

ART. III.—*The Debateable Land.* By T. H. B. GRAHAM.

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THE natural division between England and Scotland is the course of the river Esk, from its junction with the Liddel down to the sea. That the Scotch always regarded as the true dividing line. The English, on the contrary, put forward a claim to a tract of land which lay beyond it, not an indefinite area, as many suppose, but one contained by metes and bounds. Its limits are thus described in an old roll :—

Beginning at the foot of the White Scyrke (Sark) running into the sea, and so up the said water of Scyrke till it come to a place called the Pyngilburne foot, running into the said water of Scyrke, and up the Pyngilburne till it come to Pyngilburne Know, from thence to the Righeads, from the Righeads to the Monke Rilande burne, and from thence down Harvenburne till it fall in Eske, and through Eske to the foot of Terras, and so up Terras to the foot of Reygill, and up the Reygill to the Tophous, and so to the standing stone, and to the Mearburne head, and down Mearburne to it fall in Lyddal at the Rutterford,* and down Lyddal to it fall in Eske, and down Eske to it fall in the sea. (Nicolson and Burn, vol. i., p. xvi.)

The claim, though to some extent preposterous, was persisted in up to the time of the partition, and had its origin in the fact that, in ancient times, the subjects of the two kingdoms enjoyed by agreement a right of common pasture over the tract, but were obliged to drive their cattle home before sunset.

It was to this claim, no doubt, that John, earl of Kent,

* There was a stronghold of the Forsters at Greena, close to the boundary, and another belonging to the same clan at the Rotterford, on the English side of the Liddel.

referred, when he granted to King Edward III. in 1351 "the whole Lordship of Liddel, as well within the precincts of England as Scotland." (These *Transactions*, N.S., ix., p. 214.)

The Pingleburn is a little stream that flows into the White Sark near Barngliesh, where there once stood a tower belonging to the Armstrongs. The stream is the boundary of Canobie parish, and Pingleburn Know is evidently the steep isolated hill which rises beyond it. The Righheads are perhaps the same as the Leaheads, and the Monke Rilande burne may be the head of the Glenzier burn. The monks referred to are of course the canons of the priory * and the designation Rye-hills, applied to a neighbouring farm-house, seems an echo of the old name. Harvenburne is the Irvine burn, the northern limit of Canobie, and at Auchenrivoek, near its confluence with the Esk, are some slight remains of another of the Armstrongs' towers. The rocky torrent called Tarras and its tributary the Raegill are well defined land marks, while the "standing stone" is shown on the Ordnance Survey as the parish and county boundary. From the last-named point to Liddelbank the Mearburn (that is the *mere* or boundary stream) defined the eastern limit of the prior's lands.

Canobie is always spelt in old documents Canonby, that is to say, the canons' homestead.

It will be observed, on reference to the map contained in the Statistical Account of Dumfriesshire, that the Debateable land above described coincided with the modern parish of Canobie and that part of the modern parish of Kirkandrews which lies on the western bank of the Esk.

* Canobie priory stood on the narrow tongue of land formed by the junction of the Liddel and Esk, and its site is indicated by an old ash tree. It was founded in the reign of David, king of Scots, by Turgot de Rossedal, *alias* Turgis Brundis, and is said to have been destroyed by the English after the battle of Solway Moss.

Among the State Papers is an account of the Debateable land at the date of its partition in 1552. It bears a note in Latin, stating that the English Debateable grounds comprised the three baronies of Morton, Kirkham (Kirkandrews), and Bryntallone, which in the time of Robert the Bruce * were not to be inhabited by subjects of either realm, but to be common pasture land for both, and that Canobie being a religious house in the last mentioned barony, the prior was allowed permission of the Lieutenant of the West Marches to reside there, on payment of tribute to England. (*Calendar of State Papers Dom. Add. Ed. VI., vol. 4, p. 412.*)

As regards Canobie, certain articles, drawn up in 1531, state that :—

It is bounded on the east, west and north by the Debateable ground, and joins England on the south. It has always been used as a house of prayer and neutral between the realms, and it is usually specified in truces between England and Scotland that the Debateable ground is to be used as common between the two realms, to be occupied from sunrise to sunset with bit of mouth only, not providing specially for Canobie. The prior therefore and his servants could have no sustenance, but that he pays yearly to the Captain of Carlisle for the King 13s. 4d. for the enclosure and building which he occupies. The Scots allege that this sum is for custom of the inhabitants, which is not true. They pay no custom in England, but come freely to Carlisle market as Englishmen. As further proof that it is English, they pay yearly to the Captain of Carlisle, for the waste they make in the woods, all the tree vessale that is used in the castle. (*Calendar of Letters and Papers, Hen. VIII., vol. 5, p. 220.*)

The above passage explains a letter written by Lord Wharton to the Lord Protector, in which he says :—

As to the occupancy by his tenants of the Debateable land, his late majesty commanded me to order it as won to his possessions, and the tenants to pay a yearly rent of a groat or a shilling. The

* Sir John de Wake held the barony of Kirkandrews, but after his death Robert Bruce granted the same and also the land of "Bretallach" to Sir John de Soules (Armstrong, *History of Liddesdale*, vol. i., p. 169).

Debateable land is ten miles in length, and most part of it four * miles in breadth. (*Calendar of State Papers Dom. Add. Ed. VI.*, vol. 2, p. 369.)

Historians speak disparagingly of the dwellers in the Debateable land, and one of them (Clarke, *Survey of the Lakes*) describes it as "the sink and receptacle of proscribed wretches," but that is an unjust exaggeration. The people of the Border were upon the whole good subjects, and constantly rendered able and valuable help in time of war. By dint of frequent intermarriage and isolation they had acquired a distinctive character. Habits of self-defence, rather than love of criminality, had endowed them with an extraordinary degree of cunning and duplicity. They were easy going and tractable when things went smoothly, but when smarting from a real or imagined grievance they became extremely violent and vindictive, and nursed a grudge for years. Their standard of morals was a low one, but men and women alike had one distinguishing virtue—they were very brave.

The Border lairds were poor and proud, and had an exalted opinion of their own importance, as for instance, Johnnie Armstrong of Gilnockie,† who, according to the well-known Border ballad went in quasi-royal state to meet his sovereign, James V., with disastrous consequences. Each had a stronghold and mounted men at call, and his maxim was *nemo me impune lacessit*. The produce of his land was small and precarious, but was supplemented by blackmail levied upon his less powerful neighbours. The nature of the offence of levying blackmail appears by the statute 43 Elizabeth, c. 1., which makes it felony without benefit of clergy, but does not abridge the ancient jurisdiction of the Lord Warden in that behalf.

* It was eight miles broad if Canobie were included.

† He was brother of Thomas Armstrong, laird of Mångerton, the remains of whose pele are still to be seen close to the railway at Newcastleton.

One of these lairds was the mysterious "Lang Will," ancestor of the multitude of Border Grahams who contrived to obtain possession of a considerable portion of the Debateable land, and of the adjoining English barony of Liddel. There is a tradition that he and the other Grahams who made their first appearance in Cumberland early in the sixteenth century came from Dryfe, that is to say Dryfesdale or Drysdale in Dumfriesshire, and it is certain that there was a very old branch of that widely-diffused family seated first at Mosskesso or Mosskeswra, and afterwards at Gillesbie, Shaw, and Dryfe, in the same county. (Stodart, *Scottish Arms*, vol. ii., p. 419.)

It was the settled policy of both nations to make the Debateable land *tabula rasa*—a clean slate—and, if they had been successful in doing so, there would have been little trouble. But about the year 1527 the local clansmen, notably the Armstrongs, had without licence erected a number of strong towers there (Armstrong, *History of Liddesdale*, vol. i., p. 245). In February, 1527-8, William Lord Dacre, warden of the West Marches, made, as he thought, a secret "rode" against them, and attacked the tower of Holehouse or Hollows belonging to Johnnie Armstrong of Gilnockie. But the latter had news of his coming (it was alleged from Richie Graham of Esk), and he outwitted Lord Dacre by slipping behind him and burning the village of Netherby. (Armstrong, *op. cit.*, p. 245).

Lord Dacre arrested Richie Graham for treason, but he effected his escape (see *infra*), and neither side would grant the other any reparation for these injuries (*Ibid.*, p. 246). So Dacre reported to Cardinal Wolsey in April, 1528, that he had burnt and destroyed *all the houses* remaining in the Debateable land, especially a strong pele belonging to "Ill Will". Armstrong * built (apparently

* "Ill Will" appears to have been hanged in company with Johnnie of Gilnockie in 1530 (Armstrong, *op. cit.*, vol. i., p. 274).

of timber) in such a manner that it could not be burnt or destroyed until it had first been cut down with axes, and that there were no houses left in the Debateable land, except a part of Canobie. (*Calendar of Letters and Papers*, Henry VIII., vol. 4, part 2, p. 1827.)

Those who have studied the introduction to Nicolson and Burn's *History* remember the ceremony and courtesy with which the lords warden of either realm, accompanied by an imposing retinue of well-mounted and well-armed gentlemen, approached one another on the appointed "day of truce," and mutually craved "assurance" until sun-rise of the following day, and also the solemnity of the judicial proceedings at their open-air court. A frequent meeting-place was "Lochmaben Stone," a great monolith, eight feet in height and twenty-one feet in circumference, erected upon the sea-coast between the rivers Sark and Kirtle. In an adjacent hedge-row is another large stone belonging to the ancient circle which formerly stood there.

The prisoner committed to Carlisle Castle might well abandon all hope. But the lord warden's authority was sometimes, for purposes of expediency, frittered away by the connivance of his subordinates. The following story discloses a lack of discipline amongst the officials of the castle, and gives an insight into the economy of that establishment.

Robert Parker, jailer to the sheriff, Sir Edward Musgrave (see pedigree of Musgrave, these *Transactions*, N.S., xi., p. 54) makes a deposition that Richie Graham of Esk was given into his custody on Monday, March 23rd, 1528, together with other prisoners sent by Lord Dacre from Naworth, and he put him in the "high tower" of Carlisle Castle with a pair of boyes (fettters) upon his feet. The castle jailer, James Porter, kept the keys and would not deliver them to Parker, and by order of Sir Christopher Lowther, constable of the castle, the boyes were taken off

that night. Next day Sir Christopher Lowther took the keys from Porter, and brought Richie Graham's mother, wife of Hutchin Graham, to the prisoner. The last-named Richie was the prisoner's nephew "Hutchin's Richie" (see pedigree of Graham, these *Transactions*, N.S., xi., p. 75). On Parker's demanding the keys, Sir Christopher refused, saying that he himself was charged with the prisoner. Parker afterwards obtained them, but they were again taken from him by Sir Christopher, who struck him with a dagger, and threatened to stab him, if ever he kept keys within the gates. On Parker's complaint, the sheriff wrote to Sir Christopher, who, on Saturday, March 28th, delivered the prisoner to Parker, who put him in the sheriff's prison at the castle, and ironed him fast with another prisoner, but afterwards took off the irons by command of Sir William Musgrave, under-sheriff to his father. On Sunday the 29th, the constable gave orders that Graham should remain no longer in prison, so he was allowed to hear mass in chapel and to dine in hall. After dinner, Tom Wright, a vagabond belonging to the castle, took Parker by the sleeve to the hall window, and when Richie Graham desired to go to the gate, all three went down together. The gate was standing open, so Parker shut and speared it, but while he was searching for the keys, Graham "lap" out at the wicket. The cook of the castle met him on the bridge; the steward of the house, the castle jailer and others were called upon to stop him, but did not do so. Parker pursued on horseback, but could get no one in the castle to ride with him. On the same Sunday, John Graham the "Braid," brother of the prisoner, had an interview lasting for more than an hour with Sir Christopher Lowther, and that night Sir Christopher said "Richie Graham was a fool that went away, for I promised him and gave him my tholme (thole, sufferance) or (ere) he went to the toll-booth (prison) that I had gitten his life for his grey horse."

(*Calendar of Letters and Papers*, Hen. VIII., vol. 4, part 2, p. 1828).

Lord Dacre writes plaintively to Cardinal Wolsey :—

Though delivered sufficiently ironed, he was allowed to go loose up and down the castle by order of the under-sheriff Sir William Musgrave, son to Sir Edward. He leaped out by a privy postern, which stood open to the fields, where there was a man and a led horse ready for him. (*Ibid.*, p. 1827.)

In another letter, dated April 8th, he says :—

The friends of Riche Graham, whose escape Dacre mentioned in his last, are " loppin " to him in Scotland, namely, his father (Lang Will) and seven brothers with 30 other persons, and are maintained by Lord Maxwell (the Scottish Warden) like the Armstrongs. (*Ibid.*, p. 1833.)

The Grahams took revenge by causing their own abandoned homes to be destroyed, for Elizabeth Lady Dacre writes to her husband on June 2nd, 1528 :—

On Saturday last the Armstrongs by the counsel of William Graham and his children, and some of the Irwins of Hoddum by that of Maxwell, came to Arthuret and burnt the waste houses of the Grahams and some of the houses of the Storys to provoke a breach of the peace. (*Ibid.*, p. 1901.)

I will quote the official account of this incident which is not intelligible without the above explanation :—

On May 9th 1528, about nine of the clock before noon, six Irwins of Staikhugh chased two Englishmen to the houses of Lang Will Graham of Stuble, took them and their horses and burnt the said Lang Will's best house with 30 other houses standing next to the same ; and, early on the 30th of the same month, the Armstrongs and Irwins came to the grounds between Esk and Leven and burnt 19 more houses at Stuble, where Lang Will Graham dwelt, which had been left unburnt by the Irwins, certain buildings at Scarbank and Stublepath, the house and barns of John Graham called " Deid for cold " at Stubleholme, and about a dozen buildings belonging to various persons at Netherby. (Armstrong's *History of Liddesdale*, vol. i., appendix xx.)

Stuble, evidently a considerable hamlet, must be the same as Stubhill mentioned at p. 148 of John Denton's *Accompt* as parcel of the barony of Liddel. Its situation is forgotten, but Stublepath, taken in connection with the other names, appears to be Peth between Longtown and Netherby. A document of the same date (June, 1528) written by somebody who was hostile to Lord Dacre, states that Henry, earl of Cumberland, when warden, rented of the Duchy of Lancaster the ground between the Esk and Leven, which was being constantly harried by the Scotch outlaws, and let it by acres to the inhabitants. While he was deputy they occupied peaceably, but Dacre since he had been warden had suffered the Scots to dwell on the Debateable land, and to destroy and waste the country aforesaid, so that most of the inhabitants were fled and their houses burnt. Dacre had moved the watch, which used to be kept betwixt that county and the Debateable ground to the south, leaving it open to the Scots. (*Calendar of Letters and Papers, Henry VIII.*, vol. 4, part 2, p. 1935.)

Thirteen years later (1541), James V. of Scotland sent to Henry VIII. a copy of articles showing *inter alia* that on May 29th, 1541, Richard the Graham son of Lang Will the Graham and his five brothers, accompanied by Englishmen, murdered several Armstrongs, Scotchmen, yet the malefactors came on the Tuesday following to the day of truce, held by Sir Thomas Wharton and Lord Maxwell, with the blood of the slain on their jacks, doublets, sleeves, hands and faces, in contempt of justice and ostentation of their great cruelty, and although the Scottish lord warden instantly asked for redress, he was not answered. (Armstrong *op. cit.*, vol. i., appendix xxxiv.)

The Scottish version of the battle of Solway Moss (24th November, 1542) has been narrated by Mr. Nanson in these *Transactions*, O.S., viii., p. 257. I will endeavour

to give the account contained in the English despatches, though it is as usual difficult to arrive at a true estimate of the numbers engaged.

The actual encounter took place at Arthuret. Sir Thomas Wharton's spies had reported that a body of the Scottish army (consisting in all of some 17,000 men) was lying at Morton Kirk, and an hour and a half after daylight on the 24th they had begun to burn the houses of the Grahams in the Debateable land and from Eskfoot to Akeshaw Hill, a distance of two miles. (Compare *Calendar of Letters and Papers*, Henry VIII., vol. 17, pages 617, 624, 644, and 649.) Sir Thomas Wharton marched at daybreak, and halted on the bank of the Leven, while his prickers drew the Scots towards Arthuret hows, where they were caught in a trap. He then crossed the Leven, dismounted at Hopesike hill, and prepared to give battle on foot (p. 624). His dismounted force of 1500 men (p. 649) advanced in *stale* (battle array) under six standards, namely, those of Sir Thomas Wharton, Lord Parr, Sir William Musgrave, Sir Thomas Curwen, Sir John Lowther, and William Pennington (p. 624) to within two arrow-shots of the enemy (p. 617). The Scots nobility and gentry ("I never saw goodlier personages," p. 617) seeing this, alighted from their horses, "but the multitude durst not give battle," so they mounted again (p. 617). The English cavalry, perceiving that the enemy was irresolute, and the Scottish horsemen slow in setting forward, thought it best to set upon them before the foot battles joined (p. 649), so the Grahams, numbering apparently 200 lances, charged the Scottish horsemen who fled, while Jack Musgrave and 300 gentlemen of the county attacked those who were dismounted (p. 649), Thomas Dacre with the men of Gilsland and John Leigh with the barony of Burgh standing in a *flieng stadle* (support) (p. 617). The enemy, "seeing them fiercely coming on and the stale following," retired (p. 649), in disorder to Sandyford, beside Arthuret

mill dam, where they had a moss * on their left hand and the Esk *before* them, and here the English pricklers hustled and prodded them until they yielded (p. 624) and captured 5,000 horses by reason of a marsh which they could not pass (p. 649). Some were drowned in crossing the river, and those who got away after throwing aside their victuals and wallets (p. 617) were mercilessly pursued by the Grahams and the borderers of Liddesdale (p. 617 and 649). The loss of life on either side was insignificant (p. 624), but the Cumbrians made a huge haul of prisoners, artillery, standards and flags; "none were borne on height over the Sark" (p. 624).

The Scots had a supporting force at Langholm on the previous night and were capable of outflanking and annihilating the slender force of 2000 (p. 624) opposed to them who had "not one soldier among them but men of the country" only (p. 644). But the former allege that they had no accredited commander-in-chief, which is evident, and that their army was in open mutiny, which is more than probable; while the latter adroitly chose as field of battle ground with which they were only too well acquainted. The King of Scotland (James V.) was so mortified by the *fiasco* that he died.

The Grahams had by this time become trusty English subjects, for when Lord Wharton, in September, 1547, seized the castle of Milk in Dumfriesshire, Fergus, brother of Richie Graham of Esk, was appointed with a garrison of soldiers to keep that castle to the use of the young King of England, and was afterwards confirmed captain there with 50 light horsemen by appointment of the Duke of Somerset and the Council, so that during the wars he remained there, to the great annoyance of the Scots, enemies to England, and preservation of the country thereabouts to the King of England's use. (Holinshed's

* Not Solway moss, but the swampy holme at Arthuret.

Chronicles, vol. v., p. 552.) Rewards were subsequently conferred upon them, for on March 9th, 1551-2, Edward VI. granted to William Graham, alias "Carlisle," the house and site of the late priory of Armathwaite and adjacent lands (Nicolson and Burn, vol. ii., p. 430); and on December 10th, 1553, a grant of armorial bearings was made by William Harvey, Norroy, to Fergus Graham of the Mote, in consideration of "true and faithful service" in the reigns of Henry VIII. and Edward VI. (Stodart, *Scottish Arms*, vol. ii., p. 419, and plate 79A); and Richard Graham the younger of Netherby received from Henry VIII. "good lands for good service done by him," and from the Duke of Norfolk, as Earl Marshal, a grant of arms. (See pedigree of Graham *supra cit.*)

During the last mentioned campaign against Scotland, Sir Thomas Carleton of Carleton Hall, Cumberland, describes the capture of a tower, similar to those of the Debateable land, when the master was unavoidably absent from home, and had left his house in charge of servants. It is dated February, 1547, and is so graphic that I give his own words:—

I thought it good to practise some way we might get some hold or castle, where we might lie near the enemy. Thus practising, one Sander Armstrong, son to "Ill Will" Armstrong, came to me, and told me he had a man called John Lynton, who was born near to the Loughwood (Lochwood Tower, Dumfriesshire), being the laird Johnston's chief house, and the said laird and his brother, being the abbot of Salside, were taken prisoners not long before and were remaining in England. It was a fair large tower, able to lodge all our company safely, with a barnekin, hall, kitchen, and stables, all within the barnekin, and was but kept with two or three fellows and as many wenchies. He thought it might be stolen in a morning, at the opening of the tower door. We came there about an hour before day, and the greater part of us lay close without the barnekin, but about a dozen of the men got over the barnekin wall and stole close in to the house within the barnekin, and took the wenchies, and kept them secure in the house till day-light. And at sun-rising two men and a

woman being in the tower, one of the men rising in his shirt, and going to the tower head, and seeing nothing stir about, he called on the wench that lay in the tower, and bad her rise and open the tower door and call up them that lay beneath. She so doing, and opening the iron door, and a wood door without it, our men within the barnekin brake a little too soon to the door, for the wench perceiving them leaped back into the tower, and had gotten almost the wood door to, but one got hold of it that she could not get it close to, so the skirmish rose, and we over the barnekin and broke open the wood door, and she, being troubled with the wood door, left the iron door open, and so we entered and wan the Loughwood, where we found truly the house well purveyed for beef salted, malt, big (barley) havermeal (oatmeal) butter and cheese. (Nicolson and Burn, vol. i., p. liii.)

One circumstance is not explained. Why did not the cries of the women in the barnekin, or outer enclosure, put the occupants of the pele tower on their guard? No doubt the treacherous John Lynton had arranged that there was to be no outcry.

The old Cumberland dame, who had her own little place to defend, made a more stubborn resistance :—

Weel may ye ken,
 Last night I was right scarce of men :
 But “ Toppet Hob ” o’ the Mains
 Had guesten’d in my house by chance,
 I set him to wear the fore-door wi’ the speir,
 While I kept the back-door wi’ the lance ;
 But they ha’e run him thro’ the thick o’ the thie
 And broke his knee pan,
 And the mergh (marrow) o’ his shin-bane
 Has run down on his spur-leather whang (thong).
 He’s lame while he lives
 And where’er he may gang !

(*The Fray of Suport.*)

In 1550 there was a treaty of peace in force, but it did not provide for the ordering of the Debateable land (Nicolson and Burn, vol. i., p. lxxii.). So on August 12th

Lord Maxwell, the Scottish warden, entered that territory with a large force, in order to destroy Sandie Armstrong's house,* "which house," says Lord Dacre:—

"I had caused, for fear of rasing with gunpowder, to be filled with peats and turves, and fire to be put to them, so that no powder could be put to it. Whereupon, seeing they could not rase the house by reason of the fire that was put in and about it, they returned without doing any harm, save the burning of a thatched cote house that the Frenchmen burnt." The English force, by Lord Dacre's order, only looked on, but the men of the Debateable land could not be restrained from pricking with the Scots and taking three or four of them prisoners. (*Ibid.*, p. lxxiv.)

Lord Maxwell was annoyed at the episode, and peremptorily refused to give redress either to Sandie Armstrong or any other English subject of the Debateable land (*Ibid.*, p. lxxix). It was a delicate situation, for the Scots had the open support of France, and, in order to preserve peace, a partition of the Debateable land was agreed upon.

There is a small coloured plan, dated September 24th, 1552, showing its extent with the names of adjacent hills, mosses, rivers, churches and houses, with those of their occupants (*Calendar of Scottish Papers*, by Bain, vol. i., p. 190). Four straight lines are drawn from the Sark, or near it, to the Esk:—

(1).—The most northerly is drawn from Pingleknowe or Pingleburn, through the "Theefe slack," to the bend of the "Wodes borne" (Woodhouse burn), a little above its junction with the Esk, and styled "the English commissioners' offer."

(2).—A line drawn from "Howe burne," where it falls into the Sark, to the point where the said Wodes borne falls into the Esk, marked with a star at each end, and

* This Alexander or "Sandie" Armstrong was a son of "Ill Will," and father of "Kinnmont Willie." Henry VIII. rewarded him with a grant of land at Gilcrux (see pedigree of Graham, *supra cit.*).

styled "the accord with the French ambassador, *linea stellata*."

(3).—A line drawn from the same point as No. 2 to the mouth of a stream falling into the Esk south of Tom Graham's house marked "the Scottes offerr"; and

(4).—A line drawn from the Sark south-east of Sandie Armstrong's tower, crossing No. 3 diagonally to "Dynds-dayle" on Esk, opposite the house of Fergus Graham, a cross pattée at each end, and styled "this is the last and fynal lyne of the particion concluded xxiiij^o Septembris 1552." The "Standing stone" is shown between "Toplyff hill" and "Tennys hill." (*Ibid.*, p. 190.)

"Scotsdike" is an interesting historical monument. The verbose document of September 24th, 1552, which awards to England and Scotland their respective shares of disputed territory (Rymer, 3rd edition, vol. vi., part 3, p. 223) directs that a pyramid of squared stone, ornamented with the arms or insignia of the two sovereigns, shall be set up on the western (*sic*) side of the field called Dimmisdaill, at the point where the rivulet called Dimmisdaill syke falls into the Esk. The large green pasture, adorned with ancient oaks, which lies east of the turnpike road, is the field in question, for it contains a spring known as "Dimmisdaill well." Dimmisdaill syke, referred to in the award, still flows in a culvert under the road at the milestone. Half a mile west from the road the syke rises in a plantation where are yet to be seen remains of the original Scotsdike, a rough mound of earth measuring four feet in height and five in breadth, and running westward for half a mile until it is cut by the picturesque glen of the Glingerburn. Three quarters of a mile further west, the course of the Scotsdike is interrupted by the channel of another little stream, known in Scotland as the Glenzier beek, and in England as the Beckburn. From the last named point to Reamy-rigg (or Crawsknow as the Scotch call it), a distance of one mile and a half, Scotsdike forms

a causeway through the wood, flanked, now on this side, now on that, sometimes on both sides, by a deep drain, its centre being marked at long intervals by modern boundary stones. On the roadside at Reamy-rigg, where there are ruins of an old cottage, the long plantation comes to an end, and so do all vestiges of the Scotsdike, but there can be little doubt that it originally continued due west and reached the top of the steep wooded bank of the Sark. That bank is referred to in the award as "the red declivity (*clivus ruber*) at a place in Scotland called Kirkrigg, a little above the Catgill (*paullum super le Eatgyw*) (*sic*) where the Sark makes a bending curve." The description is loose.

Kirkrigg was a ridge which derived its name from Morton Kirk, whose burial ground survives near Sark tower farmhouse, and it is possible that, at the date when the award was made, the Sark washed the foot of the red declivity, but has since wandered further westward. If the pyramid of stone, directed to be placed here, was ever actually erected, it has long since disappeared. The Ordnance Survey shows that, at the present day, the Scottish frontier makes a sharp turn southward from Reamy-rigg, follows the division hedge between the "Englishtown" and "Sark Tower" farms, and meets the river a little *below* the Catgill. The frontier line here appears to have been doubtful, because on Thomas Donald's map of 1771, corrected by Fryer to 1818, the ground intervening between these two extremities is marked "disputed."

A "plott" of the West Marches, made at some date subsequent to the partition of the Debateable land, shows five towers on the English portion thereof, and eight towers between the Esk and Line, with the explanatory remark:—"All these little stonehouses, towers, are between Sark and Esk and between Esk and Leven, and belong to the Grahams." It further shows four towers on the English side of the Liddel below Kershope foot,



THE DEBATEABLE LAND, 1590.

(from *Archæologia*, xxii.).

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which are marked as belonging to the Forsters. (Armstrong, *op. cit.*, p. 183.)

Another "platt" of the border of Scotland opposite to the West Marches of England, dated 1590, formerly belonging to Lord Burghley, and here reproduced from *Archæologia*, vol. xxii., p. 161, shows the castles and houses of strength which survived at that period. It bears the following note :—

The moste of these places on the Scottish syde are tower and stone houses, with some fewe plenashed townes, as Dunfreis, Annand, Loughmaben, and such like ; for the rest not put downie, they are but onsets or stragling houses, the inhabitants followers of some of those above described.

At Canobie are shown the residences of Francie of Canobie and Davy of Canobie. North of Scotsdike are Kinmont's tower and Withisleis (Woodhouselees, which belonged to the Armstrongs). The last-named locality is by mistake inserted a second time near the river Line. On the east bank of the Sark and south of Scotsdike is the house of Davie of ye Bush.

Grenewich (Greenwell) and Coom (Cowholm) should have been placed on the west bank of the Sark. (See Fryer's map *supra cit.*) The names "Kirkāder" (Kirkandrews tower) and "Rosetree" are put on the wrong side of the Esk, but the houses are rightly placed. Below "Sollomos" are shown Milnhill, ye Gardes and Mossband. On the east side of the Liddel occur in order the names Kirsopfoote, Ro Forster's, Staingarthsyde, Rutherforde (opposite to Hector of ye Harlawe) Haythuaite, ye Rydings, ye Mote, Netherbie, Longtowne, and ye Burnfoote, while down the east bank of the Line are seen ye Bailie, Comerook (Cumcrook), Harperhill, Sowtermore, Waikek (Waingatehead?), ye Cliffe, Pearepeale, and Thomwhat-hill. I find at the point indicated as Pearepeale a field in Randilinton farm called "Peartree," and an old track known as "Peartree lane," and I am inclined to think

that this, and not Peartree in the Debateable land, was the residence of the notorious freebooter Jock Graham of the Peartree. My reason for so thinking is that Thomas Musgrave refers (Bain's *Border Papers*, vol. i., p. 123) to George Graham of Peartree and his son Jock in connection with the Grahams of the Leven or Line, but at the same time states that they were "of Esk." Kirkandrews tower, though much modernized, survives as an example of the houses of strength in the Debateable land, and was the home of Tom Graham of Kirkandrews (see pedigree of Graham, *supra cit.*).

From this "platt" of 1590 it appears that little change has taken place in the configuration of the Solway coast, and Thomas Musgrave's statement (Bain's *Border Papers*, vol. i., p. 120) that the Esk flowed out at Bowness must be taken to mean that, at low tide, the bed of the sea was then as now dry land as far as that village. The traditional site of the church at Redkirk Point was lately pointed out to me by some local fishermen.

A later map of "Lidalia," surveyed by Timothy Pont in 1608, printed in Blaeu's Atlas, 1662, and reproduced on a small scale by Armstrong (*op. cit.*, vol. i., p. 86), shows the position of Bankhead, where stood David Graham's pele, captured in 1596 by the laird of Buccleugh. (These *Transactions*, N.S., xi., p. 69.) According to this map it was situate south of the Glingerburn and near the confluence of a very small stream with the Esk.

The irresponsibility of the Grahams and their allies, who occupied the vulnerable point of the Western Marches, and whose numerous intermarriages with Scottish subjects laid them open to the suspicion of allowing the enemy to ride through their watches, is commented upon by Lord Scrope in 1593, when he had succeeded to the wardenship, and sought the advice of the gentlemen of Cumberland. (Nicolson and Burn, vol. i., p. xcii.) The same unsatisfactory state of affairs is also alluded to by Edward

Aglionby, in a letter written to Lord Burghley in the previous year. (*Archæologia*, vol. xxii., p. 161.)

Towards the borders runneth the river of Leven, upon which river dwelleth Grahams, Hetheringtons, Forsters, and others, under the governance of a bailiff for a gentleman (one Mr Musgrave of Hayton, lord of that manor called Kirklington) but the castle where he should lie is Scaleby. Now in these tenants, who are able border men if they were well governed, is a great quietness for staunching of theft, for they are the only men that ride both into England and Scotland who cannot be letted without their master's residence, or careful watch of the country within them. Betwixt them and Scotland runneth the river Esk, upon both sides of which water dwelleth the best Grahams, under no government except the Warden, whose service might be acceptable if they were restrained in some sort. And for that they never had officer over them, to bring in and answer for any offence committed, the warden took this course, to take bond of four or more of the chief of them to answer and bring in any one of them who had done any fault under their protection, and this did make them always fearful to ride in England.

Now these Grahams are not so dangerous to England as others are, but they ride still in Scotland. There is many of them. Your lordship shall understand that the service of the West Border consisteth in general and particular service. In the general service the country is strong enough to defend themselves against Scotland, and to offend them if they require. The particular, or sudden service, consisteth in the warden, by his deputy or constable, and officers of Burgh, Gilsland, and others, with the readiness of the inhabitants where the fray or stealth is done. And in this kind of service consisteth the safety of the country, and it is a service that the gentlemen or the strength of the country cannot help (the most part being far off), and those near dare not put their hands into it for feede (feud) or displeasure, except the officers be there themselves to bear the burden.

William Graham of the Rosetrees and Rob of the Fauld were bound over (Nicolson and Burn, vol. i., p. xcvi.), but those names gave little guarantee of security, for upon the demise of the Crown in 1603, no fewer than eighty Grahams, probably the entire clan, took part in the great Border raid towards Penrith.

In 1617 Fergus Graham of the Plump is mentioned. He alone of the old lairds of the Debateable land escaped the débâcle which followed the accession of James I. He had not been banished to Ireland with the others, as he had kept out of the way and was now pardoned (perhaps through Buckingham's influence) for the manslaughter of John Maxwell, provost of Dumfries, committed thirty years previously (*Calendar of State Papers, Dom.*, James I., p. 444). Sir William Dugdale's Visitation pedigree of 1665 (these *Transactions*, N.S., xi., p. 81) does not mention his father's name, but it appears from a funeral entry in the Lyon office to have been Matthew Graham of Springhill (Springkell?), who married Agnes Maxwell (Stodart, *Scottish Arms*, vol. ii., p. 419).

The said Fergus Graham of the Plump married Sibill, daughter of William Bell of Godsbrigg (now Scotsbrig, Middlebie, Dumfriesshire), apparently one of the Bells of Blackethouse (now Blackwood house, in the same parish, where there is an old tower) and left four sons. An excellent and accurate account of the family of Fergus Graham of the Plump is contained in Paul's *Scots Peerage*, 1910, vol. 7, p. 99, so I need only state a few facts concerning his second son Richard, additional to the notice of him in these *Transactions*, N.S., xi., pp. 79-80. From 1620 to 1628 he was gentleman of the horse to Buckingham and was afterwards employed in the same office by Charles I. In February, 1623-4, he purchased Norton Conyers in Yorkshire from Sir Thomas Musgrave, knight, and, about the same period, he married Catherine, daughter and co-heiress of Thomas Musgrave of Cumcatch, near Brampton (see pedigree these *Transactions*, N.S., xi., p. 81). He was Member of Parliament for Carlisle in 1626. In 1627 Richard Graham, "servitor to the duke of Buckingham," had a Crown charter of Auchinbedridge in Dumfriesshire (Stodart, *op. cit.*, vol. ii., p. 419). In 1628 he was again Member for Carlisle, and in the same year Charles I.

confirmed to him what is now known as the Netherby estate, which he had purchased from the Duke of Cumberland. He was knighted at Whitehall as "Richard Grimes of Esk," on January 9th, 1628-9, and on March 29th following he was created a baronet of England, being described as "Richard Graham of Esk Esquire" (Paul, *op. cit.*). In 1633 he was naturalized in Scotland (Stodart, *op. cit.*). His strenuous life led him far from his old home in Cumberland, and he died at Newmarket, January 28th, 1653,* and was buried in his private chapel at Wath church, Yorkshire (Paul, *op. cit.*). His family are thenceforward described as of Netherby and Esk.

At the accession of James I. the inhabitants of the Debateable land had not any place of worship at all, for the king wrote to the archbishop of Canterbury in 1606, pointing out that the parish of Arthuret, being of very large extent, had in ancient times one principal church and *four chapels* belonging to it, all of which were so decayed that there was not any part of them left standing; the country was very poor, and he had been petitioned to grant a licence for a general collection throughout the realm for rebuilding the said church of Arthuret, and directing that such collection should be made in all churches upon one Sunday in every quarter for the space of one year. The king's letter and the archbishop's directions thereon are printed at length in the *Sussex Archaeological Collections*, vol. xix., p. 44.

Arthuret Church, described as "a mean low building often destroyed by the Scots," was rebuilt in 1609, with the aid of the above-mentioned brief, but the persons employed upon the work absconded with a considerable part of the money and the tower was left unfinished (Nicolson and Burn, vol. ii., p. 272). The need for a church has been emphasized by Richard Barnes, bishop of Car-

* The Visitation pedigree of 1665 erroneously states that he died "about 1661," and "Hay Herald" therein mentioned should be "Islay Herald."

lisle, in 1571, when he refers to the inhabitants of Arthuret, Kirklington, Bewcastle, and Stapleton, as "people amongst whom is neither faith, virtue, knowledge of God, nor regard of any religion" (*Calendar of State Papers, Dom. Add., Eliz.*, p. 429). And Sir Richard Graham, when petitioning for the erection of a new church at Kirkandrews, says—"the poor inhabitants cannot say the Lord's Prayer." (*Calendar of State Papers, Dom.*, Charles I., 1631.)

It would be interesting to ascertain what were the four chapels above alluded to. They appear to be:—

(1).—*Ecclesia de Eston olim destructa*, mentioned in the valor of Pope Nicholas, 1291, and again in that of 1318. (Nicolson and Burn, vol. ii., p. 599.)

(2).—The church of Kirkandrews in the Debateable land. Turgis Brundis gave the church and parish of Kirkandrews to the priory of Canobie, which he had founded in David I.'s reign, and he shortly afterwards granted both the priory and the said parish to the monastery of Jedburgh. (Armstrong, *op. cit.*, vol. i., p. iii.) James I. in 1611 granted the advowson of Kirkandrews to the Duke of Cumberland, and Charles I. gave licence, in 1632, to Sir Richard Graham to refound a church where the church of Kirkandrews formerly stood (Nicolson and Burn, vol. ii., p. 465).

(3).—The chapel of Nicholforest at Kingfield. In 1726 the inhabitants of that district repaired their chapel, which had lain in ruins for 50 years and upwards (these *Transactions*, O.S., viii., p. 303); and

(4).—The chapel of Sollom, in regard to which Nicolson and Burn state:—

Near the place called the "Chapel flosch" stood anciently a small oratory, the chapel of Sollom, in which, in the year 1343, a league between the Scots and English, about fixing the limits of both Kingdoms, was in a solemn and religious manner sworn to and confirmed by commissioners appointed for that purpose. At present (1777) nothing remains of this chapel but the name (vol. ii., p. 474).

And by an indenture, made March 15th, 1384, (8 Richard II.) at the water of Esk beside Salom, between Henry Percy, earl of Northumberland, and Archibald de Douglas, lord of Galloway, it was provisionally agreed that there should be a special truce between them until the 1st July following, and, if either party approved or disapproved of the terms of the said agreement, they were respectively to certify the fact by letter on Black Monday * before noon at the said chapel of Salom by the water of Esk (Nicolson, *Leges Marchiarum*, appendix, p. 259, and *Rot. Scotiæ*, 8 Rich. II., m. 4). In Parson and White's *Directory*, 1829, p. 406, it is placed "near a few houses called Chapeltown," that is to say at Easton, but Chapel-town is remote from the Esk, and is more probably the site of the ancient parish church of Easton.

When Celia Fiennes wrote her diary, in William and Mary's reign, there was no bridge across the Esk at Longtown, for she describes how the people waded through the water when the tide was out (*Through England on a Side-saddle*, p. 172).

But Thomas Pennant, returning from his first tour in 1769, says :—

Cross the Esk over a handsome stone bridge and lie at the small village of Longtown. The country is very rich in corn, but quite bare of trees and very flat.

And again in 1772 he writes :—

Reach Netherby, the seat of the Rev. Mr. Graham, commanding an extensive view—lands that 18 years ago were in a state of nature, a tract completely improved except in houses, the ancient clay-dabbed habitations still existing. I saw it in that situation in 1769, at this time a melancholy extent of black turbery, the eruption of Solway Moss having in a few days destroyed most of the houses.

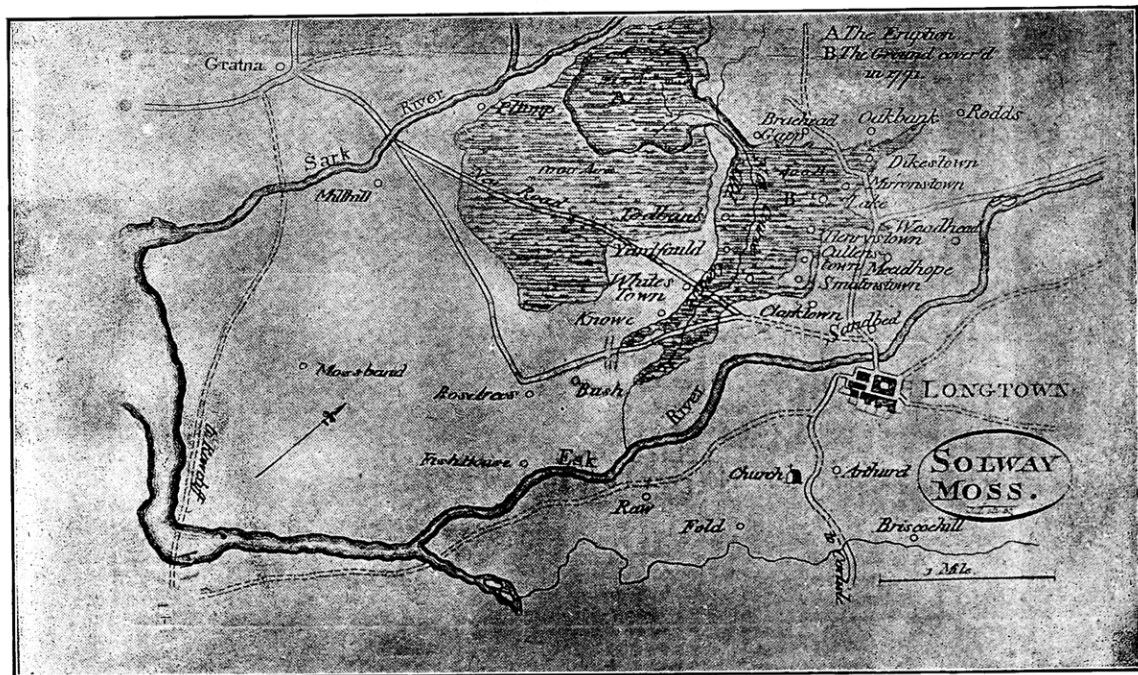
* Easter Monday had been so called since 1360, because the English army before Paris had experienced very dark and cold weather on that day (*Stow's Chronicle*).

A vivid description of the calamity is given by the Rev. William Gilpin (*Northern Tour*, vol. ii., p. 136).

On November 16th, 1771, in a dark tempestuous night, the inhabitants of the plain were alarmed with a dreadful crash, which they could in no way account for. Many of them were then abroad in the fields, watching their cattle, lest the Esk, which was rising violently in the storm, should carry them off. In the meantime the enormous mass of fluid substance, which had burst from the moss, moved slowly on. One house after another it spread round, filled, and crushed into ruin, just giving time to the terrified inhabitants to escape. Some people were even surprised in their beds. The morning light explained the cause of this amazing scene of terror. This dreadful inundation continued still spreading for many weeks, till it covered the whole plain, and like molten metal poured into a mould filled all the hollows of it, lying in some places thirty or forty feet deep, reducing the whole to one level surface.

The accompanying map of Solway Moss, reproduced from Hutchinson's *History of Cumberland*, shows the exact point of the eruption, and the extent of damage done by it. The old road to Gretna Green proceeded by way of Rosetrees, so as to avoid the mossy ground, but the present line of communication had already been formed across the then comparatively dry moss, and rejoined the old road at the river Sark, where there was not yet a bridge. A portion of the old route, near Blackbank Cottage, is described on the Ordnance Survey as a Roman road. The portion of the highway to Canobie which intervenes between the railway stile and Scotch Dyke station ran nearer to the Esk than at present and survives as an occupation road.

The old road from Gretna to Rockcliff went *via* the "Snab," and crossed the Esk at the point where "Willie of the boats" used to ply, and there was a track from



SOLWAY MOSS (from Hutchinson's History of Cumberland).

TO FACE P. 56.

Longtown to Rockcliff which traversed the holme behind Arthuret Church, and passed the river Line at the existing ford near Linefoot. The same map when compared with Thomas Donald's survey of 1771, corrected by Fryer to 1818, enables one to identify the position of the old domiciles of the Grahams so frequently referred to in Border records. At the beginning of the last century Meadhope (the name still clings to a riverside pasture) was a small hamlet with a school of its own. Peartree, indicated by a dot only, was situate a quarter of a mile north from the "new road" where a small stream from Solway Moss joined the Gaitle burn. It was, I believe, the home of Hutchin Graham and his family. "Lake," formerly the abode of a Graham with the romantic appellation "Jock of the Lake," stood a quarter of a mile north-west of "Henry's Town" (now represented by a heap of ruins). It is possible that there was a lake, or rather moss-pool, here in the days which preceded the eruption of the moss. Bankhead, where stood David Graham's stone house, is placed by Fryer's said map exactly midway between Oakbank and Rodds (now Bushhead), but even old inhabitants cannot recall its name to mind.

The Fold, where lived "Rob of the Fauld," is situate three furlongs south of Arthuret Church. Most of those localities whose names end in "town"—Dikestown, Pattontown, Mirrontown, Henrystown, Cullenstown, Clarktown, and Smalmstown, are modern, and were probably the farmsteads of new settlers who came to the Debateable land after the expulsion of the Grahams. Of Longtown, however, there is mention in 1584. Nearly all the old dwellings have been long since demolished, and their sites incorporated with the large farms of the Netherby estate, but some of the latter—Plump, Rosetrees, and Fauld—retain their names.

The history of that portion of the Debateable land which has been annexed to Cumberland is in the main a history

of the Grahams. Their complex pedigree has baffled the wit of many keen genealogists, and the subject has been rendered more obscure by the faulty Visitation record of 1665, and the mythical story of "Jock with the bright sword." During the reigns of the Tudor sovereigns, Lang Will's masterful descendants took the lead in the affairs of the Debateable land, but for three hundred years past the family of Netherby, which traces its descent from Fergus Graham of the Plump, has been *facile princeps* of the numerous branches settled in Cumberland.
