

Original Document.

Communicated by J. BAIN, F.S.A. (Scot.)

The following paper is in the handwriting of the Earl of Hertford (afterwards the Protector Somerset.) Though without date, it was evidently drawn up by him at Alnwick just before his return from the Border at the end of November or beginning of December, 1542, when he was succeeded as lord warden by John Dudley, Viscount Lisle (afterwards Duke of Northumberland.) Hertford had been ordered by the Privy Council to bring back with him a memorandum of the state of affairs on the Borders for the information of Henry VIII., and this paper is the result of his labour. Among other notes of interest in it may be remarked those as to digging coal at Alnwick, and appropriating the timber of the "abbay besid Anwik," to repair the castle. The Percys were then under forfeiture, their castle was in Henry's hands, and for a long period was the head quarters of the Warden of the Marches. There is an abbreviate of this paper drawn up by a clerk from Hertford's rough draft. Both of these documents are in the collections of the Marquis of Bath at Longleat, by whose kind permission the former is now printed for the first time.

[MEMORANDA ON THE BORDERS BY THE EARL OF HERTFORD.]

For the pencioners to be dischargit.

For the intellyens betwene them men of Northumb^r and Skots.

For the comyng in of the Skots for pouarti and what shal be don with them—and to show the causes whey the proclimacion is stayde.

Item Tyndall and Ridesdal suferith the Skots to cum throw them and rob the Kyngs subiets and summe tyme cumme with them.

Item rich mens goode beth on touchid and onspoyld and the pore men that dwellyth wⁱne them robid and spoilyd.

Item the facion of the takyng of my prift.

Item that yf the Skote have no lether owght of Ingeland they shall haue a gret lake.

Item cart whelis was wont to be bowght her for v^s which now be sould for xvj^s and all for that the borderare sell them into Skotland.

Item that lether be restrainid to be sould in Skotland.

Item timbar and mile stones lykwis to be restrained.

Item the Shreve of Northumbarland ys not acuntabull, and bi resun that they be not amersid and pay the amersement^e tharof, and allso that stelyng is on ponishid ys a gret cause of the decay of the cuntri.

"My lorde tailebusshe to kepe Ridesdale from wulf and theifs.¹

Item the favar and intelligens betwene them of Northumb'land and Cukdall and Glendall which is bi resun the most part of ther frendes and kyn be takyn bi the Skote and otherwis.

Item the numbar of Skote in this cuntri and wher it be nesesari to advoid them.

Item the intelligens betwene the borderars and Skote.

Item the delyveri of presenars doth mich hurt.

Item the Tindale and Ridisdale er sufering the Skote to cum throw them and robe the kynge subiet.

Item the kynge subiete of Beaucastell dalle doth mari dayly with the Skote of Lythersdalle.

Item yf ordar be not taken for the diging of see colle here, the kynge wode will be distroide within a yeire and for lak of feuell the inabitans of this towne of Anwik shall be dreven to forsak hit, which will be not only a gret losse to the kynge ma^{te} reueneus but all so lose to the contre.

Item to spek w^t the shanselar of the agmentacion for to give streyght commandement to the oficare that those somate (?) and bemes which be att the abbay besid Anwik to be safli kept and housid for the reparacion of the kynge ma^{te} castell of Anwike.

The state of Wark w^t the captenes.

Item for not carieng owght of Ingeland woud timb^r and millestone shall hindar Skotland.

Item the Skote did fere that the navi should have mad a belwark hon the roke or iland caulid the Linch,² which should be the distruccion of Edunborow and Light, for that no shep shuld cum in nor owght.

Item in Northumbarland ther be mani jentellmen of small land and othere that faverith Tindale and Ridesdale so that they robe the good subjecte hoo dar not for fere of ther lyves lay eni thing to ther charg and all sich robris ys leyd that it ys the Skote.

Item ther is likewis mich intelliens betwene them and the Skote soo that no entrepris can be donne withowgh knowleg.

Item the hede men of the cuntre will have his shepard and hirdman to be a Skot, bi reasun ther of ther good goith in safte and por mens everi day stolen.

Item those shepardes and hirdis men beth good spies to the Skote which doth mich hurt.

Item bi reason that the Skotes coren is soo burnid and consumid and they bi resun thereof in sich miseri that yf spedi remedi be ministerid and some terrar showeed unto them that shal cum in to this reme I think or it be long ther will be mani Skote cumme into this reme.

Item the number of Skote dwelling here and what the cuntres answer is to it.

Item to declar the facion of the overthrow of the Skote.³

⁴Item the workes of Hull and the departure of the ships.

Item of conference with the Lorde Maxwell.

¹ In Sir John Thynne's handwriting.

² Inch Keith, opposite the port of Leith.

³ i.e., at Solway Moss.

⁴ In Sir J. Thynne's writing.

Original Documents.

Contributed by J. BAIN, F.S.A., Scot.

I am not aware that any thing of so early a date as the following has been printed in any of the books relating to the affairs of the Borders. The orders as to watches in Bishop Nicolson's *Laws of the Marches* and Hodgson's *Northumberland*, are not of earlier date than the reigns of Edward VI or Elizabeth. The first of the following documents, though without a date, must have been written in the end of November 1542, under these circumstances. The Earl of Hertford, who was Lord Warden of the Marches for a short time till relieved by John Dudley Lord Lisle, was ordered by Henry VIII to bring back with him a note of the Border laws and customs, &c., of which he being a stranger, knew little, and therefore wrote to Wriothesley the Secretary of State, doubting if he could procure it.

He had, however, applied for such a thing to Sir William Eure, the Captain of Berwick, who on 3rd December, 1542, sent Hertford this very document or "book" as he calls it. It is a copy of several earlier orders made in the years 1525-6, when Eure himself was Lieutenant of the Middle Marches, under Ralph, Earl of Westmoreland the Lord Warden. The names of many of the places are far different from those they now bear, and a better acquaintance with the district than I possess is requisite for their identification. It is written in a good round legal hand, and endorsed: "A boke sent by Sir William Eure of the custume of the Bordres."

The other document is a list of the watches kept on Tweed in Norhamshire, and was evidently made for Hertford's information about the same time as the former paper. It is in the handwriting of Brian Layton, Captain of Norham Castle, who was killed two years later, at Ancrum moor.

Both of these documents are indorsed by Sir John Thynne. They are among his papers at Longleat, and are now printed for the first time by the kind permission of his descendant the Marquis of Bath.

TH'ORDOUR OFF THE WATCHE TO BE OBSERVED, KEPTE, AND MAINTEXNED
IN MANOUR AND FORME FOLLOWING.

The watche
to stond
upon the
Doughins. } Fyrst-the larde off Thirwale to kepe from lirthing bryg tyll
yt cum to Typwall. The larde of Blenkinsoppe to kepe from
Typwall to Walltowne Crage.

The watch- mantostond upon the Walle townne Crage.	The larde of Walltownne and Nicholas Blenkinsopp to kepe the Walltownne Crage to Haltwissell bornhede.
The watch- mantostond upon the Caire Crage.	The townshipe off Haltwysell and Plennellour to kepe from Haltwysell bornhede to the Hare heugh.
The watch- mantostond on the Hawe heugh.	The Townshipe off Melryg and Hensaugh to kepe from the Hare heugh to Heleborne hede.
The watch- mantostond upon the Kykkyns of Bradleis.	The townshipe off Thorngraston Mylnehome and Rideley to kepe from the Heleborne hede knage to the Knage bornehede.
Two watch- men, one of them to stonde upon the Kynges hyll, and thother upon Few- inglesCrage.	The barrony off Langley to kepe from Knage bornehede to the Cairrawe.
Two men to watche upon the Carrawe towre hede.	The townshipe off Newburgh with the parishing from Carrawe to the Carraburghe.
Two watch- mentostond upon the Wallwood.	The barrony off Symondeborne to kepe from Carraburghe to Tortie.
Two watch- mentostond at Priest Yate.	The townshipe off Haughton Walleck and Homeshaulghe to kepe from Tortie to Chellerford mylne.
Two watch- mentostond at Sainte Oswaldes Kerck.	The townshipe off Aycombe and Walle to kepe from Cheller- ford Mylne to Saint Oswaldes Kirke.
Two watch- men to stonde at Smydiwell Crosse.	The townshipe off Sando, Aynyke, Portyate, and Befront to kepe from Saint Oswaldes Kirke to Smyddywell Crosse.
Two watch- men to stonde at Portyate.	The townshipe off Corbreg to kepe from Smyddywell Crosse to Halton parke newke.
Two watch- men to stonde on the Hawle downes.	The Lordeshipe off Halton to kepe from Halton parke newke to Carnaby Crosse.
Two watch- mentostond on Grene Castell Stedes on the Walle.	The townshipe off Newtoun, Newton hall, Weldon and Harlower on the hyll to kepe from Carnaby Crosse to Harlow on the hyll.

It is further agreed that all thes townshippes that hereafter ensueth shall kepe a watchman in every towne as they shall thyncke by thear discreccion, to reyse a blast off an horne when so ever yt shall falle, as well upon the days as nyghtes to cum forewarde to maigtayne the fray, which way so ever yt goo :—Fyrst, in the township of Knaresdale, Henry Walles the pryoreess off Lameley tenantes, Syr Edward Musgrav, tenauntes of Colyngwood, the larde of Fetherstonehaughe, the lordeship off Whytfeld, the lordeshippe off Allwendale in Hexham shire, Hexham towne with the lord of Colsey and his tenauntes, Dilstoune township Cutbert Radecliff, the township of Redyng, Bromley, and Bywell, the township of Ovington, Ovingham, and Horsley. It ys also thought necessary and expedient for thinviolable observacion off the premisses, that the Wardane lyvetenauntes or their deputies shall every vj wekes kepe a Cowrt by them selves to see this ordinaunces put in full execution, and raise the same fyne of them that shall breake the same, under such payne as my lorde off Richmountz grace shall sett upon the Wardane lyvetenaunte or their deputies.

Moreover yt ys agreed by the gentylmen off Northumberlond afore my lorde Wardane, that this endentewre and every article off the same shall contignew in effect untill Whytsonday next comyng after the date under wrytten. And further yt ys ordayned by the saide lorde Wardane that his cowrt shall be kept at Newburghe and Corbreg within every fortie daies unto the said feast of Whytsontyde for execucion comprised in this present indenture. In wytnes wherof as well the saide lorde Wardane as the gentylmen being here present have setto their handes. Yoven the Monday after Saynt Lucyas day which is the xvijth day of Decembre anno xvij^{mo} Henrici Octavi.—[1525.]

Rawffe Westmerlonde Warden

Sr Will'm Eure

Sr Nicholas Rideley

Cutbert Ratclyff

Hewghe Rideley

Thomas Eryngton

John Swynborne

A watche and ordre devysed by Syr William Eure lyvetenaunt of the Myddell Marchies off England by thadvyse of dyverse gentyllmen of the contre the xxth day of Apryle the xvijth yere of Kyng Henry theight. [1526].

Fyrste :—a watch to begyn at the Carraw and so to Warckes pyke, from Warckes pyke to Warckes borne mowthe, and so to Prystoppes hedde, and so to Fowre lawys and in a bow ray through Arwood and to Baldwell stene at Symondsye.

The gentyllmen that shall kepe this watche—

Sr John Heron knyghte

Sr Rawfe Fenwyke

Nycholas Thornton esquier

John Fenwyke of Wallyngton

Robert Ramys

Robert Aynsley

Thomas Lawson

John Loren of Kyrkharlle

Thomas Fenwyk of Lyttle Harle

Cuthbert Shaftow

John Fenwyk of Ryall

Georg Fenwyk of Fenwike

Nycoll' off Eryngton of [blank]

Robert Eryngton of Wyttyngton

William Swynborn of Capethon

Rawff Wetheryngton

Thomas Eryngton of Fallofeld

for Coklaw and Eryngton.

Also the baylyff of Hexham ys agreed to kepe such lyke order in Hexham shire as well watching as folowing as other of the contre dothe.

An ordour taken for watchis the xiiij day off Decembere the xvij yere of the reign of our sovereigne lorde king Henry viijth, Sir William Eure being then lyeutenant of the Myddell Marchies. [1525.]

Fyrst :—Secret watches to be leyd by the discession off them that shalbe baylyves or keepers of Tyndall—that is to say one upon the west syde of the watour off Tyne for in commyng at the Belles and downe Shulborne mowre, and an other upon thest syde of Tyne for commyng in at Lusborne mowth and downe Wanehope, and also an other for commyng in at the Collerclevs and so downe Emlope. Also for Ryddisdale and Kowkdale by the discession of them that shalbe keepers of Harbottell, a secret watch to be layde at Akynsyd hede for commyng down the wattour off Reynd and the Haukeshauke. Also a watch at Crokdom pyke for commyng in at Camellspeth streate and the hedd of Redles.

Also a watch at the Wether Law for commyng in at the Howen gate and the Slymgate.

Also a watch upon the Helo (?) which may kepe the in commyng at the Wend goyle and the Kocklaw and the Bownd rode hedde - -

Also for the watour of Bremmys and the watour of Aele must be two watches. And thes two watches with the watches aforesaid may kepe all alongst the Borders from the great hyll off Chevoyth to the hedd off the watour off Tyne - - -

(2) WATCHES IN NORHAMSHIRE.

Memorandum :—Watches to be kept in the nyght in Norhamshyer by my lorde Wardens comandment, as here after foluyth :—

Inprimis, at Berwyk stremes,	- ij men	} Summa xxviii men.
Item, at the Nayder belles	- ij men	
Item, at the Over belles	- ij men	
Item, at Yarfforde	- ij men	
Item, at Newwatter	- ij men	
Item, at Wylsford	- ij men	
Item, at the Darnesford	- ij men	
Item, at Sweffte	- ij men	
Item, at Damesfordes	- ij men	
Item, at Graydensforde	- ij men	
Item, at Twysell brege	- ij men	
Item, at Fernyhawcsford	- ij men	
Item, at Hetonmelneshford	- ij men	} Summa iiij men.
Item, at Corssfford	- ij men	

Item, day wayche to be sayt in Norhamshyer.

Fyrst, one Longrege hell	- i man	} Summa iiij men.
Item, at Norham	- i man	
Item, one Ruffenton	- i man	
Item, one Heton Lawe	- i man	