|      | Appointment of Independent Examiner | [ ]      | [ ]          |
|      | Acceptance of reports               | [ ]      | []           |



# The Metcalfe Society Muster 2025 Saturday 4<sup>th</sup> October

#### Directions to the Cloisters for all attending members.

The Cloisters is a new build behind the main building. We will have our own entrance from the car park. There is easy access for wheel chairs. Please park behind the main building and come straight in to the Cloisters, round the corner from the entrance we have used before. More details on the presentations will be available for those booking.

9.30 a.m. Open for Registration (LW, JH)

10.00 Welcome and start of the AGM

11.00-11.15 Coffee/Tea break

11.15 Laura Yeoman, Borthwick Institute – Introducing York's Cause Papers. The

Borthwick Institute for Archives at the University of York holds over 14,000 Cause Papers - the records of individual cases heard in the ecclesiastical

courts at York between 1300 and 1858. In this illustrated talk Laura will talk you through the church court system, and provide examples of some of the different

types of cases you can find in the Borthwick's records - including some

Metcalfe's!

12.30-13.30 p.m. Lunch\* (See attached menu's or visit the Tennants website for more substantial

meais

13.30 Anne Giller, Sheffield-Surnames – "You can't tell owt from a surname: an overview of English surnames and surname research". I hope to cover the

following: Why and when surnames developed - Why study surnames - Types

and characteristics of surnames - Sources for surname research

Website step by step or Round table - Q&A \*\*

15.00-15.15 Tea break

Website step by step or Round table – Q&A \*\*

Bottle Raffle

16.00 Finish

\*Lunch: Tennants have a very good café with an excellent range of sandwiches and snacks, as well as more substantial meals. If members would like to order in advance, and pay for their lunch, it will be delivered to The Cloisters and can be eaten either in the main room or in the Cloister garden – weather permitting. Members can also bring their own lunches if they prefer – to eat in the room or the Cloister garden, weather permitting. See the attached information for choices on buffet menus, but sandwiches and sides are also available.

<sup>\*\*</sup>Do you have any problems? Have you hit a brick wall and can go no further? Please send in any problems you are having and hopefully we will be able to find a solution for you.

## **Society Contacts**

President: Mr. David Lambert, email: d22lam@hotmail.co.uk

Vice-president: Peter Dobson, email: 21willp8@gmail.com

#### **Trustees**

Chair: Mrs. Jo Heron, 17 Bailey Walk, Wakefield WF4 3QW. email: chairman@metcalfe.org.uk

Database Index: Mr. David Metcalfe, email: database@metcalfe.org.uk

Trustee: Mr. David Lambert, email: see above

Trustee: Dianne Fox, email: see below

#### **Extended Team**

Membership, Enquiries & Sales: Mrs. Jo Heron, emails: membership@metcalfe.org.uk;

enquiries@metcalfe.org.uk; shop@metcalfe.org.uk

DNA Project: Mr. Martin Metcalfe, email: dna@metcalfe.org.uk

Membership & Enquiries Assistant; Mrs. Liz Waller, email: committee1@metcalfe.org.uk

Facebook Coordinator: Mrs. Lesley Longworth, email: committee1@metcalfe.org.uk

Newsletter Editor: Susan Harper, email: editor@metcalfe.org.uk

Overseas Agents: using e-transfer or cheque made out to agent's name

Australia: Dianne Fox, 20 Old Eltham Road, Lower Plenty, Victoria, Australia 3093, email: agentaus@metcalfe.org.uk. Note that e-transfer email will be different. Please confirm.

Canada: Susan Harper, 820 Rogers Crt, Victoria, BC, Canada, V8X 5L4, email: <a href="mailto:agentcdn@metcalfe.org.uk">agentcdn@metcalfe.org.uk</a>. Note that e-transfer email will be different. Please confirm.

# Please note this Alternate Join/Renew option at: the <u>Parish Chest, Society Subscriptions</u> using your credit card.

I hope you have enjoyed reading this newsletter. If you have any comments, research questions or articles you wish to contribute, please contact <a href="mailto:editor@metcalfe.org.uk">editor@metcalfe.org.uk</a>

If you use social media, please 'like us' on Facebook to keep up to date on our news and events.

Our website: <a href="http://www.metcalfe.org.uk">http://www.metcalfe.org.uk</a>
Email: <a href="mailto:membership@metcalfe.org.uk">membership@metcalfe.org.uk</a> | Telephone: +44(0) 1924 260926
Post: The Metcalfe Society, 17 Bailey Walk, Wakefield, West Yorkshire, WF4 3QW, UK
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