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MEMORIALS
OF
NORTH TYNDALE,
AND ITS
FOUR SURNAMES.

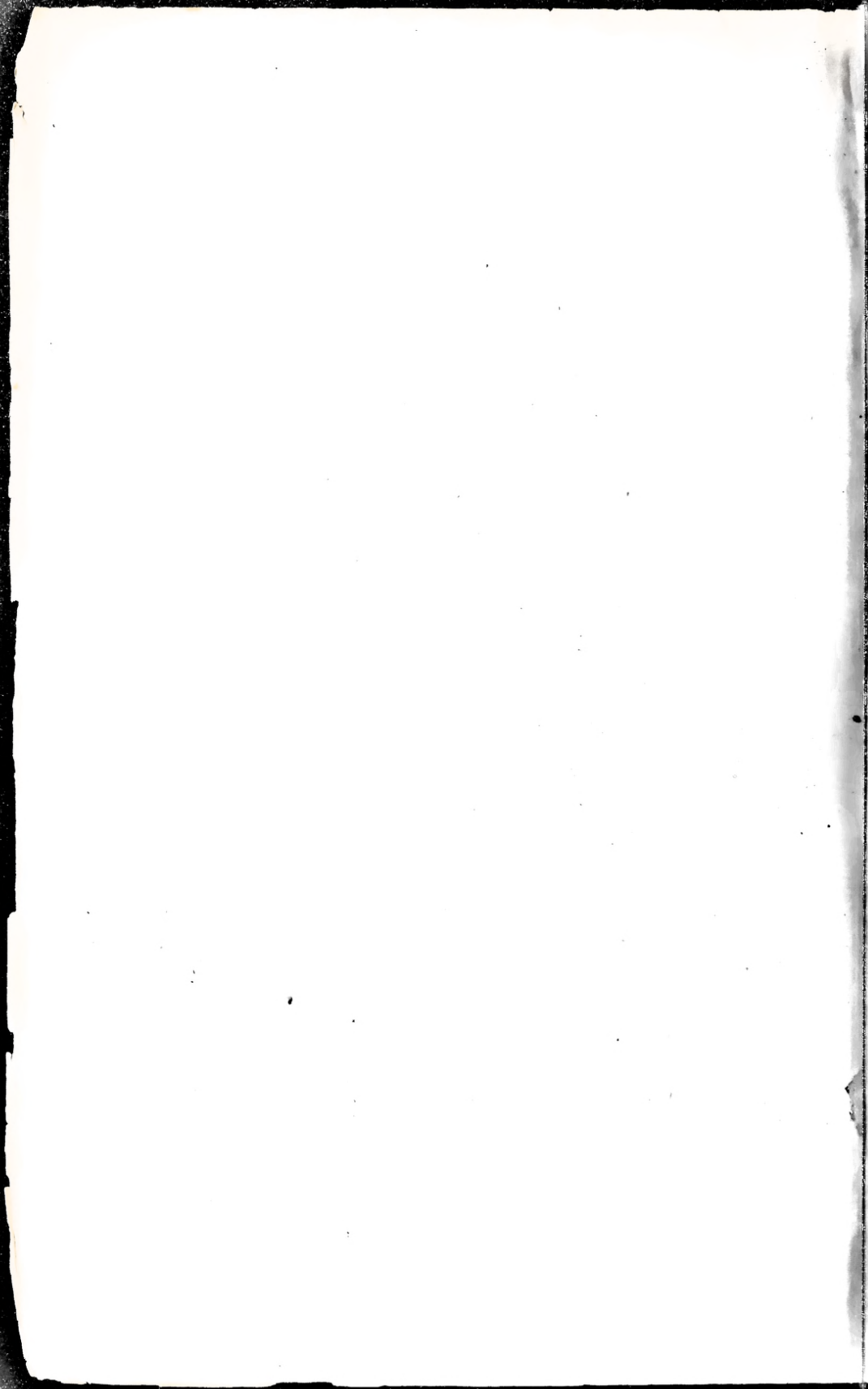
BY
EDW. CHARLTON, M.D., D.C.L.

SECOND EDITION.

Sir Robert Bowes, in his report upon the state of the Borders in 1550, tells us that "the countrey of North Tynedaill, which is more plenished with wild and misdemeaned people, may make of men upon horsbak and upon foote about six hundred. They stand most by fower surnames, whereof the Charltons be the chiefe. And in all services or charge impressed uppon that countrey the Charltons, and such as be under their rule, be rated for the one-half of that countrey, the Robsons for a quarter, and the Dodds and Mylbornes for another quarter. Of every surname there be certayne families or graves (graynes) of which there be certeyne hedesmen that leadeth and answereth all for the rest."

NEWCASTLE-UPON-TYNE:
PRINTED BY J. M. CARR, STEAM PRINTING WORKS, 21, LOW FRIAR STREET.

1871.



TO THE

PRESENT "HEDESMAN OF THE FOREMOST GRAYNE,"

WILLIAM HENRY CHARLTON,

OF HESLEYSIDE,

THESE NOTES ON NORTH TYNEDALE ARE OFFERED BY

HIS AFFECTIONATE BROTHER,

EDWARD CHARLTON, M.D.

THE compiling of the following pages has been a relaxation from the severer duties of a laborious profession. They are only brief sketches of what might be a more extended and perfect work. The early condition of Tynedale may not admit of much more illustration; but, could the whole of the two Iters of Wark be given to the public, and, along with these, could there but be printed the wondrous stores of Border Correspondence of the sixteenth century, one half of which is still buried in the Record Office, they would, together, form a volume which, though a large one, would not, we trust, be unacceptable to the public.—E. C.

7, Eldon Square,

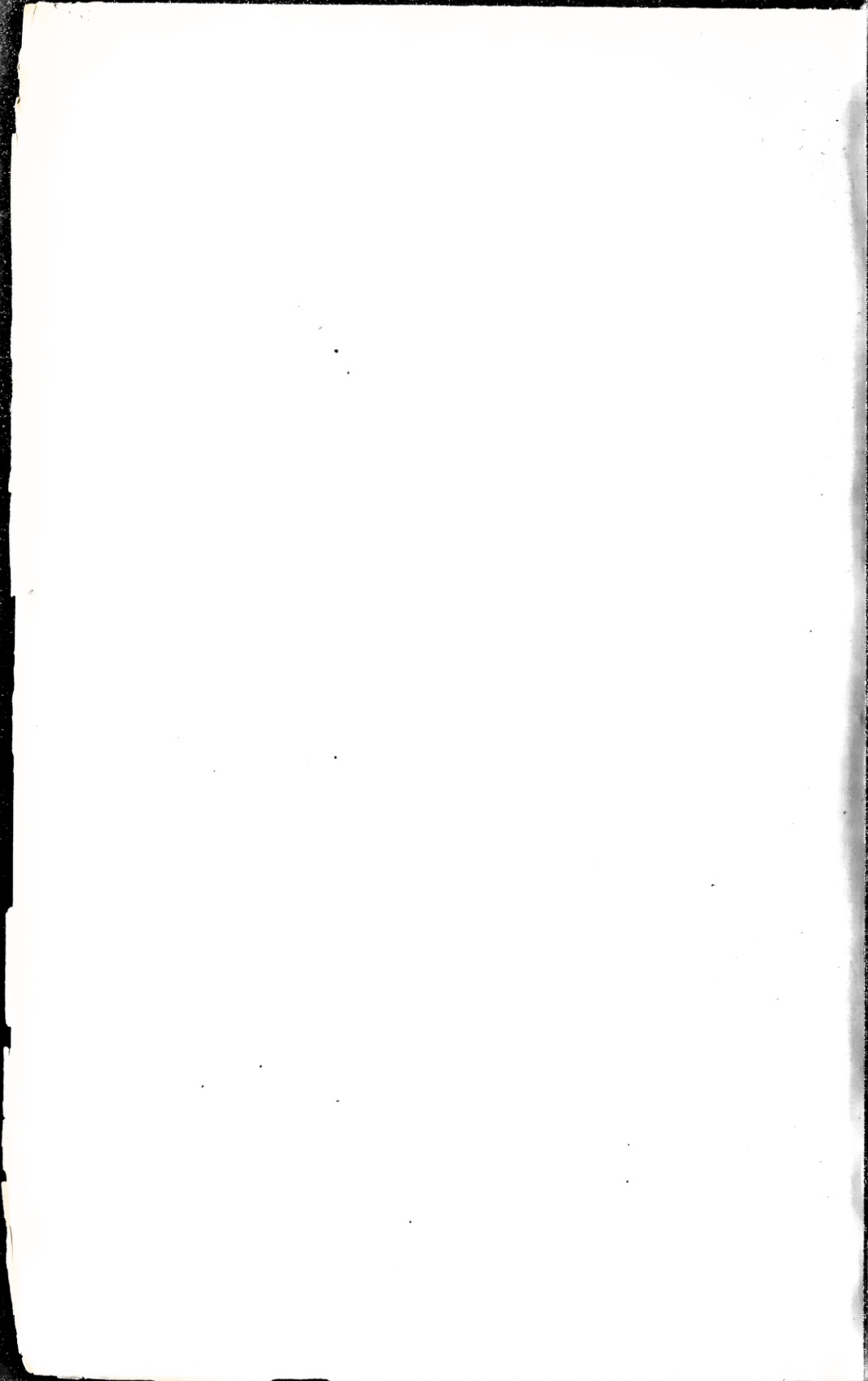
July 23rd, 1870.

PREFACE TO SECOND EDITION.

THE former limited issue of this pamphlet having been rapidly exhausted, we have pleasure in presenting the present edition in a considerably extended form. We have obtained a number of letters from the stores in the Record Office, relative to North Tynedale; and though some of these need not be published in this little work entire, there are others so racy, and couched in such curious language, that we have not hesitated to embody them in these pages.

7, Eldon Square,

June 1st, 1871.



MEMORIALS OF NORTH TYNDALE

AND ITS FOUR SURNAMES.

THE earliest sketch of this once little known, and seldom visited district, may be composed from the study of the remains of primæval occupation yet visible on its open moors, or ensconced in its natural woods. Cultivation has done little here; the land lies too high for the growth of corn with success; while stock feeding, the almost universal pursuit among the farmers, preserves, for the antiquary, the original features of the country. The plough has obliterated the traces of our ancestors, in the more fertile districts of England; but here, in the yet unchanged ground of the North Tyne, the hill forts, the dykes, the camps, and even the resting-places of the dead, have been maintained uninjured. The whole district of the North Tyne abounds in traces of early occupation. Whether the land was first occupied by a Celtic people, or the Celts were only the conquerors and supplanters of a still earlier race, we leave to abler pens, and to future investigators; but all along the course of the North Tyne, from Chollerford to Kielder, there are hill forts, camps, dykes, and cairns, attesting the former existence of a considerable population. Probably, in the earliest times, each small district was under the rule of some petty chieftain, who, as a matter of course, was at war, or had a grievance against his neighbour. Hence arose many of the isolated hill forts, the strongholds at the Countess Park, the hill fort at the top of the Garret Holt (Caer yt Holt). Each chieftain tried to secure his worldly goods, his cattle, his wives, and his children, from the sudden incursions of his neighbouring foe. Each family had, probably, some feud, which, like the vendetta of Corsica in our times, was handed down from father to son. Of the weapons of these warriors, few, indeed, have come down to us. Some stone axes; and, probably of later date, a few elegant chisels, or axes, of bronze, have been

discovered in the district. The burial mounds, or cairns, have afforded some rude, cord-marked or thong-marked urns, sometimes with portions of jet necklaces and beads; and, in one instance, on the demolition of a cairn at Ridsdale, there was found a necklace of pure gold beads, which is now preserved in the Newcastle Museum. Four or five years ago, a gold armet was discovered near Bellingham, but, under the pressure of the absurd laws regarding treasure trove, it was consigned to the melting pot. Such are the faint traces of British occupation; and, in North Tyne proper, the mighty Roman host has left scarcely an abiding mark, while the neighbouring valley of Redesdale presents Roman signs in abundance. The Roman armies seem to have passed by North Tynedale altogether; and history tells us nothing of this valley till centuries after the Romans had retired from Great Britain. A single fragment of a cross, now preserved in the Newcastle Museum of Antiquaries, shews that, as early as the seventh or eighth century, Christianity was fully established here. The fragment alluded to, was found a little above the present church of Falstone, on a spot marked with "Ruins" in Armstrong's map, of 1769. The inscription on this fragment is written in two different modes, but in the same language, in Roman uncial letters on the one side, in Anglo-Saxon Runes on the other. Both inscriptions have suffered terribly from time and illusage, but they are evidently alike in signification, and the letters that are obliterated on the one side, are, in most cases, to be made out on the other. They have been cut on a monumental cross, and run as follow:—

"Eomaer set this (cross) up for his
Uncle, Hrethbert. Pray for his soul."

It is probable that the old Anglo-Saxon runes used in Pagan times, were, at the date of the erection of this cross, fast disappearing before the influence of the Latin Christianity introduced by St. Augustine and his followers; and hence, both the old form of writing, and the new, have been perpetuated on this solitary fragment. Hrethbert is equivalent to the Robert of our day, and the descendants of Robert would be Robertsons, or Robsons, which now, as of old, is the chief surname about Falstone. We think we have evidence here of the Robsons some twelve hundred years ago, in the very

district where, till lately, they held sway. Whether old Hræthbert was the ancestor of the wight-riding Robsons of the old play—"Honest men, save doing a little shifting for their living"—we will not say. The *Charltons* and the *Milburns* are both Anglo-Saxon names, but the Charltons do not appear till after the Conquest, and the Milburns are not heard of till several centuries later. Of the fourth surname—that of Dodd—distinct records even of the origin of the name are given to us by a right early writer—Reginald of Durham, who flourished about the year 1150. Here we have, indeed, almost the first distinct historic traces of North Tynedale story. Reginald tells us, that when the Danes burst upon Lindisfarne, in the seventh century, the monks bore off, into the mountains, the body of St. Cuthbert. From place to place they transported it, till their number, by famine and desolation, was reduced to four. And one of these was Eilaf; and he, and his companions, were exhausted by hunger, and they had no food, save the salted head of a horse and a single cheese. And Eilaf longed for this cheese, till so great was his desire thereof, that he hid it, and began to eat thereof. And at noon the bearers of St. Cuthbert's body rested in a desert place, and sought to make their midday meal; and, behold, the cheese on which they had relied was missing. Then the brethren prayed that the thief might be changed into a fox, and so there issued straightway from the wood a fox, with the identical cheese in his jaws, which the animal vainly tried to devour, and as vainly to get rid of, and much laughter did this cause unto the brethren; and it was noted, that Eilaf, who had stolen the cheese, was absent. And they knew that he now writhed before them in the shape of a fox; and they having been sufficiently amused, did pray to God, and to St. Cuthbert, to restore to him his human shape: and, from that day, all the race of Eilaf bore the name of Tod (Dodd), which, in the mother tongue, signifies a fox. In the same writer we find the first mention of Bellingham and Wark, then, as now, the two principal villages in North Tyne. Reginald relates this story, as having occurred in his own time, or little before it. We may, therefore, conclude it to have occurred about the period of the Norman Conquest. There was a man named Sproich, who was appointed by the almoner of Durham to repair the bridges in the North Tyne, and he was dwelling at Bainlegham (Bellingham), in

Tindale, with his wife and his only daughter, Eda Brown. And, as an only child, they loved to see her dressed in rich and fine garments, though they were poor themselves. And Eda, like many of her sex, delayed the finishing of her fine garment, "indumentum de fustico tincto," (a brown dyed stuff); and she was working at it on the morn of St. Laurence's feast, and her mother rebuked her, saying, she should cease to work, and prepare to go to church. But Eda was obstinate, and replied she would work to what hour she liked, but would finish her gown. And, as she spoke, her left hand, which held the costly stuff, contracted thereupon, so that she could not move the fingers to open the hand, nor could they, by force, draw away the cloth they grasped. And all human aid being vain, they betook themselves to the little church of St. Cuthbert, the Glorious Confessor; and, as they went thither, they caused the sufferer to drink of the Well of St. Cuthbert.* And, during the whole of that night, the parents and the girl lay prostrate in prayer in the church, and when it was about the small hours of the morning, the figure of the saint arose at the altar, and, descending into the aisle, touched the contracted hand of the sufferer. The girl, terrified by the apparition, shrieked out, and her mother (*animâ ducta fœmineâ*), "just like a woman," seized her daughter's hand between her own palms, and the miracle was left but half completed, for, though the cloth dropped from her closed fingers, she could not yet open her hand. Thus they continued till the morning, when the priest, at mass, having read the Gospel, ordered all in the church to make a novena of nine Our Fathers for the recovery of the maiden. And, behold, she immediately recovered, and joyfully held up her healed hand in the church. And, of this miracle, there are at this day witnesses. All the men, women, boys, and girls, of the said village of Bellingham, and the priest himself—whose name is Samuel—vouches for it, and Sproich, her father, never speaks of it without tears. And it came to pass, that the said girl was about to be married, and the steward of the Earl (of Badenoch?) demanded a heavy fine from the parents, and when they refused to pay, he entered their dwelling, and took from thence their cow, and drove her to Wark, and placed her there in the stable of one Elsi, a man of his

* This well still exists in the churchyard, and is called "Cuddy's Well" to this day.—E. C.

following. And Sproich invoked the aid of St. Cuthbert against the spoliation, and Eilaf, the bailiff, sneered thereat, and said he knew not the man. And, behold, while he sate at supper at Wark, there came a mighty flash of lightning, and consumed the building; but the cow escaped unhurt, and, bellowing loudly, took her way back to Bellingham. Walter, of Flanders, lived a little before that time at Bellingham, and, "being a man of evil mind, he one day took forcible possession of an axe in Sproich's house, and sneered at the power of St. Cuthbert, whose aid Sproich invoked on the spot; and, behold, at the first stroke of his work, the axe head flew from the shaft, and, striking him on the head, bore him to the ground." Another miracle is recorded of a man having lost his axe, while working at the bridge, at the Bridge Ford, and recovering it through the aid of St. Cuthbert. The Bridge Ford is nearly a mile below Bellingham; the river here is shallow, and divided by an island, but no traces of the bridge now remain.

Another hundred years pass away, and we are then presented with a vigorous contemporary portrait of men and manners in North Tynedale towards the close of the thirteenth century.

It is well known that the present boundaries between England and Scotland have not existed from the earliest times. North Tynedale was twice after the Conquest under the Scottish yoke. Cumberland, and a part of Northumberland, including North Tynedale, down to at least Chollerford Bridge, were ceded by King Stephen to David King of Scotland, but were resumed by Henry II., in the third year of his reign. Shortly after, however, Tynedale was again granted to William the Lion, in 1159, to be held under homage only, and Jura Regalia were enjoyed there by the Scottish sovereigns. In North Tynedale, therefore, the Scottish courts were regularly held, and, fortunately, among the records still preserved in London, there has been discovered a full "Roll" of the Justices itinerant of King Alexander III. of Scotland, of the pleas held at Wark, in Tynedale, in the thirty-first year of that monarch's reign, or in 1279. This was the same King Alexander, who, in 1263, defeated Hakon, the old King of Norway, at the battle of Largs, in Ayrshire; and possibly some of the stout soldiers of the North Tyne crossed swords with the Norseman on that eventful day, just as their ancestors, five centuries

before, had resisted the invading Danes on their own Eastern shores. Of the Scottish records, only this single one has been preserved. It is a long document, in Latin, occupying no less than sixty closely-printed pages, in the only case where it has been printed, viz., in the Newcastle Volume of the Transactions of the Archæological Institute.

The now quiet little village of Wark was, in Saxon times, probably the capital of Tynedale; at all events, it was so shortly after the Conquest, and continued to be so regarded during the Scottish occupation. When Tynedale came under English rule once more, Wark still was the capital of the district. Here, upon the Mote Hill (the hill of meeting), were held the Courts of the Liberties of Tynedale, and, of the proceedings of these courts, there have fortunately been preserved the two precious records illustrative of the early history of North Tyne. One of these documents has been already printed, as before stated; the other is still in manuscript in the Record Office, but a full authentic copy has been made, and which is now in possession of the Society of Antiquaries of this town. It is the Record of the Session of the Liberties of Tynedale, held at Wark, in the reign of King Edward I., at the Easter term, in 1293. Tynedale was now once more under English rule, and has so continued to the present day. In these two documents we have a most lively picture of the manners and customs of those remote times. We are presented with the names of the holders of land, and of their tenants, many of which names are found in the district at the present day. The Swinburnes held the lands at Chollerton which they now possess; the Charltons owned the lands at Hesleyside, but still resided at their old family seat at Charlton, on the opposite side of the river; the Robsons and Dodds are frequently mentioned, but of the Milburns we hardly find a trace, though a Milburn is mentioned as residing at Longhorsely in 1322. These are the four graynes, or clans, which ruled in North Tynedale three centuries later. One powerful family has entirely disappeared from the district, their name alone surviving in the chief town of Tynedale—viz., the De Bellinghams. They seem to have ruled with great power, as officers of the Scottish King Alexander III., over much of the country around Bellingham, subject, however, to the higher powers of the Comyns, who seem to have been the lords

paramount, and who are known to have possessed Tarsset and Dala Castles higher up the Tyne.

William de Bellingham was sheriff of Tynedale at this time, 1279. He was, likewise, Forester of Tynedale, under the King of Scotland. His son Richard married the heiress of Burneshead in Westmoreland, and his descendants resided long at the old mansion of Levens Hall, near Kendal. Becoming impoverished, they sold Levens to the Grahams, in 1689, and are now represented, by Sir Alan E. Bellingham, of Castle Bellingham, in Ireland. Within the last hundred years money was paid to the representatives of the Bellinghams, as quit rents for lands at the Haining, in North Tynedale. Alan de Bellingham left only two daughters, heiresses, one of whom was married to Sir Roland Bellasis, of Bellasis, in the County of Durham. In these two most important documents, the name of the Charltons, who afterwards rose to be the leading family in the district, first appears. In the second Iter, 1293, Adam de Charlton proves that he held, at Charlton, the same lands that had been possessed by his grandfather William de Charlton. Adam de Charlton was married and in possession of Charlton in 1279; and allowing thirty years for a generation, William de Charlton's tenure of Charlton is carried back nearly to the commencement of the 13th century. Adam de Charlton died in 1303, when his son William was twenty-two years of age; and we here give the "Inquisito post mortem" of the former, a document which, a few years ago, was discovered among the records in the Tower of London.

INQ. P. M. 31 EDW: I. No. 180.

(*Public Record Office.*)

Inquisitio de terris et tenementis quæ fuerunt Adæ de Charlton in Tynedale, die quo obiit, facta apud Beddyncham die Sabbati proxima post festum Sancti Johannis ante Portam Latinam, anno regni Regis Edwardi tricesimo primo, per sacramentum Hutred de Brerygg, Johannes Cornehyrd, Willielmi filii Ed, &c.

Qui dicunt, super sacramentum suum, quod Adam de Charleton tenuit manerium de Charlton, in dominico suo ut de feodo, die quo obiit, per servitium vicesimæ partis unius feodi militis, de manerio de

Tirset in Tyndale, quod est in manu domini regis per forisfacturam Johannes Comyn de Badenagh.

Et dicunt quod est ibidem quoddam capitale messuagium, quod valet per annum xii^d. Item sunt ibidem quadraginta acra terræ arabalis in dominico, quarum quælibet acra valet per annum viii^d. Item sunt ibi septem acræ prati, quarum quælibet acra valet per annum ii^{ss}. Item est ibi quidem boscus, qui valeret per annum iii^{ss}. in venditione subbosci, si emptor inveniretur. Item est ibi quoddam molendinum aquaticum, quod valet per annum xiii^{ss}. iii^d. Item sunt ibi sexaginta acræ terræ husbandorum, quarum quælibet acra valet per annum xii^d. Item est ibi quoddam mansio in le Hunteland, quæ vocatur le Scelle, quæ valet per annum iii^s.

Summa omnium particularum in hâc inquisitione contentarum viⁱⁱ. iii^s.

Dicunt etiam quod Willielmus, filius prædicti Adæ, est propinquior hæres ejusdem, et dicunt quod erit ætatis viginti et duorum annorum ad festum Sancti Laurentii proximo futurum.

ADAM DE CHARLTON, who deceased on the Saturday before the 6th of May, 1303, is the same individual who figures in the Iter of Wark in 1279, as the successful opponent of William de Bellingham relative to two hundred acres of land and meadow at Hesleyside.

The mode of spelling Bellingham, Beddyncham, shows that the "gh" was pronounced soft, as at present, and accords with the singular orthography "Bellinham" in the Iter of Wark.

Hutred or Huchtred—an old Saxon or Danish name—is found taking his name from Brerygg, now Brieridge, a farm adjoining the grounds at Hesleyside.

The name Cornehyrde is curious; it may have been misspelt for Cowhyrde, but perhaps there were guardians of the corn as well as of the cattle in those days.

It will be observed that William is here given as the son of Ed' or Edie, as the common abbreviation of Adam—even at this day.

The wood of Charlton, through which the Border Counties Railway passes, still exists, and is probably not much changed.

The mill that Adam de Charlton held is no doubt the old picturesque

mill opposite to Charlton, now called Hesleyside Mill, or Walk Mill, and till lately the residence of a well known character, old James Turnbull.

The mansion in the Huntland was no doubt the Alder Shield, now called the Auld-Man-Shield on the hill behind Hesleyside. The Huntlands of Tindale are often spoken of in ancient deeds and grants. A large proportion of these lands are Huntlands to this day, as far as regards grouse and black game, but goodly flocks of cheviot sheep have replaced the red deer and the roe that formerly tenanted these wastes.

All these properties, with the exception of Charlton, which was sold about a hundred years ago, are still in the hands of the family of Charlton.

The judges of the Scottish Crown, who sat at Wark in this year (1279), the only one of which a record has been preserved, were Thomas Randolph, Symon Freser, or Fraser, Hugh de Peresby, and David de Torthoralde.

The *Iter* itself is, of course, drawn in the rather cramped law Latin of the time; and this perhaps will serve as our excuse for making a few brief extracts and notes on its more remarkable details; and our local acquaintance with the district has been of no small aid in identifying many localities here alluded to. It is possible that some of the details, may be more personally interesting to ourselves than to others; but we wish to convey an accurate picture of North Tynedale as it was nearly six hundred years ago. What a fund of curious information is laid bare to us by this fragmentary record of a single year's judicial proceedings at the old Mote Hill, at Wark! We learn who were the chief oppressors of the people. We see the deference paid to the office of coroner and to the decisions of twelve jurymen in doubtful cases. The Swinburne holds the lands now possessed by his representative; while of another powerful family, the De Bellinghams, not a trace now remains in the town that bears their name. It is strange, too, to find how hereditary is the love of the chase in some families—how that Robert Homel or Humble was fined for fishing salmon in close time, when no doubt he was as little able to resist the temptation of securing the lordly fish as his descendants of that name at the present day.

The names of the sheriffs after the last *Iter* were William de Bellingham, John de Swynburne, and John de Warewyke; and of the coroners, John de Schutelington, Gilbert de Grendon, and Odoard de Ridely. Amongst the names of the jurors of Tynedale we find the following:—William de Schepelaw (Shiple), Thomas de Thirlwall, Matthèw de Whitfield, and Thomas Bell; while John de Maughan is a juror of Newbrough, and Roger Colstan (Coulson), and Richard Homel are inmates of the Prison at Wark. Parties are constantly designated as living on the Wall. Thus, Adam the son of Robert of the Wall (filius Roberti de Muro), Huchtred of the Wall and Hugh of the Wall, all claim possession of certain lands near Haltwhistle and the Walltown.

We shall now briefly notice some of the various pleas brought against sundry parties for forcible dispossession of land, &c.

William de Swynburne first claims our attention. He was treasurer to Margaret, Queen of Scotland; for a letter in his favour from that queen is still extant, recommending our beloved in Christ, William de Swynburne, our treasurer, to the favourable notice of William de Merton, Chancellor of England.

In 1263, William de Swynburne paid 10s., for rent of land in Old Halgton, Halgton, Halgton Strothers, and Halgton (now Haughton, near Humshaugh). He was evidently a powerful chieftain, and greatly involved in disputes with his weaker neighbours, whose lands he seems to have been disposed to lay claim to at all seasons. We fear that John de Tecket, and Joan his wife acted but foolishly when they brought a complaint before the justices at Wark, that William de Swinburne had wrongfully dispossessed them of their free pasturage in Haughton Strother and in Nunewicke, belonging to their free tenement in Simondburn. And William de Swinburne, more learned, doubtless, in the bye paths of the law, calls the attention of the court that their writ is incorrect in form (*viciosum est, et peccat in forma*), which the said John and Joan could not gainsay; wherefore they take nothing by their complaint, and remain at the mercy of the Court *pro falso clamore*. A similar action, relating to Haughton, is brought by John Mowbray for pasturage appertaining to his free tenement in Hounshale (Humshaugh)—but with no better success. Symon the Palmer, too, must needs try his hand against the Swinburne in the

matter of those same pastures ; but he fails like the rest. Again :— William de Swinburne is summoned by Christiana, widow of Hugh de Nunnewike (Nunwick), to obtain her dower of 26 acres of land in Nunwick ; but this is soon amicably arranged. Shortly after, John de West Denton appears by his bailiff, William de Swethope, against William de Swinburne, for the unlawfully dispossessing him of 39 acres of land in Haughton. But the Swinburne's good fortune follows him, and he proves that he, through John de Swinburne, had been enfeoffed of the said lands by John of West Denton ; and so gains his cause. William de Tynedale acknowledges a debt to the said William de Swinburne of 100 shillings, 20 shillings of which he pays down at once ; and he further covenants to pay a half at Pentecost, and the other half of the remainder at the Feast of St. Martin ; and should he fail, the bailiff of the barony is to take the same out of his lands and cattle. Such are the scenes on which appears one of the direct ancestors of the late venerable President of the Antiquarian Society of Newcastle. We see how he acquired lands, and with what success he defended his claims.

Let us turn now to another of the magnates of Tynedale in those days—to a family of which the name alone remains to indicate its former dignity. The De Bellinghams are now represented by an Irish baronet. They are said to have acquired the Levens Estate, near Kendal, about 1582 ; but it is not certain at what period they parted with the last acre of their lands at Bellingham. They retained some interest in the district to a very late period, as we find it recorded that William de Bellingham inhabited the fortified bastel house at Hawyke, near Kirkwhelpington, in the year 1522. The site of their fortalice was on the east side of the Hareshaw Burn, where an artificial mound is still visible, and is at no great distance from the mill which the De Bellinghams held of the Scottish king, paying for the latter in 1263, the enormous rent of ten pounds sterling. It may be that the chantry chapel of St. Catherine in the very curious old stone-roofed church of Bellingham, was founded by this powerful family ; for William De Bellingham was, with John de Swineburne and John de Warewyke, a sheriff of the regality. To judge from the records of this single *Iter*, William de Bellingham seems to have passed his life in perpetual feud with his neighbours :—and that, not only with the lesser

landholders, but with the most powerful of all—the great ecclesiastical dignitaries of Hexham and of Jedburgh. He retracted his complaint against the Prior of Hexham for trespass, but of his “differences” with Nicholas de Prenderlathe, Abbot of Jedworth, we find the fullest and most ample details. The Abbot of Jedworth, or more probably one of his predecessors, had received from the Scottish king the right of pasturage, and a tenement in Euelingjam (now Ealingham)—a farm about two miles from Bellingham. There appears to have been a mill on this property at that time; for it is more than once referred to. We have ascertained that it stood on the very small runner that comes down the valley directly south of Ealingham? and perhaps it was only one of those curious little mills which once existed in this country, and are still to be seen attached to almost every farm in Shetland and Orkney. The mills on the Tyne, however, were of much greater importance, In 1263, not less than 17*l.* a year was paid as rent for the Mill at Wark; and in the same year 10*s.* was disbursed for the repairs of the said mill, by altering the course of the Warksburn. The origin of the dispute between the abbot and William de Bellingham was one that is frequent enough in North Tyne at the present day—viz., a complaint of injury received through the fences of the opposite party on the adjacent land being kept in bad repair. William de Bellingham held at that time the lands and pasture of Hesleyside, which adjoin to Ealingham, and both now belong to one proprietor. The abbot makes complaint that De Bellingham keeps his ditches and hedges (*fossas et hayas*) of Hesleyside in such bad repair, that the flocks and cattle of the said abbot, pasturing at Euelingham, are liable to stray on to the lands at Hesleyside, and they are captured and impounded at Bellingham from day to day, to the damage of the said abbot of 20*l.* sterling. De Bellingham replies that the hedges and ditches before the issuing of the writ and since the summer have been as well kept up as they ought to be at those times. The parties agree, De Bellingham taking the initiative. As a counter plea, De Bellingham summons the abbot to show cause why he (De Bellingham) should not be entitled to free pasturage for two mares with their foals, for two years, in the abbot’s parks at Euelingham; for William De Bellingham asserts he was in seisin of the said common in the time of King Henry, the father of the Lord Edward, now King of England; and

also in the time of the Lord Alexander, now King of Scotland ; and that the said abbot deprived him illegally of the said common. De Bellingham may have been a good swordsman and leader of a fray, but he was no match in a point of law with the abbot of Jedworth. It was responded on the part of the Church that it had been neglected to specify, in the narration, at what time of the year he claimed to have the right of pasturage ; nor had he named the period of the year for sending the animals into the abbot's parks. So William De Bellingham lost his plea, and remained at the mercy of the crown, *pro falso clamore*. The amercement was remitted. Another plea set up by De Bellingham against his foe, was, that the abbot of Jedworth had unjustly detained a chirograph charter, which he had handed to his predecessor for inspection. The abbot defends himself by alleging that there is no specification of the date and place of delivery of the written document ; and that even if this were remedied, the said Nicholas, his predecessor, was still alive, and that an action would lie against him. De Bellingham loses this plea twice or thrice, the abbot loses his about the insufficient hedges as often ; and wearied out, the parties conclude matters by a fine as follows :—

“ This is the final agreement made between the Abbot of Jeddeworthe on the one part, and William de Bellingham on the other part, before Thomas Randolph and his fellows, justices itinerant at Werke in Tyndale, on the morrow of the Epiphany, in the 31st year of the reign of King Alexander, upon divers contentions there between them moved—viz., on the part of the abbot as regards the repairs of the ditches and hedges of the said William in Heselyside, and also regarding the common of pasture at Hesilyside belonging to the free tenement of the said abbot in Euelingham ; and on the part of the said William, respecting the annual rent of thirteen bolls of flour and four shillings in silver ; and also regarding the pasturage of two mares with their foals of two years in the parks of the said abbot in Euelingham. And that the said William, for himself and his heirs in perpetuity, agrees that he and his heirs shall well and sufficiently, according to the custom of the country, close and repair his ditches and hedges of Heselyside, from the Mabamsburne towards the east, to Strikelscloyche (Stirkscleugh), and from Strikelscloyche to the Tyne, under the inspection of two lawful men of Belingham, two of Euelingham, two of Shutlington (Shitlington), and two of Charleton ; and that the said men shall inspect the said hedges and enclosures every year, in the week of Pentecost. And whensoever the same men, or the major part of them, shall decree reparations to be made in the same hedges and enclosures, these shall immediately be done by the said William and his heirs, in the following week, without delay, according to the order of the said men, or the major part of them.— And the said William, for himself and for his heirs in perpetuity, grants to the said abbot and to his successors, and to their tenants of Euelingham,

common of pasture of Hesleyside within the said hedges in the open time of the year, for all his flocks, and without the hedges at all times of the year, as appertaining unto his free tenement in Euelingham. But still that his flocks shall lie each night on the east side of Strikelscloyche (Stirkscleugh.)”

De Bellingham also gives up all claim for the annual rent of thirteen bolls of flour and four shillings of silver; as likewise to pasturage in Euelingham for two mares and their foals. And it is agreed likewise that the chirographs that have passed between Nicholas, once Abbot of Jedworth, and predecessor of the present abbot, and the said William, shall remain in full force. “And for this remise and quitclaim, the said abbot hath released and quitclaimed to the said William the common of pasture he possessed for forty mares with their foals of two years in Belingeham, Wardlaw, and Grenacris, reserving to the said abbot and his successors common of pastures in the said vills for forty cows with their calves of one year, according to the tenor of the charter granted by Alan, the son of Wolfen, and grandfather of the said William, to the church of Blessed Mary at Jeddeworthe, and to the canons therein serving God.”

At this time, Adam, son of William de Bellingham, held an ox-gang of land and 20 acres of meadow in Charlton. The possession of the Hesleyside pastures does not seem to have brought tranquillity to the rapacious De Bellinghams; for their claims were disputed by other parties—viz., by John de Shutelington and Adam de Charleton, both of whom complain that William de Bellingham had unjustly deprived them of 200 acres of land and meadow at Hesleyside, to which they had free access, with all their cattle, after the grass and hay had been carried home (*post blada et fena asportata*). Adam de Charleton asserts that the said pasturage appertains to his free tenement in Little Charleton. William de Bellingham replies that the said tenement of Shutelington was formerly free forest of our lord the king, and that the king approved a certain portion of the said pasture, and bestowed it on the said William. And that, with regard to Adam de Charleton, he never had been seised of the said common pasturage since the king had demised the said tenement to the said William. The jury, however, to their great honour, decide against the claim of De Bellingham, and that the claims of John de Shitlington and Adam de Charleton are good, as their writs state. Perhaps this is the earliest mention of the family of Charlton obtaining lands in Hesleyside—which they have continued to hold to the present day. The old fortalice, at Hesleyside, was standing within the memory of persons yet living, as was also the peel at Charlton. Lastly, William de Bellingham is summoned to answer to the king by what titles he claims to own two parts of the

manor of Bellingham, which belonged to the ancient demesne of our lord the king. De Bellingham replies that all his ancestors had held the two parts of the manor in question, with all their appurtenances, from time immemorial, under the predecessors of our lord the King of Scotland, by the service of being the foresters of the King of Scotland throughout all his forest of Tynedale, but declines to litigate with the king, and submits the plea to his grace.

Such is an imperfect outline of one year's proceedings at Wark Courts in the matter of the families of Swinburne and De Bellingham; but there are other minor cases of curious interest. Thus, in a plea between Bartholomew de Prat and Robert de Insula (or De Lisle), or Chipchase, relative to rights of pasturage in Knaresdale, it was found that the plaintiff's grandfather had the right of pasturing his flocks as far as Tymberschaweburne, and as much beyond the said Tymberschaweburne as the flocks could return from in a single day, so as they might not pass a night beyond that burne.

The felonies and acts of violence occupy a smaller space in the Wark *Itter* than might have been presumed from the supposed lawless state of the country.

John of Hawelton and Thomas de Thirlwall do not seem to have confined their raids to Scotland; for, on the Sunday before the Feast of St. James, in the 18th year of Alexander, King of Scotland, they had plundered the good town of Wark of 30 oxen, each of the value of 10s.; 18 cows, each worth half a mark; one bull, worth half a mark; and 15 other cattle, each of the value of 5s.; besides 200 sheep, both wethers and ewes, each valued at twelve pence; and that the said John of Hawelton drove them to his park at Swyinescholes (Sewingshields), and there unjustly detains them against the peace of our lord the king.

The townships in which robberies and housebreakings occur were bound to pursue the thieves immediately with hue and cry; and numerous entries occur where such townships are placed at the mercy of the crown for neglect of this their duty. Thus:—"Certain unknown malefactors broke into the house of Agnes, the wife of William Pulayn, and bound the said Agnes, and Evota, her daughter, and thereupon carried away all their goods. Nor is any one suspected

beyond the aforesaid malefactors. And the township of Haltwhistle, which did not arrest them, is "in misericordia."

Thomas Russell, of Playnmellor, slew Robert the son of Auger of Collanwood (Coanwood), in the town of Haltwhistle; and afterwards he fled to the church and abjured the kingdom.

The canny Scots occasionally made a raid over the border, even to the detriment of their then countrymen of Tynedale. Alexander, of Lothian, Arthur of Galwichia (Galloway), David of Clidesdale, and Hugh the Carpenter, broke into the house of William de Fenwike in Symundeburne, and bound the said William, and carried off his cattle. There should have been honour among those of the same calling.

Occasionally, the reivers used singular means to avoid pursuit. Thus, when certain unknown malefactors broke into the house of Robert Unthank, in Melkridge, in South Tyne, they shut up Alicia his daughter in a chest (*in quâdam archâ incluserunt*).

The clergy were not always free from the general failing of taking liberties with other men's property.

Thus, Beatrix of Quitfield (Whitfield), summoned Thomas the Archdeacon of Northumberland, Master Hugo of Wodehalle, John de Burton, and Thomas of Haydene, chaplain, for robbery and receipt of felony, &c. And the said Master Hugo and all the others appeared, excepting Thomas the Archdeacon; but the testimony of the said Beatrix was not admitted, as it was proved by the bishop's letters-patent that she was excommunicate. The accused, moreover, pleaded that they were clerks, and would not, therefore, answer to the court.

Again:—Symon the clerk, and Richard Alpendache, clerk, broke open the house of John the Fuller. Richard Alpendache was taken and imprisoned at Wark; but afterwards, at the assize, was delivered over to the bishop as a clerk. William, the clerk of Whitfield, flies the country for stealing of one cow and other evil deeds.

There seems to have been some strange names in Tynedale in those days. May they not have been byenames bestowed on the parties? Adam Aydrunken accidentally upset a boat in the water of Tyne, so that he drowned thereby Beatrice his wife.*

* The same name occurs in 1 Sur. 269, 273. One of the most amusing illustrations of names in the record is at p. lvi., where the jury find that he who in a writ was styled *Wysman*, was rightly called *Seliman*.

At Newbrough, there seems to have been a family bearing the repulsive name of Unkutheman (unco' man). Cecilia, the wife of John Unkutheman, of Newbrough, destroyed herself, when pregnant, in her own chamber with a certain razor. The holders of this unlucky name appear to have been unfortunate. William Unkutheman and Elwald de Aldenestone were making a certain dam or fence (*sepem*), in the water of Tyne. And the said William was striking upon a certain stake with a certain mallet to drive it into the ground, when the head of the mallet flew off, and striking Elwald upon the head, deprived him of life. Poor William Unkutheman was taken up and imprisoned for the homicide; but a verdict of accidental death was returned, "*et concessa est ei pax*" (and peace was conceded to him), says the record.

Bates the son of William (Williamson), Gilbert Trutte, son of Adam with the Nose (*Adam cum Naso*), are fled for breaking into the house of Emma of Whitchester.

Sometimes the coroner, who seems to have been of much greater authority in those days, made short work of a thief; as when a certain unknown malefactor stole four geese in the town of Newbrough, and was taken in the act; and by order of Hugo de Ferewithescheles, the coroner, his ear was cut off.

At Bellingham, and further up Tyne, they seem to have dispensed with the coroner on these occasions altogether. Thus, Emma of Waynhoppe (Wenhope, near Kielder) was taken for theft at Bellingham, and there decapitated. And it was proved by twelve jurors that the townships of Bellingham, Euelingham, and decapitated her without the coroner. "Wherefore they are at the mercy of the crown."

Again:—The hamlets of Dunclif (Donkley), Thorneyburne, and Tarsethope, are amerced in 20s. for decapitating a thief without the coroner.

All accidents, too, are presented by the coroner at the assize Matilda of Sadberg (near Wark) was found frozen to death at Poltadan. William Slipertoppe (Silvertop) was cutting down a certain tree in the wood of Chirdene, and the tree fell and killed him. Agnes, the wife of John Cupe, was killed by a portion of the millstone in the mill at Wark, while getting some corn ground there. But as

the mill was the property of our lord the King, no deodand was called for.

Huchtred of Linacres had to pay half a mark for refusing to feed the king's dogs.

Roger Graunge and William Bene are presented for having fished in the lake of Hugh of Grendon (Grindon Lough), by the order of William the Terrier (Terrarius), of Hexham, and against the will of the said Hugh. And the Prior of Hexham is ordered to produce his said canon.

Alexander, the miller of Wark, Richard and Gilbert, the millers of Euelingham, John, son of John de Nithesdale, and Robert Homel (Humble), have fished at the forbidden times and against assize.

False appraisement of cattle and goods of felons are constantly noted, and the parties heavily fined.

It is presented by twelve jurors that Allan of Irwin (Irvine ?) hath so beaten Gerard of Hesilyside that he was thought to have killed him, and he immediately fled. But the said Gerard still lives; so Alan may return if he will, but his cattle are confiscated for his flight, and are valued at 4s. for which the bailiff will answer.

In 1293, matters do not seem to have greatly mended. Margery, the widow of Adam Davidson, claims land in Shitlington, wrongfully seized by William de Swinburne, clerk. The indictment is invalid, for the offender is William de Whytefield, and not the priest. At this time, Hetherington, near Wark, seems to have been a village of tolerable size. It is now only a single farm house.

Robert de Bellingham and William de Bellingham, claim lands in Shitlington, and a right of common there. Their claim is resisted by John de Shitlington. William de Bellingham claims common right as a tenant of the Kings of Scotland, and Robert de Bellingham as tenant of the mill, at Bellingham; and they produce two charters of the Scottish King to prove it. John de Shitlington denies that the Scottish King has now any authority in Tynedale, and wins his cause.

John de Swynburne is summoned to show cause why he claims baronial rights and honours in Humshaugh and Haughton. He pro-

duces a charter from the King, Edward I., dated the 5th year of that monarch's reign, and his claim is instantly allowed.

Thomas and Nicholas, of the mill, at Bellingham, bring an action against Robert de Bellingham, for lands and tenements held by Gunnoqa of the mill, their grandmother, but they fail to establish their claim.

Adam Teseman is summoned by Adam Polet, of Wark, for having struck him on the head, to the effusion of blood. Teseman shews that Polet intruded himself rudely into his house, and allows that he kicked him out of his dwelling, but avers he did it not with undue violence.

Robert de Brameham, brings an action against Richard, the provost of Walwick, for having imprisoned him at Walwick, for three days, without just cause. It appears that Brameham was passing through the village of Walwick, when a dog ran at him, and he drew an arrow at the dog to save himself, whereupon there rushed out a certain Alan Messor, with others, and seizing him, they shut him up in prison for three days and three nights; and for this he claims ten pounds damages. The jury, however, award him only ten marks.

John, the Chaplain of Newcastle, complains that five of his cows, valued at thirty shillings, were seized by John de Tecket, and by Richard le Multergreve. They reply that the said cows were feeding in the King's Park, at Wark, for more than a year, unclaimed, and then they were seized as waifs. The parson replies that he had often asked for his cows, but could not get them; but for all that he loses his cause.

William of Halton complains that David Rannulphson came to his dwelling at Sewingshields, and carried off the locks, and bars and bolts of his door, "tam in Hamis et Haspis et ligulis"—and took away a certain cow's skin, and finding a measure of wine in the house (dolium) they made free therewith. He fails, however, in his plea.

Having finished the law pleas, the Judges next proceed to consider the coroners' report. William de Bellingham, Robert de Blumville, Robert de Bellingham, and Matthew de Whytefield, were coroners for Tynedale. They report on all cases of sudden death, or of death by violence, in their district.

We have first an evil deed of a Robson. Thomas Robson broke, at

night, into the house of Ralph Bond, at Newbrough; and Ralph Bond, arising from his bed, seized his sword, and struck at random in the dark, about his house, and inflicted on Thomas Robson two wounds in his thigh, from the effect of which he directly died. The other burglars escaped, and are not known.

William, the parson of Rothbury, was smothered in a moss hole near Haltwhistle. No impossible death there, even at the present day.

Michael Lyteskyle (skyte ?) and William Brown, of Bellingham, Roger of Shitlington, David of the Huntlawe, William Hunter of Bellingham, Robert the miller of the same, John the Fleschewer (flesher or butcher), John Dodd, and others, were indicted for robbery and murder, at Ninebanks, in South Tyne. Some of the robbers fled, others are taken, and forfeit all their goods.

Two cases of homicide, with an axe, are reported from Tarsethope and Hawkhope. And again, we have a murder by a Robson. William Robson killed Alicia, the daughter of Bernard the miller, and immediately thereafter fled, but in his flight was captured, and taken before William de Bellingham, the coroner, and thereupon was beheaded. And the townships of Hunteland, Chirdon, Tarsethope, and Charlton did not appear in full force at the execution, for which they are blamed.

John Proudfoot, of Bellingham, struck Richard the miller of that place with an axe on the head, so that he died five days after. Proudfoot fled the country, but his goods were seized, and they were worth 37*s.* 9*d.*

Two cases are mentioned where children are scalded to death. In both it is said they fell "in quodam cacabo pleno aqua calida." And the value of the vessel was xii^d.

Thomas Rome and Juliana, the wife of Robert the miller, fell off a horse into the Erringburn, and were drowned.

Robert, son of Adam of Whitfield, was killed by a fall of earth or stone, when digging coals, "fodendo carbones oppressus fuit sub terrâ."

Nearly a dozen persons are returned as having perished from cold on the moors, between Haltwhistle and Bellingham.

John Makam, of Keilder, dropped down dead in the market at Bellingham.

Thomas Scott, of Simonburn, wounded his wife Emma with an axe, so that she died four days after.

Adam of Thorngraston, struck Uchtred Lytelskyte (?) with a knife in the belly, at Wark, so that he died the next morning.

The list of those who had fled the country to avoid punishment for theft or homicide, is long and curious. In it we find some singular names, such as Thomas Spalefot, John Dulpin-the-drit, Elyas Blessed-blod, Alicia Wyldebarn, William Titmouse.

William, the parson of Corbridge, was taken for a burglary in the house of Hugh of Burton, and was committed to prison at Wark, and convicted at the Assize. But as the bishop of the diocese had no "attornatus" there to claim his clerk, the said William was remitted to prison, from which he afterwards escaped, and fled to the church at Simonburn, where he was kept till he was claimed by Lambert, vicar of Warden, and taken to the prison of the Bishop of Durham, where he soon after died.

Adam Stokoe and Maurice Skot, are captured for the death of Adam Thompson, in the open market at Bellingham. Stokoe is acquitted, and Scott acknowledges the deed, but says he was forced thereto by William de Bellingham, the coroner, who, by many blows, and much ill-treatment, and by the threat of instant death unless he complied, constrained him to decapitate the said Adam Thompson, who had been convicted, by the coroner, of the murder of Emma of Caphope.

The salmon laws, for the preservation of this noble fish, were tolerably strict at this date. In 1268, it was presented at the Assize that a great destruction took place in the waters of the country, of the salmon, as they ascended the rivers to spawn. It was, therefore, provided that, from the feast of St. Michael (29th Sept.), to that of St. Andrew (30th Nov.) no net be drawn or put into the weirs or pools, and that no one fish in the Tyne, the Wansbeck, or the Coquet, with nets "stirkeldis" (torch fires ?), or any other engines during that time. And that from the 1st of May, to the 24th of June, no net is to be used, unless its meshes are large enough for the smelts (Salmunculi) to get through.

Two more centuries pass away now ere the curtain again rises on the fair vale of North Tynedale. The Herons had now replaced the

De Insulas, at Chipchase, the Widdringtons were in power about Haughton. During this interval, we find William Charlton established at Hesleyside; and in 1343, Edward Charlton holds the same. About the end of the fourteenth century, the tower of Hesleyside, the only tower above Chipchase, was probably constructed. Perhaps it was built by Edward Charlton, who owned Hesleyside, in 1343. One of the Charltons was at Agincourt, in the suit of Lord de Grey. That Tynedale was, however, not perfectly quiet during these two centuries is evident, from the "*Monitio contra famosos latrones de Tynedale.*" In 1512, orders were issued from the Bishop of Durham, for the capture of certain men, who acted in contumacy towards the Bishop of Durham's authority, even after the greater excommunication had been fulminated against them. Among these were some of the Dods, Patrick, of Ealingham, Hunter, of Espleywood, and Peter, of the Greenhalgh.

In the letter of the Bishop of Durham, regarding the famous thieves of Tynedale and Reedsdale, the name of the Milburns first appears. In the records of Durham there is preserved an admonition or *monitio* against these malefactors. It is a long document, written in verbose Latin, and gives no very favourable picture of the condition of Tynedale and Reedsdale at this period, 1498. Not only are the majority of the inhabitants thieves and resettlers of stolen goods, but the great men of these valleys do protect and hide the thieves from justice, both for clanship's sake, and for the benefit of partaking of their robberies. Nay, the priests of that country are most evil, they keep their concubines, they are irregular, suspended, excommunicated, and interdicted clergy, ignorant almost entirely of letters, so that for ten years they cannot read the words of the mass, as we have proved by examinations of them, "*Uti quibusdam eorum opponentiis expertisumus.*" And some are not ordained at all, but merely counterfeits of priests, and they dare to celebrate the Holy Sacrifice in profane and ruined places, with vestments torn, ragged, and most filthy, unworthy of divine worship, as though a contempt of God. And the said chaplains administer the sacraments to these said thieves, without compelling them to restitution, and bury them in consecrated ground against the laws of the Church."

The document is imperfect, five leaves are wanting, containing the

names of those interdicted ; but the letter testimonial of Richard, Bishop of Durham, given in the castle of Norham, on the 25th of September, 1498, releases from the sentence of excommunication Sandy Chareyton, Crysty Milborne, Howy Milborne, Atkin Milborne, son of William Milborne, Lawry Robeson, Davey Robeson, Sandy Robeson, Gilly Dod, o^f ye Crake (Craig), alias of Smalemouth (Smalesmouth), George Dod, Roaly Dod, Barmy Dod, Sandy Dod, of the Shawe, George Marshall, and Sandy Hunter, on condition of their abstaining from all theft for the future. And, moreover, that after the 26th. of September of the said year, they shall not wear a jacke, or a knapescall (helmet), they shall not ride a horse of the value of more than 6s. and viii^d, except it be against the Scots or the King's enemies. Nor shall they enter a church, or place consecrated to God, with any weapons exceeding the length of one cubit."

Was the Sandy Charleton named in these letters the same who, in 1518, is named as Alexander Charleton, of Shotlyngton Hall, and who struck Alexander Elliott (Illot) with a dagger in the left side, below the arm, whereof Elliott immediately died? And this ill deed was done at Espleywood, near Faregirslawg, in Tynedale, on the Feast of St. James the Apostle, 1517.

The Elliotts were of Scottish surname, and perhaps the homicide resulted from a national quarrel. They are recorded in a Cotton M.S. as being at feud with the Fenwykes of Northumberland, as were the Armstrongs of Liddesdale with the Robsons of North Tyne ; and Sir Thos. Musgrave reports that they are "grown soe to seeke blood, that they will make a quarrel for the dethe of their grandfather, and then wyll kyll anie of the name." We learn from the same report the very route taken by the Scottish invaders, Elliotts and Armstrongs, &c., when they rode a foray into England. "When Liddisdaill people make any invacions to the Fenwickes they goe without Bewcastell 10 or 12 miles, and goe by the Perl-fell withoute the Horse Head, near Keldar, and soe along above Cheapchase. When they goe to the water of Tyne, they goe by Kyrsope Head, and without the Gell Crage, and by Tarnbek and Bugells Gar, and soe along by the Spye Crage and the Lamepert, and come that way."

In the early part of the sixteenth century, Sir Ralph Fenwyke, of Wallington, was keeper of Tynedale, and he was sheriff of North-

umberland, in 1515, when Edward Charlton of Hesleyside became bond in £40 for Peter Lambert of Fourstanes, as appears from a document in the possession of the late John Fenwick Esq., of Newcastle-upon-Tyne.

During the reign of Henry VIII. there was almost constant war upon the Borders, even when the monarchs of England and Scotland were at seeming peace with one another. It was a war of reprisals, of constant inroads from one side or the other, and was conducted in the most merciless fashion.

The inhabitants of Tynedale and Redesdale were evidently little to be trusted by the neighbours on the East, as well as by their Scottish foes on the West. These two rivers were closely watched every night along a line, extending from Haltwhistle in South Tyne, down to the junction of the Tynes at Warden, and from thence up the North Tyne to Chipchace. From Chipchace Ford, the line was carried by Throckrington, Sweethope, and Whelpington to the Coquet. Two watches were appointed to each ford. North Tyndale was considered as beginning at the Nook on the South side of the river, and at Reedsmouth on the North bank, and extending from thence up to the Bellyng, beyond which there were then, it is said, no habitations. In Sir Robert Bowes' survey of 1542, we have the following description of this district :—" All the said country of Tyndall is of the parish of Symondburne, and there standeth the parish church of the same ; albeit, they have a chapel at Bellingeam, two or three miles west from Symondburne aforesaid, to the which chapel the inhabitants of Tyndaill resort, for the most part, to their divine service, and there have all sacraments and sacramentals ministered unto them. And there is another chapel also in the said dale, three miles above Bellingeam, at a place called the Faw Stone, used for private masses sometimes.

" At Bellingeam aforesaid, there is a little town, where all the inhabitants of Tindaill do meet and assemble at divers times, when they have any matter or causes in common to treat of among themselves. And in that town of Bellingeam dwell diverse victuallers, which prepare and ordayne bread, ale, and other victuals for the said Tyndaills.

"The houses, buildings, and habitations of the said country

of Tyndaill are much set on either side of the river of North Tyne, and upon other little brooks and runnels descending into the said river; in strong places by nature of the grounds, and of such strengths naturally fortified, as well by reason of mosses and morasses, which, with great difficulty, may be passed on horseback, as of banks and cleughs of wood, wherein of olden time, for the more strength, great trees have been felled and laid athwart the ways and passages, that in divers places it be only passable by such as know the said evil ways and passages, and it will be hard for strangers having no knowledge thereof to pass thereby in any order, and specially on horseback. In which natural strength and fortifications of such places, almost inaccessible, the said Tyndaills do much rejoice and embolden themselves, and when they be afraid, do rather trust in the strength of such places without their houses, than to the surety and defence of their houses. And, yet, surely the headsmen of them have very strong houses, whereof, for the most part, the outer sides or walls be made of great swair oak trees, strongly bound and joined together with great tenons of the same, so thick morticed, that it will be very hard, without great force and labour, to break or cast down any of the said houses. The timber, as well as the said walls and roofs, be so great, and covered for the most part with turf and earth, so that they will not easily burn or be set on fire.

“There be also, for the most part, a great number of the said Tindaills houses set so together in one quarter, that a fray or outcry made in one house may warn all the residue, and upon any fray or scrimmage made within any part of the said country of Tyndaill, forthwith the fray and outcry is so raised and set forth in such wise by all that heareth it, both men and women, that the country will be shortly thereby warned and assembled to know the cause thereof. And for the more part if it be for a quarrel or matter of any one of them against a true man pursuing after his goods spoiled or stolen, they will all take one part, and maintain such a cause as if it were their common matter, so that now, for dread of this, almost no man dare follow his goods, stolen or spoiled, into the said country of Tindaill.”

Sir Robt. Bowes observes subsequently that, although there is much arable and pasture land in Tyndale, yet that the country is much

overpopulated, and not cultivated at all, "whereby the young and active people, for lack of living, be constrained to steal or spoil continually, either in England or Scotland, for maintaining of their lives."

In his second report of 1550, he continues in the same strain :—
 "That country of North Tyndall is much given to theft, and must be kept continually in dread of justice. The Tyndalls be so much inclined to wildness and disorder, and yet the Kings' Majesty hath no house of his own within the said country, apt or convenient for the ordering and correction thereof, save that George Heron, now keeper of Tyndale, uses his own house of Chipchace for that purpose, which is a very convenient place for the same. If the Kings Majesty's Castle of Langley were repaired, it would well serve for that purpose. And likewise would the Tower of Hexham serve if it were made something stronger, and had a house made adjoining thereto, sufficient for a keeper of Tyndale to dwell in, for when the Lord Dacre, that died, was keeper of Tyndale, there were certain prisoners rescued forth of that Tower by night by Tyndale men, by reason that the Tower standeth alone without the Town, and every man may come to the door of the prison and talk with the prisoners at all times.

"The country of North Tyndall, which is more plenished with wild and misdemeaned people, may make of men upon horseback and foot about six hundred, whereof there be commonly about two hundred able horsemen to ride with their keeper unto any service in Scotland.

"Of every surname there be sundry families or graynes, as they call them, of which there be certain headsmen, that leadeth and answereth all for the rest. And do lay pledges for them when need requireth, and there be some among them that have never stolen themselves which they call true men. And yet such will have rascals to steal for them, either on horseback or on foot, whom they do resett or at least receive part of the stolen goods ; or at least make all the means they may for the deliverance of such thieves. If any of them chance to be taken, either by composition with the party that owned the stolen goods, whereby to stop his pursuit, or else to labour with the officers by all means that they can to acquit and discharge such thieves

from just correction. There be very few able men in all that country of North Tynedale, but either they have been used to steale in England or in Scotland. And if any true men of England get knowledge of the theft or thieves that steal his goods in Tynedale or in Redesdale, he had much rather take a part of his goods again in composition than to pursue the extrenity by the law against the thief. For if the thief be of any great surname or kindred, and be lawfully executed by order of justice, the rest of his kin or surname bear as much malice, which they call deadly feud, against such as follow the law against their cousin the thief, as though he had unlawfully killed him with a sword."

Such is the picture drawn by an able hand of the state of North Tynedale in the middle of the sixteenth century. We make no apology for reproducing this report here. It has, indeed, been printed at full length by Hodgson in his wondrous, but, alas, fragmentary "History of Northumberland." But that book, by reason of its rarity and great price, is inaccessible to many of our readers.

As early as the year 1514 we find from a hitherto unpublished letter of William and Christopher Dacre to Lord Dacre, the then Keeper of Tynedale, that this part of the country in no ways belied its evil fame.

W. and C. Dacre to Lord Dacre, 27th Feb., 1514.

My Lorde, your small frendes of Northumbreland is coming home eight days bygone, making great exclamacion in the contrey, saying that your Lordship muste make restitution to all maner of parties complemand owder of the waistlands Tindale, or Redesdale, sens Branxton Field, but onely that S^r Willm Heron shuld discharge youe for Redesdale sens the tyme of his entry. My Lord, Tindale in no maner of wise wold cōm nowder afore me nor Sir Rauff Fenwyk, for no maner promesse surance writing ne seall that we did offre them, but that they ar sworne to gidre ilk one to take oder parte, and as it is supposed all by the councell of Sir John Heron of Chipches, for ther was at him Criste Milburne, Jame Dodd, Thomas Charlton of Carroteth, with odres of Tindale, and has putt the most parte of ther goodes away. My Lorde, we had daies appointed by them, a fyve or sex, alwaies trusting to haif, gotten them in by policye, and so they

have drave us from daye to daye, saying they were warned to kepe them furth, for if they com in ther muste twelf of them be taken and twelf of the waistland and all to be sent upp to London and there to be justified, and also that they had knowledge that they must haif a new officer, and your Lordship to go furth. Wherupon they did sende us there annswere in writing by Edward Charlton and William Charlton of Lehall, noon of them comyng to us that daye but onely they two, and so they all refused to com saufeng thies two personnes, whiche writing I do sende your Lordship herin closed. And so I perceiving that the said Edward wold not bring in thoes personnes that was in his band, but drave us on by colorable maner, and so I did arreste him, and did send him to the Toure whiche was upon Thursdaye, the 16 daye of Febr., and ther remaynes in Irunes to your Lordship pleaser be knowein. Also upon the Sondaye afture I did arreste Thomas Erington called Thomas Peepe, John Erington, the Angell his son, and Gib. Erington of Greneriche, and did sende them to the Toure, and there remaynes in Irunes in likewise to forder your said pleaser be knowen.

And upon Tewsdaye last past them of Tindale was gedred, and was fullye purposed to haif cōmen to Hexham and to haif broken the Toure. Notwithstanding I haif so provided for the sure custodie of the said personns that it is no perill, for I haif sex of your servauntes lieing in the chamber above the persone (prison), and a watche man on the Toure top, and also has caused thirtye personnes of Hexham towne to watche nightlye at the iiij quarters of the towne, and so I truste with grace of God it is out of jeopardie.

My Lorde, I haif sent worde to my broder, Sir Phillip, to be sure of such plegies and prisoners as remaynes at Morpeth, whiche is surelye keped and sure watche nightlye for the sure custodie of them, and so I truste they ar out of jeoperdie.

And as for such plegies and personnes as remaynes her they shalbe surelye keped in like manner.

My Lorde, now in the light of this mone we shall make roodes, as well of them of Tindale as the Waistland, of such as will not com afore us according to your commandment by your writing sent to us and deliverd by Cristofer Legh.

My Lord, ye shall understand how many personnes is attached

that was named in your billes, and in what person they do remayne in to your forder pleaser, be knowen by a bill herin closed, and within shorte space we truste to gett moo that is in your billes.

My Lord, Jak Musgrave tuke Jame Nowble, called Yallow Hare, and kept him in Bewcastell ij dayes, and has latten him go at the desire of Clement Nixson. And so upon Thursdaye next comyng it is appointed that all thinabitantes of the Waistland shalbe afore us at Askertone by ther consent, and there to appere, and thoes that does not appere the plege of that surname to remayne her unto such tyme the oder of the surname bring in thoes that does not appere, besides the plegies that remaynes her for good reull of the contrey.

My Lorde, Afor (as for) Rynyane of Erington, whiche is in your bill, he is gone up to London with my Lord of Northumbreland as his servaunt, and if you would haif him ye may haif him there, for he was gone to my Lord of Northumbreland er your writing com to us.

And thus the Holye Trinite preserve your good Lordship to your hertes mooste desire and comforte. At Carlisle this Monday, the penulte day of Februarii.

Your Son and Servand,

WILLIAM DACRE.

CRYSTOFER DACRE.

[ADDRESSED.]

To my Lord Dacre is good
Lordship be this delivered.

Lord Dacre seems to have had no sinecure as Keeper of Tyndale and Redesdale, if we may judge from a letter, in his own handwriting, which we have obtained from the Record Office. It is true that this letter refers chiefly to the misdeeds of the Redesdale men, of whom Sir Robert Bowes says, "they are less bold, and hardly so misbehaved as the men of Tyndale." On this occasion, however, the "Hieland men of Ryddesdaile" seem to have thoroughly emulated the daring of their brother reivers of North Tyne.

We have, indeed, good proof that nearly a century before this time the Redesdale men were given to making free with their neighbours' goods. In Raine's "North Durham" there is an interesting letter printed at p. IV. of the General History, addressed from Durham on

the 13th day of November, 1446, apologizing to John Heron of Chipchase, for that the servants of the then Bishop of Durham had rescued certain cattle driven off by the Redesdale men, without previous application to John Heron as keeper of that part of the country.

Lord Dacre's letter of 1518 shows that in 80 years little improvement had taken place in the condition of the country :—

Thomas, Lord Dacre, to Wolsey, 23rd December [1518]°

My Lord, pleas it your Grace to wete I have received the King, our Soverein Lordes moost honorable letters by thandes of this berer White messenger, being date at Greenewiche, the xxv. daye of Novembre last past, and to me delivered there the xxi. daye of Decembre instante, wherby I pereive that his highnes is infourmed that diverse and many haynous murders, robries, and ryottes ar committed and done within this countie of Northumbreland, and other parties therunto adjoining, to the disturbaunce of the peas and inquietacion of the King our Soverein Lorde's subjectes inhabitauntes therof. And of many unlawfull assembles maid by thinhabitauntes of Tindale and Riddesdale, so that they rebelliously shuld have reskued and takin fro my servauntes certain malifactors by me takin and delivered to them to be brought to ward. And also slain diverse of my said servauntes having charge in the conducting of the said prisoners, wherunto the kinge's said highnes cann not geve assured credence till his highness be advertised of the certainte therof. Wherfor his said highnes has commandit me to make certificate of and upon the playn troughe (truth) in all the premisses, and to endeybor me effectually by politique meanes for the repressing of siche insolent demeanor of the highlandes men, so that upone baldness of the same haynous dedes they be not encouraged to procede ferther. For the kinge's said highnes is enfourmed that they ar now unite to gidres and determynet to conteneue in ther perverse purpose whiche must be repressed at the begennyng, or els (or else) it will growe to greater inconvenientes. And for that purpos the kinge's said highnes is moche desirerous not onoly to knowe the certainte of ther demeanors, but also myne opinyon what I think best to be done therin to thintent that if the premisses be trew his highness may provide further aide and assistaunce for me as the case shall require. And ferther his

highe commandment is that I shall take especiall regarde to the punysshment of ryottes, felonyes, and mayntenors of receiptours which dayly sley and rob the pore cōmonaltie of these partes. And as it affirmed som gentilmen shuld be the doers, and som the receivers and manteners of the said detestable actes. And as it is supposed lak of dew punysshment, and not executing of the king our said souverain lorde's lawes is thocccasion of all thes enormities, whiche if it so were is the kinge's comāndment to be forsene and remedied. .

My Lorde, pleas it your Grace to be advertised of the reull and ordre of this the kinge's Countie of Northumbreland, considering it lieth so nighe ad'yinyng the marchies of Scotland, I trust it be not ferr out of frame, but oonly in certain poyntes wherof at my last being above I gaf your Grace a bill of enformacion of the names of them that was the maynteners. And now I have made your Grace an oder bill of the same herin closed. And if the same persons were sent for by privey seall tappere (to appear) in the Starred Chambre, and the same maturs laid unto their chargies, I trust it shuld doo much good and also pruffit to the kinge's highness be reason of their fynes. And if any of them be not of verey troughe, I am contented to bere there coostes and chargies that so can be proved contrary afore your Grace. .

And as unto the Highelandes men of Riddesdale trough it was that I had arrested x. persons of the moost principall and erraunte chafes emonges them, and them had in the castell of Harbottell by the space of ij dayes, and sent for the gaoler and the baillifs of the shire with others of my Tennautes, all to the number of lxxx. persons, on horsebak, and sent the said chiefs with my householde servautes to Rothbury Gate, vi. miles from Harbottell, to make deliverance of them there, trusting to me that all peril was past, seing that my householde servautes was betwene them and the said Highelandes. And yet that notwithstanding the said Highelandes men of Riddesdale had suche espiell and kept them self secrete and close. And at a strayt pathe mett my said tennantes, and killed my ballif of Morpeth and other six persones his neighbors, and took the gaoler and other iiij persons with hym and had them into Scotland wher as yet the said gaoller and some oder with hym sittes in preson, wherof I have made compleynte to the Wardain, and so to the lordes of Scotland, and

trustes to have remedie therof. Ther is fled into Scotland to the nombre of xxij of the principal persons and the residue ar fledd in other parties wher as yet they ar nott knowen of. And diverse other persons that cam to the same effrey I have takin in upon suyrties of ther good abering. And this is the verey troughe of the matier. And as for any insurreccions or banding ther is none, nor yet lykly to be, wherby the kinge's said highnes shalbe putt to no chargies for subdueing therof. And I trust the kinge's said highnes and your Grace shall here tell that siche diligence shalbe made for the punysshment therof as may be. And yet by fortune the moost principall man, called Thomas Pott, that the said Insurreccion was made for, was kepit still with my self for examinacion of his robberyes, who is putt to execucion for the same. And the blessed Trinite preserve your Grace. At Harbottell, the xxij day of Decembre.

Yours with hyes serves,

THOMAS DACRE.

[ADDRESSED.]

To my Lord Cardinalle's Grace.

In 1523 the Bishop of Carlisle writes as follows to Cardinal Wolsey :—

“ Ther is more thefte, more extorceyon by Englis theffs (thieves) than there is by all the Scotts of Scotland. Ther is noo' man which is nott in a hold strong that hathe or maye have any cattell or moveable in suretie through the bishopryke, and from the bishopryke till we com within viii. myles of Carlisle, all Northumberland likewise, Exhamshire which loongeth (belongeth) to your Grace worste of all, for in Exham selfe every markett day ther is four score or a hundred strong theffs, and the poore men and gentilemen also seethe them whiche did robbe them and ther goddys (goods) and dare nother complayn of them by name, nor saye one word to them. They take all ther cattell and horse, ther corne as they carrye yt to sow, or to the mylle to gryne (grind), and at ther houses they bedd them delyver what they will have, or they shall be fyred and bornt.”

In 1523, a tremendous raid was made into Scotland from all parts of the marches, at the suggestion of the English King. The Earl of Northumberland, writing to the King, promises “to lett slippe

secretlie them of Tindaill and Riddisdail for th'annoyance of Scotland
—God sende them all good spede!"*

In September, 1523, the Earl of Surrey executed sharp justice on the Tindale men, and amoug those hanged on this occasion was Jamie Dodd of the Burnmouth in Tarssett, "the most named theif of all others." Probably he was the Jame Dodd mentioned in the letter of Wm. and Christopher Dacre.

Earl of Surrey to the King, 2nd Sept. 1523.

Plesith it your highnes too be advertised that of late I have caused six arrand thevys too be attached, twoo of Tyndale, twoo of Ridsdale, and twoo of other places of Northumbreland, for offences lately comytted, and have by your lawes put theym to execucion, one of them was named Jamy Dod of the Burnemouthe the mooste named theif of all others, and iiij of thoders were very talle men. At this same tyme were in likewise attached twoo other thevys of my Lorde Dacre's tennantes of Gilesland. And being put in a prison nere unto where they were taken, iiijxx. of their kynnysmen and frendes of my Lord Dacre's tennantes came yesterdaye in the mornynge and brake the hous and hurte dyvers men and toke away the thevys. The contre roose upon theym, and toke one of theym that helped too reskewe them whome I nowe have in my custody.† And my Lorde Dacre with all diligence is retourned into his contre too attache a good nombre of thoffenders, and too send theym to me whome if I maye have I truste soo to ordre theym that others shalbe afferd too comyt like offences againste your Grace. Mooste humble beseching your Grace too loke upon this poure contre which by the contynnell murders and theftes comytted and doon by Tyndale and Ridsdale men and others of Northumbreland and other contres under my Lord Dacre's rewle was nere brought too uttir confusion.

And that it maye like your Grace if I maye by your high poure bring this contre to any good ordre tappointe one too have the rule here aftir me as maye contynue the same.

And aftir my poore opinion under your Grace's high correccion if

* Sir Ralph Fenwick led the men of Tyndale, and Sir William Heron the men of Redesdale, on this foray into Teviotdale.

† This probably refers to the breaking of Morpeth Gaol, and the capture of Henry Yarrow by William Swinburne.

your pleasure bee to have me retourne to your Highnes soon aftir Michelmas. As I truste your Grace woll have me too doo it were conveyente, not onely incontynente tappointe him but alsoo too send hym hither, considering that it is nowe not fully one moneth too Michelmas. And if he were here with me a good season before my departure he shuld the better serve your Grace when I were goon eftsonys mooste humble beseching your Highnes too tendre the premysses, and to advertise me of your gracious pleasure. Herein written at Newcastle the ij^{de} daye of Septembre.

Your most humble Subject and Servant,

T. SURREY.

[ADDRESSED.]

To the Kinge's mooste noble Grace.

Memorandum. That Nicholas Thornton of Witton took Hodde Hall, a Riddesdale man, in Northumbreland, when he was riding in Steling (stealing).

Med. That John Browne of Windyates, Rauff Brown dwelling besides Witton, tenautes to the said Nicholas Thornton, and Berte Shawdon, and one man called the gared Taillour, household servautes to the said Nicholas, was taken by the Ogles when they all iiij was in Steling in Northumbreland.

Med. That Sir William Lisle took one John Hall, and Rauff Hall, Lioll Hall, Riddesdale men, and let them goo.

Med. Also that one Kyssop, servaunt to the said Sir William, was taken by the Ogles when he was in Steling.

Med. That Hoge Fenwik, of Attercops, kepith and receptith Wille Aynseley Scott, viij dayes togidres, every moneth.

Item. Thom Brown of the Cotewalles stole the Priour of Tynmouth's horse, and his brodre was kept in prison onto the said horse was yeven again.

Item. That Thomas Foster Marshall, of Berwick, took William Cokson, of Ellisden, and one oder Riddesdale men.

Med. That William Swinburn of Captheton took Henry Yurrey of Tyndall when he was at the breking of Morpeth Castell.

Thomas Langton, of Langle, took certain Tindale men steling, and let them goo.

On the 3rd of October, 1523, Surrey writes from Newcastle to

Wolsey—"I have also knowledge by men of the contre, but not as yett by the captaynes, that Sir Rauf Fenwyke on hys quarter, and Sir William Heron on hys quarter, have made two very good roodes, and have gotten muche insight gear, catall, horse, and prisoners, and here returned withoute los." And King James V. of Scotland, writing to Henry VIII., complains that "the greatest of all attemptes that was done against our legys (lieges) during the hele war has been committed upon our middle marchies be certaine zoure legys, of the surnames of Doddis, Charltonis, and Mylbornis, under the care of Schir Rauf Fenwik, who, on the 6th daye of this instant monthe, has cummin within the groundes of Tevydail, reft and spoilzid sundrie gudis, murdyrit five men, and utheris left in perill of deid."—(4 State Papers, 666.

On this occasion Sir Ralph Fenwick led a willing army against the hereditary foe ; but, as has happened to other great leaders, his then supporters were soon after arrayed against him. Not ten months after this great and most successful inroad, he was once more in Tyndale on another errand, seeking to apprehend one William Ridley, an outlaw, and probably a fugitive from the South Tyne.* He had with him on this occasion a force of 80 horseman, and appears to have taken up his quarters in the tower of Tarsett Hall. His presence there does not seem to have been agreeable to the Tindale men, who energetically espoused the cause of Ridley. "William Charlton, of Bellingham, having 200 of the seyde inhabitants of Tyndail reteigned, bound, and bodilye sworne upon a booke to him alwaies to take hys parte, hering of the sayd Sir Rauff being ther, assembled parte of them diligenteley, and freshley set upon the said Sir Rauff, and not onely put him from hys purpose af attackinge the sayd Ridley, but alsoe chased the sayd Sir Rauff out of Tyndail, to his great reproache." The insult offered to the King's majesty, in the person of Sir Ralph Fenwick, was speedily avenged by Thomas Lord Dacre, who seized the person of William Charleton, and also took, at the Bridal of Colwell, Roger Charleton, his Brother, and Thomas Charleton of the Careteth, "by whom all the inhabitaunts were governed, led, and ready at their commaundment." He describes these three as pledge-

* William Ridley was concerned in the murder of Nicholas Featherstonhaugh.

breakers and receivers of the stolen goods procured by the other marauders, and advises that they shall be forthwith judged and executed. Immediately after the seizure of these three "hedesman," Lord Dacre commanded the inhabitants of Tyndale to meet him the next Sunday in Bellingham Church. The Robsons, however, one of the surnames, held out and would not give pledges, whereupon Lord Dacre sent out a party that night, seized four of that surname, and among these Robert Robson, the fourth hedesmen, whom he at once, and for the terrifying of the others, *Justified*, or executed, on the spot.

Lord Dacre had been up to this time in no great favour at Court, as it was rumoured that he was too indulgent to the Borderers. He accordingly wrote a long letter of defence to Wolsey on the 25th April, 1524:—

Dacre to Wolsey, 25th April, 1524.

[EXTRACT.]

My Lorde, pleas it your Grace, I received your two severall lettres, the one dated at Grenewiche the last day of Marcii, and the oder at your place besides Westmynster the vj day of this instant monethe of Aprill, by the contynne wherof I do perceive the manyfolde doctrines and advertisementes that your Grace doth geve me, as well for conservation of the Borders, punnyshement of malefactors, contynuall annoysaunce to our ennymyes, as also for the apprehending of viij. personnes sent in a cedull within your seid lettres. And albeit that Sir Willm Heron and Sir Rauf Fenwik, Knightes, be admytted by the Kinge's Highnes to be Kepers of Tyndale and Redesdale, no reasonable annswer or lawfull excuse maid by me for vj. of the seid personnes inhabiting within Tyndale can be accepted by your Grace. But I to be chargied, and they to ayde me for thattaching of them, the like wherof hath not hertofore bene sene. Notheless seing this busy tyme of warr, and that Tyndale is so far from me, or fro any lande or dwelling place that I have or used to dwell in as Herbottell, and others wherby I cannot with subdein roodes or jorney com closely upon them, like as ther officers might, yete if it be my chaunce and fortune to git any of them (for the whiche I shal bothe sendie and laubor by all the lafull and honest meanes that I can possible),

I shall attache them, without it be thay com to common tristes for good ordor and reformation wele of the realme and use of the marchies as wardeins hertofore haith bene accustomed, whiche if they so do must nedes departe again fre, thoughe they had slaine my broder or frende. And in caace I can gitt noon of them, yete I shall so do that my good will and mynde shalbe knawen not defective what tyme as I shall ever afore your Grace.

Notwithstanding the contrary surmyses maide to your Grace of the state of the cuntry, assuring your Grace it is in as good ordor, and rather better, now then it was in at the departure of my said Lorde Treasaurer. And no roberies commytted within his tyme then hath bene commytted sens my entre, as I wol abyde by. For after the insurrection of thinhabitantes of Tindale, maide upon the said Sir Rauff Fenwik their bailif, afore or my Lorde Treasaurer departed no punyshement or correction being maide for the same. My said Lorde Treasaurer departed and no way tooke with them, but oonly that my seid lorde had communicacion with a parte of Tyndale. And therupon drew a booke of articles, signed with his hande, taking abstinence with them, touching their good demeanor and abering to be kept to a certein daye, which booke he left with me. And I do rakyn, under correction of your Grace, if I kepe Tyndale in as good ordor and better then I founde it in, and, according to the tenor of the seid booke, I shulde serve no blame. And for proyf of the same, I beseche your Grace to auctorise siche as shall best pleas your Grace by commission to make due serche and examynation whidder the premissies of the cuntry Tindale, and attemptates with exploytes done be trew or not, to thintent the Kinge's said Highnes and your Grace, may be surely ascertained therof wherunto ye wol geve credence, thoughe your Grace take my writing concernyng the same lately as frustrate.

Yours with his serves,

THOMAS DACRE.

[ADDRESSED.]

To my Lorde Legate's Grace.

Wlsey approved highly of Dacre's activity about the Charltons, and desired they might be executed at once:—

Wolsey to Dacre, 11th June, 1524.

[EXTRACT.]

And to the residue of the contentes of your said lres depending most upon the matiers of justice. The King's Highness moche alloweth and commendeth your demeanor, not only in apprehending first of William Charleton, of Bellingham; Roger Charleton, his brother, Thomas Charleton, of Careteth, with your opinyon for putting the said William to execucion, for the reasons and consideracions specified in your said lettres, but also willethe you that, considering the demerites of the said Roger and Thomas Charleton, ye abiding the tyme of the sessions, whiche myzt geve a comfort to them and other malefactours, shal see aswel them as suche other as ye may apprehende and shalbe founde culpable in like offences, to be immediately, and withoute tracte of tyme, executed according to the ordre of justice, and their demerites, to the fereful example of other whiche elles myzt attempt and presume to commytte like offences, which thing don, I assure you shal be a great furtherance to the good ordre and restfulnes of those parties. And, therefore, it is not to be doubted but ye wol regarde it accordingly. Sembably the King's Highnes being right wel contented with the execucion don upon Robert Robson, wol that ye in likewise procede againste the residue of the iiij of the surname of Robsons, whom ye have in ward for like offences, not abyding the commyng of the justices of assize, in avoiding the inconvenientes before specified.

And as touching Sir Nicholas Ridley, in as moche as he, contrary to your speciall commandement, hath put Henrison, being an errant thiefe and felon, to libertie, at his own hande without auctorite, and that William Ridley, being his kynnesman and a like malefactor, who is now fled in to Scotland, was, bifore his departure, supported by the said Sir Nicholas. Albeit that any person shal make sute for the pardon of the same Sir Nicholas, yet, ye may be sure, the King's Grace is resolved and determynd not to graunte or passe the same, but that as egal justice shalbe administred unto hym if he have so desired, and that it be not don for any particuler displeasure, as shulde be upon other malefactors. And, therefore, ye, showing the same on the King's behalf to the said Sir Nicholas, may take suche

ordre with hym, that by his meanes, and for the better declaracion of hymself, the said Willyam Ridley may be taken. Wherin if he be remysse, seing as ye write he may do it, it shal be a more apparant evident to his own condempnacion. For it is not convenient that the Kinge's Grace shulde write unto suche a malefactor, being prisoner. But that if he trust upon any favor or mercy, he shal so declare and use himself, otherwise that he may do som thing towardses the deservyng of the same. And by this meanes, keping him stil in warde, withoute putting him to any libertie, bayle, or maynprise, ye shal best fynd the way to attayn the said William Ridley, and he, nevertheless, to be ordred for his rightful punishement, as ye shal se to stande with equite and justice.

Fynally, to thintent ye may be the more duely obeyed in exercising your office in the west marches, I wol sende you by the next post the Kinge's commission, conformable to the divice and minute accustomed, whiche ye sente unto me in that behalfe. Praying you that, according to the special trust and confidence that the kinge's highness and I have in you, ye wol contynue and preserve in this good trayn and disposicion for the quiete ordering of that countrey. Ascertainyng you, it is thought by the Kinge's Highnes, that fynding a multitude of malefactors, if they shulde amounte to the nombre of xl., whiche have deserved execucion of dethe, ye shulde not lett ne deferre, by auctorite of your wardeynship and justice of peax, to porge those parties of them, and to ordre them, according to justice, withoute abiding the tyme of sessions or otherwise, wherby ye shal bring the people there in to such terre and drede, that they shal not dare thus presumptuously and contemptuously offende the Kinge's lawes, to the hinderance and, in manner, destruction of those parties. And, consequently, taking pledges of the other parties as ye have don in Tyndale, and attaching suche malefactors as wol not fynde like pledges whom the Kinge's pleasure is ye shal, in that cace punnyshe or put to execucion, according to the qualities of their demerites. Ye shal reduce those countreys to as good and peasible ordre as any other parte of the Kinge's realme, to your great honor, and to the Kinge's singler contentacion. And for my parte, I shall in your good doing the more tenderly and entierly favor and love you, being moche the gladder to helpe further and advaunce any thing that may be to your

weale, honor, or profite, like as (persisting after this sort and fashion) ye shal fynde the experience of the same accordingly. Thus fare ye hartely wel. At my place besides Westminstre, the xjth day of June.

Your lovyng frende,

T. CARLIS EBORX.

Lord Dacre lost no time in obeying these injunctions, as appears from the following letter :—

Dacre to Wolsey, 8 July, 1524.

My Lord, pleas it your Grace, to wete, that, according to youre commandment to me, geven in youre lettre dated at Westminstre, the xj. daye of Junii last paste, this daye I have kept a Session, and have put to execution of de^he Willm Charlton, of Bellingeham, in Tyndale, and Roger Charlton his broder. As for Thomas Charlton, of Caryteth, he is this daye acquite and clenod of the matier that was laid ageinst hym, albeit, I have so provided that he is newly indicted of an oder felony, wherupon (God willing) he shall be reigned within brief tyme, and in likewise put to execution as the oder two be. Also, there ar two of the Robsons, whiche were taken with Robert Robson, of Byndmyrehill [Bimmerhill] casten, and this daye put to execution, and the thrid Robson is acquite and clenod. And besides thes, there is one named Percyvell Grene, who was as disordred an erraunt theif and treitor as any cowthe be, and for many and diverse felonies by hym committed, fled out of this realme and tooke the benefice of Scotland, of whome my Lord Treasurer can enforme your Grace which Grene (for the said treason) is casten and put to execution, and so jugied to hyng in an irne chayne unto suche tyme as his bones and synewes rott in sonder. Also (over and besides the said persons), there ar othre thre thiefes in likewise put to execution this same daye. And so in all there be viij. casten and executed. And yete, I have oders which were not brought furth at this tyme, and as it shall pleas God to sende us moo, they shall have like ordre according to their demerites and by thordor of Justice.

And furthre, I shall endeavor me, to the beste of all my power, to accomplish the King, our Soverain Lorde's, high commandmente and pleasur, and your Grace is in thadministration of justice and keping

of thees countreys in good and quiete ordre, which, I truste at this tyme, be in metely good trayn. Trusting to God they shall alwey increas to better, with good following upon, and keping of Wardein Cortes and Sessions, which, God willing, shall not be slakked.

Pleas it also, your Grace, upon Tewisdaye, the vth daye of this month, I sent my broder Sir Philippe Dacre, Knight, into Scotland, accompanied with Sir Rauf Fenwyk, Kny^t, Leonard Musgrave, Edward Aglyonby, and John Tempest, capteins of a parte of the Kinge's garrysons lyeng here, upon his marchees and oders of the countrey men being in the hole, to the nombre of on M. men, who rode to their purpose, and brent a grete towne, called Smalholme, iiij. myles above Kelso, which was not brent of many yeres agoo, and not only seased miche catall, but also wan miche bagage, and so returned homewardes. And in their said retornyng, the Scottes of Tevidale (proposeing to have maid a jorney into this realme) did espie or ooste in their said home.commyng. And so the said Tevidale men being returned of their purpose foresaid, and accompanied with the marshe men (being to geder in the hole nombre mm men) lighted and lay closely in our men is waye. And so when our men did se the said Scottes, they in likewise lighted, and with a good and fresh courage set upon the same Scottes and put them to the fighte, and thereupon lap on horsbak againe, and chaced the said Scottes, and slew about xxx persons of them, and took nigh upon cccth, and wan thre standerdes, notwithstanding that by good fortune a parte of the said Scottes kept themselves to geders, and (when our men were skaled in the said chace) set upon the hynderende of our said chace, and there slew John Heron the bastard and other vj persons, and took the said Sir Rauf Fenwyk and Leonard Musgrave, and about xx persons with them prisoners, and reskued a parte of Scottes prisoners. Albeit, thorow the grace of God and by good fortune, our said men being in the chace (not knowing of the chance hapned behinde them unto tyme the crye rose) returned and left that chace, and not onely chaced the said Scottes that sett upon the hynder end of our men, but also slew and took parte of them, and kept and wan the feild clere without any further doubt, and so cam home without any more hurte or damage, which I assure your Grace was a fare fortune, seying that of trouthe the Scottes were two for one. And fynally, for

conclusion herein, our men being commen home, have clerely brought away upon cc persons, and the Scottes had clerely away the said Sir Rauf Fenwyk and Leonard Musgrave, and about xx persons prisoners with them. And over this, Andrew Ker, being Wardein of the Middill Marchies of Scotland, and Marke Ker, his uncle, as sore and evill hurte, insomiche no man trusteth that they shal lyve, and many other Scottes are evill hurte. And I assure your Grace that this is the trouthe of the matier.

As for newes of Scotland, surely I have none of effecte, but the Scottes do persevere and entende to stik at the promisse which they have made to the Duc of Albany, and (as they say) woll in no wise flyt frome it. As knoweth the Holy Trinite, who ever preserve your Grace. At Morpath, the viijth night of Julii.

Yours, with hys serves,

THOMAS DACRE.

[ADDRESSED.]

To my Lord Legate's Grace.

Indorsed—"Reddit viij. July.

On the 23rd July, Norfolk tells Dacre that the execution of the Charltons and Robsons are better taken by the King and Council than anything he has done, and has extinguished the rumour that he favoured evil doers.

In June, 1524, Lord Dacre commanded Sir Ralph Fenwick to issue the following proclamation at Bellingham Kirk, "at the messe tyme on Sondaie"—

Copie of a Proclamacion.

Thomas, Lord of Dacre and Gilleslande, Wardein of all the Marchies of Englande foranempt Scotlande, and Rauf Fenwik, Knight, Bailif of Tyndale, chargies and commandes all and evry thinhabitantes of Tyndale, betwene thages of lx. and xvj., personally tappere afore us at the courte of Wark, in Tyndale, which shal holde on Friday, the fast of the Nativitie of Sainct John Baptist first comyng, that is to say, the xxiiij. daye of this monethe of Junii, for good reull of the countrye. And that all personnes that has founde no suerties as yete, that they com in and speke with us there to thintent if they

woll finde suretie by plegies for good reull to be kept that they be accepted and takin as other good and wele disposed men of Tindale is. And if we and they agre not, and that they woll or cannot finde sureties for good reull, they to depart frely againe without let or disturbaunce. And if ther be any person that pleges are laid for whiche standes in any doubtte or feres to com in, we wol they com nere the towne and send to us for assourance, whiche they shall have graunted fre to com and goo for all thinges, saving good reull to be kept. And that no person be absent at their perilles. At Sawarde, the xvj. daye of June, the xvj. yere of our Soverain Lorde's reigne, King Henry the Eight, undre my seale and signe manuell.

Sir Ralph had, therefore, soon been released after his captivity by the Scots.

In March, 1524, the Tynedale men and Scots combined, made a terrible foray on their own countrymen. William Franklin writes from Durham to Cardinal Wolsey :—

“ Please y^r most honorable Grace to understand upon Tuesday last, the xxviiith of Marche, the Hyland theeves with banyshed men, to the numbre of foure hundred men, accompanied with many Scotts, came to Ingoo and Kirkheton, in Northumberland, and overrane the countrey too within eight myles of Newcastle, when they slew seven menne out of hande, and hurte dyvers moo in perell of dethe, setting fyer on the saide townes, and drove away all the goodes and cattall lying in ther way. The saidde theeves be nowe in such comferte and audacitie, bye reson, it is bruted (bruted) here, bye the Lord Dacre's freends, that he shall have the holl (whole) governaunce of the countreye, that theye bee much more rytouse than ever they wer by fore.”

Within a month after this inroad, in April, 1524, the arm of the church was had recourse to, to arrest the disorders of Tyndale; for Cardinal Wolsey then caused an interdict to be laid on all the churches of Tyndale, though Redesdale, as being then tolerably quiet, was exempt from censure. On the Scottish side, the Archbishop of Glasgow published, at the same time, an interdict and excommunication against the outlaws of Liddesdale, couched in the strongest possible language. The document may be read at full length in 4 State Papers, 417, but we forbear to reproduce it as it is in the

Scottish tongue, and would lose much of its force by translation. We only give a short extract of this very lengthy proclamation. The worthy Archbishop does not spare his lawless countrymen. "All the malesouns and waresouns that ever gat warldlie creatur sen the begynning of the warlde to this hour mot licht apon yaim (them). I curse thair heid, and all ye haris of thair heid; I curse thair face, thair een, thair mouth, their neise, thair toung, thair teith, thair craig, thair schulderis, thair breist, thair hert, thair stomok, thair bak, thair wame, thair armes, thair leggis, thair handes, thair feit, and everilk part of thair body, fra the top of thair heid to the soill of thair feit, before and behind, within and withoute." But the Borderers seem to have revered neither church nor King, for Willm. Frankelyn, writing to Wolsey in 1524, tells the Cardinal—"After the receipts of your Grace's sayd letter we caused all the chyrches of Tindaill to be interdicted, which the theves there temerariouly disobeyed, and caused a Scots frere (friar), the sayd interdiction notwithstanding, to mynistrer them theyre communion of his facion, and one Ector Charlton, one of their capeteynes, resaved the parsonnes dewties and served them all of wyne." He adds "The saying of Sir Edward Todd, priest," concerning the order of Tynedale men on Good Friday last past, viz., "that on that day Hector Charlton declared in his presence, and that of Sir John Alde, priest, that he, Hector, did no thing sithen the departure of the Lord Dacre, his master, but that it was his pleasure and commandment; that Hector kept company with Gerard his brother and other felons of Tynedale, to espy bourdes that he may cause the Lord Dacre laugh when he comes home; that Hector, with Henry Pluck and Nicolas, took the Blessed Sacrament forth from the sepulchre in Bellingheam Church, and one firkin of wyne and 800 breads, and carried the same into a place called Tarsett Hall, but next day brought them back to Bellingham, where they got a Scotch friar to give the Sacrament to a number of evil disposed people."

The tradition of the country tells us that this was Hector Charlton of the Boure, on Chirdon Burn, the ancestor of the late Charlton of Reedsmouth. Proclamation was made at Bellingham and elsewhere against giving food to the outlaws, and for "keepyng of thare wyffes and servantes from markets," and most of

the outlaws seemed disposed to come to terms, stating that if their own lives and those of their pledges given into the hands of the sheriffs were respected and made safe, they would then submit to the King. "Thys aunser dyd all the theves of Tindail give except Gerard Charlton, and one Ector Charlton, two great capeteynes amongst them, which Ector said that he was servaunte to the Lord Dacres, and that he never wolde submyte himself to the tyme he shold se the sayd Lord Dacre."

The severity of Lord Dacre's rule in North Tynedale, raised against him a host of enemies. Amongst these, no doubt, were the "surnames" which had suffered so severely from his energy in Tyndale; and when he was tried at Westminster Hall, in 1536, his patronage of Hector Charlton of the Boure was brought in accusation against him. A copy of the articles of accusation is still extant in the possession of Sir John Swinburne, of Capheaton, and has been printed by Hodgson, Pt. 3, Vol. I.—*Art. XIV.* "Item, in proof of favour borne by the said Lord Dacre to thieves consorting there in their misdemeanour, two thieves were taken in Gilsland, beside Lanercost, with the 'maynore' of certain cattle by them feloniously stolen and delivered to the order of the said Lord Dacre, which at the request, of Hector Charleton, one of the greatest thieves in those parts, familiarly and daily conversant with the said Lord Dacre, the said thieves, were by the said Lord Dacre delivered to the said Charleton to be ordered at his pleasure, which Hector Charleton did ransom the said thieves, and suffered them to go at large for twenty nobles of money, which thieves and their friends have delivered and paid the same sum to the said Charleton with goods stolen from the King's true subjects."

Lord Dacre, in his answer to this accusation, replies, that the two men after being long in prison were found not guilty, and that thereupon he delivered them to William Charlton and Hector Charleton, "and whett thaie dyd with them, the sayd lorde knowithe not." The date of these articles of accusation is not accurately known, probably they were drawn up some years before Lord Dacre's trial, in 1536. We are not able to fix the exact date of another exploit of the Tyndale men, referred to in the XVITH article of accusation, whereby it seems that one Cokes Charleton had been taken and confined in Lord Dacre's castle of Morpeth, but was rescued by a party of the Tyndale

men, no doubt of his own "grayne," who "brak the castell of Morpeth on the nyghte, and the prisone wher the sayd theff with two felons were and took hym out." It was, probably, on this occasion that William Swinburne, of Capheaton, retook Henry Yarrow, of Tyndale, one of the escaped felons.

In 1525, Sir Ralph Fenwick was again roughly handled in North Tyndale. Early in the year, he was left in Tarssett Castle with 100 men to keep rule in the country. Similar garrisons were placed at Chipchase and Hesleyside, as appears by the following letter of Eure to Wolsey, dated May 16th :—

*Sir William Bulmer and Sir William Eure to Cardinal Wolsey,
16th May, 1525.*

Pleas it your grace to be advertysed. We dyd wryt a letter untoe Master Magnus, in Scotland, toe move the Counsell of Scotland that thei shulde nott ayd nor assist the Kynges rebelles of Tyndall within Scotland. And he hath mayd us answer, thatt he wyll so doo. And for his advice concerning the abstynence of werr, and if he had eny knowlege their of. And how at we and owr deputyez shulde use our selves their in, and so, by his advise, their is abstynence taken for xv. daez. At the last day of trew, as was thought by our deputyez, the Scottes was helye mynded, and with greatt company, and our deputyez was enformed thay entended to have doyne thayme sum displeasor. Wheruppon thay have shewed untoe us thatt they have called uppon the gentilmen of the countrye, and of the commitye of the saym, as use and custom hathe beyn. And thai wyll nott ryse with thayme, so thatt thai er nott able in nombre to meytt the Scottes, wherfor, we suppos, thatt the countrye thynkes thatt we be nott able persons to rewll thayme, besechying your Grace to tak no displeasor with us, tho we, accordyng to owr othez and trewths untoe the Kynges highenes and your Grace, discharge owr selves toe ascertain your Grace the trewthe. We thynk thatt itt is necessary yf it myght stand with the pleasor off the Kynges highenes and your Grace, thatt thei wer sum noble man sent intoe this countrye, and loeth we wer seyng, your Grace is so good untoe us as ye be, thatt we shulde nott serve the Kynges highenes and your Grace as we shulde doe. For and if we shulde call of the countrye, we thynk

thatt thei wyll nott serve us. And as it shall pleas your Grace, heir in we beseche yow, thatt we may know your pleasor how as we shall ordre ourselves, and if we shuld have eny more spekyng with the Scottes, if thai require uppon us or of ovr deputyez as thai dyd the last tyme, whether we shall take eny further abstynence or nott.

Also, we beseche your Grace, that we may know your pleasor whether thatt suche ordre as we have taken for Tyndall shall contynew or nay, which ordre is this—We have left Sir Rauf Fenwic, and on hundreth men with hym, att Tercett Hall. And att Chipchaice, a gentelman and fyfye men with hym; and att Heslesyd, on other gentelmen and fyfty men with hym, so thatt their remaneth styll in their garrysons att the Kynges charge two hundreth men.

Sens the tyme thei war layd, the Tyndaill men nor the Scottes theiffs hath nott rydyn nor doyn no great harme, whatt thei will do if the garryson be discharged we know nott. And, except the contrary commandement com frome your Grace, we entend to discharge the garryson uppon Setterday, the xxvijth day of May.

And the Armystronges of Liddersdaill, and the theiffes of Ewysdaill, is joned with the Kynges rebelles of Tyndaill, and is commyn untoe thaym, and kepeth all company to gedders which is thought shall mak mony dispoilles of the Kynges subjectes, assoyn as the garryson shalbe discharged. And thus we be enformed, as our Lord knoweth, who, preserve your Grace. Frome Segisfelde, the xvjth day of May, by your humble servandes.

W. BULMER.

WYLLM EURE.

[ADDRESSED.]

To my Lord Cardinall, his good Grace,

hast post hast.

On the last day of May he was attacked there by the Scots and Tynedale men. "400 Scots, with the rebelles of Tynedale, came to Tarssett Hall and Hesleyside, where the Kynges garrisons lay, and there took 55 horses and prisoners, and kylled and brount. And on the 13th June, came 600 Scotsmen, with the rebelles of Tendale, and took forty men and forty horses, and brount and kylled divers men."

Eure and Fenwick upon this made a raid upon Tyndale, on the 7th of July, and the untoward result of this inroad is detailed in the following letter.

Sir William Eure to Wolsey, 8th July, 1525.

Pleas your Grace, I wentt unto Tendale, the vij. day of July, and Sir Rauffe, of Fenwyk, wentt uppe to syde of Tyen waters, and I of the tothers syde. And he desyryd me that I wolde latte hym have iiij^{xx}. of my nayrcharys [mine archers]. And I putte my unckyll Hewystes [Eustace?] to hym, and iiij^{xx}. hayrcharys, and John, of Hogyll [Ogle], and fyfte sperys. I bruntt thayr Chellis, and toke frome thayme all that was in the sayde Schellys, and thayr cattell, of that syde of the waters that I was of. And where Sir Rauffe, of Fenwyk, was, the thevys sett upon hym at astrate, and thayr hathe tayken my unckyll and ten of my servandes, and sclewe one. I sende unto the bysshoppryche of Duresme to my fryndys, that was nexte jonyng unto Hexham, to company me att the said jornay and thayr come to me iij^c. of thayme. And, pleas your Grace, the gentyll men of the cuntre hadde lever have the favor of the thevys then to tayke any of thayme. I besyche your Grace that I may knawe your plesor howe I schall euse me in theys partys. I conteneu the garryson men in waygis to I knawe your gracious plesor thayrin, and remayns here my selfe at Hexham. I schalbe gladd to euse me acordyng to your commandmentt, to the best of my pore, as long as I leyffe, as knaweth God, who preserve your Grace. Wrytten, at Hexham, the vij. day of July.

Your Servandes, att command,

WYLLM EURE.

[ADDRESSED.]

To my Lorde Cardinal's Grace,

This be delyvered.

We believe it was in the month of June, 1525, that Tarssett Castle was burnt and destroyed by the united forces of the Scottish side, joined by the men of Tyndale.

In 1528, William Charlton, of Shotlyngton, and Archibald Dodd, with two Scotsmen—Harry Noble and Roger Armstrong—rode a

foray into the Bishoprick of Durham. The two Englishmen were here acting in union with their hereditary foe, and the inroad upon the county of Durham can only be characterized as a thorough act of treachery. It confirms the saying of a writer of the day, that these Border thieves would be Englishmen when they will, and Scotsmen when it suited them best. In all probability Noble and Armstrong were "broken men" outlawed from Liddesdale for acts of violence, who had taken refuge among their foes. The party, nine in all, entered the county of Durham on Monday, January 21, 1528, and advancing to the neighbourhood of Woolsingham, seized the parson of Muggleswick, and bore him off a prisoner. On their return they broke into three houses at Penhamside or Penwoodside, and robbed and spoiled the "gear" therein. The country rose in pursuit. Edward Horsley, the bailiff of Hexham, led the fray. "The water of Tyne was that night one great flode, so that the sayd theves couth not passe the same at no fordes, but were driven of necessitie to a brygge within a lordship of myne called Aydon Brygge, which by my commaundment was barred, chayned, and lokked faste, so that the sayd theves couth not passe with their horses over the same, but were constrained to leave their horses behynde them, and flee away a foote. And upon the same a servaunte of myne, called Thomas Errington, ruler of my tenantes in those quarters, persewed after theyme with a sleueth hounde, to the which pursuutte of theyme, after the scrye in aid, came to theyme one William Charlton with dyverse other inhabitants of Tyndaill to helpe to put down those rebellious persons, which forwardness in oppressing mallifactors hath not been sene aforetyme in Tyndaill men." (Northd. to Wolsey, 1528). William Charlton, of Shotlyngton, or Shitlington Hall, was slain in the pursuit by Thomas Errington. James or Harrye Noble shared the same fate, and Roger Armstrong and Archie Dodd were taken and executed. William Charlton's body was hung in chains at Hexham, James Noble's on Haydon Bridge, and the others were treated in the same way at Newcastle and Alnwick. The other five outlaws escaped. The old hall at Shitlington was standing till within the last few years. Six "Tyndaile theiffis" were hanged at Alnwick in April of this year. The severity of this chastisement seems to have produced tranquillity on the Borders for some years. In 1535, the Earl of

Northumberland met the "hedemen" of the surnames of Tyndail, at Hexham, and took bonds for their good behaviour, and that of their retainers. These bonds are still extant. In 1536, however, the restless spirit of the Borderers was again inciting to acts of violence. Sir William Eure writes to the Cardinal, on the 26th of July of that year, from Hexham—"The rebels of Tyndale make some 'besyness' in Tyndale wher ther dwellings was, and in no place els they melle or dois hurt; ther abydings is in a place called Lushburn Howles (Lewisburn), a marvellous stronge grounde of woodes and waters. They begyn to be weary of their troubles, and maks offers, ther lyves safed, to submytt them to the Kyng's pleasur. I thynk yf Sir Rauffe Fenwyke, havynge the Kyng's garryson in conducte at hys owne appointment, had done hys dewtye, the said rebelles at thys time had made large proffers of submission." Sir William Eure was probably no friend to Lord Dacre, for along with this letter he sends the testimony of Edward Charlton, of Tyndale, which goes to prove that Dacre was wont to give private warning to the Bells, to shift for themselves whenever he made an inroad on the Tyndale outlaws. This was just before Lord Dacre's trial; and, after the trial, it would seem from a letter of Norfolk to Cromwell that he had sounded Lord Dacre about his again taking charge of Tyndale, but it was so much against Dacre's mind that, as Norfolk says, "he had rather lose one fynger of every hand than to meddle therewith."

In 1535, Eure writes to Wolsey, on the 26th July, from Hexham—"I send you a bill of the saying of Edward Charlton. Edward, of Charlton, hearde Sande Corbell (Corbett?) say, as they rode to Tendall, that my Lord Dacre had ordered Sir Chris. Dacre to warn John Bell, of Bowesbank, and John Bell, of Clowes, Geyll Hob, and Peter Tweddell, and two of Stapletons, to shift, as they were complained of by the gentlemen of the bishoprick, especially with the Baron of Helton. Chr. Dacre gave warning to Bell's wife, that if they went to the rebelles of Tynedale, it should be the worse for them. Lang Jim Harmstraw said openly at Carlisle, when he was sitting at drink, that Sir Wm. Eure and Sir Ralph Fenwick should have other things to think of than lying in the garrison there. None should bear rule there except Lord Dacre. John, of Charlton, said openly that Sir Christopher Daker would give them warning, or be rayd of them."

We now come to the matter of the murder of Roger Fenwick, keeper of Tyndale, or, as he is elsewhere called, one of the bailiffs of Tyndale. It is difficult to arrive at the truth regarding this case; but in a letter dated 7 April, Newcastle, 1537, John of Charleton, Rynny Charlton, and John Dodde, are named as the murderers of Roger a Fenwick, late keeper of Tyndaill, "and arecepted, ayded, and assisted now within the realmes of Scotland, but most of all by the Abbat of Jedworth." The Abbot of Jedworth, according to the Iter of Wark, held, in 1279, extensive possessions in north Tynedale, and especially at Ealingham, one of the holdings of the Charltons. Edward and Cuthbert de Charleton seem also to have been mixed up in this transaction, and above all, John Heron, son of John Heron, of Chipchase. The accusation against John Heron seems to have rested on the testimony of a single individual, Gerrard or Jerrye Charlton of the Hawe-hill, otherwise called Jeffrye Topping, who was subsequently taken by Sir Raynold Carnaby, and thrown into Warkworth Castle. He seems to have given private information against John Heron to Norfolk, and the latter made ready to ride upon Tyndale if the King of Scots would do the same upon Liddesdale. Also that "he would do hys best to put order for Tyndale with usyng all the policies I can t'apprehend Edwarde and Cutberte of Charleton and John Heron's sonne, which John I require your good lordshippe may be secretly conveyed hither, and so delyvered to th'officers of my house to be by them conveyed to me to Newcastle, to be ordered according to justice. I wolde he sholde be hear on the 20th daie of Sept. and conveyed with a hode on hys hedde, and so secretly kept by the waye that no man sholde knowe him unto hys delyveraunce; which wolde be also in the nyght, bycause I have many pledges of Tyndale and Ryddesdale here. For and it were knowen he were here, I shold neyther take hys sonne nor others that I would have. And if it be not known in the 'flete' whither he should go, but conveyed in the nyght, the better." John Heron hereupon fled into Scotland, and was present at the meeting of Lord Wharton and Lord Maxwell at the Baittinge Buske on the 6th of Nov. 1538, when Wharton being apprised of his presence, laid an ambush to take him prisoner, but was dissuaded from his purpose by Lord Maxwell, who feared that such an act would be an occasion of strife. After all, John Heron was probably guiltless of the blood of

Roger Fenwick. The matter engaged the attention of the Privy Council long after this date. In 1542, the Council reports that the accusation against John Heron rests on only one person, Jerrye Charlton, who is known to be a thief and a common malefactor, and whose father had been punished by the Carnabys for his offences. "We consider with it the malice that is betwene the same Carnabys and John Heron, with the favour that is between the Carnabys and Wharton, and that it may be that Charlton being brother to one of your rebels and outlaws for the death of Roger Fenwick, knowing this displeasure to be between the Carnabys, Wharton, and John Heron, hath throwen out this bone as it were to please the Warden, and thereby at length to labour the restitution of his brother the outlawe." (5 State Papers, 202.)

The Robsons were, likewise, at feud with the Gråhams, or Græmes, in the Netherby district. There is a North Tynedale tradition, that the Robsons once made a foray into Liddesdale, to harry the Grahams, and drove off a flock of their sheep down into North Tyne. Unfortunately, the sheep proved to be scabbed, and communicated the disease to the other sheep of the Robsons. Upon this, the latter made a second raid into Liddesdale, and took seven of the most substantial of the Græmes they could lay hands upon, and hanged them forthwith, with the warning, that "the neist tyme gentleman cam to tak their schepe, they war no to be scabbit!"

John Heron was actively concerned in the pilgrimage of grace, or rising in the north in favour of the old religion, in the autumn of 1536; and a most curious document has recently been found, regarding his conduct towards Carnaby on this occasion. It is printed in the first volume of the "Priory of Hexham," recently published by the Surtees Society. Heron was an ardent follower of Sir Thomas Percy, the leader of one of the armies in the pilgrimage of grace. The Percies hated Sir Raynold Carnaby, because it was thought to be by his influence that the Percy estates were diverted from Sir Thomas Percy, the next heir in proper descent. Sir Ingram Percy besieged the house of Adderstone, near Bambrough, in the belief that Sir Raynold Carnaby was in it, and he swore to Thomas Foster then, that "by Goddes hart" he would be revenged of Sir Raynald Carnaby. And when Thomas Forster desyred to knowe what offence the said Sir

Raynold had done unto him, and wherein he had offended hym, he saide, "Sir Raynold Carnaby hath beyn the distruction of all our blode, for be his meanes, the king shal be my lordes heyr."

It is well known, that the Canons of Hexham resisted, by force of arms, the Commissioners who came to take possession of their monastery. These commissioners were Lyonell Gray, Robert Collingwood, William Grene, and James Rockeby. On arriving at Hexham, they found the gates of the monastery closed, and the battlements lined with armed men. Among them was a canon, the master of Ovingham, a cell of the Hexham house, and he stood on the walls in full armour, with a bowe bent with arrowes, and to the summons of the Commissioners, the stout churchman answered,— "We be twenty brethren in this house, and we shall die all, or that you shall have this house." The Commissioners were foiled in their errand, and for a brief space the Monastery of Hexham was saved. John Heron was most anxious to raise the men of Tynedale and Redesdale for the Pilgrimage of Grace, and by the paper recently printed by the Surtees Society, it is evident that he wished to compromise the Carnabys in the same rising—for rebellion we certainly do not call it, any more then we should speak of the rising, of 1745, by such a name.

John Heron accordingly called on William Carnaby, at Halton Castle, near Corbridge, on Sunday, the 15th of October, 1536. The canons of Hexham had held their monastery, by force of arms, from the 28th of September to the 15th of October, and Heron advised Carnaby to remain quiet (knowing him to be of the King's party), and he would do his best to bring about an accommodation. Upon this, Carnaby—the father of Sir Raynold Carnaby—opened his heart to Heron, who, directly after, rode back to Hexham, apparently to promote this favourable issue. He, however, on his arrival did nothing of the kind, but prevailed on the monks to grant certain fees, under the seal of their convent, to certain men of Tynedale, such as he should appoint, to about forty shillings yearly; and said, that he doubted not but by the help of his son-in-law, Cuthbert Charlton—who had married his daughter—and of one Edward Charlton, his uncle, with such other friends as they would make, but all the whole country of Tynedale would live and die in the quarrel.

The canons agreed, but did not then seal the documents, because they desired John Heron to take a message to William Carnaby, before they should join themselves with thieves, which they would be loth to do if they might otherwise save their lives. The message was to desire William Carnaby to prevail with his son, Sir Raynold, who had brought down the King's letters, that he would intercede for their lives with the King, on condition of their giving up the abbey. Heron returned to Halton, but gave none of this message to Carnaby, while he sent word secretly to the Tynedale men to attend and meet their keeper, Roger Fenwick, at Chollerford, upon forfeit of a noble for each man that was absent. The next morning, he returned to Hexham, and told the canons, that the only answer he had got was that Sir Raynold Carnaby was determined to have the heads of four of the canons, and four of the men of Hexhamshire, to send up to the King, and other favour they would not get. "Whiche when they hard, said, better it was to defend theyre lyves as long as they myght, than wilfully to kill theyme selves, and so prepared theyme selves and Tyndal men to make them as strong as they coulde." Heron had thus gained a day for raising the men of Tynedale, having sent word to them overnight. He then came back to Carnaby's house, at Halton, to dinner, and sate down quietly, saying, "It is a good sight to see a man eat when he is hungry," and so passed the time till dinner was half done. And, as he was at dinner, one Archie Robson, of Tynedale, came to one John Robson, his cousin, and told him all how Tynedale men were gathered, and by what warning. John Heron then called Carnaby into another chamber, and told him that the canons of Hexham were prepared for the worst, and that they would be at his house straight away, and that the Tynedale men were partakers with them. Carnaby was evidently now in a terrible fright, and said his friend John Heron had given him very short warning, to know of such a purpose, and not to declare it till he had half dined! Heron advised him to fly immediately to his own Tower of Chipchase, for, if he remained at Halton, all the goods in the world would not save his life. His design seems to have been to compromise Carnaby, and to frighten him out of Halton, so that he might lay hands on Sir Raynold Carnaby's goods and plate, which he knew were in the house. So poor William Carnaby took horse, and rode off with John Heron

towards Chipchase. In the meantime, the men of Hexhamshire, who had risen in defence of the canons, and the Tynedale men, who had joined them after the preceding night's warning, were at St. John Lee, close to Hexham. A servant of Sir Raynold Carnaby's was riding past St. John Lee, and fell in with the Tynedale men, and guessing their intention, he spoke them fair, got away, and dashed off at full speed towards Halton, to warn the inmates and to assist at the defence of the tower, where his master's money and plate were. By a chance, he fell in with Heron and William Carnaby on their way to Chipchase, no doubt somewhere on Stagshaw-bank. Signing to William Carnaby to come near him, he whispered in his ear—"That traitor thief that rideth with you hath betrayed you, and it will cost you your life yet." He then advised him to speak fair to Heron, and to beg him to keep in the rear, to turn back those of his own friends who might pursue Carnaby, and that the said servant would guide him to Chipchase. Heron fell into the snare, he turned back, and Carnaby, putting spurs to his horse, dashed off towards Langley Castle, where he arrived in safety. John Heron then returned to Halton, and demanded of Carnaby's wife if her son, Sir Raynold, had any money. She answered yes, and delivered to him the casket, with such money as Sir Raynold had. And when he had got the casket into his hands, one Arthur Errington, kinsman of Sir Raynold Carnaby's took it from him by force, and, together with seven Tynedale men, who had promised to take his part, rode away as fast as their horses would bear them. And John Heron seeing that his purpose was void, that the casket was out of his hands, made after them with all the speed he might, and put a handkerchief as a pennon upon his spear point, and followed after the casket, all to the intent that the rest of them that was broken in the foray and were seizing the goods, should have recovered the casket for him. He, however, could not overtake Errington, and that night rode home to Chipchase.

Another letter has just come to light, regarding Heron's relatives, Edward and Cuthbert Charlton. It seems that the King had granted, by letters patent, certain annuities to these two Tynedale leaders, whereupon the Council for the Marches writes to his Majesty that these two men were the chief stirrers up of the country, to its great wasting and decay, and that the granting of annuities to them would

only encourage the others to further misdeeds. They aver that these two were unwilling to take oath to observe the peace before the keepers of Tynedale, and that they had sworn to support the cause of the canons of Hexham against the King, and were retained for that purpose by a yearly fee of twenty nobles a-piece, as the Council was credibly informed by Roger Fenwick, the keeper of Tynedale. The Council thereupon demand that the Charltons should be arrested, and punished according to their demerits, and that a garrison of three hundred soldiers should be laid in Tynedale. Two months after this, Roger Fenwick was murdered, and John Heron and the Charltons were suspected of the homicide. A letter of the Tynedale men is preserved, and has just been printed by the Surtees Society. It is signed by five of the Charltons, four of the Robsons, two of the Dodds, and one of the Milburns. Among these is John Robson, of the Falstone; Charlton, of the Bower; and Rynion Charlton, who, in 1537, was charged with the murder of Roger Fenwick. In June, 1538, Edward and Cuthbert Charlton came both in to Sir Reginald Carnaby, "and under assurances, and they spak veray reasonably, and said they wold be glad to mend with the forst of their countrey, and what way were taken with the rest they wold not fale to followe the same. I perceyve by Edward Charlton, and Cuthbert, there is somewhat that stykkes in their stomakkes, whatsoever they say, for they are always in a dreddure, and fere for ther lyves." Carnaby then goes on to say, that Edward Charlton offers his son as a pledge, and that he will send him to me at Hexham, "for there is no mo of his name soffyshent that woll pledge for him, but aether himself or his son, or one Henry Charlton, his son in law; for there is dyvers of the Charltons that was in his band that dare not nowe pledge for hym. He wold be glad to lay in one of his tenantes, and that me thynk is not mete."

Sir Raynold Carnaby, who is here mentioned, was the second son of William Carnaby, Esq., of Halton, and was married to Dorothy, sister of Sir John Forster, warden of the Middle Marches. He appears, with Widdrington, to have been appointed deputy keeper of Tynedale, but neither appointment seems to have been much to the satisfaction of the Earl of Norfolk. Writing, in 1537, to Cromwell, he says of his two deputy keepers—"All the contres under my

commission be as well ordred as I would wish, save only Tyndale and Ryddesdale, wich be under the governaunce of Wedrington and Carnaby, and they so far oute of frame that perforce I must ride those parttes. Wedrington wolde fayn doe well, but surely it is not in hym. Carnaby is so fered of his person that he dothe nothing but kepe the house. Men doe moch doubte of hys hardiness, having yet showed no parte of manhode sithe his first coming hither. I wolde they were bothe in Paradise." (5 State Papers, 104.)

Carnaby had, it seems, taken pledge of the Tynedale men, and had forwarded these pledges to York, to exchange them for others previously there. Tunstall says—"Here lyeth for Tyndall at this time two of the most actyve men of all Tynedale; one ys called John Robson of the Falsestayn, who promised my Lorde of Norfolk, as I understand, that he wolde doe much against the rebelles, th'odir ys Gibbe of Charleton, who made lyke promise as I hear say. But nowe, when tyme is to do it, they lye here as plegges (pledges) sent hyther by Sir Raynold Carnaby's letters to change and lowse th'oder for a seson, as hath been alwaie accustomeyd. I founde a faute with the bringer of them, servaunte to Maister Carnaby, that his maister sent these two who of all other been most mete to have been at home to resiste the rebelles, who answered me that yf those, and other mo of the hedes of them, were out of the country yt sholde be better rewlyed; by which aunser it semyed to me that hys maister trusted not these men." (Tunstall to Cromwell, 5 State Papers, 122.) Carnaby promised to do his best against the outlaws of Tynedale after the full of the moon, when it was thought they would be busy, and we presume it was in executing this promise that he was surprised and captured by the Tyndale men. We have no details of when or where he was taken; but Eure, writing in July, 1538, to King Henry VIII., speaks of the "wilful attemptate of the inhabitaunts of Tyndale, and the takyn of ther keper, Sir Raynold Carnaby." The whole letter is devoted to this important matter, no doubt a most serious offence in the eyes of the King. "We have travailed," says Eure, "by all our dexterities with the Tindales, for the delyverance of the sayd Sir Raynold and others taken with hym. Albeit they, wanting grace and obstenatly persisting in the mayntenance of their evill dedes, have resolutely aunswered that they will

not departe with the sayd Sir Raynold nor any of the other taken at that tyme for any persuasins or fere of danger that may followe. And unless they all have their pardones, as welle theye that slewe Roger Fenwick as those that attempted to take Sir Raynold Carnabye, they wyll in no wyse restore the sayd Sir Raynold nor any taken in hys companye, and that they wyll not tryste nor meate with any man in Northumberland to that they see William Carnaby and Lewis Ogle. Over this, one Jerard Charlton, called Topping, presumptuously sayd that he had given oon aunswer at Harbittell which he thought might serve us, and it should serve us, which aunswer was as is above declared." Eure further declares that he and his friends have used every means to obtain the release of Sir Raynold Carnaby, both by the offer of large sums of money to his keepers and to others who might influence the parties detaining him. Sir Raynold Carnaby, however, does not seem to have been long a prisoner; for soon after we learn that his deliverance was effected, and that he had the satisfaction of capturing, and conveying to Warkworth, Jerard Charlton, who had given to Eure the insolent answer above recorded. Nearly about the same time, however, about thirty of his retainers were taken by the Armstrongs at the Busy Gap, on the Roman Wall, and were carried off into Liddesdale. William Ratchiffe, who apparently had married Carnaby's widowed mother, writes about this mishap as follows:—"To my son, Sir Renald Carnaby, Knt., these delivered. You shall percieve that on St. James' Even, the 24th of July, came Liddesdale men to the Barony of Langley, to the number of six score, and laid them at the 'Busie Yappe,' and sent forth 7 men and seized 6 oxen. At 6 o'clock in the morning, the scrye rose through the country, and them that was next went forward in all haste. Richard Carnabye and Gilbert was in Hayden Brygge the same time, and tooke with them all that was ready, and that was upon a 26 men, and because there was so few men that seized the cattle they tarried not of the Constable, but thought to have rescued or he had convoyed, and made speed forwarde that they mought, and rescued the cattall, and chased the drivers to the bushments (ambushes), and or our men wist the Scots brake upon them, and took them all, both horse and man, saving two persons; so the Scots rode in all haste with their prisoners. Had they tarried half-an-hour longer, the

Constable, with others, was coming with all speed they mought, and would have been a party to the Scots, the which, if you and them Scots had met, would, I trust, have been spoken to London, but the Scots had better hap than so, and that I repent. The Scots have killed a proper man at the same time of the Barony of Langley, one Alexander Peerson. Son : if there be no remedy for Liddisdale, the country is in a schreved state, and true men that is oppressed for fear of their lyves, and lossing of their goods, say plainly they will leave the countrye." With a view to put down these disorders, Eure, Widdrington, Sir Cuthbert Radcliffe, and Robert Collingwood drew up most stringent rules for the suppression of ill doings in Tyndale. These articles are printed at full length in 5 State Papers, 133, and recommend that all the inhabitants of Tyndale shall be removed to the inner parts of the realm, except those who took part in the murder of Roger Fenwick or the seizure of Sir Raynold Carnaby, and that all who remain in Tyndale after a certain date from the issuing of this order shall be deemed rebels and outlaws to the King. Inroads were to be simultaneously then made by the wardens of the different marches upon the rebels, and no person was to relieve them or sell them anything in the market towns. Strong garrisons were to be left in various places in Tyndale, as in Chipchase, Swinburne, Gunnerton, Simonburn, and Haughton.

In 1542 William Charlton, of Hesleyside, is reported by Sir Robert Bowes and Sir Ralph Ellerker as possessing the only tower in the country of Tyndale.* The limits of Tyndale did not therefore come below the Nook on the south side, and the confluence of the Reed and North Tyne on the north side, of the latter river. William Charlton was in 1552 appointed a commissioner for the enclosure of the Middle Marches, and in 1554 he executed the deed of agreement with William Charlton of Lee-hall, of which we are enabled to produce a copy. We do not know in what degree of relationship William Charlton of Lee-hall stood to Charlton of Hesleyside, but in all probability they were cousins, and were in dispute, not only about the boundaries between the Lee-hall property and that of Hesleyside, but also about the manor

* The Tower of Hesleyside, which stood at the west end of the present mansion, was pulled down at the end of the last century, during the minority of the late owner of Hesleyside. It closely resembled the towers at Cockle Park and Halton.

and house of Hesleyside itself. This dispute was settled by arbitration on the 27th of February, 1553, the arbitrators being George Fenwick of Harbottle and Brinkburn, a commissioner for the enclosure of the Middle Marches, in 1552; John Shaftoe, of Bavyngton; John Hall, of Otterburn, another of the commissioners in 1552, keeper of Redesdale in 1 Eliz., having fifty light horsemen of his name, and named in 1586 as one who could give information about the Borders; Thomas Featherstonhaugh, a gentlemen of the Middle Marches in 1550; Percival Shaftoe, of Ingoe; and Thomas Hall, of Munkridge. Their award, setting out boundaries which still exist, is now exhibited, and is as follows:—

This indenture mayd at the Leehall within Tyndall, the xxvii. day of the monethe of February, and in the viiith year and reyaghn of our Soverayn Lord Edward the Syxt, by the Grace of God Kyng of England, France, and Ireland, defendor of the faith, and in earthe of the Churche of England and alsoo of Ireland the supreme head immediately under God, Betwixt Wyll'm Charlton of Hesleysyd, within the liberties of Tyndall, gent., of the on party, and Wyll'm Charlton of the Leehall within the said liberties, gent., upon the other party, Witnessz that wher thear was a travers sewt and controversye betwixt the parties aforesayd for and concernyng the howsse and manor of Hesleysyd, the howse of the Leehall, with all the purtenances to them belongyng or in any maner of wyse appurtenyng, either party beyng bound unto other by obligacion in the somme of *ccli.* as by the same dothe mor planlye appear, for to abyd the order, award, arbitrement, and end of Georg Fenyk of Brenkburn, gent., John Shafto of Bavyngton, esquyer, John Hall of Otterborn, the yonger, gent., Thomas Fatherstonhaughe, of Haydenbrig, gent., Percevell Shafto of Innghe, gent., and Thomas Hall of the Munkkarage, gent., arbiters, indyfferently elected and chosen as well by the on party as the other, who hath ordred, judged, demyd, and awarded that Wyll'm Charlton of the Leehall shall have and enjoye to hym, his ares, executors, and assyghnees, for ever mor, without any encombrawnc, chaleng, trowble, vexacyon, or perturbacyon of the sayd Wyll'am Charlton of Hesleysyd, hys ares, or assyghners, or of any in hys name or hys ares name, all the plac and manor of the Leehall, with all maner of growndes erable and unerable, medos, woodes, pastures, communes, hedgys, dyches, with all other easmentes, comodites, and purtenancys, beyng lyeing and conteynyng within the limites and bowndes folowyng, that ys to say, bownyng and begynning at a gray stone in a clowghe syd under a plac called the Crowkhyll, and so forth north-est unto the dych of the Rydynghyll clos, and so up northe as the dyche thereof is casten, and then turnyng at a grey ston lying in the Rydynghyll clos dyche, and so forth streght north west unto the end of Tawnton hyl dyche, then northe unto the end of the sayd dyche, and from the dyche northward streght ower unto the ryver of north Tyne, the sayd W'm Charlton of the Leehall, hys ares and assyghners doying therfor all maner of dewties and services unto the cheff lord dew and accustomed. And further, that the sayd W'm. of the Leehall shall give and grant unto the sayd W'm Charlton of Hesleysyd, and his ares, all his ryght, title, clame, and chaleng of the howse and manor of Hesleysyd and of all the inheritanc that is or hath been therto belongyng. And also all his tenant ryght as well of the Kyng's landes of the Lemallyng, that is to say, of the Crowkhyll, the Anthonhyll, the Hyghe clos, the Bridgford, as of other, with all other that he hath or had ever any interest, title, clame, or chaleng unto withoute any trowble, chaleng, vexacyon, or perturbacyon therof, to be had or mayd in any wyse (except befor excepted) from the sayd Wm. Charlton of the Leehall, his ares and assghnz, unto the sayd Wyll'm. Charlton of Hesleysyd, his ares and assighnez for evermor. And that the sayd W'm Charlton of the Leehall

shall delyver unto the sayd W'm Charlton of Heslesyd all maner of writings, evydenc, and prescripcions that he hath belongyng or appertenyng unto the inheritanc of Heslesyd, or of any land or tenement, part or parcell therof, immediately at the sealyng of this presentes befor and in the presenc of the sayd arbiteres, and for tru performanc of the same to be truly observed and keped in every article and behalff as is befor mencyoned, eyther parti to other enterchaungeably hath sette their sealles with the sealles of the sayd arbiters the day and year abovesayd. Witnesz, Hob Hall of Raylees, Percivell Clennell, Clemet Hall of the Ralees, Heue Charlton of the Hallhyll, John Wylkyson of Hetheryngton, Rawff Charlton of the Leehall, Oswyn Charlton of Elyngham, John Charlton of the Blaklow, Edde Mylborne of the Dunsted, Anthon Mylborne of Roses bowr, Xpe Charlton of Newton.*
 [Four seals broken away]

[*In dorso.*] Also we awarde that Wyl'm Charlton of the Leehawl shall have fre passag at all tymes wyth all hys cattelles somer and wynter to pastur upon the Kyngs grownd, such lyk as other the Kynges tenants doth therre, and also fre lycenc to passe and repasse throwghe the Kynges grownd for getting of his eldyng, and this to belong to the Leehall. Also we awarde that Wyl'm Charlton off Hesleysd shall lett unto Wyl'm Charlton of the Leehall halffe the Leykhyll..... his farme payyng doying hys-dewtie with firmers by yer v. s.—WILLM. CHARLTON, of Hesilsidd. GEORGE FENWICK JOHN SCHAFTOW. JOHN HALL. P'CVVELL SCHAFTOO. JOHN HALL. [*sic* in both parts.]

By the privilege of passing through the King's grounds, the Lee-hall property became extended in a narrow slip up to Kingswood, and so continues to this day. William Charlton, of Lee-hall, died in 1561, and we produce the probate of his will, running as follows:—

JH'US In the name of God, Amen, the yeare of our Lord God 1561 I Wyl'm Charlton of the Leehall holl in mynde and memorye and seyke in my body. Fyrst I bequeathe may sawll to Almyghtye God my only maker and redeamer, my bodye to be buried in the churche of Saynct Cuthbert in Bell'inham, with my mortuaire dew and accustomed to be paid. Item, I geve to Dorathye my wyf the half of the myln and maynes dependyng or belongyng to the Leehall, with meadowes, mures, and pastors or any other thinges belongyng to the foresayd Leehall, and my sonne Wyl'm to content hym with the other half. I make my wyff and Wyl'm my sonne of this my last wyl and testament my full executores. Also I wyl that my mayster George Heron and John Hil'son, with my brother Nicholas Crawhall, vicar of Hawttwysle, to be supervisors, and if they refusse ytt than I wyl that Uswen Charlton, and Wyl'm Charlton of Bellingham, and John Robson. Lyonell Mylborne to take in hand & to se that my wyff and my sonne take no wronge, but to maynteayn them in their right as far as they may. Wryten the last day of Aprill by theiss wytness & recordes—Ussen Charlton, John Robson, Lyonell Mylborne, Christofof Borne, Sande Elliot, Chuthbert Elliot, Leonard Stauper, with other mo, and Wyl'm Holede, sone to John Holde, and Wyl'm Bell, curat of Bellingham. [Memorandum of probate at Corbridge by the said executors, before Wyl'm Garnett, Commissary in Northumberland of James [Pilkington] Bishop of Durham, 17 June, 1561. Seal, pointed oval, the royal arms crowned.....STA..... OLESTIATICAS.]

* In 1568 the heirs of Gabriel Hall had lands in four places in Redesdale, Randal Hall had land at Raylees.—Edward Charlton, of the Hawe-hill, a headsman of Tindale, gave bonds to Sir John Forster at Chipchase in 1559. (Sadler's State Papers.)—John Wylkinson of Hetherington was bailiff of Tindale in 1559.—John Charlton of the Blakelaw was a headsman and bond-giver in 1559.

In 1556, Roger Heron, brother to George Heron, of Chipchase, was taken prisoner by some of the Elliotts and Crosiers, of Liddesdale, while riding towards his brother's house in the dusk of the evening.

In 1559, Sir John Forster received the office of keeper of Tyndale from Marmaduke Slingsby. The latter had appointed a day for the headsmen of Tyndale to appear at Hexham, and to give bonds for good conduct, but this summons was disregarded. Sir John Forster seems to have had more influence. "When I demandyd to have such delyvered in to my handes as were nomynate in the sedult (schedule), that you sent me in your last letter, of the which nombre I have received in the preson of Hexham, ix persons presoners. Ande Jarrye Charleton of the Hawehill—he is delyvered home upon bande." (1 Sadler's State Papers, 613.) Sir John Forster summoned the "hedesmen" to meet him at Chipchase the next Sunday, and on that day the greater part, if not all, appeared, and gave bonds for keeping the peace, &c. We have fortunately, in Sadler's State Papers, a list of those summoned by Slingsby, and we may conclude that the same men, with others, obeyed Sir John Forster's summons to Chipchase. This list is curious, as it gives the names of many who appear in the documents before us. It is as follows:—
 "Charlton of Hesleyside; Jasper Charlton of Hawsose, [Hawkhope Hill]; John Charlton of Blacklawe, or his son; Edward Charlton of the Hall Hill; Hector Charlton of the Boure; William Charlton of Lee Hall; Edward Charlton of Lordner Burn, [Lanner Burn]; Wylliam Charlton of Bellingham; Charlton of Dunterley; Symont Robson of Langhaugh; Andrewe Robson of the Bellynge; Hobb Robson of the Fawstone [Falstone]; John Mylborne of Roses Bowere; Edward Mylborne of Dunterde; Mychell Dodde of the Yerehaugh; Dodde hys sonne; Jamy Dodde of Roughsyde; Hunter; Hunter; Christofer Hogge; Willie Hogge; Matthew Nysson. [*Addressed*] To my loving friends John Wylykinson and Wyllie Ianson, balyves of Tyndall, gyv theys and yourselfes that same daie."

On the same paper is a memorandum in the handwriting of Sir John Forster:—That Jone Hall of Otterburn, Launcelot Tysley of Gosforth, William Charlton of the Leyehall, John Hall of Brayneshaugh, William Charlton of the Bellingham, and Clement Hall of Burd-

chepes (Birdhope), is joyntelie and severally bounde to the right hon'ble th'Earle of Northumberland and Francis Slyngebye, keper of Tindall, in c. and xliⁱ for the personal appearance of Jarret Charlton of the Howehill at Newcastle the xvth daye of January next comynge. The bonde is taken to the Queen's use. His appearance is in Robert Young's house in the Newcastle." (p. 615.)

In 1565, August 5th, Rowland Forster writes from Wark to the Earl of Bedford, Governor of Berwick:—"The Laird of Hakupe (Hawkhope), whose name was Charlton, and who dwelt in Tynedale, was slaine on Friday last in Jedwart Forest in stealinge. Ane tuik him on the heid and dang out all his harness." (Original in Record Office). Jasper Charlton's daughter and heiress married George Gibson, of Stonecroft.

In spite of Sir John Foster's activity the Borders continued to be a scene of rapine and confusion. George Heron, of Chipchase, writes in this year to Sir John Forster—"The Liddesdaille menne are disorderlie, and are aided by the menne of Tyndaill and Ryddesdail. Lyddesdail is myndit to mayk misorder and to do the evel that they can in these quarters. I knowe theye cannot doe it withoute the helpe of some, both of Tyndaill and Ryddisdaill, as they have had even now this last Fryday at night, when they dyd tak up Swethope. For one parte off them went away thorow Tendall with the prysoners, and another thorow Ryddesdail with the nowt. And theves off Tyndaill that wis goyng estellyng [a stealing] into Scotland, found the Scotts, with the nowt lying in the shells [shielings] at Uttenshope, in Ryddesdail att fyers, and had gotten meate bothe for horse and man at som of Ryddisdaill. And when the theves off Tyndaill perceved the Scotts were at rest, they stole the nowt, from the Scotts, and in the morning when the Scotts mest the nowt they dyd com into Reddisdayll again, to boro a dog to follo, and then theye got knowledge whyche of Tynedaill had the nowt." (p. 627.)

Towards the end of the same year, we find that several of the Tyndale men were in the goal at Hexham. How they escaped from thence the following letter shows.—"NICHOLAS ERYNGTON TO SIR JOHN FORSTER, Hexham, xviith daye of December, 1559. Plesyth yt youre mastershpype to be advertysed that George Herone, of Chypchace, dyd sende Edward Charlton, Harrye Charleton of the Larnerburne, and

one John Charlton of Thornybourne in Tyndall the sayd George Herone sent theys said three prisoners into Hexham, to the Queene's Majestie's gavel [goal] there. This yt is chansyd that the xvth daye of this instaynt, the gaveler and all the reste of presoners, be what meanes I canne not tell, nor no other that can be knowen of sertentye, but that the saide three Charltons and Thos. Mylborne (alias Thome Headman), with xi Scotts pledges, that was comandyt to ward for surety of John Eryntoun is goyn the said nyght, and all the dorrys left opyn, savyn the outter doore, which is the newe house doyr that Mr. Slynsgbye buildit, whayr the gaveler laye nyghtlye for the safe guard of the sayd presoners, as I thoughte was most surest."

The gaoler of Hexham was perhaps a reclaimed outlaw himself, and the ties of flesh and blood proved too strong for him.

The calendars of State Papers of the early part of Elizabeth's reign, do not give us much information regarding this portion of the Borders. In 1586, however, a long and grievous list of outrages committed by the Elliotts and others, of Liddesdale, was forwarded to London. These complaints chiefly refer to raids into Redesdale, and injury done to the property of those of the surnames of Hall and Read. John Hall, of Otterburn, and Edward Charlton, of Hesleside, are named in this document among those who can give information "If they be sworne or strictly examined."

In 1593, a furious raid was made into Tyndale by the Liddesdale men, headed by William Elliott, of Lawreston, the Laird of Manger-ton, and William Armstrong, of Kymonth (Kinmont Willie). There is a long correspondence on this subject in the Public Record Office, but, unfortunately, the details of the assault and inroad are nowhere given. Still, the foray must have been of a most serious character to produce so much angry correspondence. Sir Robert Bowes, then an old man, was at that time in Edinburgh, and he seems to have experienced the greatest difficulty in obtaining an interview with the King (afterwards James I. of England), to represent the grievance. The King excuses himself from seeing Sir Robert, on the plea that "he is muche grieved with payne in one of his teeth drawing, thereby greate swellinge in his face, and a troublesome lompe in his mouthe." We have obtained copies of the whole of this correspondence, but it is not of sufficient interest to warrant its insertion here.

Ten or eleven years later North Tyndale was again a scene of bloodshed and ruthless rapine at the hands of the Laird of Buccleuch, Sir Walter Scott. Buccleugh, as he is generally termed, seems to have made repeated inroads into North Tyne, and to have directed his attacks chiefly against the surname of Charlton, partly on the score of ancient grievances existing between them, and partly in consequence of recent and ample reprisals made by them in Scotland, Buccleugh was in Tyndale, in 1594, on a similar errand, but he then burned only one house against his will, though he "laid fyre to two to gitt entrance." (Original in Record Office). One great raid was made on the 17th, of April, 1597, when he burnt ten houses in Tyndale, and took the lives of thirty-five persons. (Raine, [p. 43] bill against Buccleuch). Two letters, are in print (Transactions of Border Club, pp. 14 and 16) which throw considerable light on these outrages. The first is from Sir John Carey, Marshall of Berwick-upon-Tweed to Lord Burghley, and dated Berwick, June 13, 1595, wherein he says:—"I did synce by my letter of the 29 of Maye certifye your honor of Buckcleughe, howe he came into the Myddle Marches to a place called Grenehugh (Greenhaugh), a wyddowes house in Tyndalle, where he sought for certen of the Charletons; and not fynding them he burned the house and all the corne in it and all that was therein, and so went hys way; he had in his company, as it is reported, very nere three hundred men, and within eight days afterward he came in agayne to a place called the Bowte hill, and killed foure of the Charletons, very able and sufficient men and went his waye, threatning he would shortly have more of their lives."

In a second letter, dated Berwick, July 2, 1595, Carey refers again to this subject:—"In your honour's letter you write in a postscript that you would gladly understande the quarrell that Buccleughe had against the Charletons, and that the Sesforde had against the Stories, which would be too long and tedious to sett down at large; but for that your honour requyresyt, I will as briefly as I can sett it downe. First the quarell Bucclughe hath to the Chareltens is said to be this: Your honour knowes long synce you heard of a great rode that the Scottes, as Will Harkottes and his fellowes, made upon Tynedale and Ridsdale, wherein they took up the whole country, and did very neare beggar them for ever. Bucclughe and the rest of the Scottes having

made some bragges and crackes, as the country durst scarce take anything of their own, but the Charletons being the sufficientest and ablest men upon the Borders, did not only take their own goodes agayne, but also so hartned and perswaded their neyghbors to take theirs, and not to be afraide, which hath ever synce stuck in Bucclughe's stomach, and this is the quarell for taking their own. Mary! he makes another quarell that long synce, in a warr tyme, the Tyndale men should goe into hys countrye, and there they tooke his grandfather and killed divers of his countrye, and that they tooke away hys grandfathers sworde, and would never lett him have yt synce: this, saith he, is the quarell."

The Tynedale outrages, by Buccleugh, were followed by a more peaceful time. James, of Scotland, succeeded to Elizabeth, the two kingdoms were united, and it was no longer the interest of the respective sovereigns to stir up one side of the Borders against the other.

In 1605 final articles were agreed upon between the English and Scottish Commissioners for the pacification and disarmament of the Borders. All who were noblemen or gentlemen and unsuspected of felony or of theft were allowed to retain their arms, but all the common people were ordered to put away all armour and weapons, as well offensive as defensive, as jacks, spears, lances, swords, daggers, steel-caps, hagbuts, pistols, plate, sleeves, and the rest, upon pain of imprisonment.

In May, 1607, Edward Charlton, of Hesleyside, was commissioned to select and raise one hundred men from the outlaws of Tynedale and Redesdale, for service in Ireland.

The Scots and English, however, had not as yet wholly learned to live in peace. In 1611 an inroad was made from the Scottish side, of which we have fortunately obtained the full particulars from hitherto unpublished documents in the Record Office. We do not, however, know the cause of the deadly feud, but the subjoined documents show the truculent conduct of the Scottish reivers. Leaplish is high up the North Tyne, directly south of Mounces.

The Earl of Cumberland to Lord Salisbury, 28th May, 1611.

My verie honorable good Lord,—This xxvijth of Maie, at vij. at night, I receaved letters from Sir William Fenwicke, one of the

Deputie Commissioners for the middle shyers. The copies whereof I have herewith sent to your honorable Lordshipp, wherein is certyfyed a cruell and disloyall outrage, nowe late comitted and executed by a companie of those bordering Scottes, men of the ill Clann or Surnames, upon an Englishman, some myles within England. I shall not neede wryte more of the informacōns that are yet come to me of this matter, in that I send to your Lordshipp the true copies thereof, as I have receaved them under Sir William Fenwicke his hands. And because they are Skottish men, dwellinge within Scotland, and came thence to effecte this wicked deed, I have writt to my Lord Chancelor of Scotland and his associates, to take some present course for the apprehending of the offenders, untill his Majestie shall give further order for the redresse hereof. Soe have I writt to Sir Will^m. Fenwicke and others, the Commissioners of our syde, to certifye to my Lord Chancelor the true informacōns of the facte, and the names of the persons offendinge. This, I thought, for the present was fittinge. I shall now intreat your Lordshipp, as you shall thinke good to acquainte his Majestie herewith, as I may be advertysed from your Lordshipp what his Majestie's pleasure is, I shall further doe herein which I will not faile to execute to the uttermoste of my power, soe longe as I shall live. In the meane tyme, I shall take order with the Commissioners of our syde, to be verie watchfull and carefull for the apprehending of anie suspected, and knowe of those if they shalbe fownd to lurke on our bounders or liberties. I trust I shall not neede to trouble your Lordshipp further at this tyme. And soe, with my hartiest comendacōns to your good Lordshipp, I leave you as myself to Godes proteccōn. Lonsbrough, this 28th of Maie.

Your Lordshipp's verie lovinge and assured

Friend, ever to command,

FR. CUMBRELAND.

[ADDRESSED.]

To the Right Honorable,

my singuler good Lord,

The Earle of Salisburie,

Lord High Treasurer of England.

Sir William Fenwick to the Earl of Cumberland, 26th May, 1611.

Right Honorable and my verie good Lorde,

My humble dutie remembred. I am sorie I have cause to informe your Honor of the moste horrible and greevous outrage that ever hath beene donne in my tyme within these partes, either before his Majestie's entrance into this kingdome or since. Upon the 25th of this instant May, Roberte Ellett, of Readhugh, his brother William, with manie more of their name and friends all Scotchmen, Lancelote Armstrong, of Whithaugh (called the yonge Larde), Alexander Armstrong, of the Roane, his brother, with manie of their frendes being Scotchmen, in all, about the number of three score and tenne persons, fiftee of them upon horsebacke, and the rest footemen, all furnished either with long peeces, pistolettts, or launces, came to Lyonell Robson's howse, in Leapelish, six myles within English grownde, and there cut downe his dwelling howse with axes which they brought with them. And with their peeces killed one Lyonell Robson, of the Smaleburne, and a woman called Elizabeth Yearowe, of Stannisburne, and shott and hurt dyvers more, both men and women, with the shottes of their peeces. Whereof that your Honor may be better satisfied, I have sent a list of the names of the parties slaine, those that are hurte, and such as were shott through the clothes, yet escaped; and lykewyse, the names of soe manie of the principall offenders, as in this shorte tyme I could get notice of. Nowe, your Honor is acquainted with the informacōn I have receaved, which, I thought fitt in my dutie, to make knowne to your Honor, being Lord Lieutennant and Lord Commissioner for the Middle Shyres, by whose meanes I must onely hope this greevous offence may receive exemplarie punishment, that the lyke may never hereafter be donne by anie of his Majestie's subjectes. Soe leaving this cause to your Honor's good consideracōn, I humbly take my leave. From Bellingham, in Tiviedale (Tyndale), this 26th of Maie, 1611.

Your Honor's humbly to be comanded,

WILLM. FENWICKE.

(Inclosure to Sir W. Fenwick's letter of 26th May, 1611.)

A List of the names of such as are slaine and hurt, according as they are seene and viewed.

Lyoll Robson, of the Small Burne, shott in at the harte with a single bullott, and slaine.

Elizabeth Yearowe, of Stannishburne, shott with twoe bullettes through both her thighes, the right thygh broken asunder with the shott, and slaine.

Walter Robson, of the olde syde, hathe his left arme broke asunder in twoe places with twoe bullettes.

Thomas Robson, of Yearowe Hall, shott with one quarter shott in the fillettes of his backe, an other quarter shott in his haunch, and another great bullott shott through his Breeches, and mist his skinne.

Mane Robson, wyfe to James Robson, called Blackehead, is shott with fyve haile shott in her breastes.

Elizabeth Robson, wyfe to Jeffray Robson, beinge great with chylde, is hurte verie sore in the head with the stroke of a peece.

Rinyon Robson, of the Bellinge, is shott with a bullett and an arrowe out of a long peece, and hurt in the handes.

Roberte Charleton, of Bought hill ; Francis Robson, of Stannishburne ; William Robson, of Yearowe Hall ; Henrie Robson, of Well Haugh ; Anthonie Robson, of Crosse Hills ; Rinyon Robson of Fasteane ; James Charleton, of the Bough Hill ; and John Dod, of the Ryding, are all shott with bullettes through their clothes, but not hurte.

WILLIAM FENWICKE.

A List of the names of the Offenders, being all Scottishmen.

Roberte Elliott, of the Red Hugh.

William Elliott, brother of the said Roberte.

Roberte Elliott, of Copshawe, and his brother Frauncis.

Roberte Elliott, of Dunnlebaire, and his twoe brothers, Gawen and William.

William Elliott, called Rinyons Willee.

Roberte Elliott, called Martin's Hob, of Pricking haugh.

- Christofer Elliott, sonne to Roberte, of Pricking haugh.
 Lancelot Armestronge, of Whithaugh, called the yonge larde.
 Alexander Armestronge, of the Roane, brother to the said
 Lancelot Armestronge.
 Francis Armestronge, of Whithaugh, and his sonne Lancelot
 Armestronge.
 Roberte Forster, called the yonge Larde of Fowle Shieldes.
 William Elliott, of Pricking Haugh.
 John Shiele, Arch. Roger, John Elliott (called blacke John), and
 Roberte Elliott, of the Parke, men to Roberte Elliott, of the Red
 Hugh.
 Arch. Elliott, of Burnemouth, man to William Elliott, brother to
 the said Roberte Elliott, of Red Hugh, with dyvers others yet
 unknown, to the number of lxx. in all.

WILLIAM FENWICKE.

It has been before stated that the Robsons were at feud with the Elliotts and Armstrongs, perhaps it was revenge, taken on hereditary grounds of complaint alone. We find no more documents regarding this outrage, nor do we know that any tradition of the event has come down to our time. In 1628, Jane Robson, wife of Matthew Robson, of Leaplish, was indicted at the Newcastle Assizes for the feloniously slaying of Mabell Robson, wife of George Robson, of Leaplish, his brother-in-lawe, by sorcery or witchcraft ; Jane Robson escaped, however, with her life.

In 1618, the following list of noted thieves infesting South Tyne and the borders was forwarded to the Government :—

Certeayne persons inhabiting and resorting uppon and to the water of Tine, in Tindall, bordering and adjoyning uppon Cumberland, most of them reputed great theeves, Owtputters, or Receitors, being very infestious to their Neighbours, whereof the Comissioners in Northumberland cannot take so perfect notice as they that dailie taste and feele the smart of their badd demeanor.

Richard Musgrave, of Barrowe.	}	Knowne theeves.
John Musgrave, his brother.		
Robert Musgrave, of the Holehouse.		
William Musgrave, his brother.		

Raph Smith, a vagrant person, and lyveth by filching and picking, under pretext of fouling with a setting dogg.

Thomas Parker was banished into Ireland, and is returned, wee knowe not by what warrant.

Launcelott Parker, his brother, much suspected among his Neighbours.

Christopher Bell, of the Peth, a comon horse coper, and thought to be a great Conveyor of stolen horses.

Nicoll Havelock, in the parish of Hawtwisell, a daylie Receitor of Theeves and stolen horses.

Hugh Nixon, of the Howsteedes, nere the wall, reputed generally to be a theefe, and a Comon Receitor of theeves and stolen goodes.

James Foster, of the Wall, who, for his infinite number of Fellowies, could not have escaped the hand of Justice so often as he hath done, if hee had not found extraordinary favor of some in good reputacōn in the Country.

William Walleis, late of Bellister, sence of Crackenthorp, in Westmoreland, being accused of stealing of Cattell, in August last, fledd for the same, and being sence apprehended and comitted to Kendall Gaole, in Westmoreland, by Sir John Dalston, was, without his consent, presently bailed by Mr. Richard Rigg, another Justice in that Countrie, sence the Proclamacōn divulged to the contrary. And if this first offence of contempt in this nature escape unpunished, it wilbe a precedent to others to adventure the like, wherby his Majeste's Commandementes wilbe undutifully contemned, and this poore Countrey much prejudiced.

N.B.—The document from which the above is an Extract (as desired in your letter), is headed, "A Breife Survey and Certificate of disordered persons in the Countie aforesaid," &c. (Cumbria), tabulated thus :—

The dwelling place.	The Offendor's name and his Offence.	The proof of the Offence.
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In 1619, Lord Walden writes, that he cannot persuade honest people to live in Tynedale, for that the people there already dwelling

are lawless, and hold their land independent of all treason and felony. The Border habits of misrule could not be changed in a year or two. (*Vide* "Archeologia Æliana," p. 158, vol. I.)

In 1626, the two sons of Ellen Charleton, of the Bower, in Chirdon Burn, were arraigned at the Newcastle Assizes for horse stealing. They seem, from the mother's petition, to have been tried separately on some charges, and together upon another. The Newcastle Calendar, of that year, has been fortunately preserved and printed in the "Archeologia Æliana," vol. I., p. 158, 4to. series.

"No. 15.—John Charleton, of the Bower, for suspicion of the felonious stealing of three kine, the goodes of Thomas Fenwick, of Lesbury. And for suspesion of divers other felonyes, and being offered to be apprehended for the sayd felonyes fledd. And also for suspesion of the stealeing of one graye gelding, upon which he rode at his apprehension.

Committed by Sir Francis Brandling, and Cuthberte Hearone and Ralph Carnaby, Esqs., 14th March, 1628.

"The said John, a fugitive and notorious theife, for the felonious stealeing of one black mare and thirtene shepe, forth of the growndes of Little Swinburne, the goodes of Thomas Midleton, of Belsoe, Esqr.

"The said John, for suspesion of divers felonyes, and charged with the felonious stealeing of two oxen, the goodes of Nicholas Errington, of Keepwick, and three young beastes, the goodes of Richard Wilson, of Houghton, and also the felonious stealeing of one horse, the goodes of Gawen Bell, of Errington."

No. 30.—"Ellen Charleton, of the Bower, charged with the felonious stealeinge of a black mare and twenty-three (?) sheepe, the goodes of Thomas Midleton, Esqr."

Committed by Thomas Midleton, 13 July, 1629.

In 1629, the two sons of Ellen Charlton, of the Bower (she was probably a widow), were in trouble, for the theft of two mares and three cows, and were condemned to die. The poor mother prays earnestly for their pardon, and, soon after, we find from another paper in the Record Office, that they were reprieved and pardoned. But the pardon, though made out, was not forwarded, and the anxious mother petitions again, and begs it may be speedily sent, for that her sons' lives are in great danger, since the pardon had not arrived,

though it had been announced to her. Alas! her fears proved too true; her sons were executed, and, a year afterwards, the widow again petitions for pardon for herself (we suppose as *particeps criminis*) and for restitution of her goods.—It is a sad story. There was evidently a “circumlocution office” then, as now, in London.*

Petition of Ellen Charlton to the King, 24th Sept., 1630.

To the King's most excellent Ma^{tie}. The humble peticōn of Ellen Charlton, of Bower, in the County of Northumberland, widdowe. Humbly sheweth, That, by the violence of heavy prosecutors, your peticōner hath two sonnes (*viz.*), John Charleton and Thomas Charleton, whoe att severall assizes, holden att Newcastle, the one aboute 4 yeares since, another three yeares sithence, and the last above a yeare since, are cast for pretended theft of two Mares and three Cowes, and your peticōner though absent, not yet tryed, is in the dainger of question for an accessary.

The premisses considered, and for that the Judges of that Circuit did soe pittie the cause as they tooke your Suppliante's Sonnes into reprove, Your Pet' now humbly beseecheth Yo' Majesty, that since the question of the factes was within the compasse of Your Majeste's gracious Perdon for the birth of the blessed Prince, your Pet' and her said Sonnes humbly intreate Your Majesty to be soe graciously pleased to give order they may be soe happy as to enjoy that your gracious Pardon.

And as in duty bound they will ever pray for Your Majeste's long and prosperous Raigne.

At the Court att Hampton Court, 24 September, 1630.

It is his Majeste's pleasure to be certified by the Judges of Assize, before whom the parties were tryed, how the case standeth with the peticōner and her sonnes, and whether or not they conceive them capable of the grace and favour desired. And then his Majestie will further shew his Royall pleasure.

THO : AYLESBURY.

* We give here the whole documents at length, as they have never before been printed.

At Hampton Courte, 28° Octobris, 1630.

Your Majesty having seene the Certificatt of Mr. Justice Davenport, hereunto annexed, whereby it appeareth that the offences committed by the peticōner and her two sonnes, John Charleton and Thomas Charleton, were done before the birthe of the Prince his highness, and not expressly excepted out of his Majesty's intended pardonne, is nowe graciously pleased to pardon the said Ellen Charleton, and her said two sonnes, the offences mencōned in this Peticōn and Certificatt. The peticōner and her two sonnes putting in sufficient security for their good behaviours hereafter. And his Majesty's Attorney Generall is to prepaire a pardon accordingly ready for his Majesty's Royall Signature.

SYDNEY MOUNTAGU.

[INDORSED.]

Ellen Charlton—a pardon,
for stealing a Mare.

According to the significacōn of his Majestie's gracious pleasure, under the peticōn of Ellen Charleton, widdowe, hereunto annexed, I doe hereby, in all humblenes, certifie unto His Highnes, That att the last Assizes, holden att Newcastle, for the Countie of Northumberland, the eight and twentieth daie of July now last past, John Charleton and Thomas Charleton, in the peticōn mencōned, had their tryalls before me (then sitting there upon the Gaole), for the severall felonyes following, viz': John Charleton and Thomas Charleton, upon one Indictment of them both for the stealing of a Mare, on the eight and twentieth daie of March, in the third yeare of his Majestie's Raigne. And John Charleton was soly tryed upon two other Indictments for the stealing of certaine kine (being, to my remembrance three in the whole), on the fourth daie of November, in the fourth yeare of his Highnes Raigne. And Thomas Charleton was alsoe tryed alone upon one other Indictment, for the stealing of one other Mare, upon the foure and twentieth daie of December, in the third yeare of his Highnes Raigne. And, thereto, the same John Charleton and Thomas Charleton, upon full evidence, in my opinion, were justly and duly, upon those tryalls, found guiltie according to

the same Indictmentes. Nor did I perceive any violent or undue prosecuõn against them or either of them in any wise, for which causes, and for that in respect of those convictions for the stealing of the Mares, which offences for stealing of horses or mares are too usuall in those partes, and very much there compleyned of. They, the said John Charleton and Thomas Charleton, were utterly excluded by lawe from any benefitt of clergy. I proceeded to sentence of Death against them, according to the lawe. And, nevertheles, in respect the same offences, for which they were soe convicted and attained, were done before the happie birth daie of the Prince (whom Almighty God ever blesse), and were not in there severall qualities expressly excepted out of such his Majestie's gracious pardon, as was granted att or upon his Highnes coronacõn. Therefore, in all due obedience to his Highnes good pleasure, in such behalfe signified to be observed in and through the whole Circuit, and for noe other cause or respect, I stayed there present execuõn, and have left them as persons attained in safe custodie in the Gaole there, to be disposed of, as it shall seem good in his Majestie's Royall wisdom. Nor doe I know or was privy of any other conviction of them, or either of them, in the peticõn mencõned. And, as concerning the peticõner Ellen Charlton, the state of her case is unknowne to mee, for that, in respect of her not appearance att the last Assizes, there was then noe publique evidence given before mee against her. All which is in all humblenes, hereby certified to his sacred Majestie.

By me, his Majestie's most humble subject and servante.

HUMFRAY DAVENPORT.

Serjeantes Inn, Fleet Street,
9th of October, 1630.

Petition of Ellen Charleton to the King, 15 November, 1630.

To the Kinge's most Excellent Majestie.

The humble peticõn of Ellen Charleton, widowe,

Humbly sheweth,

That the peticõner having two sonnes, both of them Indicted, convicted, and cast att severall Assises, holden att Newcastle, for

pretended theft of two mares and three cowes, and your peticōner, though absent, not tryed, in danger to bee questioned for an accessary, in September last, peticōned your royall (sic), that since the same factes were within the Compasse of your Majestie's gracious pardon, for the birth of your royall sonne, Prince Charles, the joye and hope of theis Kingdomes (whom God longe preserve), the peticōner and her sonnes might enjoy the benefitt thereof. Whereupon your Majestie the order to bee Certified, by the Judges of Assise, before whom gave parties were tryed, howe the case stood with the peticōner and her said sonnes, and whither or not they conceived them capeable of the grace and favor desired. Accordingly, Certificate was made, and Your Majestie having seene the Certificate of Mr. Justice Davenport, whereby it appeared that the offences committed by the peticōner and her sonnes were done before the Birth of the Prince his Highnes, and not expressly excepted out of your Majestie's intended Pardon, was graciously pleased to pardon the peticōner and her two sonnes their said offences, The peticōner and her sonnes putting in sufficient securitie for their good behaviour thereafter, And your Attorney Generall was to prepare a pardon accordingly, ready for Your Majestie's royall Signature, as by the peticōn, Certificate and severall references maie appeare. For effecting whereof your Majestie's said Attorney Generall directed his Warrant to the Clerkes of Assise for the Indictmentes of your peticōner and her said sonnes, but albeit Your Majeste's gracious intencōn and royall pleasure signified, yet the said Clerkes not onely refuse to deliver the said Indictmentes, but alsoe they and others seeke, as farr as in them lyes, to procure warrant (contradictory to Your Majeste's royall pleasure, so signified for the execucōn of her sonnes) and intend to prosecute the peticōner to the outlawry thereby, to gett to themselves that little shee hath, to her utter undoeing for ever, notwithstanding your royall grace and favor extended, unles Your Majestie be further graciously pleased to give speciall command and direction therein.

In tender comiseracōn whereof, Shee most humbly beseecheth Your Majestie (for confirmacōn of your former royall Grace and favour extended upon the Birth of Your Majestie's said Royall Sonne, Prince Charles) to bee graciously pleased to graunt your royall warrant, directed to the said Mr. Justice Davenport, thereby requiring

him that hee graunt no order or direction for the execution of her said sonnes, but that hee give command that the Indictmentes against the peticōner and her said sonnes maye be delivered forth with, to the intent Mr. Attorney Generall maye prepare a Pardon for them readye for Your royall signature, and soe they enjoy the benefitt thereof, according to Your Majestie's gracious intencōn.

And (as in dutie bound) the peticōner shall daily praie for Your Majestie.

At the Court at Whitehall, 15^o Novembris, 1630.

His Majestie's pleasure is that the right Hon^{ble} the Lord Keeper doe informe himselfe whether these Delinquents be the same against whom the countrey have made particular complainte as notorious offenders, And if his Lordshippe shall finde them not to be such, then his Majestie is graciously pleased to pardon them. And his Lordshippe is to give order to the Judges that execution be staid, and that a pardon be drawen uppe for them for his Majestie's royall signature.

RA : FREMAN.

May it please your Lordshipp.

According to his Majeste's pleasure, signified by your Lordshipp's letter, dated this presente day, wee humbly certify your Lordshipp that John Charleton, alias Barr, and Thomas Charleton, of the County of Northumberland, mencōned in the inclosed peticōn, are notorious offenders, amongst others whome the Justices of Peace and Inhabitantes of that country peticōned against, for which two offenders amongst others) wee have received his Majeste's direction, under his signature, for execution to be donne upon them. In obedience of which his Majeste's comannnd, wee have accordingly, by our lettres, gyven direction to the Sheriffe of the County of Northumberland for the due performance thereof. And so presenting our service, wee humbly take our leave, and rest,

At Your Lordshipp's command,

THO : TREVOR.

xviiij. Novembr : 1630.

HUMFRAY DAVENPORT.

[ADDRESSED.]

To the right ho^{ble} o' singuler good Lord Thomas Lord Coventry, Lord Keeper of the Great Seale.

According to his Majestie's commandment, I have informed myself from the Judges of the last Northerne Circuit, concerning the pet^{rs} two Sonnes, the Delinquents mencōnd in her peticōn, and his Maj. reference, and have receaved Certificat therein from the said Judges, as by their lettres hereunto annexed appeereth. Humbly leaving the same to His Majeste's good pleasure.

THO: COVENTRYE, C.

Petition of Ellen Charlton to the King, 7th January, 1630-1.

To the Kinge's most Excellent Majestie,

The humble peticion of Ellin Charlton, a poore distressed widdowe. Humblie sheweth unto your Majestie,

That, whereas your poore peticōner hath formerlye petitioned to your Majestie for a pardon for her two sonns, who, uppon wrongfull accusacion, were condemned and lost their lives. And, whereas your poore peticōner (Mother to 6 poor fatherles children at hoame) for enterteyninge her said two sonns (shee knoweing noe misbehaviour or misdemeanor by them) is in daunger of her life.

And she beinge nowe in a most woefull and lamentable estate, even readie to lanquish thorowe greafe and discontent, havinge laboured these 20 weekes for her said childrens' lives and not prevaied. But thorowe long suite hath both spent all her means, and, without a quick dispatch, and your Majeste's gracious assistance and helpe therein, shee is in daunger of starvinge, and her six poore fatherles children at hoame ready to perrishe thorowe want of maintenance and releafe.

In tender commisseracōn and pittie of your woefull peticōner's estate, may it please Your Majestie, even for Christe's sake, to grant her Your Highnes gracious pardon for her owne life for all thinges whatsoever by past. That your peticōner may pass quietlie to succoure and releave her poore fatherles children, and (as in dutie bound) shee shall dalie pray for your Highnes.

May it please your good Lordship,

I have, accordinge to Your Lordshipp's commaundement, perused the petition of Ellin Charleton, widdowe, and if the suggestions therof

be true, that she is only in daunger for receaving her children, not knowing ther offences, she is very capable of his Majesty's gracious pardon; and if her offence extended further, that she did receive and interteyn her owne sonns, knowing ther offences, soe as she did not receive what they had stollen, nor incourage them to steale, I incline farr to favor a Mother in such a case.

But I humbly submitt it to Your Lordship's great wisdom, and his Majesty's gracious pleasure, when he shall be moved therein.

Your lordship's most humble servant,

7 January, 1630.

RO : HEATH.

In the great civil war, the Tynedale men took the part of the Royalists. Sir Edward Charlton, of Hesleyside, was created a baronet in 1645, on having raised a troop of horse for King Charles I. The patent of creation is still at Hesleyside. When the Roundheads triumphed, the Cavaliers' estates were confiscated, and Sir Edward lost his lands among the rest. Besides the property still retained by the family, he held many farms in Warksburn, which were gradually alienated during the last century. In 1666, after the Restoration, Sir Edward Charlton was in high favour. It was proposed to appoint him Governor of Hartlepool; but, by a letter yet unpublished, in the Record Office, we learn that objections were raised to this appointment, "lest it might bring in Popery," as Sir Edward's family had never changed their religious belief.

On the 24th of July, 1666, Sir Edward Charlton rode into Newcastle, with one hundred stout young men, of Tynedale, all armed and well appointed, and intended to serve under the Duke of York in his foot regiment. As the muster-master did not appear in time, Sir Edward gave them all money to procure quarters and provisions. In 1667, we learn, from the depositions in York Castle, published by the Surtees Society, a curious history of robberies committed in Tynedale, by horse and cattle thieves from Cumberland. In all their evil doings they seem to have been aided and abetted by one William Oglethorpe, of Cumberland, a gentleman of property, but a companion of thieves, who evidently felt themselves honoured by his company.

These Cumberland robbers broke into the house of Christopher Wannope, in that county, and Oglethorpe was to have been of the

party, but did not come. He had, however, assisted at several burglaries before, "for that a house was broken about Kirk Oswald, and in making their attempt, one of the company had a stone thrown at him by one of the house, as he was goeing upp the ladder, which feld him to the ground. Upon which they left the house, and tooke the corps, and carried him to Bewcastle, and there buried him. And soe the said partyes smothered it unto the dead man's friends, and said he had been sicke a weeke before."

From the deposition of Anne Armestrang, a companion of these Cumberland thieves, we learn that Archie Litle stole a blunt-tailed nagg, out of Cumberland, which he carried to George Moore, of Long Witton, in Northumberland. "That tyme Moore helped Litle to a booty to carry back. They first attempted to steale a white maire with a fole, about Wooler, but were chased from her. The next night they stole five great beastes from Long Witton, and hurried with them towards Bewcastle. They drove the beastes by Wascow Shield, to the house of Thomas Scott, of the Doddbogg (in North Tyne), where Scott would not let them come unto the house, because there was a fox thatcher* there, but carried them to a sheyld harde bye his house, where he made them a fire, and got them meate. After two hours, they went out a mile further, to John Rackas Shield, where they part two beastes among Mr. Charleton's, of the bower, and stayed there all day. The next night being Sunday, they drive their beastes to Mongo Noble's save two that tyred, and were left at Doddbogg." The informant then went to John Martin's, of the Riding, and stole some clothes, which she left at Edward Charlton's, of the Newton, near Bellingham, for the said Charlton advised her to put on man's clothes, which she did, and left her woman's clothes at the Newton, and with them two old pieces of gold, three gold rings, a silver bodkin, and a green petticoat with silver lace—all of which she had stolen from Barwith house. And when on her return, she demanded these things from Charlton, of the Newton, he would give her none, but threatened to deliver them to a justice of the peace, if she demanded them."

The "profession" of cattle stealing seems to have existed in North

* Probably a misspelling for foxcatcher, retained by the farmers for the sake of preserving their lambs.

Tynedale till far into the last century. In 1624, Adie Usher, of Liddesdale, was tried and executed on the Borough Moor of Edinburgh, for cattle thefts committed in North Tynedale. He had, with his son then hardly sixteen years of age, driven sheep, cattle, and goats from Sewingscheles, Emmetshaugh, Leaplish, and Hesleyside. William Heron, of Chipchase, and William Charlton, of Hesleyside, were the prosecutors. Usher's son was pardoned on account of his youth. Nearly a century later, in 1701, we have the confession of David Weir, in Edinburgh, revealing the existence of an organized gang of horse stealers on both sides of the Borders. Francis Moraley, of Moralee, in Gofton Burn, seems to have been the ringleader, but the horses stolen from Northumberland were sold at Edinburgh, and further north, while the Scottish horses found an easy market in Northumberland. Closely connected with these horse thieves was Charlton, of Lee Hall in North Tyne. Charlton, and Hall, of Monkridge, seem to have been both county keepers, or heads of the police in their own district. Hall had prosecuted some of the horse thieves in his immediate neighbourhood, and hence there seems to have been a general combination of the freebooters to ruin him by making Reedsdale the scene of their depredation. To this they were evidently prompted by Charlton, of Lee Hall. The whole confession of David Weir may be seen in the appendix to Sir Walter Scott's *Border Antiquities*.

The Armstrongs, of Grandyknowes, close to Houseteads, were a most notorious race. Probably they were originally from the Scottish border—

“But their misdeeds were so great,
They banished them to the English syde.”

Nicholas Armstrong, about the year 1700, accused Wm. Lowes, of Crow Hall, in South Tyne, of having instigated two of Armstrong's brothers—William and Thomas—to cut out the tongue of William Turner, of Cringleydes. Turner's tongue was, however, not so entirely destroyed but that he was able to tell, in full court, the whole story. He said that William and Thomas Armstrong went up to him while he was trying to catch a horse on the common, and at first threatened to shoot him, but afterwards cut out his tongue, and with it his right ear and part of his cheek. Lowes denied the charge of

instigating the deed, and retorted that Charleton, of Lee Hall, knew more of the affair than he chose to tell. It seems that Lowes had underbid Charleton for the office of county keeper, in 1705 and 1706, hence the jealousy between the two, while the Armstrong's attacked Turner, to revenge themselves for his giving information against them in a horse stealing case.

Charlton, of Lee Hall, seems to have been a most turbulent character. His feuds with Lowes, of Willimoteswick, the county keeper of South Tynedale, are still remembered in Tynedale. Charlton seem to have been as bold as Lowes was timid. They had constant encounters, but Lowes, for a long time, escaped his rival. Once his life was saved by an old woman closing a gate after he had passed, with Charlton in hot pursuit, and the delay enabled him to reach his stronghold at Willemoteswick. Again they met and fought at Bellingham, and Lowes' horse was killed by a stab made at his rider by Charlton, Lowes escaping by jumping on the back of a horse standing near. A fragment of the old ballad made on this occasion is yet preserved :—

Oh, had Lee Hall but been a man,
As he was niver nane,
He wad have stricken the rider,
And letten the horse alean.

At length Lowes was taken prisoner in a fight near Sewingshields, and Charlton is said to have chained him to the grate of his kitchen fire, at Lee Hall. He is said to have been rescued afterwards by Frank Stokoe, of Chesterwood.

Then came another change of scene. The cavaliers who had triumphed in the Restoration, fell into disfavour at the Revolution of 1688, at least, all those who adhered to the fortunes of the Stuarts. The Catholic cavaliers, about all, became liable to constant suspicion and with a good reason too, for there were constant plots to restore the fallen dynasty. In 1687, there were seven Catholic gentlemen of Northumberland on the commission of the peace, and among them was Edward Charlton, of Hesleyside. He was, probably, put off the commission of the peace on the accession of William III. ; and in 1689, as we find from the depositions in York Castle, he was suspected for treason, in consequence of a letter from him having been

seized on its way to Albert Hodgson, a well-know "Papist" and cavalier in Newcastle. He was then accused of spreading false intelligence regarding the landing of King James, the newly-deposed monarch, in Scotland, but he escaped by denying all knowledge of the dangerous letter. The epistle is delightfully phonetic in its orthography.

"Mr. Hodgson,—My brother Jake is not yet comed home, but this week we expect him. As sonne as he comse I will sind mony for the hatte. As for news we heare that six thousand of K. J. forsis sartainly landed at Kintir, in the Hylands. They prist all bots and vissils (boats and vessels) in K. J. name to goe back to Ireland for more forsis, and they are gon, and the rist following fast. Allso there master who sartanly lands in Skotland. Fortty thousand Frinch landed in Ireland." The letter concludes with a commission to Mr. Hodgson, who, probably, was a general merchant in Newcastle. "Pray sind me too botells of your vere bist Rinnis, and two botells of whit wine, the bist you have. The clarred (claret) was so bad as we weare forst to sind for better, but I emadgen you had noo better." The old squire of Hesleyside drank Rhenish and claret in those days, for the poisoned wines of Spain had not then been forced upon the English palate.

In the same year, a fearful murder seems to have been committed on Gunnerton Fell. The murdered man was discovered by one of the Shaftoes of Gunnerton. He deposes that "on the 10th of May, 1689, goeing out into Gunnerton Moore, a gunning, very early yesterday morning, upon the breake of day, at a place called Stone Gapps, in Gunnerton Moores, he sees two gray maires, both saddled and bridled, and the one of their bridles tyed to the other's stirrup-iron. And seeing none neare the said maires, he brought them to the common pinfold of Gunnerton, and putt them therein. After which, he called his brother, William Shaftoe, and told him they would goe and see if they could see the owners of the said maires. And riding on the said moore to a place called Whitley Knoake, being further on the moore, and higher than ordinary, they hollowed there to know if any would answer them. And going northward on the said hill, they heard the voice of a man crying out, 'Helpe, for Christ Jesus' sake,' and wished hee had but a man to

speake to him before he dyed. Whereupon this informant and his brother goes northward to a burne side, and he spoke over the burne, and asked him what the matter was, and what he wanted, who replied hee wanted nothing but a man to speake with him before he dyed, for he was a dyeing man. And this informer, asking how or by whome, he said there was a rogue had shott and murdered him. This informant asked him if he knew him that did soe, and he said, Yes, he knew him well enough. And askin him what they called him, hee answered, 'Roger.' This informer asked him if he knew his surname; he said noe, but one Mr. Errington, of the Linnells, knew him well enough, hee being once the said Mr. Errington's servant. And this informant and his brother rode through the burne and went to the place where he was lying waltering in his owne blood. This informant asked if the rogue had gott any money from him, and he said he had got two guinnies, one silver watch, one crowne piece of silver, three or four shillings, his crivitt (cravat) and sleeves. This informant asking him if he had not a hatt, he said, Noe; but hee had a velvett capp, which the rogue had gone with. This informant asked him if he had noe spurrs, and he said, 'O deare, and is hee gone with my spurrs to!'; and, findeing a piece of a pistoll stocke, hee saide, 'Oh dear! he had two pistolls.' And this informant, searching among the hather, found the stocke and locke of another pistoll, and asked him how the rogue came by the pistolles, who replied, Mr. Errington lent him them before they came away. And askeing him how hee came to be soe farr out of the way, hee said they were goeing to the Highlands, to see the rogue's mother. And the maies were both his owne, and he lent the rogue one to ride on, and now hee's gone with them bothe. The rogue pretended himself to be sleepy and weary, and had a desire they should light and rest themselves a litle; and when they came and lay downe, the deceased lying on his belly, with his head upon his arme, never feareing anything, the said Roger shott in att his back, between his shoulders. And, after he had shott him, he fell upon him, beating and cutting of his head in several places with the pistolls. And he prayed him, for Christ's sake, nott to beat or cutt his head with the pistolls, and he would quitt him all that he had in the world freely, but the rogue said he would not; of which shott and wounds the said deceased dyed."

We learn no more of this sad murder, except that the murdered man was a gentleman of Yorkshire, of the name of Braidclyffe, of Farrburne. It is possible that he may have been travelling on some Jacobite errand; for the Erringtons, of the Linnells, were disaffected to the then government. It is curious to note, that Mr. Shaftoe, the informant, went out a gunning on the moors of Gunnerton, early on a May morning. It was the practice, even to the end of the last century, to shoot the old moorcocks in the pairing season, when they are much more easy of approach. In Norway, and in Germany, the practice prevails to the present day.

With the death of Anne, and the accession of the House of Hanover, the hopes of the Jacobites revived. The "Wee German lairdie" was most unpopular in England; nor did he ever become reconciled to our English fashions. The North Tyne gentry were almost to a man, Jacobites; and the influence of the Earl of Derwentwater, who owned the manor of Hareshaw, no doubt drew many to the standard raised by that unfortunate nobleman. Of the North Tynedale men, one of the leaders was Captain Hunter, of the Highfield, a man of no good character, and a noted horse thief. But another well known character at that time, in Tynedale, now appears on the scene—viz., William Charlton, of the Bower and Reedsmouth, generally spoken of by the soubriquet of "Bowrie." This was not the first time that Bowrie had been in trouble with the Government.

On the 21st of February, 1709, he quarrelled with Henry Widdrington of Buteland (?) about a horse*, as there was a horse-

* In these times the penal statute, by which no papist was allowed to possess a horse of the value of more than five pounds, was strictly enforced. In 1745, Sir William Middleton, of Belsay, seized the horses at Hesleyside; and in the Lead-bitter family there is a tradition of the devices resorted to to preserve a valuable horse belonging to the then owner of Warden. The horse was first hid in the wood that borders Homer's lane, but having been heard to neigh when a picket of soldiers was riding by, it was thought dangerous to leave him there. He was accordingly brought back to Warden, and was lifted by cords up into the loft above the cart-horse stable, and there a chamber was built round him of trusses of hay and straw. His neighing here would, of course, attract no attention, unless the soldiers were actually in the stable. A few days after, while the house at Warden was closely watched by bailiffs from Hexham, the inmates were unable to get to the loft to give the horse water, and the poor animal consequently became

race that day on the Doddheaps, close to Bellingham. They adjourned to a small hollow south of the Doddheaps called Reedswood Scroggs, and which we can remember well as having been pointed out to us many years ago. The ash trees in that fatal hollow had not then been cut down ; indeed, they were standing till within a few years, and served to mark the spot. Here the combatants fought, and Bowrie slew his opponent. He is said by one tradition to have been taken "red handed," as William Laidley (aw ?) of Emblehope, who witnessed the fight, hastened to the Doddheaps, and alarmed the people, who seized the offender.* We are inclined, however, to believe

extremely restless, stamping furiously on the floor of the loft. One of the Charltons, whose descendant still lives in Hexham, resolved to rescue the animal. While his friends led the bailiffs round to the back of the stable, to which they had been attracted by the noise, Charlton lowered the horse down through the trap-door, and jumping on his back, urged him at full speed across the haugh to the Tyne. It was a heavy flood, with much floating ice, but he dashed bravely in, and had nearly reached the opposite bank when the bailiffs became aware of his flight, but none dared to follow him ; and he never drew bridle till he reached the friendly shelter of Nafferton, which was at that time occupied by the Leadbiters.

* The information of William Laidley, or Laidlaw, of Emblehope, regarding this case, is still preserved among the Allgood papers. It is dated February 28th, 1709.

"The said informant, upon his oath, saith, that on Tuesday, the 21st day of February, he was travelling upon the highway leading from Bellingham to Reedswood, together with one James Laidley, brother to the informant, and, in a wood called Reedswood Scroggs, near the highway, he hard a noise at a small distance from the highway, but did not know the meaning of it, but proceeding a little further, he saw a man running from a place where some men's clothes were lying in said wood, towards Reedswood, and he perceived that he had either a hat and a periwig, or a periwig only, in his hand ; and so came to a place where a man was lying, and took him in his armes, though the informant did not see the man who was lying on the ground, till the other man lifted him up, and asked him where he was hurt. But the man who was lying on the ground did return no answer ; whereupon the other man returned to the place whence he brought the hatt and periwig, and brought from thence a coat, and asked him if he would have on his coat, but again there was no answer. Then did the other man call to the informant to come near, and, coming near, he saw that the man lying on the ground was Mr. Henry Widdrington, but he did not know the other ; but he had blood upon his face, and he saw him take up a long sword, which was lying near the said Henry Witherington, and put it into his scabbard, and gird it about him. And he then desired the informant to send his brother to the Doddheaps to tell the people, who were at a horse-race there, and to lift up Henry Witherington, and put on his coat. But this informant, looking at Mr. Witherington, said that he was dead, whereupon the said man ran to his horse, which was tyed to

that Bowrie escaped on horseback, and that same night reached the residence of Nicholas Leadbitter, of Warden and Wharmley. He was concealed in the house at Wharmley, and walked the floor all the night in his heavy boots, to the surprise, and no doubt somewhat to the annoyance, of his host and his family. He subsequently obtained the pardon of Queen Anne, under the great seal, for this chance medley. Widdrington's body was buried before Charlton's pew door in Bellingham Church, under the inscription, now hidden by pew-work :—"The Burial Place of Henry Widdrington of Butland, Gentleman, who was killed by Mr. William Charlton of Reedsmouth, February 23rd [21st ?], in the Year of our Lord, 1711." (1709 or 1710 ?) It is said that on this account Bowrie would never again enter the sacred edifice. It therefore seems that Bowrie was probably a protestant, or at least had temporarily conformed, and this is the more probable, as we find in Patten's History of the Rebellion that his name is not entered as a papist. On the other hand, he is not designated a protestant, as are the other "rebels ;" so we may fairly conclude that Bowrie had no religion at all. His brother Edward is said by Patten to have recently become a papist, having married a person of that persuasion. However, we find that Bowrie's lands are registered as a catholic's under the penal statutes in 1723. Be this as it may, Bowrie left no legitimate issue, and the children of Edward Charleton, his younger brother, succeeded to the estates. Edward Charleton had married the relict of Errington, of Walwick Grange, originally a Miss Dalton, of Thurnham, and Bowrie is said to have been anxious that his illegitimate daughters should be brought up under her care. She demurred, under the plea that they were protestants and she catholic, but Bowrie told her to make them what she liked. These ladies afterwards lived long in Hexham, and are remembered by persons yet living. They continued staunch Jacobites to the very last. On the first relaxation of the penal laws, about 1780, King George III. was for the first time prayed for

a tree hard by, and mounted, and called to informant to attend to the dying man. Whereupon the said man rode away towards Reedswold, and informant went up to the Doddheaps to inform the people, and shouted to them to come, and they came to the place where the said Witherington was lying, and informant saw a wound upon his left breast, and some of the company said it was done by William Charlton, of Reedsmouth, whom he did not know by sight."

publicly in the catholic chapels in England. The instant his name was mentioned, the Miss Charletons rose from their seat and moved out of the chapel, and this they continued to do all their lives. We know not who were the friends by whose intercession Bowrie obtained his pardon from Queen Anne. It is probable that the occurrence was regarded in the light of a mere brawl; and tradition gives us, as one of the circumstances strongly urged in his favour, that, after Widdrington had fallen, he threw his own cloak over the dying man before he rode away from the scene.

We next hear of Bowrie as engaged in the rising of 1715, but the details of his exploits on that occasion have not come down to us. He behaved, it is said, bravely at Preston, but we do not know when he was relieved. In 1745, Bowrie was imprisoned as one suspected of favouring the Stuarts. It is said that this was done by his own friends to keep him out of mischief, for he must then have been well advanced in years. Bowrie no doubt felt his imprisonment keenly, and did his best to obtain his release. He seems to have applied to Collingwood, of Chirton, for this purpose, and we produce that gentleman's autograph answer, regretting his inability to do anything for him.

Dear Sir--I recd the favour of yours with no small concern, and am very sensible how uneasy your confinement must make you. I should be glad if it were in my power to put an end to it by admitting you to bail, and hoped the transmitting above such informations against you as had come to my knowledge, together with your own examination, might have procured leave to bail you; but, instead of that, the Duke of Newcastle told us in his answer that it was not proper to admit you to bail. I own I thought that answer cruel, unless it were occasioned by some further charge against you, which you must be the best judge whether probable or not. As you stand committed by the Mayor of Newcastle, the Bench of Northumberland cannot aid you, and as the Mayor is acquainted with the Duke of Newcastle's directions, I am apt to think he will not act contrary to them. I will, however, communicate your letter to him, and do you all the service I am able, but am afraid that you must apply to the Duke of Newcastle for leave for the Mayor to bail you before that step can be taken.

This is the true state of your case, which I thought it not improper to make you acquainted with, that you might be apprized I want power more than inclination to relieve you; for as I wish and hope you will prove innocent, I hereby sympathize with you in your suffering, and am, as I always have been—Dear Sir—your real friend and humble servt.,
ED. COLLINGWOOD.—Chirton, June (?) 12, 1746.

From this time we do not learn much of him, save what has come down by tradition of his rough and roystering disposition. In 1736,

James Tone, steward at Hesleyside, writing to Edward Charleton of Hesleyside, who had then, on the death of his father, succeeded to that property, speaks thus of Bowrie. We have preserved the remarkable orthography of the letter :—

“Bowrrie Charlton wass all wayes vearry a-Bousiffe and scornfull man to my Master—and would a made him foudelled and sould him deare Bargains and abused him when he had done.”

No doubt the old squire was rough and rude, and fond of his cups. Among the articles preserved by his descendants is a Venice glass, with a rose and oak leaf engraven on the bowl. Between these is a single star, to which, when the King's health was given, the loyal Jacobite placed his lips, and drank his Majesty's health “under the rose.”* Another glass, of which but very few now remain, has Prince Charles's head and bust, with the motto, “*Audentior Ibo.*” Another huge Venice glass has on it the inscription, “*Pero, (dog) take your advantage,*” which may, however, have been only a drinking word of the old squire's. No doubt Bowrie, after his release, continued to cherish the memory of the Stuarts, and perhaps to plot a little in their favour when an opportunity occurred. Nothing was more likely than that he and his family should love to collect memorials of the Stuarts, and there is preserved a mull, dated 1745, with the inscription, “O Charlie, ye've been lang a cummin !” a pair of the well-known Jacobite silk garters, woven probably at Lyons, with the inscription, “COME LET US WITH ONE HEART AGREE—TO PRAY THAT GOD MAY BLESS P. C. ;” and a pincushion, bearing the names of the victims of 1746 on the Jacobite side.† We suspect these pincushions to have been likewise made at Lyons, or somewhere abroad.

Another relic connected with these times is a letter written evidently by a conspirator, and couched in the most ambiguous terms. The original is directed to Mr. William Bell, supervisor, Hexham ; but there can be little or no doubt but that it was intended for no

* The star is exactly under a large full-blown rose, which doubtless symbolises the claimant of the crown himself. There are two buds, greater and lesser, on the same branch, perhaps intended for Prince Charles, and the Cardinal of York.

† Of white satin, with blue tassels at the corners. The inscriptions are printed from copper-plates, and the names run in circles round a centre, in which is a

such servant of King George, as the individual addressed in the letter itself is termed Dr. Cambray. This was no doubt a *nom de guerre*, and we have no means of knowing who was the Pontifex Maximus. Nor do we believe that Wylam is the real place spoken of as the place of meeting appointed.

Dr Cambray,—I had yours, and nothing could give me greater pleasure than to hear that our generous and worthy friend Bowrie is still able to bend a Bicker. Long may he live to teem a Cog, and (while he disdains the little superficial formalities of our modern Gentry or those that would be thought such) to receive his friends with the old undisguised and Gentlemanlike hearty welcome.

The proposal he made concerning Carmichael is of a piece with the general tenour of his benevolent sentiments towards the honest or indigent part of mankind.

When he takes his flight from among your Northumbrian mountains towards the Elysian fields, he'll scarcely leave a fellow. Nor am I so partial to the Calidonian hills, as to believe they ever produced a man of more hon^r and honesty.

Carmichael is a good honest lad, but infected with that damned Scots disease never to spare his [property?], or his purse where friendship or necessity calls. Notwithstanding, he has three callants will receive no arguments instead of a dinner, and the good wife, a yell [?] Kid in her Killing; so that if the affair could be carried on, I would willingly contribute my mite, but I want courage to beg for a Countryman.

double rose displayed, and the inscription round it, MART : FOR : K : & COU : 1746 :—
(Martyred for king and country, 1746.)

- | | | |
|----------|---|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Obverse. | { | <i>Inner Ring.</i> —Earl Kilmarnock. Earl Derwentwater. Ld. Lovat. I.d. Balmorino. |
| | | <i>Second Ring.</i> —T. Deacon. Syddale. T. Chadwicke. G. Fletcher. J. Berwick. Ja. Bradshaw. J. Dawson. |
| | | <i>Third Ring.</i> —P. Taylor. P. Lindsey. A. Kennedy. J. McGregor. A. Parker. P. Keir. L. Read. The Revd. T. Coppock. T. Park. A. Blyde. |
| | | <i>Outer Ring.</i> —J. McGenis. J. Thompson Murray. Mayrie. Stevenson. McDonald. Dempsey. Connolly. Endsworth. Sparks. Horn. D. Morgan. Esqr. C. Gordon. McKenzie. J. McClain. |
| Reverse. | { | <i>Inner Ring.</i> —Col. Townley. Sir. L. Wederburn. Sir A. Primrose. F. Buchannan, Esqr. I. Hamilton, Esqr. |
| | | <i>Second Ring.</i> —M. Deliard. C. Gordon. Cap. McDonald. Cap. Wood. Cap. Leith. Cap. Hamilton. Dan. M. Daniel. |
| | | <i>Third Ring.</i> —I. Wallis. Henderson. I McNaughton. I. Roebothom. H. Cameron. I. Inness. I. Harvie. D. Fraizer. B. Mayson. Donald M'Donald. |
| | | <i>Outer Ring.</i> —The Revd. R. Lyon. Rol. Clavering. G. Reid. Eaton. Heys. Brady. Ogilvie. Roper. Brand. Swan. Holt. Hunter Mitchel. Nicholson. Matthews. Hunt. |

If you see Bowrie, offer him my warmest good wishes, which extends to the tenth generation after him. Accept the same for the bairns, especially Bessy Bell, for I have had none to talk nonsense to since she left me. Tell her Madam Badrons has a pair of bounie bairns, and swears revenge on her for deserting her office, as she was formerly nurse. Make my compliments to her Ladyship with all the havings you have, and believe me to be with paternal as well as pastoral affection, D^r Cambray, Yours while—
PONT. MAX.—From the face of the Deep Waters, July 17th, 1750.

P.S. I almost daily see men from South and North intirely strangers to the habitation of the Young Goodman of Bellnagih; only they tell me his father alone knows where he is, assures them he is well, and desires they may be content and ask no more questions. Tom, of Lubeck, is here from Lond: and greets you kindly in the covenant; he intends to kiss your hands at Wylam Sunday comes a week, where I must attend the conclave, but if he's diverted by his friends I shall give you notice. Mention the honest Ep. to Bowrie; he was once his guest upon the Bellingham tramp. [*Address.*]—To Mr. Wm. Bell, Supervisor, Hexham.

The character of Bowrie here given is, in all probability, a tolerably correct one. The writer hints at his somewhat rough and unpolished manners, but bears testimony to his good heart. The allusion to the "Young Goodman of Bellnagih" is evidently meant for the Young Prince Charles, by the old Stuart soubriquet of the "Gudeman of Ballengeich." It would have been curious indeed if we could have obtained a report of what was discussed at the conclave, at Wylam, but no short-hand writer was present at these secret meetings to take down the dangerous words uttered, or the treasonable toasts drank, by the Jacobite squires of Northumberland.

Of the "grayne" of the Milburns but little has been recorded in print, while North Tynedale has retained some interesting traditions of this bold family. Many will still remember a fine specimen of the North Tynedale man, Muckle Jock Milburn, of Bellingham, a man of gigantic size and strength, and endowed with a corresponding power of lungs. Muckle Jock held many traditions of the old border days, which alas! have, for the most part, died with him. He told us that he remembered more than once clearing Bellingham fair with the Taret and Tarretburn men at his back, to the old Border cry of

Taret and Tarret burn
Hard—— and heather bred
Yet—Yet—Yet.

He was a descendant of the Milburns, of the Combe, in Taret. Indeed, he claimed Barty of the Comb, the subject of the following anecdote, as his direct ancestor. Barty was a celebrated swordsman, as well as of prodigious strength. He appears to have lived about the end of

the seventeenth century. Barty's dwelling was very near to the Scottish border, and, therefore, was sadly exposed to the inroads of the Scottish reivers, who still retained, long after the union of England and Scotland, the habit of making raids for cattle on the English side.* Barty's ally was a stout yeoman, called Corbit Jack, or Hodge Corby, whose peel stood a little farther up the burn, and is still in tolerable preservation. There is a slight attempt at a moat around it, and on a stone in the low doorway, there are three rude crosses incised. One morning, when Barty arose, his sheep were all missing, they had been driven off by Scottish thieves, during the night. He immediately summoned Corbit Jack, and arming themselves, they followed the track of the sheep over the hill, down the Blackhopeburn, into Reedwater, and thence across the border north of the Carter, into Scotland. Here they lost the trace altogether, and they seem to have been unprovided with a "sleuth hound" to track the thieves. Barty, however, insisted that they should not return empty-handed, and, after a short council, they decided that the Leatham wethers were the best, and accordingly they drove off a goodly selection of these, and commenced their retreat. The loss was soon perceived by the Scottish men, who immediately despatched two of their best swordsmen to recover the booty. They overtook Barty and Corbit Jack at Chattlehope Spout, and insisted that the wethers should be delivered up. Barty was willing to return half the flock, but he would not go back "toom-handed" to the Combe. The two Scots being picked men, would not hear of a compromise, and the fight began directly, in the long heather above the waterfall. Barty called out "Let the better man turn to me!" and the Scot, after a few passes, ran his broadsword into Barty's thigh. He, of the Combe, jumped round, and wrenched the sword, so that it broke, and at the same moment he was attacked from behind by the other Scot, who had already slain his comrade, Corbit Jack. Barty made one tremendous back-handed blow, caught the second Scot in the neck, and—as he expressed it—"garred his heid spang along the heather like an

* Roger Robson, *alias* Hodge Billy, of Sundaysight, near the Combe, was indicted at the assizes, in 1629, for stealing a dun mare belonging to Lionel Shipley.

inion." His first assailant tried to make off, but was cut down ere he had run many yards. Barty took both swords, lifted his dead companion on his back, and, in spite of his own wound, drove the sheep safely over the height down to the Comb, and deposited Corbit Jack's body at his own door.

Another of the Milburns quarrelled one day, in Bellingham, with a Borderer, and it was, of course, decided to settle their differences with the sword. As they stripped to their shirts, in the streets, Milburn paused, and shouted to his wife, who was in the assembled crowd, "Wife, bring me out a clean sark; it sall niver be said that the bluid of the Milburns ran down upon foul linen!"

Muckle Jock himself was no bad hand at repartee. He often accompanied Mr. William Brandling, of Low Gosforth, on his shooting excursions on Hareshaw. On one occasion, the Rev. Ralph Brandling, of Gosforth, was of the party, and he, unaccustomed to Jock's freedom of speech, roundly rebuked him with sundry most uncanonical imprecations. Jock heard all quietly, for he cared for curses as little as he did for blows; but, at the end, he observed, "Heck, man, they maun hae been unco scant o' timmer when they my'ed thee a pillar of the kirk!" Jock was often up at Mounces, when the Swinburne family were staying there in the Autumn. On one occasion, the late Sir John Swinburne entrusted to him a packet, containing letters of great importance, to take over the Border to Newcastleton, to the post. In those days, the post only came up North Tyne as far as Bellingham, and that but twice a week. Weeks passed away, and the letters did not reach their destination. Jock was asked if he had posted them at Newcastleton. "That did I no," replied the stout Borderer; "I just gied the packet to Archie, wha gied it till anither man, wha said he kenned a man wad be gannin sune to the post!"

On a very rainy day, Jock was sent with a message to Falstone, and to keep him dry, they offered him the coachman's heavy box coat. Jock performed his errand, but returned dripping wet, and without the coat. "I juist leavit it at the Fausestayne," said he, "it was better to be drooned than smooored!"

Jock was a keen sportsman, and particularly fond of greyhound coursing. Even when past his eightieth year, he could find a sitting

hare better than most men in the country. One day, when at Reedsmouth, he exclaimed to the late G. Gibson, Esq., "Mr. Gibson, it's a varra long time sin ye gied me a hare." "Oh," said the squire, "you shall have a hare, Jock, at once;" and turning to his servant, Robert Riddell, he said, "Robert, take the gun, and Jock will soon find you a hare." "Hout, maister," replied Jock, "you need na fash wi' the gun, the hare's lying i' the dyke; I just felled her as I cam' down the pastur', but I wad na lift her till I'd gotten your leave."

No small indignation was felt among the peaceful borderers at the head of the North Tyne, at the publication of Macaulay's wonderful picture of their rude habits. It will be recollected that he painted the people of the Keeldar district as having been little better than savages within the memory of man. The late Sir John Swinburne was especially indignant. In a letter we received from him upon the subject, written long after he had passed his ninetieth year, he said, "I have been a landholder at the head of North Tyne for nearly three-quarters of a century, and, in my youth, I knew many old men who could remember the rising in 1715. After that fatal expedition, the Tynedale men were disarmed, and the country has remained exceedingly quiet to the present day. I am quite certain that Macaulay's sketch is wondrously overdrawn, if not absolutely false, in every particular." We, ourselves, took some pains, shortly after the appearance of Macaulay's work, to trace this marvellous story. From Macaulay, we traced it back to the late Sir David Smyth, and to the former Duke of Northumberland, Hugh Percy, who died in 1847. By that nobleman it was communicated to Sir Walter Scott. What chance had any story in such hands? It seems to have originated from a short note in the first Duke of Northumberland's manuscript journal of his first visit to Keeldar, to the effect that the shepherds there were exceedingly shy, and laid down on the heather to watch his performances with the gun. He adds, that they seem wild, marvellously shy and uncultivated. Perhaps the poor fellows remembered the demeanour of the proud Duke of Somerset, when he ruled in that district. Sir David Smyth's notes on Keeldar improved the story a little; he added a few lines about the wild dances of the men and women, and upon this Scott built his story, to which

Macaulay put the finishing touches. The Duke's note book never mentions the dances or the song, the chorus of which was "Orsina, orsina, orsina!" What language was it that they spoke? All the depositions taken a century before are in good plain English, with a dash of the Scottish tongue.

North Tynedale, and Reedsdale, are now what they have been for the last hundred and fifty years—quiet pastoral vales, peopled by an intelligent, handsome, and strongly-built race, as free from crime and vice as any part of the British dominions. The Swinburnes and the Charltons hold the lands they held in the thirteenth century; the Robsons are rife about Falstone; the Dodds are yet numerous on the Border, and the Milburns are by no means extinct. May it be long ere these goodly names cease to be found in the district.

THE END.

NEWCASTLE-UPON-TYNE :
PRINTED BY J. M. CARR, STEAM PRINTING WORKS, LOW PRIAR STREET.

