

ART. III.—*The two Kirkandrews.* By T. H. B. GRAHAM,  
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#### KIRKANDREWS-ON-EDEN.

KIRKANDREWS-ON-EDEN belonged to the group of manors known as the "barony of Levington." Richard de Levington, at his death in 1250, held 20 bovates there of the king *in capite* (*Cal. inq. p.m.*, 34 Hen. III, p. 50). His widow, Sarra, in 1299, held one-third of the hamlet of Kirkandrews in dower, of the inheritance of her husband, who held the same in chief by service of 6s. 8d. cornage *per annum* (*ibid.*, 28 Ed. I, p. 441). His niece, Helewisa, had, in 1272, 12 bovates and two-thirds of 2 bovates (*ibid.*, 56 Hen. III, p. 277).

At the partition of the barony of Levington in 1274, each of the co-parceners (*see* Table, these *Transactions*, N.S. xii, p. 73) obtained an interest in Kirkandrews, but their shares were unequal in amount and designed to promote equality of partition.

I. *The Kirkbride Share* was committed, in 1276, to Roger Mynnot, during the minority of the heir of Richard de Kirkbride (*Cal. Fine Rolls*, vol. i, p. 74). The pedigree of Kirkbride is contained in these *Transactions*, N.S. xv, p. 63). In 1319, Walter de Kirkbride obtained licence to enfeof his brother, John of 3 messuages, 3 carucates, one-quarter of a mill and a fishery in the Eden at Kirkandrews, to hold to John and his heirs (*Cal. Pat. Rolls*, p. 384). Walter de Kirkbride had lately purchased the Twynham share. John died in 1327, seised of 3 messuages and 60 acres, held in chief, by service of 4s. cornage paid at Carlisle exchequer (*Cal. inq. p.m.*, 1 Ed. III, p. 7).

Walter died in 1336, seised of two-thirds of the hamlet paying 6s. 8d. cornage (*ibid.*, 10 Ed. III, p. 24). In 1342, Richard, son of Walter de Kirkbride, had licence to settle all his land at Kirkandrews (*Cal. Pat. Rolls*, p. 572).

2. *The Twynham share.* Adam de Twynham died in March, 1306-7, holding of the king land at Kirkandrews worth 43s. a year (*Cal. inq. p.m.*, 35 Ed. I, p. 280). He had recently acquired the Hampton share from Christopher de Seton (*Cal. Pat. Rolls*, 1305, p. 364). Walter de Twynham had licence, in 1318, to grant 3 messuages, 3 carucates and a mill at Kirkandrews, to Walter de Kirkbride in fee simple (*Cal. Pat. Rolls*, p. 146).

3. *The Southayk share.* In 1285, Patrick de Southayk had 4 bovates worth 46s., rendering 2s. 4d. cornage (*Cal. inq. p.m.*, 14 Ed. I, p. 356). Gilbert de Southayk died in February, 1306-7, holding of the king land at Kirkandrews worth 40s. a year (*Cal. Doc. Scot.*, ii, p. 84).

In 1331, Patrick de Southayk had, without the king's licence, given 2 messuages and 40 acres to John, son of Simon de Kirkandres and Elena, his wife, to hold during their lives, and they were permitted to retain the same (*Cal. Pat. Rolls*, p. 159). In 1334, Joan, widow of Patrick de Southayk claimed dower out of the one-fifth part of the manor of Kirkandrews held by John, son of Simon de Kirkandres, and Elena, his wife.

The defendants called upon Gilbert, infant son and heir of Patrick de Southayk, to warrant their title against Joan. The king had, by letters patent, given custody of the land and heir to William Lengleys, who pleaded that he ought not to answer to anyone without the king. So the king ordered the justices of the bench to proceed with the plea, but not to give judgment without consulting the king (*Cal. Close Rolls*, 1334, p. 274).

In 1348, the same Gilbert de Southayk obtained licence to grant to John, son of Simon de Kirkandres, and Elena, his wife, the two messuages and 40 acres, which they held

for life only by demise of Patrick, to hold in fee simple (*Cal. Pat. Rolls*, p. 94). John, son of Simon de Kirkandres, died on the feast of St. Matthew, 1349. He held his tenement of the king in chief, by service of 2s. 8d. cornage, 12d. a year puture of the king's bailiff, and by further service of rendering to Gilbert de Southayk 26s. 8d. a year. His nephew Gilbert, son of William and Alice de Partan, aged 16, was his heir (*Cal. inq. p.m.*, 24 Ed. III, p. 422).

By further inquisition held in March, 1355-6, it was found that the escheator took the premises into the king's hand and accounted yearly at the exchequer for 8s., which was all the premises were worth after payment of the said services, and that *Thomas*, son of William and Alice de Partan, of full age, was his heir (*ibid.*, 30 Ed. III, p. 252). It was ordered on May 1st, 1357, that Thomas de Partan should have seisin of the premises (*Cal. Close Rolls*, p. 358).

4. *The Corry share*. In 1296, Walter de Corry had land at Kirkandrews worth 20s. a year (*Cal. Doc. Scot.*, ii, p. 171). There was a grant, in 1317, of this forfeited share to Robert de Tilliol for life (*Cal. Pat. Rolls*, p. 43). It was ascertained, by enquiry made in 1321, that the share consisted of 3 tofts and 36 acres, for which the tenants formerly rendered 32s. 3½d., but then 5s. only, because the land was waste, and that Robert de Tilliol held the premises for life, by the king's gift (*Cal. inq. miscellaneous*, vol. ii, p. 112).

The same forfeited share was granted, in 1329, to Adam de Redman, king's yeoman, for life (*Cal. Pat. Rolls*, p. 377).

5. *The Hampton share*. In 1305, Christopher de Seton, without the king's licence, sold to Adam de Twynham this share, consisting of a moiety of a messuage and of 32 acres at Kirkandrews, held in chief, and Adam de Twynham was permitted to retain the same (*Cal. Pat. Rolls*, p. 364).

6. *The Carrick share*. Matilda de Carrick died before

January, 1307-8, seised of her purparty of Kirkandrews, namely, one bovate, and Roland, her son, was heir (*Cal. inq. p.m.*, 1 Ed. II, p. 3).

Patrick Trump, in 1304, sold his purparty of Kirkandrews, namely, a messuage and 14 acres, to Robert de Tilliol, who was allowed to retain the same (*Cal. Pat. Rolls*, p. 303).

The church was a poor one. Bishop Bernard (1204-14) confirmed it to the church of St. Andrew of Marrick, Yorks., and the nuns there, to hold and appropriate, as the charter of dominus Adam, son of Adam de Levington (d. 1210) testified, and reserved episcopal rights. Richard de Levington (*see Pipe Roll*, 1211) confirmed "the church of St. Andrew, which is in my fee," to the nuns of Marrick, in free alms. Bishop Hugh (1219-23) confirmed to the same nuns the church of Kirkandrews-*juxta*-Carlisle, to hold and convert *in proprios usus*, provided that they appointed a vicar (*Coll. Top. et Gen.*, vol. v, p. 235). Bishop Robert (consecrated 1258) ordained, as between Isabella, prioress of Marrick, and her convent of the one part, and Ranulf de Kirkandrews, chaplain, of the other part, concerning the church of Kirkandrews, that the prioress and convent should receive for ever 60s. a year from the church, and that Ranulf and his successors should possess the residue, *by name of parsonage*. And lastly, John, prior of Carlisle, and his convent, by charter dated May, 1260, confirmed Bishop Robert's ordinance (*ibid.*). The rector was not taxed in 1291, because his benefice was worth 4 marks only, but the portion\* belonging to the prioress of Marrick was rated at £3. (*Taxatio of Pope Nicholas*, p. 319).

In 1361, John Palmer, rector of Kirkandrews, resigned the living, and the prioress and convent of Marrick presented John de Bempton, who was instituted, with

\* Du Cange defines *portio* as *annua pensio*.

leave of absence for a year (*Bishop Welton's Register*, cited by Nicolson and Burn).

In 1376, John de Middleton, parson of "Kirkandrews in the diocese of Carlisle," exchanged benefices with Thomas Ruke, incumbent of Aikton, then in the king's gift (*Cal. Pat. Rolls*, p. 275) and, in 1393, John Daa was parson (*Cal. Pat. Rolls*, p. 268).

There is no church of Kirkandrews-on-Eden at the present day, but its twelfth century chancel arch was still standing in the old graveyard, at the beginning of the nineteenth century (these *Transactions*, n.s. xxiii, p. 235).

The partition of the barony of Levington, made with the king's approval in 1274, was a rough and ready one, hampered by the circumstance that only two of the heirs were domiciled in England. It would be unprofitable to exhibit a full abstract of the articles of partition (*see* these *Transactions*, n.s. xii, p. 62) because those articles were not strictly adhered to. The upshot of the matter was that Kirkclinton fell to Kirkbride, Corry and Carrick; Skelton to Hampton Twynham and Southayk; while Kirkandrews, together with some entraneous items of family property at Bewcastle and Staffol, was devoted to the purpose of rendering the said shares of equal value. The partition of 1274, as eventually amended, forms the root of title, to all the shares. It will be observed that in 1336 Walter de Kirkbride had contrived to become lord of two-thirds of the entire manor of Kirkandrews-on-Eden.

#### KIRKANDREWS-ON-ESK.

During the middle ages, Kirkandrews-on-Esk was not in Cumberland, or even in the diocese of Carlisle, but in Scotland. The church, which stood upon the river bank, within a stone's throw of English ground, was given, early in the twelfth century, by Turgis Brundos to the Scottish abbey of Jedburgh (*National MSS. of Scotland*, vol. i, no. 38). Turgis was lord of the English manor of Liddel, and

lord also of the adjoining Scottish territory known in later times as the "barony of Kirkandrews." In the latter capacity, he disposed of the advowson of Kirkandrews. John de Wake, lord of the English manor of Liddel, who died in 1300, also held for a time the barony of Kirkandrews of the Scottish crown (*Registrum Magni Sigilli*, p. 18) but that was before the outbreak of the great war of 1296, which lasted for 27 years.

The English enjoyed an ancient right of common in Scottish soil lying beyond their frontier and known as "batable land," that is to say land fertile in pasture (see N.E.D. under the heading "battable") but the original name soon assumed the form "debatable land." There was an agreement in 1449 that English claimants of batable land in the Western Marches should in even manner intercommon therein by land and water, without pinding or parkage (impounding or enclosure) and without prejudice to the property therein of the king of Scotland and his subjects (Rymer, *Foedera*, vol. xi, p. 244). The right was to be exercised by bit of mouth from sunrise to sunset over a tract extending northward as far as Canobie (*Trans.*, N.S. xii, 33). On the other hand, the men of "Salom in Scotland" enjoyed in 1282 free pasture in the common fields of Arthuret (*Trans.* N.S. xiii, 49).

Salom or Solom, i.e. Sol-holm, was the "muddy flat" forming the foreshore of Kirkandrews, from which the great peat-moss derived its old name "Solom Moss," while Sol-wath was the "muddy ford" (available only at low tide) across the head of the sea-frith—a natural feature which has bestowed its name upon the whole estuary, "Solway Firth." Both place-names are compounded of Old Norse words.

But the following record of Edward III's reign shows that the river Esk was deemed to be the frontier of England:—

March 8th, 1345-6. The king is informed that divers male-

factors crossed the boundary of the county of Cumberland, entered the vill of Blamire, in the barony of Kirkandrews in Scotland, took cattle, belonging to men of that vill "in the king's allegiance," and other goods to the value of £1000., and returned to that county and converted them to their own use. He orders that inquisition be made (*Cal. Close Rolls*, p. 59).

Kirkandrews church answers to the description "chapel of Salom, by the water of Esk," which occurs in a treaty of Richard II's reign (Nicolson, *Leges Marchiarum*, appendix, p. 259).

The church was probably served by the monks of Canobie Priory, which was a cell of Jedburgh Abbey. Canobie Priory and Canobie parish church are said to have been destroyed by the English after the battle of Solway Moss, 1542 (Chalmers, *Caledonia*, ii, 151). It is very likely that Kirkandrews church suffered the same fate.

The Ordnance Survey places the "site of the battle of 1543 (*sic*) in the midst of Solway Moss. No army could deploy on such treacherous ground. The little fighting, which occurred on that occasion took place at Arthuret, on the English bank of the Esk (*Trans.* N.S. xii, 42; *Vict. Hist. Cumb.*, ii, 274).

By treaty made in 1552, the old barony of Kirkandrews, including the site of the church, became, for the first time, part of England (*see these Transactions*, N.S. xii, p. 47, and map, *ibid.*, xiv, p. 133).

Royal letters patent, dated 1632, authorized the erection of a new church "in the place where the church of Kirkandrews formerly stood" (Nicolson and Burn, ii, p. 474).

A portion of Nicolson and Burn's admirable map, engraved by Thomas Kitchin, senior in 1777, is here reproduced. It marks the coast-line at the head of the Solway Firth and the mouths of the rivers discharging their waters upon its sands, which were fordable at several points when tide and weather permitted (*see Mr. W. T. McIntire's account of Drumburgh Castle (Trans.*, N.S. xxix, p. 106).

