

ART. IX.—*Further sources for a study of the Brougham family.* By C. R. DAVEY, B.A.

Read at Durham, July 7th, 1967.

SINCE Mr C. Roy Hudleston's article on *The Brougham Family*¹ in 1961 new material has been made available at the Record Office, Carlisle, which amplifies the picture a little. It consists principally of 17th-century deeds found among the records of the Curwen family of Workington Hall and in the solicitor's archive of Messrs. Benson of Cockermouth. These deeds have been listed in summary form in Appendix I, together with 17th- and early 18th-century extracts from the Bishop of Carlisle's Lease Books, which have recently been deposited at Carlisle by the Church Commissioners.

The connection between the Brougham family and the Curwens can be traced to the Richmonds² of Highhead Castle, since it was Henry Richmond Brougham whom Isabella Miller tried to make heir to the Richmond lands on failure of the male line in 1716. When Brougham died childless in 1749, his heir and executor, John Gale, gained an interest in Highhead which for a hundred years was to frustrate any attempt to establish the Brougham family as lords of the manor and castle. In the 19th century the split between the Broughams (who had gained the Baynes share, discussed later, of the Richmond inheritance) and the Gale Braddylls of Conishead Priory,

¹ CW2 lxi 131.

² See W. Jackson's article in *Papers and Pedigrees* on "The Richmonds of Highhead Castle for details of the family relationships. The present article is mainly concerned with the immediate descendants of Christopher Richmond and his wife Isabella (later Miller), who included their daughter Susannah Richmond of Highhead, and their grandchildren Elizabeth (Gledhill) Baynes, Henry Richmond Brougham, and John Gale and his sister Isabella (who married Henry Curwen). Jackson prints Isabella Miller's will, on which depended the succession at Highhead.

inheritors of John Gale's interest, was such that for a time the castle was partitioned³ and virtually abandoned.

John Gale's valuation of Henry Richmond Brougham's estate,⁴ printed as Appendix II, is included among the Curwen MSS.⁵ with other papers relating to the executorship which Isabella Curwen, sister of John Gale, undertook of the estate of her aunt Susannah Richmond (died 1774). Susannah was tenant for life of Highhead Castle and aunt also of Henry Richmond Brougham. For a short time after her death the Highhead estate was managed by Henry and Isabella Curwen or their trustees, but it is not clear why the Richmond and Brougham deeds were not transferred to one of the parties which held the castle when the administration ceased. Perhaps the bitterness aroused by family lawsuits about the ownership of the castle made a choice invidious.

The solicitor's archive of Messrs. Benson⁶ of Cocker-mouth, preserved with Lord Egremont's records at Cocker-mouth Castle, is involved in more than one way. The most obvious, because of the evident common origin of the Curwen and Benson deeds, is the fact that Thomas Benson in the late 18th century was solicitor to the Christian family of Unerigg and was concerned with them in the epic struggle about Broughton Colliery which involved also Lord Egremont⁷ and Humphrey Senhouse of Netherhall.⁸ John Christian [Curwen] merged the

³ It might be interesting to compare the 19th-century partition of High-head with that described in the 1645 Benson deed. Christopher and Mabel Richmond on their marriage occupied, besides specified lands: the Gate-house Tower, the parlour, Mally loft chamber, and the Middlestable room in the Castle, with part of the corn barn from the door southward, a third part of the byrehouse, and Ivegill mill.

Inventories of the furnishings taken at Highhead on the death of Susannah Richmond in 1774 (C.R.O., D/Cu/1/116) distinguish her property from that which John Gale inherited from Henry Richmond Brougham.

⁴ Highhead is omitted from the valuation because Henry Richmond Brougham was only a tenant under the will of Isabella Miller.

⁵ C.R.O. (Record Office, Carlisle), D/Cu/1/113. I am grateful to Mr. J. N. St G. Curwen for permission to print this.

⁶ C.R.O., D/Ben.

⁷ Thomas Benson was also steward to Lord Egremont.

⁸ See Edward Hughes, *North Country Life in the Eighteenth Century*, vol. ii, Cumberland and Westmorland, 1700-1830. Professor Hughes also discusses the marriage of John Christian and Isabella Curwen.

Unerigg and Workington Hall estates by his marriage to Isabella Curwen in 1783.

At present the Benson collection is only in the first stages of sorting, and must perforce remain so for some time, but it is likely that further material relating to the Richmonds and Broughams will be found among records from the firm of Baynes of Cockermouth which Benson took over in the latter half of the 18th century. Certainly there appears to be a large quantity of records for the period. Richard Baynes, the head of this firm, died in 1744⁹ and was succeeded by his sons Richard and Robert. Robert Baynes married in c. 1739 Elizabeth Gledhill, granddaughter of Christopher and Isabella Richmond, and it was her family which subsequently achieved the half share in Highhead Castle which passed to the Broughams.¹⁰

The deeds listed in Appendix I are of course too early to concern the partition. Their interest lies in the information they yield about the 17th-century personalities, the property they owned, and the terms on which they held it. Because these notes are intended rather to suggest sources than interpret them, the list must largely be allowed to speak for itself in the light of the biographical information contained in the articles of Mr Hudleston and Mr Jackson. However, the 1651 agreement¹¹ in the Blackhall section is perhaps worth quoting as an example.

By 1651 Catherine Eden, widow of Henry Brougham, had remarried one Abraham Hawkins "of Bleckallhall, gentleman". This Abraham's relations with Mary Brougham of Eamont Bridge, widow of Catherine's son Thomas, were obviously subject to strain, since the agree-

⁹ For biographical details of this family see CW2 xxxv 30, *The Baynes Family of Cockermouth*, by Col. W. H. Chippindall, and the same author's *Memoirs of Lieut.-Colonel Samuel Gledhill*.

¹⁰ Further sources for the 19th-century partition will be found: (a) for the first half of the century in the solicitor's archive of Messrs. Bleaymire and Shepherd of Penrith — Brougham family estates (C.R.O., D/BS), and (b) for the mid-century in Gale Braddyll papers among the Benson records.

¹¹ C.R.O., D/Cu/4/146.

ment was drawn up "for the settling of love and peace between the said Mary Browham and Abraham Hawkins". By the terms of the agreement Abraham was given control of the Blackhall estate during the life of his wife, subject only to limitations as to subletting. After Catherine's death he would be permitted three months to find other accommodation, but could retain the right to grass in summer and hay in winter for his horse so long as the master lease by Francis Lord Dacre remained in force. As compensation for leaving Blackhall, Hawkins was also to receive an annuity of £40 for seven years after his wife's death, reduced thereafter to £30 until the expiry of the Dacre lease. One other stipulation which in the Civil War period carried some point was that all goods formerly belonging to Henry Brougham were to be left there, "if they be not waisted by accidents or in the meane time taken way by strong force". A similar concern for Civil War conditions was expressed in the 1654 lease¹² to William Rayne of a messuage in Yanwath, which specified that "the said William Raine is to take and undergoe the chardges of Quarteringe of Souldiers in his owne hand".

The Curwen MSS. contain one other item¹³ which merits fuller mention. It consists of the briefs and depositions in a lawsuit brought before the Court of Wards and Liveries by Catherine Eden, widow of Henry Brougham, between 1628 and 1630. Under the will¹⁴ of Thomas Harrison of Carleton, Penrith, who died of the plague in 1598,¹⁵ Henry Brougham was to succeed to the Harrison lands at Carleton on failure of heirs. This happened, Thomas Harrison the younger dying about two days before his father. However, by 1628 Andrew Harrison, half-brother of Thomas, had forcibly occupied

¹² C.R.O., D/Cu/4/148.

¹³ C.R.O., D/Cu/1/110.

¹⁴ C.R.O., P 1599, Thomas Harrison. Printed as Appendix III.

¹⁵ A pedigree of the Harrison family is given at Appendix IV; all dates are taken from the printed version of Penrith Registers. Thomas Harrison was a servant of Henry Brougham, as also was his stepmother.

the lands and conveyed part to one John Johnson. Catherine Eden wanted to eject the two, claiming that she could not pay dues on the land to the king in respect of her son Thomas' wardship until she had possession. Her position was made more difficult by the fact that Andrew Harrison held the title deeds (or so she said), and it was part of her case that Thomas Harrison had actually conveyed the lands to Henry Brougham irrespective of any will.

Andrew Harrison for his part claimed a title through his mother Elizabeth, Thomas' stepmother, who, he said, had herself received one-third of the lands by conveyance from Thomas. Catherine argued that Elizabeth Harrison (or Knott)¹⁶ had only been allowed this third by grace and favour of Henry Brougham, and that she was a tenant at will. At this point the charges and counter-charges become more complex and need not take up more space here, except to note that it was one of the more bizarre claims made by Andrew Harrison that "to stopp her clamour" Henry Brougham had bought off another claimant, Thomas Harrison's sister Jane, by marrying her to John Rakestraw and by giving her £20 and a bushell of bigg! Strangely enough Harrison's will does not seem to have been quoted at all in the proceedings, and as a result the evidence was given in an unnecessary vacuum of ignorance. The actual result is not made clear; Henry Brougham's will¹⁷ in 1622 mentions lands in Carleton, but there seems to be no later reference which can definitely be identified with land there as distinct from other property in Penrith.

¹⁶ See Pedigree, Appendix IV.

¹⁷ Printed by Mr Hudleston in CW2 lxi 150.

APPENDIX I.

Summary List of Deeds relating to the Brougham and Richmond Families.

(Reference numbers are to collections either in the Record Office, Carlisle, or administered by it. Diocesan leases are extracted from lease books

D/Cu Curwen MSS.
 D/Ben The Benson Solicitor's collection.
 DRC Carlisle Diocesan records).

Brougham family.

General:

- 1608 Agreement by Edward Aglionby with Henry Brougham and others to effect a common recovery of the Aglionby lands in Aglionby, Tarraby, Cumwhinton, and elsewhere. [D/Cu/4/130]
- 1616 Mortgage by Thomas and John Wharton to Henry Brougham and Edward and George Aglionby of lands in Brampton, Westmorland. [D/Cu/4/134]
- 1756 Recovery by double voucher by Ralph Cooke against Henry Brougham (Richard Baynes, tenant to precipe) of the Manor of Routhwaite, with lands in Skelton, Sebergham, Ireby, Carlisle, Routhwaite, and Appletwaite. [D/Ben]
- 1763 Recovery by treble voucher by William Waller against Henry Brougham yr. (Henry Brougham sr. and Richard Baynes, tenants to precipe) of the Manor of Brougham. [D/Ben]

Blackhall/Carlisle Deeds:

- 1612 Assignment of Royal lease of the Manor of Blackhall (forfeited from Dacre) by John Eldred and Richard Whitmore to Robert Dixon. [D/Cu/4/133]
- 1616 Assignment of Dean and Chapter lease of Spittlemoor Close by Abraham Stanwix to Henry Brougham. [D/Cu/4/135]
- 1638 21-year lease by the Dean and Chapter of Carlisle to Toby Eden of Spittlemoor Close. [D/Cu/4/139]
- 1647 21-year lease by Francis Lord Dacre to Katherine Eden of the Manor and demesne of Blackhall and a corn mill on the River Caldew. [D/Cu/4/145]

- 1651 Agreement on the marriage of Catherine Eden (formerly Brougham) with Abraham Hawkins: mainly concerns Blackhall. [D/Cu/4/146]
- 1653 Manor of Botchardgate. Admittance of Henry Brougham to Skuggerhouses. [D/Cu/4/147]
- 1661 21-year lease by the Bishop of Carlisle to Henry Brougham of Brunsketh and Walby tithes. [DRC/2/215, p. 4]
- 1680 Recovery by William Elliott against George Bell and Nicholas Dryden of a water corn-mill and 200 acres of land in St Mary's, Carlisle. [D/Cu/4/154]
- 1683 Bargain and sale by Christopher Love to John Clemetson of a ruinous kiln and waste in High Cummersdale.
[D/Cu/4/200]
- 1688 Manor of Dalston. Admittance of Mary Brougham (daughter and heir of William Slee) to 4 acres of land at Lowry Holme. [D/Ben]
- 1689 21-year lease by the Bishop of Carlisle to Henry and Thomas Brougham of Brunsketh and Walby tithes.
[DRC/2/216, p. 46]
- 1689 21-year lease by the Bishop of Carlisle to Henry and Thomas Brougham of a fulling mill with dyehouse and land at the Dalston water mills. Upon surrender by Peter and Jane Norman. [DRC/2/216, p. 48]
- 1689 21-year lease by the Bishop of Carlisle to Agnes Brougham of the tithes of Caldewstones. Upon surrender of a lease to herself and Peter Norman. [DRC/2/216, p. 50]
- 1692 Bond by John Clementson to Henry Brougham concerning a deed of the same date. [D/Ben]
- 1692 Manor of Dalston. Surrender by John Clementson of 2 acres of land at Wellholme, and admittance of Henry Brougham. [D/Ben]
- 1692 Manor of Dalston. Admittance of Henry and Mary Brougham to a house and acre of ground at Buckabank, upon the death of Jane Norman, mother of Mary.
[D/Ben]
- 1697 21-year lease by the Bishop of Carlisle to Henry and Thomas Brougham of Brunsketh and Walby tithes.
[DRC/2/216, p. 192]
- 1697 21-year lease by the Bishop of Carlisle to Henry and Thomas Brougham of the Caldewstones tithes. Upon surrender of a lease to Agnes Brougham.
[DRC/2/216, p. 194]

- 1697 Surrender by Henry and Thomas Brougham of a lease of the fulling mill, Dalston. [DRC/2/216]
- 1701 Gift by Cuthbert and Elizabeth Sewell to Mary Brougham of a burgage house in Roper Lane, Carlisle. [D/Ben]
- 1707 Bargain and sale by Lancelot Clemetson to John Clemetson of a barn, formerly a kiln, and waste in High Cummersdale. [D/Cu/4/203]
- 1710 21-year lease by the Bishop of Carlisle to Thomas Brougham of the Caldewstones tithes. [DRC/2/216, p. 384]
- 1717 21-year lease by the Bishop of Carlisle to John Brougham of the Caldewstones tithes. [DRC/2/216, p. 502]

Skelton Scales Deeds:

- 1582 Royal licence to George, Earl of Cumberland, to convey to Robert Southaic specified lands in Skelton, Lamonby, and Unthank. [D/Cu/4/128]
- 1609 Royal pardon for the preceding alienation. [D/Cu/4/131]
- 1609 Royal pardon for an alienation by John and Francis Southaic to Robert Southaic of Skelton Hall Orchard. [D/Cu/4/132]
- 1618 Royal licence to Robert Southaic and others to convey to Henry Brougham and John Aglionby lands in Skelton Scales and Michaelfield. [D/Cu/4/136]
- 1642 Royal licence to John and Margery Yeoman to convey to John and Christopher Barrow their one-ninth interest in the Manor of Skelton. [D/Cu/4/140]
- 1642 Quitclaim by John Aglionby to Thomas Brougham of all title in lands at Skelton, the Plumpton tithes, and all other Brougham lands. [D/Cu/4/141]
- 1647 Royal pardon to Margery Buckles for alienation of lands in Skelton left to her in entail. [D/Cu/4/142]
- 1668 Lease for life by Henry Brougham to John Dacre of Michaelfield in Skelton Scales. [D/Cu/4/149]
- 1684 Manor of Skelton. Assessment of customary and general fines on Henry Lumley in respect of his tenement. [D/Cu/4/155]
- 1691 Release by Henry Dacre to Henry Brougham of John Dacre's tenement and Simpson's tenement in Skelton. [D/Cu/4/156]

- 1707 Fine between Thomas and John Brougham, querents, and Samuel and Dorothy Brougham, deforciant, concerning a messuage with lands in Penrith, Hesket, and St Mary's, Carlisle. [D/Cu/4/157]
- 1731 Lease for a year by William Harrison to John Brougham of his messuage at Skelton Scales. [D/Ben]

Yanwath Deeds:

- 1654 5-year lease by John Fleming (guardian of Henry Brougham) to William Rayne of a messuage in Yanwath. [D/Cu/4/148]
- 1671 Bargain and sale by John Brougham to Thomas Wybergh of a messuage at Yanwath. [D/Cu/4/151]

Slee Family Deeds:

(after 1674 see the Blackhall/Carlisle section).

- 1600 Quitclaim by Francis Monke to his brother-in-law Christopher Slee of title to a shop under the Moothall or Tollbooth in Carlisle. [D/Ben]
- 1604 Bargain and sale by James Lee and Edward Bushby to Christopher Slee of an acre of land on Swyft Hill and one acre on Gallowhill in Carlisle. [D/Cu/4/129]
- 1634 Agreement by Edward Orfeur with Mary Slee to convey a dwelling-house in Fishergate, Carlisle. [D/Cu/4/138]
- 1674 Settlement on the marriage of Rebecca Slee with Featherstonhaugh Dodson: mainly concerns the Manor of Featherstonhaugh in Northumberland. [D/Cu/4/152]

Richmond family.

- 1609 15-year lease by William Brisco to Alexander Carlill and others of the tithes of Cummersdale. [D/Cu/4/189]
- 1623 Assignment of lease by the Prince of Wales of a tenement at Wragmire Causeway: Thomas Hodgson to John Vaux. [D/Cu/4/137]
- 1645 Gift by Christopher Richmond to Miles Halton and Henry Dacre of a specified portion of Highhead Castle and demesne, to hold to the use of Christopher Richmond the yr. and Mabel his wife in respect of their marriage settlement. [D/Ben]
- 1647 Fine by John Vaux and Christopher Richmond, querents, with George and William Grayme, deforciant, concerning lands at Armathwaite Nunnery, Carlisle, Ainstable, Kirkoswald, and elsewhere. [D/Cu/4/143]

- 1663 Gift by Christopher Richmond to Andrew Hudleston the yr. and others of the Castle and Manor of Highhead, to hold as feoffees to uses expressed in an agreement of 1662 with Andrew Hudleston the elder. [D/Ben]
- 1669 Order to Sir John Lowther and others to receive the cognisances of Christopher and Christopher Richmond in respect of their suit against Sir Wilfrid Lawson concerning Highhead Castle and the manors of Highhead and Catterlen. [D/Cu/4/150]
- 1672 Fine between Sir Wilfrid Lawson and Wilfrid Lawson, querents, and Christopher and Christopher Richmond, deforciant, concerning the Castle and Manor of Highhead. [D/Ben]
- 1678 Lease for a year by Christopher Richmond to Andrew Hudleston, Henry and John Aglionby, and Nathaniel Ord, of the Castle and Manor of Highhead, the Manor of Catterlen, and other specified lands. [D/Cu/4/153]
- 1689 21-year lease by the Bishop of Carlisle to Christopher and Isabel Richmond and Erasmus their son of the tithes of Cummersdale, Stanwix, and Brownelston. Formerly in the hands of Erasmus Towerson of Carlisle, husband of Isabel. [DRC/2/216, p. 42]
- 1695 21-year lease by the Bishop of Carlisle to Isabella Richmond, relict of Christopher, of the tithes of Cummersdale, Stanwix, and Brownelston. [DRC/2/216, p. 159]

The lease of these tithes was renewed as follows:

- 1700 to Matthias and Isabella Miller and Henry Richmond, son of Isabella Miller [DRC/2/216, p. 251]
- 1707 to Isabella Miller and Henry Richmond.
[DRC/2/216, p. 348]
- 1714 to Isabella Miller and Henry Richmond.
[DRC/2/216, p. 426]
- 1721 to Isabella Miller [DRC/2/216, p. 561]

APPENDIX II.

John Gale's Valuation of the estate of Henry Richmond Brougham, deceased. 1749.

	£	s.	d.
Estate at Haswell and Fallowfield which Mr Brougham valued (and which I apprehend is worth to be sold) at	6,000	0	0

122 FURTHER STUDY OF THE BROUGHAM FAMILY

Estate at Stainton Let at £31. 10s. od.	1,000	0	0
Free and customary Rents at Penrith	200	0	0
House in Penrith which Mrs Brougham has for life	200	0	0
Beacon Tenement	250	0	0
Part of Barker's Tenement which cost Mr Brougham	132	0	0
Vaux's Tenement purchased at	110	0	0
That part of Denton's which is freehold about	200	0	0
Spittlemoor (Leasehold) worth per annum £8. 10s. od. which at 17 years' purchase comes to	144	10	0
Plumpton Tyths one year with another Let at £45 Lord's Rent and augmentation Together is £12. 6s. 8d. which being Deducted there Remains £32. 13s. 4d. which at 17 years' purchase is	555	6	8
Brunsketh and Walby Tyths Let at £37 per annum and the Lord's Rent and Augmentation is £5 per annum which being Deducted there Remains £32 which at 17 years' purchase is	544	0	0
Caldew Stone tyths one year with another worth £25 per annum. The Lord's Rent and Augmentation is £5. 4s. 8d. which being Deducted there Remains £19. 15s. 4d. which at 17 years' purchase is	336	0	8
Millhouse and Bank End Tyth Let at £3. 14s. od. per annum Lord's Rent and Augmentation £2. 11s. 4d. Remainder is £1. 2s. 8d. which at 17 years' purchase is	19	5	4
The Two Setts of Chambers in Grays Inn	350	0	0
India Stock £500 principal money, one year's Dividend of which by Mr Forrester's account is £40 and there being no Dividends paid since 1746, The said principal and Dividends Due thereon is worth upwards of	1,000	0	0
Two years and a half Annuity of £150 per annum due from Sir William Yonge is	375	0	0
Sir William Yonge's Annuity during the joint Lives of him and Mr Henry Forrester at 5 years' purchase is	750	0	0
The Principal and Interest Due upon Mr Robson's Mortgage is about	3,400	0	0
Mr Haswell's Mortgage is	1,500	0	0
Rebecca Corney's Mortgage and Bowman's Mortgage Together with Mr Peter Brougham's Bond and Several Notes amount to about	350	0	0
Plate Household Furniture and Horses about	1,200	0	0

Ballance from Mrs Richmond upon Settlement of Accounts	1,099	14	0
Rents in arrear at Mr Brougham's Death in the County of Durham about	220	0	0
Ballance of account settled with Mr Crozier the 27th July 1749	407	4	10½
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Total value of the said Real and personal Estate	20,343	1	6½
Total of Mr Brougham's Debts etc.	8,230	0	0
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Remainder is	12,113	1	6½
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APPENDIX III.

Extract from the will of Thomas Harrison of Penrith, 1598.
[Carlisle Probate Registry: C.R.O. P1599.]

I give & bequeth unto my Mr. Henry Browhame my Soone Thomas Harrison to bring him up tyll he come to the aidge of xxi yeares. With the occupation of all my landes leasses tenementes & howsses, my wiffes threde only Reserved. Provided alwais that if my said Soone dy afore he come to the full adge of xxi yeares & have no heare of his bodye lawfully bogotten then I give & bequeth & my myend & will is that my said Mr. Henry Browham shall have my said landes leasses tenementes & howsses with the apurtenances what so ever unto him & his heares for ever.

Item I geive unto my young Mrs. one blacke spincked Cowe & her Caffe & one Acker of land Redy Sawine, the one half Acker lyeing upon the brig banck Sawine with bigge & the other half Acker Sawine with ottes lyeing upon Woderige end next Eammond syed.

Item I give unto my Mr. one lyttell blacke cowe & hir Calfe & one ox & our littell gray meare & one Acker of ottes Redy Sawine lyeing at Stonning Stones.

Item I give unto my oweld Mrs. one blacke Cowe withe Calfe & one Rewid & a haffe of Corne Redy Sawine lying upon Lawe Woderige next unto Perith towne end.

All other goods bequeathed to his wife, who is the executor with Henry Browhame.

Witnesses: James Farlame, Thomas Baxster.

Dated 30 May 1598, and proved 21 May 1599.

