

ART. XVIII.—*The Routledges of Cumcrook*. By J. V. HARRISON.

Partly read at Cumcrook, September 7th, 1962.

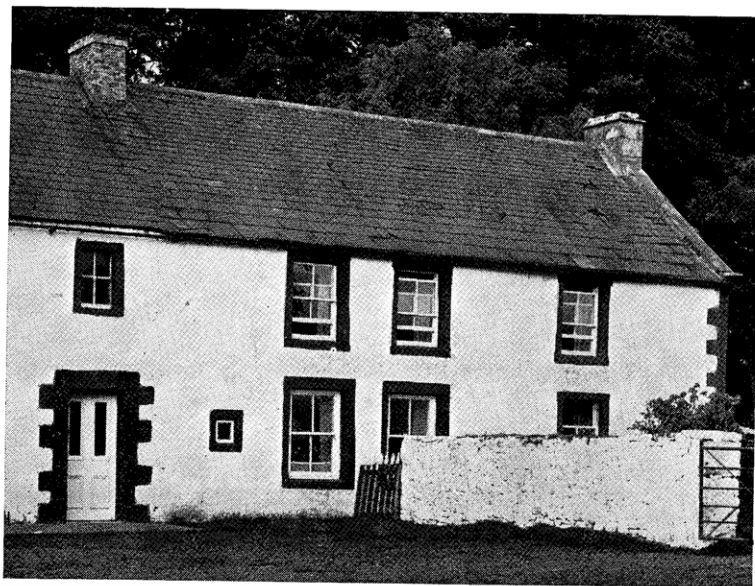
PART I.

THIS paper is, in the main, the story of three brothers who were born at Cumcrook in the parish of Stapleton in the early years of the 18th century. All three led lives, or were involved in incidents, somewhat removed from the commonplace. They were sons of John Routledge, whose ancestors had long been customary tenants in the manor of Bewcastle. Before proceeding with the story of the brothers, it may not be out of place to give some account of their forbears and background.

In the year 1583, Thomas Musgrave, in a remarkable letter to Lord Burghley, gave an account of "the riders and ill doers" living on the West Marches of England and Scotland,¹ and it is in this document that we meet with an early reference to the Routledges of Cumcrook. After stating that the Routledge surname had few alliances with Scottish families, and "for that they are every man's praye", he proceeds to name thirty-four of the principals all living within the manor of Bewcastle. Among those dwelling down the "water of Levne",² are Will Ruttlidge of Comcrauke, and Riche, Johne and Jeme of the same place. As he is mentioned first, it may perhaps be inferred that Will was the head of the house.

¹ BP i 123/4. The Routledge surname is found in Bewcastle a full century before 1583. At the hearing of a dispute between the Dacres and the Musgraves held in 1538, it was stated that "60 years bipast when the Liddisdale men came into England and were sworn to King Richard at Carlisle, Sir Richard Ratcliff and 3 others, king Richard's commissioners, let all the lands of Bewcastle to Cuthbert and John Routlege, Robert Elwald and Gerard Nyxon". They paid no rent, but were "to maintain the King's . . . wars and to keep the borders there and to m . . . the captain under the King". The captain referred to was the captain or constable of Bewcastle. SP Hen. VIII xiii 553.

² Levne or Leven was the old form of the R. Lyne.



CUMCROOK.

Photo: J. Hughes

Another member of the family, Hobbe of Cumcrooke³ was at this time an outlaw. He, together with others, had fled into Scotland where they had been given asylum in Liddesdale. Lord Scrope complained that Ker of Cessford, the Scottish Warden of the Middle March and Keeper of Liddesdale, refused to apprehend them and hand them over to him. Little is known of Cumcrook at this time. The name occurs as early as 1279,⁴ and it is marked on a map of the Debateable Land and neighbouring parts of Scotland, dated 1590.⁵ As it was thought worthy of a place on the map, the house, unlike most in the neighbourhood, may have been of stone, and was perhaps sufficiently strong to offer some resistance to raiders from across the Border. Nearby, is marked the house of John Comcrook, probably the dwelling of the John Routledge mentioned by Musgrave. Cumcrook in the 16th century, in common with other holdings in the manor of Bewcastle, was by modern standards small, but it should not be overlooked that the tenants of the manor had almost unlimited rights of common, and that they were a pastoral people.

The district was subject to constant raids, and Thomas Musgrave did not exaggerate the plight of the Routledges. Bewcastle, or Bewcastledale as it was called, lay wide open to raiders from Liddesdale. There were no physical features to hinder their inroads. Moreover, the English Border was greatly weakened by the feuds existing between the Musgraves on the one hand, and the Carltons and Grahams on the other. To make matters worse, the latter, the most powerful surname on the English Border, were closely allied by marriage to the Armstrongs and Elliots of Liddesdale, who were responsible for much of the ill-doing in Bewcastle.

Cumcrook did not escape the attentions of these

³ BP i 128 and 150.

⁴ PNC i 59.

⁵ A xxii. Cumcrook is placed too far south, and is shewn on the east bank of the R. Lyne instead of on the east bank of the Black Lyne.

marauders, but the losses sustained do not appear to have been as serious as those of some neighbouring holdings. There are no recorded raids on Cumcrook such as took place on an October night in 1583, when the Armstrongs raided Greinhilsh and Nutticlughe.⁶ In the fighting which followed, Allan Routledge was slain and six others of his name were hurt or maimed and said to be "in peril of death". Nor is this an isolated case. Round about this time many men lost their lives defending their homes or in pursuit of the thieves, among them John Routledge of Crookburn "slayne by the Scottish Ryders", John Routledge called Gerardes John murdered by "the Larde's Jocke", Quintin Routledge slain by the Armstrongs of Calfhill, Andrew Routledge alias Leatche of Bewcastle murdered by the Armstrongs of Whittleye, and Renian Routledge of Kilham slain by the Scots while bringing home his hay with his "wayne".⁷ Of the two raids in which Cumcrook is specifically mentioned, the first occurred in the summer of 1583 when it was raided by the Elliots, led by Jamy Elwood, Jamy of the Cyll and Dandie Elliot called Dande of Bradley. In this raid James Routledge lost thirty cows and oxen and his "insight".⁸ The next raid took place nine years later, in 1592. On a gray November day a band of Armstrongs led by Sandie Armstronge called Hebbie's Sandie drove off from Cumcrook "20 sheep, 20 gaite and 6 kye and oxen", belonging to (. . .) Routledge,⁹ but in neither raid is there mention of hurt to life or limb. Redress for such losses was usually claimed through the Wardens' courts with varying degrees of success, but often the loss was made good by retaliatory raids into Scotland. In these the tenants were at times aided by the Captain of Bewcastle, with soldiers from the small garrison stationed there.

⁶ BP i III.

⁷ BP i and ii. Kilham in the East Marches.

⁸ BP i III. "Insight" denotes household goods.

⁹ BP i 421. The christian name of Routledge is not given.

It should not be assumed that the men of Bewcastle were all law-abiding. The difference between them and the men of Liddesdale was only one of degree. In 1593, the Routledges were listed among "the disordered surnames" of the West March,¹⁰ and six years later, Quintin Routledge and others were called "verie caterpyllers" and "notorious offenders", and were said to be unworthy to live.¹¹ In 1597, the Scottish Commissioners demanded that Riche Routledge of Cumcrook be handed over to them as a pledge for the good behaviour of his surname. He and his fellow pledges from the West March were to be at the west ford near Norham on 25 June at ten hours before noon, there to be exchanged for their Scottish counterparts.¹² From this it may be assumed that Richard Routledge was one of the leading men of his surname, or, perhaps, the son of one of the principals. After the accession of King James VI to the English throne energetic methods were taken to restore law and order on both sides of the Border, and little mercy was shown to outlaws or those suspected of wrong-doing. Lord William Howard of Naworth has left a vivid account of this phase in Border history.¹³

One of the first acts of James after becoming king of England was to order a survey of the Crown lands adjoining Scotland. This was carried out in 1604, and affords an invaluable picture of the English Border at this time.¹⁴ It shews that there were one hundred and sixty-six tenants within the manor of Bewcastle, of whom fifty-six bore the name of Routledge and of the remainder, forty-two were Nixons. They were said to be "very rude and poore: rude for want of instruction, and poor for want of stock, having more ground by a great quantitie

¹⁰ BP i 500.

¹¹ BP ii 614.

¹² BP ii 350. Rychie Routledge of Cumcrooke was one of the "iiii honest mene" appointed by John Routledge of Black Dubs to supervise his will (pr. at Carlisle 19 May 1587).

¹³ SS 68 436-448, 452-460 and 463-465.

¹⁴ SBL.

than they are able to store".¹⁵ Both castle and church were in a ruinous condition, and services were only held in the latter in dry weather.

The tenants held their lands either by the payment of a customary yearly rent, or by doing service to the Captain of Bewcastle. Among those in the former category was Cuthbert Routledge, who held a tenement of 24½ acres, lying between the Black and White Lynes, at a yearly rent of 2s. 8d. He derived his title from his father Rowland Routledge. Although his holding is not named, it may be identified as Cumcrook by the rent, being one of two tenements in the manor held at this figure.¹⁶ Thirty years later the owner was Robert Routledge. He made his will on 13 February 1635/6,¹⁷ at which time he was probably still a young man. After directing that he should be buried at Stapleton, he gave all his goods to his wife Blanch and appointed her his executrix. To his son, John Routledge, he bequeathed "all my Tennement of Cumcrooke . . . of the yearlie Rent of iis. viiid. and my Tenement of Kinkerhill . . . of the yearlie Rent of Vs." and requested him to pay £13. 6s. 8d. to his brother Richard Routledge. It seems clear that John and Richard were minors, for their father appointed four supervisors, Thomas and Allan Routledge, and Andrew and Thomas Willson. The will was proved at Carlisle on 7 July 1637. Kinkerhill, mentioned in the will, had a long association with the Routledge surname. In 1538 John Routledge of Kynkerhill, aged 70, gave evidence in a dispute between the Dacres and Musgraves, concerning the manor of Bewcastle,¹⁸ and at the beginning of the 17th century the owner was either Richard or John Routledge.¹⁹ As the names of the holdings are rarely

¹⁵ The surveyors reported that "The Bayley consistinge of lands lyinge on the west side of Black Leven for the most part inhabited by the Rowclidges" contained 12,450 acres. (SBL 22.)

¹⁶ The other tenement was held by Thomas Musgrave.

¹⁷ See Appendix I.

¹⁸ SP Hen. VIII xiii 553/4.

¹⁹ SBL 25 and 26.

given in the Survey it is not possible to say more, for there were two tenements held at a rent of 5s. by men of the name of Routledge. How it came into the possession of Robert Routledge, whose will has just been noticed, is not known.

For sixty years, from 1637 to 1697, little is known of Cumcrock and its owners. It is as though a blanket of a darkness had descended. There is only one gleam of light. The restoration of King Charles II promoted a feeling of security, and much building took place in the years following his return. Many dated door-heads in Cumberland and Northumberland testify to this, among them that over the door into the farm-house at Cumcrock. The figures 1685 cut into the lintel proclaim the year the old house was built and the letters R^R M are no doubt the initials of Robert Routledge and Margaret his wife. He held Cumcrock and Kinkerhill in 1697,²⁰ and it seems probable that he was the son of John Routledge who was under age in 1636.

Robert Routledge is the first member of the family about whom much is known. He farmed the ancestral holdings and appears as a yeoman of some standing, allowing, of course, for the time and place. In stating this it should be remembered that the district was very backward. Bishop Nicolson visited Stapleton in the summer of 1703, and has left behind a depressing account not only of the church, but also of the parson and his parishioners.²¹ To return, however, to Robert Routledge. From time to time the manor court books afford glimpses of him; sometimes sitting on the jury, at others adding to his lands, or perhaps engaged in disputes with his neighbours about rights of way to the common, or about their respective boundaries. He married Margaret, daughter of Quintin Blackburn of Leashill, a yeoman in the neighbouring parish of Lanercost.²² By her he had

²⁰ BM.

²¹ NDC 54-55.

²² Will of Quintin Blackburn pr. at Carlisle 9 July 1709.

a daughter Sybil, and there is little doubt that Margaret was also the mother of his remaining children John and Margaret. On 14 April 1714 John married Mary daughter of John Sowerby of Brampton,²³ a member of an old Bewcastle family which gave its name to the farm of Sowerbies in Bewcastle. The young couple set up house at the paternal home of Cumcrook.

Following John's marriage, Robert Routledge took immediate steps to convey his lands to his son, and on 13 October 1714 surrendered Cumcrook and Kinkerhill to him; reserving, however, a part for his own use during his life.²⁴ Father and son added to their estate when, two years later, they bought the small farm of Graham's Onset from Richard Grimston of the Fauld, near Longtown. At the same time they bought from him a messuage and tenement at Baileyhead²⁵ and Feeding or Shiele Room in Baileyhope, commonly called the Fauld Sheele Room. This last transaction did not proceed smoothly, for while the admittance of the Routledges is recorded in the court books under date 6 July 1716 it was later established that "the Shiele Room was not an ancient customary tenement, but was part of the demesne lands, let to farm to Grimston's ancestor". Robert and John Routledge "being fully satisfied of this, thereupon disclaimed all right to it, and surrendered it into the hands of the Lord". The property did, however, eventually pass to them, for a note in the Solport manor court books under the year 1719, states that Robert and John Routledge were admitted to Baileyhead (rent 10s.), and added below is: "... this the Fauld Shield Room".²⁶

²³ Brampton Bishops' Transcripts.

²⁴ BM.

²⁵ NFM. Baileyhead was an old Routledge holding. For an episode in the life of Thomas Routledge who was living there in 1617 see SS 68 452-456. Howard Pease based his tale "Naward Castle" which is printed in *The Northern Counties Magazine* ii on this happening.

²⁶ c. 1746 John Routledge had the right to graze fifty beasts and fifty sheep in Bailey hopes. (NFM.)

Robert made his will on 9 December 1723²⁷ and probably died towards the close of the following month. The will was proved at Carlisle 1 February, 1723/4, by his son John, the sole executor, and also residuary legatee. To his wife he gave:

“Six pounds yearly out of my Estaitt, two kine at her own choise, One hors at thre pounds, ten shi: prise, one third part of my household goods, and one half of all my corn.”

His daughter Margaret received a legacy of £40 and a share of the household goods, but the will does not mention his daughter Sybil, who meanwhile had married one Henry Robson,²⁸ perhaps of the parish of Lanercost. With the will is an inventory of his goods, which discloses that he left a well-stocked farm. Furthermore, the manor court books reveal no signs of the lands being encumbered by mortgages. Robert's widow survived him nearly thirty years, dying at Cumcrook in 1753,²⁹ when she must have been almost ninety years of age.

In the twenty years following their marriage John Routledge and Mary his wife had at least seven children born to them, but of all these only one baptism³⁰ is recorded at Stapleton. They were in order of birth, Margaret, Robert, John, Henry, Daniel, William and Mary. Of these children, Robert, John and Henry are the three brothers mentioned at the beginning of this paper. Housing a growing family is usually a problem, and John and Mary found it so at Cumcrook. It was probably to meet this need that the present farm-house was built. The year 1734 and the initials I^R M cut into a panel in the wall testify to its erection. About this time, too, John

²⁷ See Appendix I.

²⁸ Married 20 May 1717. (Stapleton B.T.s.).

²⁹ Buried 22 December 1753. (Stapleton parish register.)

³⁰ That of Daniel baptized 18 July 1726. (Stapleton B.T.s.) Stapleton parish registers commence in 1725, and even then are defective. The Bishops' Transcripts begin about 1665 but are also disappointing. Even so, one would expect to find baptisms of some of the other children. It is possible that the family joined in worship with the Presbyterians who were numerous in the north of the county.

Routledge was faced with another problem — that of giving his sons a start in life. It was accepted that Robert, as eldest son, should follow his father at Cumcrook; and Henry also was brought up to be a farmer. Of the remaining three, William was on 9 June 1743 apprenticed to William Greenville of Newcastle upon Tyne, mercer, and after serving his apprenticeship was in 1752 admitted free of the Merchant Adventurers' Company of Newcastle upon Tyne.³¹ In like manner no doubt his brother John qualified as a surgeon. Nothing has come to light regarding Daniel; it is presumed that he died young. John Routledge must have found this period a difficult one. The cost of building a new house and the increasing charge of supporting his family would inevitably place a strain on his resources. There is evidence, too, that he aspired a little above the yeoman status of his father. Robert Dodgson, whose grandfather knew Routledge, states that he always wore a sword when he rode from home, and in his later years, after the fashion of Scottish lairds, was generally known as "Old Cumcrook".³² This is in some degree confirmed by Sir Walter Scott who calls him "a petty squire" and further adds "that his estate was very small and burthened by debt".³³

A little is known of his doings. In 1732, he sold Grahamsonset to one of his own name, Robert Routledge, said to be a member of the Routledge family of the Flatt in the parish of Bewcastle.³⁴ The manor court books also afford some information about him, but the picture is not as clear as one would wish. On 9 May 1750 he surrendered a messuage and tenement at Baileyhead to John Sowerby, by way of mortgage to secure £300.³⁵ Two years later he again surrendered it, this time to his

³¹ SS 101 360. William is described as the son of William Routledge, but the index to Apprentices in the library of The Society of Genealogists gives his father's name correctly. William died *c.* 1768.

³² RD.

³³ WS.

³⁴ RD.

³⁵ NFM.

son William Routledge, as mortgagee, no mention being made of Sowerby. On the same day, 18 August 1752, he surrendered Cumcrook to him, "but upon condition of redemption as contained in an Indenture made between the said Parties and bearing equal date herewith".³⁶ The rights of a former mortgagee, William James, are mentioned, but it is not clear that the surrender was by way of mortgage. At the same court he parted with Kinkerhill to his son Henry, "reserving nevertheless the Occupation of all and singular of the sd. premises unto him the sd. John Routledge and Mary his wife for their natural lives and for the Life natural of the longer liver of them". John Routledge was now approaching seventy years of age, and it would seem was desirous of putting his affairs in order. The last surrender was certainly of this nature, and the same may be true of the surrender to his son William. Finally on 12 April 1758 he and William by their attorney, Henry Routledge, surrendered Cumcrook and Baileyhead to his son John.³⁷ Five years later he died, being buried at Stapleton on 12 January 1763.³⁸ It is disappointing to record that neither his will, nor any grant of administration has been found. It may be that having parted with his lands and provided for his wife he had little to leave. His widow survived him fifteen years and as "Mrs Routledge of Cumcrook, Householder, aged 87 years" was buried at Stapleton on 27 January 1778.³⁸ In her case, too, no will or administration has come to light.

PART II.

The time has come to give an account of the brothers Robert, John and Henry. Robert was probably born between 1716 and 1720. As the eldest son, he would be expected to assist his father in his farming activities, and,

³⁶ BM.

³⁷ BM and NFM.

³⁸ Stapleton parish register.

in due course, inherit his lands; but this did not happen. Indeed, it would seem that his father, by surrendering his lands to his younger sons, took steps to debar Robert from inheriting. The circumstances which gave rise to this are not known. Robert may have had no liking for farm life and have sought a career elsewhere, or he may have quarrelled with his father and left home in consequence. There is a third possibility. In a bitter quarrel, many years later, he was called "a fugitive rebel".³⁹ The person with whom he quarrelled believed him to be a Scot, and may have thought that he was out in the '45. It is true that the Jacobite Army, on their march south, crossed the Esk about eight miles from Cumcrook, but no evidence has been found that Robert joined them.

One fact is known about Robert's early life. Robert Dodgson states that he was the father of an illegitimate son, John Routledge, who in later life farmed Ashfield head in Bewcastle.⁴⁰ He is mentioned in the will of his father's brother John, as "the reputed son of my late eldest brother Robert Routledge", and, if his age at death is correct, was born about the year 1744. His mother's name is not known. She may have been a Routledge, or perhaps having been brought up at Cumcrook, the child took his father's surname.

When next heard of Robert Routledge was living in Virginia and there are strong grounds for believing that he is identical with Robert Routledge of Prince Edward County.⁴¹ Indeed, much of what is written below is based on this assumption. His name occurs in a list of tithes for Prince Edward county drawn up in 1760,⁴² but it seems probable that he left England fifteen years before this date. During the years 1763 to 1765 he bought lands

³⁹ See below at p. 331. From 1744 onwards, Robert's younger brothers, John, Henry and William, all figure in the manor court books, but Robert himself has not been met with.

⁴⁰ RD. Through the marriage of his daughter Jane with Robert eldest son of Joseph Shortridge of Sowerbies, par. of Bewcastle, he left many descendants, among them the wife of the writer.

⁴¹ See Appendix II.

⁴² Information per Mrs M. H. Morton, of Farmville, Virginia.

lying on the south branches of the Appomattox River, in all nearly 1300 acres.⁴³ At this time he was a merchant in partnership with John Pleasants of Henrico county,⁴⁴ a member of an old and influential Quaker family.

At the beginning of June 1766, Robert had occasion to visit the neighbouring county of Cumberland, and he put up at the inn at Cumberland court-house, the county seat. Of what befell there, is told in much detail and at great length in the *Virginia Gazette* of 18 July 1766. It is such a remarkable narrative that it has been thought well to let "Dikephilos", the *nom de plume* of the writer, tell the story in his own words.

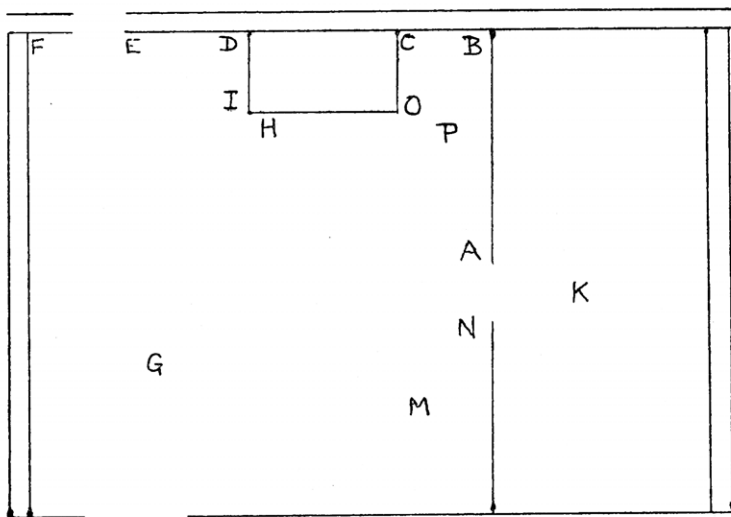
On Tuesday the 3rd of June last, Mr Robert Routledge, a merchant of Prince Edward county, in this colony, a worthy blunt man, of strict honesty and sincerity, a man incapable of fraud or hypocrisy, spent the greatest part of the day in Benjamin Mostby's tavern at Cumberland court-house, with several Gentlemen of his acquaintance, and was joined in the evening by Col. John Chiswell. After some time had passed, Col. Chiswell⁴⁵ was talking in an important manner, and somewhat liberal of oaths; upon which Mr Routledge, who was intimately acquainted with him, and regarded by him as a friend, signified his disapprobation, with less politeness perhaps than was due to a man of Col. Chiswell's figure. Upon this Col. Chiswell was extremely abusive and after calling Routledge a fugitive rebel, a villain who came to Virginia to cheat and defraud men of their property, and a Presbyterian fellow, Routledge, who was then drunk, was provoked to throw wine out of his glass at Col. Chiswell's face, some small part of which did touch him. This was an indignity which perhaps men of honour ought to resent from anyone, unless from an aggravated and abused friend, or a man intoxicated with liquor. Col. Chiswell, who was then perfectly sober, attempted to throw a bowl of toddy at

⁴³ See Appendix III.

⁴⁴ The Edward Pleasants Valentine Papers ii 956 (extract from Bedford County, Va. Records, Deed Book "C" 3, pp. 85-87). Mrs Morton is the owner of the Valentine Papers. For some notices of the Pleasants family see *Southern Quakers and Slavery* by Stephen B. Weeks. (Baltimore, 1896.) The Henry E. Huntington Library & Art Gallery, San Marino, California, holds the Pleasants Family Collection containing several hundred letters. Unfortunately there are no items for the period June-December 1766, and the catalogue does not contain the name of Robert Routledge or that of John Chiswell.

⁴⁵ See Appendix IV.

Mr Routledge, but was prevented by some of the company; then he attempted to throw a candlestick at him, but was prevented also in that; and then he tried to strike him with a pair of tongs, but he was likewise prevented in that. Upon which he ordered his servant to bring his sword; but as this was in



Plan of the inn at Cumberland court-house
(not to scale).

another house, no one suspected its being brought; however, on threatening to kill his servant if he did not comply, the lad went for the sword, and delivered it to his master in the shed room at K. Upon Col. Chiswell's re-entering the room, and going towards the chimney at M, and some of the company perceiving the sword, one of them persuaded him much to give it up, and approached towards him. Mr Chiswell went close to the wall, and towards N, and swore that he would run any man through the body who should dare to come near him, or offer to take his sword. Then he ordered in an imperious tone that Routledge should depart out of the room, as unworthy to appear in such company; and swore that if he did not immediately get out, he would kill him. Routledge was very desirous of remaining, and hickuping [*sic*], said that he had no ill will against Col. Chiswell, and that he was sure Col. Chiswell would not hurt him with his sword; and when some of the

company proposed that Routledge should be carried off and put to bed, others said he ought not to be carried out, as he was not the intruder. However, Mr Routledge was conducted by Mr Joseph Carrington from G to the door at EF. Meanwhile, as he was conducted towards the door, Col. Chiswell moved close along the partition from A towards B, about six feet, abusing Routledge in the most approbrious and affecting terms. From B to E is upwards of ten feet, and close to the wall at DC was a table three feet five inches and a half in diameter, the nearest part of which table was more than four feet distant from the partition AB; to which partition Col. Chiswell kept close, with intention probably to prevent any one from getting behind him to deprive him of his sword. The table at DC was within less than three feet of the door EF. While Mr Carrington was searching his pockets for the key of a room where he intended Mr Routledge should sleep, and Mr Routledge was standing at the side of the door at E, and Col. Chiswell at the same time continuing his abuse, and concluding with the words Presbyterian fellow, Mr Routledge went from the door at E up to the end of the table repeating the word fellow.⁴⁶ At the side of the table IO, several gentlemen were standing, who would have prevented Mr Routledge from going round it even if he had showed a desire to do so; and Mr Carrington caught hold of him again, almost as soon as he had reached the table. Col. Chiswell, who was then standing at P, seeing Mr Routledge across the table, went instantly from the wall to the table at the end of CO towards O; and with his sword, or hanger, which I am informed was about two feet long, stabbed him through the heart across the table. Mr Thomson Swann was close to the table at H, with the breast of his coat, in consequence thereof, projecting over it; and the sword in its way passed through his coat, near the extremity of the third button-hole from the bottom. Mr Swann, upon seeing Col. Chiswell advance, was going to seize the sword to prevent mischief. When Col. Chiswell rushed up to the table, a Gentleman who had been for some time watching an opportunity to seize his arm or sword with safety, ran up behind him, and caught hold of him; but immediately he (Col. Chiswell) told him that it was too late, and added "He is dead and I killed him." Mr Routledge

⁴⁶ He repeated the word "fellow", adding that he "thought himself as good a fellow as John Chiswell". (VG 10 October 1766.) Short abstracts of the depositions taken at the County Court were printed by John Wayles in this issue of the VG. Several of the witnesses say that Routledge turned suddenly, and sprang or darted forward. The depositions as printed are perhaps suspect. Dikephilos' narrative has the ring of truth about it.

immediately sunk down in the arms of Mr Carrington, and instantly expired, without uttering one word, or showing the least emotion. Soon after Col. Chiswell, with the greatest calmness and deliberation, ordered his boy to take his sword and clean it carefully, and rub it over well with tallow, lest it should rust. While poor Routledge was lying dead, Col. Chiswell continued his abuse, and some time after said, "He deserves his fate, damn him; I aimed at his heart, and I have hit it." After which he called for a bowl of toddy, and drank very freely; so that before the Justice of the Peace, who was sent for, made his appearance, he was somewhat intoxicated. Upon examining the Gentlemen who were present, he was committed to the county gaol. He showed no sign of concern next day, nor indeed for some time after. On the next day, however, he inquired very kindly after Mr Swann's health; and said he was apprehensive that he had wounded him, as he had so small a view of Routledge's body when he made the thrust. — To all these circumstances persons of undoubted good character and principles were witnesses, more than one to every particular; and I have not heard that the testimony of any person has deviated from what he constantly averred as fact on the occasion, or in the least differed from that of others, except the testimony of a certain person⁴⁷ who was present (though utterly unworthy to be admitted among honest men) and has rendered himself notorious to numbers, by his variations in relating this unlucky affair . . .

At the Coroner's inquest it was found that Robert Routledge "received his death by a sword in the hands of John Chiswell",⁴⁸ whereupon Chiswell was returned to the gaol at Cumberland court-house, where, later, he came before the Justices of the county court on suspicion of a felony for the murder of Routledge. Col. Chiswell was represented at this hearing by his attorney, Mr John Wayles, but no one appeared for the Crown, the King's attorney having left the county on the very day of the court, without appointing anyone to deputise for him. In these circumstances, the Justices after hearing eight witnesses, and refusing an application for bail, ordered that Col. Chiswell be taken to the public prison at

⁴⁷ George Frazer of Buckingham. He denied the charge. (VG 29 August 1766.)

⁴⁸ VG 18 July 1766.

Williamsburg; there to await his trial.⁴⁹ The under-sheriff then conveyed his prisoner, who was accompanied by Mr Wayles, to Williamsburg, but before handing him over to the keeper of the prison, he was taken before three Judges of the General Court (out of sessions), who admitted him to bail, upon depositions made by his attorney, Mr Wayles and Mr Jesse Thomas, the under-sheriff.⁵⁰

This proceeding caused much disquiet and indignation, not only among Routledge's friends and neighbours,⁵¹ but also among many others who were familiar with what had happened at the inn. A letter appeared in the *Virginia Gazette* of 20 June, expressing surprise that the Judges should have granted bail to Chiswell, without seeing the record of his examination in the county court or without examining any of the witnesses who appeared at the court. The writer went on to ask "whether this act of the three Judges of the General Court be legal. If it is legal, I have nothing more to say. If it is not legal, then I ask whether the act of these Judges has not a tendency to overturn the laws and constitution of the country . . .". This letter was followed by others,⁵² including the account of Routledge's death, which has been given above, and the Hon. John Blair, President of the Council, and one of the Judges who had granted bail, felt constrained to justify his action in the press, finally saying: "I am sorry to find so many complaints made in the country of Col. Chiswell's being admitted to bail; I was applied to as one of the Judges of the General Court, and was of the opinion for the reasons I formerly

⁴⁹ VG 18 July 1766.

⁵⁰ These depositions were printed in VG 12 September 1766. It would seem that the Judges were misled by Wayles and Thomas. See also VG 19 September 1766.

⁵¹ Routledge had some reputation for kindly actions. One writer (VG 18 July 1766) alludes to "his poor neighbours, who had been supported on some occasions by his humanity and bounty". Another called him "a man of good principles and of a charitable disposition". (VG 10 October 1766.)

⁵² See Appendix V.

gave, that the case admitted of bail; if I was guilty of an error, I can truly say it was merely in judgement; I am so far from inclining to infringe the laws of our excellent constitution that I always have, and ever shall think it my duty to maintain and support them to the utmost of my power . . ."⁵³

Col. Chiswell, on being bailed, retired to his seat in Hanover county, but in September he returned to his house in Williamsburg, where he died before he could stand his trial. In "Notes from Colonial Virginia Newspapers"⁵⁴ made by John Randolph of Roanoke, is the following:

"1766, Oct. 17 — On Wednesday last (15th) about 2 p.m. died at his House in this city Col. John Chiswell, after a short illness. The causes of his death by the Judge't of his physicians upon oath, were nervous fits owing to constant uneasiness of mind. (Notwithstanding this he is believed to have committed suicide.)"

So ended a tragic episode.

Little more remains to be told. James Pleasants, a Quaker, who may have been a son, or at any rate a relation of John Pleasants, with whom Routledge was in partnership, was appointed to administer his estate⁵⁵ and the inventory of his goods is filed with the Court Records of Prince Edward County. The inventory contains little of outstanding interest. Among the livestock are six horses and a colt, the most valuable being "A Large Bey" worth £15. His wearing apparel, coats, waistcoats, breeches, shirts, cravats, stockings and caps, was valued at £15. 17s. od., and he also had a red duffel cloak worth 15s. A walnut desk valued at £3. 15s. od. is the most interesting item among his furniture. It must have taken a considerable time to wind up Routledge's

⁵³ VG 19 September 1766.

⁵⁴ *Virginia Magazine of History and Biography* xvi 206.

⁵⁵ See Appendix I.

affairs. In the five years following his death his administrator, and at times his surviving partner John Pleasants, are found in the courts suing for outstanding debts.⁵⁶ Meanwhile, on 15 September 1766, at Carlisle, Robert's mother, Mary Routledge, obtained a grant of administration, in which her son is described as a bachelor, "late of Cumberland County in James's river in Virginia".⁵⁷ It is thought that the error in the county of domicile was made in the Consistory Court at Carlisle. The official there was probably told that he died in Cumberland County in Virginia, and, it is not unreasonable to suppose that he assumed that Robert lived and had his abode in that county. In due course no doubt, James Pleasants remitted the proceeds of Routledge's personal estate to his mother in England and, as his heir, one would expect her to inherit his real estate, but this did not happen. It would seem that his lands escheated to the colony (or state), and in 1794, twenty-eight years after his death, were awarded to Hampden-Sydney, a Presbyterian college in Virginia.⁵⁸

PART III.

John Routledge, the second of the brothers, was born about 1722. Little has come to light of his early life, but he has been identified as the John Routledge who figures in Crawford's *Roll of the Indian Medical Service*. As well as serving as a surgeon with the East India Company, he served at different periods in the Royal Navy. There is a strong probability that he was identical with John Routledge who was appointed 3rd Surgeon's Mate to H.M.S. Saint George on 18 July 1743, and

⁵⁶ PEC March 1767, March 1768, August 1769, June 1770.

⁵⁷ See Appendix I.

⁵⁸ Letter to the writer from Professor Carl Bridenbaugh of the Department of History, Brown University, Providence, Rhode Island. Professor Bridenbaugh is at work on a paper on the death of Robert Routledge, which in due course will appear in the Massachusetts Historical Society's *Proceedings*. Apart from the "human interest" of the affair, he will also deal with the political and social aspects.

appointed "Per Warrant 9 July 1744" 2nd Surgeon's Mate, and who was discharged from the Navy on 10 March 1745 (? 1745/6).⁵⁹ In 1753 John Routledge was surgeon aboard the *Godolphin*, an East Indiaman, when she called at St. Helena⁶⁰; and ten years later, when he obtained a degree of Doctor of Medicine at King's College in the University of Aberdeen, he was described as a surgeon in the Royal Navy.⁶¹ This degree was at that time purchasable for £10 providing the applicant was suitably sponsored by reputable medical men. The status of surgeons in the 18th century was not high, and it seems likely that John Routledge wished to raise his standing, perhaps both professionally and socially.

When next met with, in 1766, he was in Bengal, once again in the service of the East India Company.⁶² During the next eight years he is found acting in his capacity of surgeon at such places as Burdwan, Calcutta and Cossimbuzar.⁶³ On 21 November 1774 he asked leave to resign from the Company's Service. At this time he was surgeon to the Factory of Cossimbuzar, and in his letter of resignation dated from there,⁶⁴ he says, "From the advices I have received, I learn that the state of my Concerns in England makes it necessary that I should repair there." A month later he requested passages for himself and his servant Henry Jones on the *Dutton*,⁶⁵ and probably arrived home in the summer of 1775. It is likely that he had received news that things were in a bad state at Cumcrook. His brother Henry had just died in tragic circumstances, leaving three destitute children, their mother having died six years earlier. His own mother was eighty-five years of age, and of her five sons, he alone remained. Moreover, Henry had not been

⁵⁹ H.M.S. St George's Muster Books (Adm. 36/3244-5), P.R.O.

⁶⁰ CR.

⁶¹ Register of the University of Aberdeen 19 December 1763.

⁶² CR.

⁶³ PDRC.

⁶⁴ Bengal Public Council, 20 October-28 December 1774 (Range 11, v. 7, p. 154) per the late Major V. C. P. Hodson.

⁶⁵ PDRC.

a successful farmer and the farms had suffered in consequence. Much needed repairs were no doubt necessary, and it was imperative that the lands be let to good tenants. For these reasons it is probable that he spent much of the first two years after his return from India at Cumcrook, perhaps moving to London after the death of his mother in 1778.

John Routledge assumed responsibility for bringing up his brother's children. In all but name he was their parent, maintaining and educating them, and, in due season, doing all he could to further their advancement. The boy John continued at school in the North; the girls, Ann and Margaret, may have been brought up in London, perhaps in the household of John Wallace, their father's cousin.⁶⁶ Ann was described as of St James', Westminster, when in 1785 she married the Rev. Henry William Majendie,⁶⁷ a rising young cleric, who had previously been tutor to Prince William, afterwards King William IV. On the occasion of her marriage Dr Routledge settled £2,000 upon his niece.

There is no evidence that he practised after he returned home. His appointment in Bengal may have been a lucrative one, or he may have had opportunities of making money through trading ventures. In any event, there is little doubt that he prospered, and unlike most men of his generation in India, his health stood him in good stead. In 1794 he was living in Berners Street, at that time a fashionable residential quarter,⁶⁸ where he and his friend William Bensley⁶⁹ maintained a joint estab-

⁶⁶ If so, it would account for the very substantial legacy which their brother, John Routledge, left to him. Dr Routledge, too, left legacies not only to him, but also to his wife and two of his children. There is a pedigree of the Wallace family in Hodgson's *Northumberland* II iii 91-92. The Routledge-Wallace relationship came through the Sowerby family of Brampton. See also footnotes 116-122.

⁶⁷ Married at St George's, Hanover Square, 11 April 1785.

⁶⁸ See London & Middlesex Archaeological Society, NS IV for *The Berners Estate, St Marylebone*, by John Slater.

⁶⁹ William Bensley was created baronet "of Marylebone" 25 June 1801. See Burke's *Extinct & Dormant Baronetcies*. He was a director of the Hon. East India Co. from 1786 until his death in 1809. See also footnote 123.

lishment. Theirs was probably a friendship of long standing, for Bensley, too, had served in the Royal Navy. Perhaps they had been together on the same ship at one period? Both left the sea following the Peace of 1763, and both served in Bengal about the same time. John Routledge kept his own manservant and coachman, and in his will he mentions three other servants whom he shared with his friend. Everything points to the fact that he and William Bensley lived in considerable style and comfort.

John Routledge died about the last day of February in the year 1798, and as "John Routledge, Esquire", was buried on 5 March at St Marylebone.⁷⁰ The *Gentleman's Magazine* states he was in his 76th year. There is no inscription in the church to his memory, and the gravestones in the churchyard have been removed and the ground levelled over, but there is some evidence that there was one in the latter place.⁷¹ It has hitherto been assumed that Dr Routledge was a bachelor, but there is the possibility that he may have been married, though it is clear he was not survived by wife or child.

His will dated 19 June 1794,⁷² with two codicils, was proved at London on 13 March 1798 by his cousin John Wallace of Bedford Street, Covent Garden, and his friend William Bensley, the executors named therein. Subject to certain legacies and annuities to kinsfolk and servants, he left his estate equally between his nephew

⁷⁰ Marylebone parish register.

⁷¹ In the index to the Snell MSS. in the library of The Society of Genealogists there are three people of the name of Routledge, all appearing on p. 122 of v. III of that collection. They are C. Routledge, C. Platford Routledge and J. Routledge, and as v. III contained inscriptions from St Marylebone churchyard, it is presumed that these names appeared on a stone there. Unfortunately this volume has been missing from the Library since 1941. Also in the Snell MSS. is an abstract of the will of Thomas Joyce, a midshipman, who made his will when aboard H.M.S. St George on 5 January 1744-5 (pr. at London 28 January 1750-1). It was witnessed by John Wood, clerk, and John Routledge, the surgeon's mate. It is a singular coincidence that this abstract should appear in the same collection as the supposed M.I. to J. Routledge, who in all probability was the surgeon's mate who was a witness to the will.

⁷² See Appendix I.

John Routledge in the service of the East India Company in Bengal, and his nieces Ann Majendie and Margaret Routledge, his nephew taking Cumcrook and Baileyhead as part of his share.

Dr. Routledge stands out as the most likeable of the brothers. Shrewd and businesslike, he made a modest fortune, and appears to have been a thoughtful and kindly man. Many of his relations as well as his servants had cause to be grateful to him.

PART IV.

While his brothers Robert and John were in distant parts, Henry Routledge was tending his flocks and herds at home at Cumcrook, and generally acting as his father's right-hand man.

It seems probable that he was born about the year 1723, for presumably he was of age in 1744 when a certain William Routledge surrendered a messuage and tenement at Baileyhead to his use.⁷³ This farm, although it was held at the same ancient rent of 10s., should not be confused with the one owned by his father. Six years later he acquired another property in the same locality being found tenant of a holding at Baileyhead, held at a yearly customary rent of 6s. 8d.⁷⁴ From 1750 onwards he appears in the call-roll as the owner of two tenements at Baileyhead, and, as will be remembered, he also held Kinkerhill subject to the life interest of his parents.

In spite of the appearance of prosperity which the ownership of land gives, matters did not go well with Henry, and in 1758 he was said to be in very straitened circumstances. There are indications that he was living above his station in life. Of the three brothers his is perhaps the least attractive character. At this time he was courting a girl of seventeen, who lived in the household of Thomas Robson, a farmer, at Gunnerton,

⁷³ NFM.

⁷⁴ NFM.

Northumberland.⁷⁵ She was known locally as Betty Robson, but nevertheless insisted that her name was Carruthers, and that she was the daughter of a gentleman of fortune in Scotland. Routledge, there is little doubt, made enquiries about her history. Perhaps he heard something of her story from her guardian, Thomas Robson. Sir Walter Scott says that the latter was "talkative in his cups", and that the girl, herself, learned by degrees much of the mystery of her birth.⁷⁶ At any rate, it is clear that Henry looked upon her as an heiress, but at the same time, he may well have found her extremely attractive, for Scott says she "showed some spirit and sense above her fortune", and adds, that "being a pretty girl she did not want admirers." Betty or Elizabeth Carruthers, as she will henceforth be called, was flattered by Henry's attentions, and agreed to elope with him at a favourable time. Their opportunity came at Hexham fair,⁷⁷ held in the first week of August. From there they sought out her mother at Edinburgh, where, a week later, they were married.⁷⁸

It is now necessary to go back to the year 1731. In this year, a Scottish laird, Francis Carruthers, of Dormont in Dumfriesshire married Margaret Maxwell, daughter of Sir Alexander Maxwell of Monreith in Wigtownshire. After living together for nearly five years, without having any children, they made a settlement of their affairs in the form of a post-nuptial contract. Under the terms of this deed Francis became bound to secure his wife in a life rent annuity, and to take the necessary

⁷⁵ The account which follows of the litigation known as the "Dormont Case" and the happenings preceding it is based on the very full report which appears in *Reports of certain Remarkable Cases in the Court of Session and Trials in the High Court of Justiciary*, by Wm. Buchanan (Edinburgh, 1813). Other authorities are given in the footnotes. It is said that Scott used material from the case when he wrote *Guy Mannering*, but the resemblances appear to be slight.

⁷⁶ WS.

⁷⁷ Held on Tyne-green chiefly for cattle, horses and lambs. It was sometimes called the Grozer Fair from the large quantities of gooseberries offered for sale.

⁷⁸ Married 13 August 1758. (Decisions of the 1st and 2nd Divisions of the Court of Session, November 1810-November 1812, v. XVI.)

steps to settle his estate upon the heirs of the marriage, as well as to make provision for daughters. Five more years passed without any child being born to them, and it chanced that in the summer of 1740, Francis had business in England. He set out from Dormont on 18 August. His stay in England was a lengthy one, and during his absence his wife was unfaithful to him, apparently taking little trouble to hide the fact. It was not until his return home, in November, that he learned what had been taking place, whereupon he turned her out of his house, and commenced proceedings for divorce. His wife contested the case with great obstinacy, but adultery was clearly proved,⁷⁹ and a decree of divorce was pronounced. Meanwhile, Mrs Carruthers, on 28 May 1741, while the case was still proceeding, gave birth to a daughter. The child was baptized as Elizabeth Carruthers.

Francis refused to acknowledge the child as his, but, it would seem, undertook to take care of her. For several years she was boarded with one David Hozier in Leith, and then removed to the house of a woman in Craiglockhart for a short while. It seems Francis was determined to have her brought up in obscurity and to conceal the circumstances of her birth. For this purpose he employed a tenant of his own, named Walter Beattie, who, when Elizabeth was nine years of age,⁸⁰ took her to a remote place at Gunnerton in North Tynedale. There she was taken into the house of Thomas Robson who had agreed to board her for £5. 10s. per annum. He had strict instructions that she was to be brought up in a very humble manner, and on no account was she to be given any clue to her identity; moreover, she was to receive little education, no more, in fact, than would enable her to read the bible. In this situation Elizabeth remained until the summer of 1758, when, as already seen, she eloped with and married Henry Routledge.

⁷⁹ The co-respondent was James Bell, her husband's servant.

⁸⁰ WS says she was "about five years old" at this time.

Very soon after their marriage Henry sought legal advice as to his wife's rights under the marriage settlement of 1735. Under this contract, Francis was bound to settle his estate upon himself and his heirs male by Margaret Maxwell; whom failing, his heirs male by any subsequent marriage; whom failing, his heirs female by Margaret, and their heirs male, the eldest daughter and the heir male descending from her, always excluding the rest; whom all failing, to himself, his heirs and assignees whatsoever. Should the estate go to the heir male of a subsequent marriage, he was bound to provide for his daughters by the first marriage as follows: if an only daughter 18.000 merks or £1,000, and if two or more 20.000 merks to be divided among them as he should think fit.

Henry was advised that his wife should bring an action against her father, claiming as the only child of the marriage, the provision to which she was entitled under the marriage contract. This she accordingly did.⁸¹ In his defence, Francis Carruthers denied that Elizabeth was the daughter born to his wife; and said, even if she was, that she could not be held to be the legitimate off-spring of the marriage. After further proceedings, in which Mrs Routledge established her identity, the matter was settled by compromise, and she and her husband agreed to accept £650 "in full satisfaction of the whole provisions contained in the contract of marriage, or any other claim which they or any person deriving from them could pretend by vertue thereof". On this sum being paid over, they gave a complete discharge of all their claims. On the day following, 8 December 1759, Francis Carruthers made a new settlement of his estate, by which he conveyed it to himself and his heirs male, whom failing to William Carruthers and his heirs male, whom failing to his own nearest heirs male whatsoever.

⁸¹ Alexander Lockhart, afterwards Lord Covington, was counsel for the Routledges, and James Ferguson, later Lord Pitfour, acted for the Carruthers side. Both were very eminent lawyers.

Henry Routledge's affairs did not mend. The money received from Francis Carruthers was quickly spent, or swallowed up by creditors. Sir Walter Scott said "the young couple were not economists and distresses came thick upon them".⁸² There is also some suggestion that Henry met with misfortune shortly after his marriage, but the nature of this is not stated. The manor court books show that he was in financial difficulties. In the spring of 1760, he borrowed £300 on his reversionary interest in Kinkerhill,⁸³ the lender being a certain Mary Routledge, and three years later, he parted with his farms at Baileyhead. One, called Hillhead held at a yearly rent of 8s. 4d., he sold to George Dodgson of Stoneknowe in the parish of Bewcastle.⁸⁴ The other held at the same rent, and perhaps identical with Lordstown, was bought by Joseph Shortridge of Sowerbies,⁸⁵ who was probably acting on behalf of his brother-in-law, Thomas Davidson. Henry continued to live at Cumcrook, as tenant under his brother John, and it was there that three children were born to him and Elizabeth, a son and two daughters. Ill luck, however, dogged them, for Elizabeth died in the summer of 1768,⁸⁶ and five years later, Henry, then a prisoner in Carlisle gaol, also died.⁸⁷ The circumstances that led to his imprisonment are not known, but presumably he was a debtor. At the time of his death, he possessed little in the way of worldly goods, and no will or grant of administration has been found. He still had, however, an eventual interest in Kinkerhill, and this passed to his son, who on 3 May 1773 was found "Tenant by Descent".⁸⁸

⁸² WS.

⁸³ BM.

⁸⁴ NFM.

⁸⁵ NFM.

⁸⁶ Buried at Stapleton 8 June 1768.

⁸⁷ WS. No record of Henry's burial has been found at Stapleton or Carlisle.

⁸⁸ BM.

PART V.

The children of Henry and Elizabeth were baptized at Stapleton: Ann in 1761, John in 1763 and Margaret in 1765. Sir Walter Scott says they "became the object of the charity of a distant relation", but, as has already been noticed, the relation was only distant in so far as he was in India when their parents died. The boy entered Carlisle Grammar School in 1774 and remained there six years.⁸⁹ In 1783 he obtained a writership in the East India Company's service in Bengal.⁹⁰ Before setting sail his uncle, Dr Routledge, gave him a bundle of papers which he said related to a claim which his mother had to an estate in Scotland. The young man, who at this time knew nothing of his mother's history, left the papers with a friend in London and thought no more about them.⁹¹

John Routledge prospered in India and rose high in the service of the Company, eventually occupying at different periods the Collectorships of Behar, Benares and Bareilly.⁹² In 1802 he was on leave in England where he spent the next three years. Much of his time would be spent with his sisters who seem to have been greatly attached to him. His sister Ann's husband was now Bishop of Chester, and his sister Margaret, still single, probably lived with them or nearby. In London, too, he had relations and friends, chief among them his father's cousin John Wallace of Golden Square and his family, and his uncle John's friend William Bensley, now a baronet.

He visited Cumberland perhaps on several occasions, where, as well as having his kinsmen and friends, he owned Cumcrock, Kinkerhill and Baileyhead. His tenants were almost strangers to him, and he had to make their acquaintance. It may have been his visits there,

⁸⁹ CGS.

⁹⁰ See Appendix VI.

⁹¹ WS.

⁹² See Appendix VI.

perhaps accompanied by his Bengal servant Jaffier, that caused Robert Dodgson to refer to the Routledges of Cumcrook as an "opulent race",⁹³ but memories of John the surgeon may also have added colour to the picture. While in Cumberland he rented some grouse-shooting in Dumfriesshire, and by chance put up at a small inn only a short distance from Dormont.⁹⁴ The landlady, like many country people, had a good memory and was well versed in local lore and gossip. The name Routledge awakened memories of her youth, and "the chattering old Dame", as Scott calls her, gossiped with her guest about his family history. He knew nothing of what she told him, but his interest being aroused, he remembered the papers which had been given to him twenty years earlier. When next in London, he collected the neglected bundle and took it to his lawyers, with instructions to commence law proceedings if necessary.

By this time, his leave had almost expired, and on 1 February 1805 he sailed from Portsmouth to return to his duties in India. He was aboard an East Indiaman, the "Earl of Abergavenny", commanded by a fellow Cumbrian, Captain John Wordsworth, brother of the poet. The vessel, a fine one of 1200 tons burthen and with almost 400 persons on board, was bound for Bengal and China. Unfortunately, when only two or three days out, she struck on the Shambles off the Bill of Portland, and later sank. John Routledge was one of the ninety-odd survivors who managed to reach the shore on that dark and stormy night.⁹⁵ His next voyage must have been a happier one, for in October he was back at work in Bareilly.

Meanwhile, Lord President Blair, the Solicitor-General for Scotland, whose opinion Routledge's lawyers sought, advised that he had good grounds upon which to bring an action to gain possession of the Dormont Estate.

⁹³ RD.

⁹⁴ WS.

⁹⁵ *Newcastle Chronicle*, 16 February 1805, 9 March 1811.

Whereupon, on 1 February 1806, he was served heir, before the magistrates of Canongate in Edinburgh, to Francis Carruthers, his grandfather, in terms of the marriage contract of 1735. Francis had died in 1773, without contracting a second marriage, and Dormont was now owned by his great-nephew, William Thomas Carruthers, an infant. John Routledge proceeded to bring an action against him and his guardian, General Francis Carruthers, to set aside the settlement of the estate made by his grandfather in 1759. Routledge claimed that the settlement, and all subsequent conveyances, were in direct contradiction to the destination and obligations of the marriage contract in favour of the heirs of the marriage; and he maintained they were executed to defraud him of his just rights as the true heir. General Carruthers and his ward, on their part, brought a counter-action against Routledge to make void his service as heir, on the grounds that it had been clandestinely and irregularly carried through. The two actions seem to have been combined and were heard as one.

The proceedings which followed were involved and protracted, and many pleas of a delaying nature were advanced,⁹⁶ but the issues were really two. First, the effect of the discharge which Mrs Routledge and her husband had given in 1759. Did it extinguish her heirs' rights to the Dormont estate? And secondly, how far was the issue affected by the fact that the settlement made by Francis in 1759 had remained unchallenged for forty-five years? In order to secure a favourable verdict John Routledge had to satisfy the court on both counts. The case was first heard before Lord Balmuto,

⁹⁶ Counsel for Carruthers again said that Routledge's mother was not the person she had pretended to be, and repeated even if she was the daughter of Mrs Carruthers, she could not be the daughter of Francis. Among the proofs put forward by Routledge was one which said: "That, in the features of her face, she (his mother) had a remarkable resemblance to the said Francis Carruthers." The Carruthers side countered this by saying that instead of resembling Francis, she bore a strong resemblance to James Bell, the co-respondent in the divorce proceedings of 1741.

who found for Carruthers on the grounds that the discharge was valid. Against this decision Routledge appealed, and the action came before the First Division of the Court of Session, who upheld his appeal, and, on 19 February 1811, gave a verdict in his favour on both counts.

John Routledge was at home during the greater part of the proceedings. He left Bengal in or about the month of October 1807⁹⁷ and does not appear to have returned. He probably wished to be at hand to discuss matters with his lawyers should occasion arise, and no doubt was granted leave of absence by the Company. There is no evidence that he was present during the hearing of the case, but the verdict must have given him great satisfaction and cause for celebration. Unfortunately his triumph was shortlived. Sir Walter Scott says he gave a dinner to some of his friends and to his counsel, and was found dead in bed the following morning, having burst a blood-vessel.⁹⁸ He died at the home of his friend Major George Mounsey of Carlisle on 27 February 1811.⁹⁹

In marked contrast to his father, he died a wealthy man. His will was proved in London 27 March 1811 by Robert Mounsey and Edward Chippendale with power reserved to the third executor, John Palmer of Calcutta.¹⁰⁰ His sisters were the principal beneficiaries, and, apart from them, the only kinsmen he mentions are "John Wallace, the elder, of Golden Square, Esquire" to whom he left £3,000, and "Lieut. Col. Will Tomlinson of Carlisle" who received £1,000. His godson Ridge Wallace Routledge received £200, and his servant Jaffier £100. The remaining legacies, nearly all substantial ones, went to friends in India, and in England.

⁹⁷ Bengal Wills, 1811 pp. 325-329 and 332, *C.R.O.*

⁹⁸ *WS.*

⁹⁹ *Newcastle Chronicle*, 9 March 1811. He was buried at Stapleton 4 March 1811.

¹⁰⁰ See Appendix I.

Although John Routledge directed that all his lands¹⁰¹ be sold, and that the proceeds should become part of his residuary personal estate, Cumcrook, Kinkerhill and Baileyhead were heired by his elder sister Ann. This was in accordance with the long-established custom in the manors of Bewcastle and Nichol Forest, where lands could not be willed past the customary heir.

To return to the Dormont case. In spite of the verdict in favour of Routledge, the Carruthers side of the family were far from being beaten. They presented a petition to the Court of Session, "abounding with very powerful and original views", and asked the Court to reconsider its judgement. The case was reheard, Ann Majendie having been served heir under the marriage contract of 1735, taking the place of her brother. She was joined in the action by her husband, now Bishop of Bangor. The Judges delivered their opinions on 12 May 1812, three finding for Routledge and three for Carruthers. The case was then referred to Lord Armadale for his decision, who held that the discharge given by Elizabeth Routledge on 7 December 1759 was valid, and therefore the rights of her heirs were extinguished. The Majendies took the case to the House of Lords, and eight more years elapsed before a decision was reached, when finally the judgement in favour of the Carruthers side was confirmed.

Ann Majendie and her husband had a large family of thirteen children, of whom at least eight survived her. She appears to have been a cultured and intelligent woman, and to have led a happy life. She died 30 November 1839, aged 77,¹⁰² outliving her husband by nine

¹⁰¹ In addition to his Cumberland property he owned lands in the co. of Southampton. On the M.I. in Stapleton church he is described as "Lord of the Manor of Houghton in Hants.", but the *VCH Hampshire* is silent on his ownership of the manor.

¹⁰² M.I. at Speen in Berkshire. Bishop Majendie died 9 July 1830, and was buried at Longdon in Staffordshire. Ann Majendie's will is given in Appendix I. Among her descendants were several distinguished soldiers, notably Sir Vivian Dering Majendie, C.B., K.C.B. (1836-1898), and Major-General V. H. B. Majendie, C.B., D.S.O. (1886-1960).

years. In her will, which she seems to have drawn up herself, she alludes to her happy family, and goes on to say, "I have endeavoured to leave a lasting impression how very dear all my children have ever been to me; they have been most affectionate and dutiful children. I rank their conduct to me among the many blessings I have received from the giver of every good gift." Her sister Margaret died unmarried on 5 April 1839¹⁰³ at Angleseyville, near Gosport, Hants. She, too, made her own will,¹⁰⁴ which concludes with these words, "May the God of all mercy bless all I love, and may we all through the blessed Intercession of my Redeemer meet in those Heavenly Mansions where neither sickness or sorrow can be felt, and where I humbly hope I shall be when this paper is read."

All that now remains to be told is something of the descent of the Routledge lands in Cumberland. Robert Dodgson, writing in 1843, states that the owner at that time was the Rev. Henry Majendie, rector of Speen, Berkshire, one of the sons of Bishop Majendie.¹⁰⁵ He further adds that "the Heir at Law to the Routledges of Cumcrook was an elder brother, a Captain Majendie¹⁰⁶ who sold the property to his younger brother Henry." The latter was on the Register of Electors for East Cumberland in 1868/9, his qualification being freehold houses and land known as Cumcrook.¹⁰⁷ He died a bachelor 17 December 1869. His will dated 13 January 1859, with three codicils, was proved at Oxford on

¹⁰³ M.I. at Speen.

¹⁰⁴ See Appendix I.

¹⁰⁵ RD.

¹⁰⁶ His mother may have conveyed the property to him *c.* 1818-21, for presumably he is the "Wm. Majendie, Esqre." whose name appears in BM about this time. He died in his mother's lifetime. The Land Tax Assessments of 1829 give the proprietors names as follows:

Cumcrook—Robert Mounsey, Esq.

Netherhill—Bishop of Bangor.

Bailiehead—Bishop of Bangor.

Robert Mounsey appears no doubt as a trustee under the will of John Routledge. Netherhill is the name of the tenement at Kinkerhill.

¹⁰⁷ Although dead his name is also on the Register for 1870.

19 January 1870. It makes no mention of his property in Cumberland, which appears to have been heired by the Rev. H. W. Majendie of Steeple Aston, Oxford, who in 1873 was returned as the owner of 643 acres, 3 roods and 32 perches of land in Cumberland, the estimated rental being £331.¹⁰⁸ He has been identified, with a high degree of probability, as Henry William eldest son of the Rev. George John Majendie, rector of Heddington, who was the third son of Bishop Majendie. During the years 1875-1881 he was vicar of Holy Trinity, Barnstaple, and later of Tormohun in Devon. He was the last of the Routledge blood to own Cumcrook. In 1874 the name of Majendie disappears from the Register of Voters. It is presumed that he had then parted with Cumcrook, and it seems probable that Kinkerhill and Baileyhead also changed ownership about this time.¹⁰⁹

APPENDIX I.

Wills and Administrations.

1635/6. Feb. 13. Will of Robert Routledge of Cumcrooke, parish of Stapleton, "sick in body but whole in minde and in good and p'fect remembrance." . . . "To be buried in my p'ish churchyarde of Stapleton." . . . "All my goods movable and unmovable unto my wife blanch Routledge whom I make executrix." . . . "To my sonne John Routledge All my Tenement of Cumcrooke in the p'ish of Stapleton of the yearlie Rent of iis. viiid., and my Tenement of Kinkerhill in the p'ish of Bewcastle of the yearlie Rent of vs. And I leave my sonne John Routledge to pay unto his Brother Richard Routledge the some of xiii^l vi^s viii^d. I make Thomas Routledge, Allan Routledg, Andrew Willson and Thomas Willson Supervisors.

(No signature or mark)

Witnesses: John Storie of the Rigg, Thomas Routledge of Camerflat, William Sowerby.

Proved at Carlisle, 7 July 1637.

¹⁰⁸ *Return of Owners of Land in England*, 1873.

¹⁰⁹ In 1885 Francis Noble of Stocastead was the owner of Netherhill. (Register of Electors for North Cumberland.) The Registers of Electors and also the Land Tax Assessments are deposited in the Record Office, Carlisle.

1723. Dec. 9. Will of Robartt Routledge of Comcrok in the parish of Stapleton; . . . "to my Wife Six pounds yearly out of my Estait and two kine att her own choise. One hors att three pounds ten shi: prise and one third part of my household goods and one half of all my corn; ". . . to my daughter Margritt forty pounds and one third part of my household goods; . . . to my son John all the rest of my goods and chattels moveable and unmoveable and I do make him my sole Executor." . . .

(signed) Robtt. Routledge

Witnesses: Quintin Blackburn, John Graham.

Proved at Carlisle 1 February 1723/4.

29 January 1723/4. Inventory of all Goods and Chattels of Robert Routledge of Comcrook apprizd by Quintin Blackburn and John Graham.

	£	s.	d.
His horse & Apparel	7	0	0
13 kine, 3 calves, 1 Bull	33	0	0
25 Highland Stots ¹¹⁰	38	15	0
9 Stots and Heiffers	13	10	0
11 Stots and Heiffers	22	0	0
6 little Storks ¹¹¹	3	15	0
5 Horses	8	10	0
50 Sheep hoggs ¹¹²	6	10	0
2 Oxen	7	0	0
Oats & Bigg ¹¹³	24	0	0
Bedsteads & Bedding	8	0	0
Linnen, Pewter, Brass & Potts	6	0	0
Clock, Grate & Racks	2	12	0
Sattle, Tables & Chairs	1	5	0
One Arch ¹¹⁴ & Wool	1	13	4
Carts, Plough & plowgeer & Harrows	1	5	0
Wooden vessels & all other household Goodes	1	0	0
	185	15	4

Apprizers: Quintin Blackburn, John Graham.

¹¹⁰ A stot is a bullock.

¹¹¹ Stirk, a young bullock or heifer.

¹¹² A hogg or hog is a young sheep.

¹¹³ Bigg is barley, particularly the "four-rowed" barley.

¹¹⁴ Ark, a large chest; the wool was; probably stored in it.

1766. July. "On the motion of James Pleasants who gave bond and affirmation as the Law requires, certificate for obtaining a Probat of Administration thereof in due form was granted him." (The name of the person on whose estate James Pleasants was granted administration is omitted from the Order Book. It is presumed to be that of Robert Routledge.)

From the Court Records of Prince Edward County, Virginia (Court Order Book for years 1765-1767, page 92).

1766. July. "Ordered that David Murray, Thomas Auther, Marvel Stone and Obadiah Wright, or any three of them, do appraise in Current money the slaves and personal property of Robert Routledge, dec'd."

From the Court Records of Prince Edward County, Virginia (Court Order Book for years 1765-1767, page 93).

Prince Edward, Dec 1, 1766 . . . We the Subscribers appointed by the Court to Appraise the Estate of ROBERT ROUTLEDGE do return an Inventory thereof as follows . . . to wit:

	£	s.	d.
5 pieces Tand. Leather	1	0	0
A pair Cart Wheels with Carriage & part Harness	3	0	0
5 old Hoes 8/3 do. Poll axes 12/2 pr. Iron Wedges			
6/2 Trowel hoes 7/-	1	13	7
A Hand Bell 2/6 a Bryar Seithe etc. 5/-		7	6
A Hand saw 3/- a drawing Knife 2/- a broken Seithe & Cradle ¹¹⁵ 3/-		8	0
Plow Clevises Vise 5/- A Grid Iron 5/- a clover rake or Comb 1/6		11	6
A Chafing Dish 5/- a Tea Kettle & Trevett 10/-		15	0
A Shovel & Tongs 6/- a Bread Toaster 1/6 a meat roasting hook 2/6		10	0
A Ladle 1/6 a broken Cutting Knife & Box 5/- a pr. Bellows 2/6		9	0
Contents of a cupboard Consisting of broken china Tea pott Bowls Glasses Spoon etc.	1	10	0
1 Iron pott & hook 6/- 1 Do. Do. 12/6 1 frying pann 3/-		1	1 6
1 Iron oven 15/- 4 Pewter basons 7/6 3 tin Milk pans 4/6		1	7 0

¹¹⁵ Cradle. A light frame of wood attached to a scythe, having a row of long curved teeth attached to the blade, to lay the corn more evenly in the swathe.

The meanings of most of the out-of-date words used in this inventory can be found with the aid of a good dictionary.

A Dish cover & a cullender 2/3 a short brass candlestick 1/6	3	9
½ Doz. pewter Plates 7/- 4 forks & 5 Knives & box 3/6	10	6
½ Doz. Dishes 19/- a pair Sad Irons 4/-	1	3 0
A Churn 5/- a Sifter 1/- a small pail & a Large Cast 3/-	9	0
2 old chair frames 1/6 a Grindstone 2/6 a wash bason 1/3	5	3
An Iron hook for pott rack 1/3 a small coarse Bedstead 1/6	2	9
A bed in Outhouse with all furniture	1	10 0
A pr. Iron Candlesticks Snuffers & Extinguisher	4	0
A Lanthorn 2/- a broken Mortar & Pestle 3/-	5	0
5 Tin Canisters 3/6 a Tea Chest 5/- a tin candle box 2/6	11	0
A Copper Coffee pott 7/6	7	6
A broken Water pott a Tin Sugar box & a coffee pott	5	6
A pewter Chamber pott 2/6 2 Jugs & a butter pott 8/-	10	6
A Bible 2/6 Leeds (?) Sermons & Treatise on G. lands (?)	10	0
Raizor Strap Hone & Box	7	6
5 old brushes & Brooms of Diff. kinds	3	0
A pr. Doggs 16/- a pr. Saddle bags 5/- a work saddle 7/6	1	8 6
6 Sheep 36/- a Grey Mare £8. a black Horse £8	17	16 0
A bey Mare £5. A Large Bey Horse £15	20	0 0
A Small Bey Horse £2. 10 A Do. Bey Horse £1. 10	4	0 0
A black Colt £5. 14 Cattle £14. 17. 6	19	17 6
A Stack of Fodder & Shucks 25/- 3 Cocks of Blades 7/6	1	12 6
A parcel of Corn	5	12 (?)
Wearing apparel, Coats, waistcoats, breeches, Shirts, Cravats, Stockings & Caps	15	17 0
A Red Dulfel (?) Cloak 15/- A pr. Shoe Buckles & Spurs 25/-	2	0 0
A Bed Stead Cord, 1 Blankett 1 Rugg & a pr. Sheets	7	? ?
A Do. Quilt 3 pr. Blanketts & 4 pr. Sheets	(Obliterated)	11 0 0
<hr/>		
(end of page in book) Carrd. up £130	2	9
A Matrass 1-5-0 Towels & Table Cloths 10/-	1	15 0
A Case of 12 Bottles	1	0 0

A Coarse Walnut Chest 8/- a poplar Do. 7/6 a painted pine Do. 10/-	1	5	6
A Hair Trunk 25/- a Walnut Desk £3. 15	5	0	0
4 Bark bottom Chairs 8/- 4 yearling Cattle 20/-	1	8	0
A pine Writing Table 3/6 a poplar Do. 3/6		7	0
	<hr/>		
	141	1	?

Jas. Pleasant, Admr.

David Murrey
Marvel Stone
Obadiah Wright

At a Court held for Prince Edward County the 15th Day of December, 1766. This Inventory of the estate of ROBERT ROUTLEDGE, Dec'd, was returned to Court by the Admr. and ordered to be recorded.

John LeNeve, C.C.

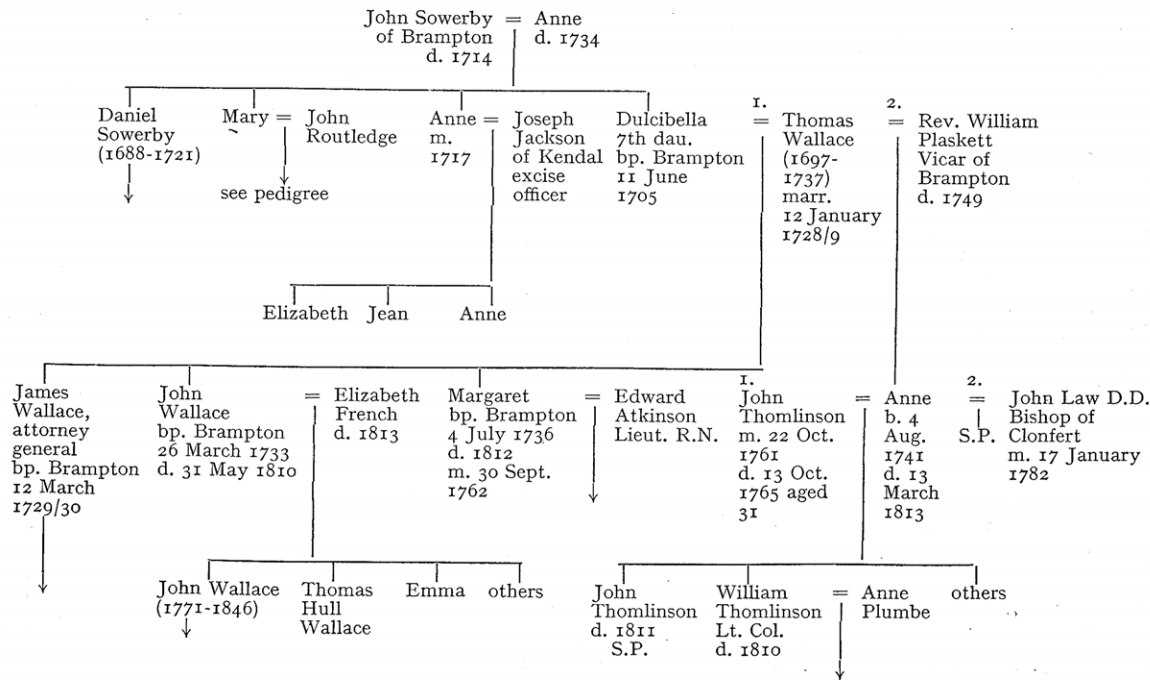
From the Court Records of Prince Edward County (Will Book I, page 88).

1766. Sep. 15. Administration of the estate of Robert Routledge, formerly of Cumcreek in the parish of Stapleton, but late of Cumberland County in James's river in Virginia, Bachelor, deceased, granted to Mary Routledge of Cumcreek, Widow (his mother and next of kin). Bondsmen: Henry Routledge of Cumcreek, Gent. and James Routledge of the City of Carlisle, Mercer. (Mary Routledge makes a mark, the other two parties sign their names.)

From Carlisle Probate Records.

1794. June 19. Will of John Routledge of Cumcreek in the County of Cumberland, residing in Berners Street in the County of Middlesex, Esquire. To my Sisters Margaret Routledge and Mary Routledge each one annuity of £50 during their respective lives; upon the death of either of them, the annuity of her so dying shall be paid to the Survivor during her life; to my Cousins Elizabeth Jackson and Jean Jackson each one annuity of £10 during their respective lives; upon the death of either of them, the annuity of her so dying shall be paid to the Survivor during her life; to my Cousin Ann Jackson an annuity of £10 during her life. To John Routledge the reputed Son of my late eldest Brother Robert Routledge £400; to my Godson Thomas

SOWERBY, WALLACE & THOMLINSON.



Wallace,¹¹⁶ Son of John Wallace,¹¹⁷ one of my Executors £100; to my God daughter Emma Wallace¹¹⁸ Daughter of the said John Wallace £100; to my Godson William Thomlinson¹¹⁹ £100; to my Cousin Margaret Atkinson,¹²⁰ Widow £50; to my Cousin Ann Law, wife of Dr. John Law, Bishop of Killala and Achoury in the Kingdom of Ireland,¹²¹ and to Elizabeth the wife of the said John Wallace £50¹²² each. To each of my Executors £100; to my servant Luke Sturges, if he shall be with me at the time of my decease, £100, and all my Cloathes and Wearing Apparel; to my coachman William Beard, if he shall be with me at the time of my decease, £20; the residue of my property equally between my Nephew, John Routledge, in the Service of the East India Company in Bengal, and my two Nieces, Ann now the wife of Henry William Majendie, clerk, Doctor of Divinity, and Margaret Routledge, . . . part of such property consists of two Customary Estates in the county of Cumberland called Cumcrook and Baileyhead . . . and shall be estimated at the value of £2000 . . . Upon the marriage of my said Niece Ann with the said Doctor Henry William

¹¹⁶ He was Thomas Hull Wallace (1774-1800), Madras Civil Service. See C. C. Prinsep, *Records of Services of the Honourable East India Company's Civil Servants in the Madras Presidency* (1885).

¹¹⁷ John Wallace (1733-1810) is described in Burke's *Landed Gentry*, 1847, ii 1495, as "an eminent contractor in London", a Middlesex magistrate and treasurer of the Westminster Lying-In Hospital. He died 31 May 1810, aged 77, m.i. St Paul's Church, Covent Garden. For Elizabeth his wife, see footnote 122. See also an article by C. Roy Hudleston in *Notes & Queries* clxi 283.

¹¹⁸ 4th daughter of the last. Born 1781, married 18 June 1808 Richard Taylor of the War Office.

¹¹⁹ Younger son of John Thomlinson of Blencogo by Anne Plaskett (see footnote 121). He was a lieutenant-col. in the 18th Light Dragoons, married Anne Plumbe and died in 1810 leaving two daughters. There is a pedigree of Thomlinson of Blencogo in SS 118 66.

¹²⁰ Only sister of John Wallace, mentioned above. Bap. Brampton 4 July 1736, married there 30 September 1762 Lieut. Edward Atkinson, R.N., and died 1812/13, leaving issue.

¹²¹ Anne Law was half-sister of John Wallace above, and of Margaret Atkinson. She was daughter of the Rev. William Plaskett, vicar of Brampton 1747-50, who married at Arthuret 1 September 1739 Dulcibella, daughter of John Sowerby of Brampton, and widow of Thomas Wallace, attorney. Anne married (1) John Thomlinson and by him was mother int. al., of William Thomlinson, for whom see footnote 119. She married (2) John Law, D.D., Bishop of Clonfert, and died his widow at Hazlebrook, co. Roscommon, on 13 March 1813.

¹²² She was wife of John Wallace, see footnote 117, and only surviving child of Robert French, the last of Frenchland in Scotland. There is a full pedigree of this family in Burke's *Landed Gentry* iii (1849) 303-308. It is there stated that Robert French was born in 1705, and died in London 23 July 1758, having by commerce "acquired a respectable fortune". His wife was Elizabeth, daughter of Christopher Hull of Brampton. She died 8 June 1756, aged 47. Their daughter, Elizabeth, was born 1 January 1746, and married John Wallace at St Clement Danes, London, on 6 March 1764.

Majendie I engaged to advance for her £2000 upon her said Husband advancing the like Sum to be settled for the purpose of the said Marriage . . . I appoint John Wallace of Bedford Street, Covent Garden in the County of Middlesex, Woolen Draper and William Bensley¹²³ of Berners Street, aforesaid, Esquire, Executors.

Wit.

(signed) John Routledge

Alexr. Johnstone

John Irving.

1796. Nov. 11. I John Routledge make this Codicil to my Will, which Codicil I write with my own hand. I give to Elizabeth, one of her Christian names, my God Daughter and Daughter of Henry William Majendie, Doctor of Divinity and Ann his wife, £500. I give to John, one of his Christian names, my Godson and Son to the said Henry William Majendie and Ann his wife, £500. I give to Luke Sturges if Servant to me at the time of my decease £200 in addition to £100 which I give him by my Will. I give to Hannah Pashley if Servant to Mr. Bensley and me at the time of my Decease £50. I give to Arabella Macklam if Servant to Mr. Bensley and me at the time of my Decease one years wages. I give to Sarah Beard if Servant to Mr. Bensley and me at the time of my Decease one years wages. I give to my two Nieces Ann Majendie and Margaret Routledge all my Rings in a Shagareen (*sic*) Case and the Diamonds with which they are set to share alike. I give to my Nephew John Routledge in the Service of the East India Company in Bengal my Gold Watch. I give to Doctor Henry William Majendie my Gold Shoe¹²⁴ and Shoe Buckles and Gold Stock Buckle.

(Not witnessed).

(signed John Routledge

1798. Jan. 23. Codicil to Will, dated 19th June, 1794. My Sister Margaret Routledge having died since the making of my Will, I declare that the Annuity of £50 given to her therein shall go and be paid to my said other Sister Mary Routledge during her life. I revoke and make void the Legacy of £400 given by my said Will to John Routledge the reputed Son of my late eldest Brother Robert Routledge; in lieu thereof I give him one Annuity of £12.

Wit.

(signed) John Routledge

Edw. Chippindale, Inner Temple

Edw. Elliott.

¹²³ See footnote 69. Some details of his life, and an abstract of his will (P.C.C. 867, Loveday) are printed in *The Genealogical Monthly* i 141-142.

¹²⁴ An ingot of precious metal, somewhat in the form of a Chinese shoe.

1798. March 10. Affidavit by William Evance of Bedford Street, Covent Garden, Co. Middlesex, Gentleman and James Stockall of the same place, Gentleman that the whole of the Codicil dated 11th Nov., 1796 is in the proper hand writing of John Routledge, Esquire, deceased.

1798. March 13. Proved at London in the P.C.C. by John Wallace and William Bensley, Esquire, the Executors.

(From P.C.C. Walpole).

1810. Feb. 23. Will of John Routledge¹²⁵ of the Honorable East India Company's Service in the Bengal Establishment, but now in London. I bequeath my personal Estate of every description to the following Trustees, John Palmer, Esq. of Calcutta,¹²⁶ Robert Mounsey¹²⁷ of Carlisle, Gentleman and Edward Chippendale of the Temple, to pay thereout in the first place the following legacies, that is to say to John Wallace the elder¹²⁹ of Golden Square, Esq., £3000; to George Cumming, late of Berners St., Esq., £2000¹³⁰; to Major George Mounsey¹³¹ of Carlisle £2000; and to his brother Robert Mounsey of Carlisle £2000; to John Palmer, Esq. of the House of Trail, Palmer & Co. of Calcutta £2000; to David Colvin¹³² of the House of Colvin & Co. of Calcutta £2000; to Major H. O'Donnell¹³³ of the Bengal Establishment £1000; to Lieut. Col. Will Tomlinson of Carlisle £1000¹³⁴; to my godson Ridge Wallace Routledge¹³⁵

¹²⁵ The original will is endorsed: "This will produced at hearing of cause Majendie v. Mounsey this 22nd July 1830."

¹²⁶ For John Palmer (1767-1836) see Holmes & Co., *The Bengal Obituary* (1851), 266-268.

¹²⁷ Son of George Mounsey, attorney of Carlisle, and brother of George Stephenson Mounsey, *q.v.* An attorney in Carlisle, he lived at Castletown near Carlisle and died 26 July 1842.

¹²⁹ See footnote 117.

¹³⁰ BO i 426 mentions a George Cumming as brother of Lieut. Hugh Cumming, 12th Batt. Sepoys (died 1793), and cousin of David and John Colvin. See also Sir William Bensley's will.

¹³¹ Eldest son of George Mounsey, attorney, of Carlisle. See BO iii 347-348. He died in Abbey Street, Carlisle, 16 May 1838. Major Mounsey was a great collector, and his 500 pictures, prints, carvings, bronzes, coins, shells, precious stones and china were auctioned in the Assembly Room, Coffee House, Carlisle, 27 August 1838.

¹³² See footnote 130.

¹³³ His career is given in BO iii 414-415.

¹³⁴ See footnote 119.

¹³⁵ His parentage is not known. In an earlier will, dated 22 January 1805, John Routledge left him £1,000. He was perhaps the son of a Cumbrian who had migrated to London and may have been born there c. 1802-4. The baptism (3 April 1757) of Rigg, son of John Routledge of Pridomstown, is recorded in Bewcastle parish register.

£200; to the Rev. Archdeacon John Owen of Islington £1000; to my Bengal servant Jaffier £100 and to Edward Chippendale of the Temple, solicitor, £300, and subject thereto upon Trust, to pay to my sister Mrs. Ann Majendie, now the wife of the Bishop of Chester, during her life the interest or annual produce of one moiety thereof; and after her decease, for all the Daughters of my said sister, now living or to be born, to be equally divided amongst them. As to the other moiety of my residuary personal estate upon Trust for my sister, Margaret Routledge, should she die without lawful issue living at her decease, upon Trust for such of the Daughters of my said sister Ann Majendie as she the said Margaret Routledge by Deed, Will or Writing shall appoint; and for want of such appointment, equally between all the Daughters of my said sister Ann. All my real Estates to Robert Mounsey and Edward Chippendale, and I will and direct that they shall stand seized of the same in Trust to sell and dispose thereof in such manner as they shall think fit as soon after my decease as may be, and I will and direct the clear produce shall fall into and be considered as part of my residuary personal Estate bequeathed as above. I appoint the said John Palmer, Robert Mounsey and Edward Chippendale, Executors.

(signed) J. Routledge

Witnesses: Josh. Chippendale, 29, Chancery Lane, Geo. Wm. Brown, Tower royal, Alexr. Brown, clerk to E. Chippendale. Proved at London 27 March, 1811 by Robert Mounsey and Edward Chippendale, Esqrs. two of the Executors; power Res^d to John Palmer the other Executor. Probate granted to John Palmer at Calcutta 19 October 1811. (Bengal Wills, 1811, pp. 401-408, India Office Records, C.R.O.)

(From P.C.C. Crickatt).

1826. May 3. Will of Margaret Routledge. Whereas by the Will of her "dear and ever lamented brother John Routledge of Cumcrook, cb. Cumberland" she is empowered to dispose of the money so left provided that it all goes to "the daughters of my dear and only sister Ann Majendie, wife of the Lord Bishop of Bangor. I declare that half of the said money goes to my eldest niece Elizabeth Margaret Majendie, be she married or single", and the other half to be divided among her (Margaret Routledge's) remaining nieces share and share alike. Besides the money so disposed of she has two thousand pounds in 3% Consols which she makes over in Trust to her nephew the

Rev. Henry William Majendie and her niece Elizabeth Margaret Majendie "to be disposed of as I shall hereafter appoint. I also appoint them my joint Executors". (signed) Margaret Routledge. at Dawlish, 3rd May, 1826, witnessed by me (signed) William Burt of Dawlish.

"Since this was written I have added five hundred pds to the £2000 making in all £2500 in Trust to my Executors."

1836. Octr. 7. "Having in a separate sheet of paper (called my will) disposed of the money I have from my ever dear Brother and made over in Trust to my Executors, the Revd. H. W. Majendie and Elizabeth Margt. Majendie now the wife of J. C. Taylor, Esqr. the two thousand five hundred pounds I have in 3% Consols, I herewith dispose of the said £2500." To my 3 Nephews the Revd. George John — the Revd. Stuart and John Routledge Majendie to each £150. To Henry Cotton £100. To my Godson Henry Walker the son of Major Walker R. M. £50. To my very dear Friend Mary Hume £50 more as a proof to her that she was in my remembrance at this time as she has long been in my affection. To my old Friend Lady Thomas £50 or if she shd. have been called to her Heavenly rest to her Daughr. Mary Thomas. To the excellt. Mrs. Mexley (? Mealy) of Bangor £30. To Charlotte Fitzmaurice £50 and to her Son Routledge being one of his names £50. To my dear Friend (*sic*) Anne Cheveley Emily Ann Ford and to Charlotte Weston Isabella Williams and Frances Mathews each of them £25 for a Ring (for which I have left Hair) or any other trifle they may prefer. I have in hand belonging to my very faithful old Sert. S. Button I believe more than £400, but she has an acknowledgt. in my handwriting, this to be paid with £200 as a token of my regard. My dear Nephew Henry Majendie will accept £200 as a small return for the trouble I am giving him. My ever dear Elizth. M. Taylor I leave my Residuary Legatee. . . . Shd. there be anything informal in the way I have made my bequests I can only hope they will not occasion any trouble indeed there is nobody likely to interfere or dispute any bequest of mine. I have many I wd. like at rememr. but I fear I have already willed more away than I ought. One thing I am sure my ever dear Elizth. will not fail to give to any Sert. or Servants who have been about me at the last. . . . (signed) Margaret Routledge. Anglesey Ville, 7 Oct. 1836.

1839. May 7. Affidavit by Brown Collison of Fleet Street in the City of London, Gentleman and Eliza Majendie, Spinster

of Anglesey Ville near Gosport that the Will and codicil, etc. are all in the handwriting of Margaret Routledge spinster, deceased; she died on or about 5th April, 1839. (Eliza Majendie was sworn on 9th May.)

1839. May 11. Proved at London by Rev. Henry William Majendie, clerk, one of the Executors to whom Admin. was granted; power reserved to Elizabeth Margaret Taylor, widow (formerly Majendie) the niece, the other Executor.

(P.C.C., Vaughan).

1836. April 19. Will of Ann Majendie.¹³⁶ "My children have all been dutiful and affectionate." . . . "As to all monies over which I have any power or right of disposal under my marriage settlement or under the will of my late uncle John Routledge I bequeath the same to all my children living at the time this my last Will is made in equal shares and proportions." As to all other my personal estate over which I have any power not having before exercised I give and bequeath as follows:

To my Son Henry William	£3000 stock
To my Son George John	£6000 stock
To my Son Stuart	£3000 stock
To my Son John Routledge	£3000 stock

for their entire use and benefit for them and their children. As my eldest Daughter Elizabeth takes a considerable sum of money under the Will of my late Brother John Routledge and as she will Inherit largely from my Sister I pass her over not from any feelings but of Justice; my Daughters Inherit largely from their Uncle which is my sole reason for not considering them as I have done my Sons. I give to my Daughter Katherine £500 stock; to my daughter Isabella Mary five hundred pounds; to my daughter Louisa £500 stock; to my Grandson Henry James Cotton £3000 stock; to my Grandson Froude William Hewett £2000 stock; to James Cotton Dean of Bangor two hundred stock; to my beloved Sister M. Routledge two thousand; to Mrs. Mealy £50; to Mr. Bunn Colhon fifty if he shd. not survive me I beg the above sum may go to his son Godson of my late beloved Husband; to my God Daughter Anna Clinton two hundred to my G. Daughter Emma Clinton two hundred; to

¹³⁶ This is a long will written, as indeed is that of her sister, as she talked. Sometimes it is not clear whether she intends to bequeath stock or a legacy in sterling.

my God Daughter Louisa Hewett two hundred; to my God Daughter Elizabeth Anne Majendie two hundred; to my Godson Frank Lear two hundred; to my God daughter Anne Majendie two hundred and to each of my Grand daughters Daughters of my beloved William two hundred. To all my Sons & Daughters who have Schools for Poor Children £20 each. To the Poor of the parish where I die £20. To my daughter Elizabeth the silver French coffee Pot the Article she always admired. My Daughter Katherine I believe to be well supplied with Family Plate; to my Daughter Isabell a Pr. of silver Dishes; to my Daughter Louisa the Tea Caddy & the Bracket Clock; with regard to the other Articles of Plate not mentioned or heretofore disposed of I am sure my two Sons whom I appoint as my Executors will take what they think proper & make a just distribution of the remainder . . . If my Sister should survive me I wish her to have any or all of any furniture I possess. Whatever property I have not disposed of I beg my Executors will take & do with it as they think proper; the only Trinket of any value is the Diamond Ear Rings a present to me from Mrs. Majendie they were sett & valued at the time by Rundell at £300. I beg they may be disposed of as my Sons think proper . . . If Miss Headlam is with me at my death I wish a small mark of my regard of £20 be presented to her. My Servants those who have been with me one year a year's Wages . . . My wish would have been that my mortal remains should have rested in Longdon Church by my late beloved Husband, but this I leave entirely to the direction of my Sons . . . In this my last will what I may have neglected I entirely depend upon my two Sons to fulfil . . . I have had some serious warnings lately that my time here cannot be long. I appoint my two eldest Sons my Executors & my residuary legatees . . . I have hereto set my hand & seal not as before stated on the 19 April but on the 29 August 1836.

(signed) Anne Majendie

Witnesses: Paddon (? Faddon), Curate of the parish of Alverstoke, co. Hants 29 August 1836. Margaret Headlam, Governess. Proved 1840.

(Copied P.C.C., Arden Somerset House).

APPENDIX II.

Reasons for believing that Robert Routledge of Cumcrook and of Cumberland county, Virginia, and Robert Routledge of Prince Edward county, Virginia, were one and the same person.

(1) Both died about the same time — Robert of Prince Edward county on 3 June 1766 and administration of the goods of Robert of Cumberland county, Virginia, was granted in England fifteen weeks later, on 15 September 1766.

(2) Robert of Prince Edward county died in Cumberland county, Virginia, and it is presumed that Robert of Cumberland county also died there.

(3) Both died suddenly. Robert of Prince Edward county was murdered, and the fact that Robert of Cumberland county, Virginia, made no will, although far from his kin and home country, implies that he too died suddenly.

(4) Both were about the same age. Robert of Cumberland county was verging on fifty years of age when he died. The picture of Robert of Prince Edward county emerging from the pages of *The Virginia Gazette* is of a man in middle life.

(5) Both were bachelors. Robert of Cumberland county certainly was, and throughout the long correspondence in *The Virginia Gazette* there is no suggestion that Robert of Prince Edward county left a widow or children.

(6) Both were immigrants into Virginia. Robert of Cumberland county emigrated from Cumberland in England. Robert of Prince Edward county "removed hither (to Virginia) from his native country, far from any relation". (VG, 29 August 1766.)

(7) Col. Chiswell called Robert of Prince Edward county "a fugitive rebel" which suggests that he arrived in Virginia shortly after the 'Forty-five Rebellion. It is not known when Robert of Cumberland county arrived in Virginia. He was in England c. 1744/5, but thereafter no trace of him has been found in his native country.

(8) Col. Chiswell believed Robert of Prince Edward county to be a Scot. Robert of Cumberland county was born in England six miles south of the Scottish border. In speech, in habits and often in religion, the Scottish borderer and his English counterpart were the same.

(9) Robert Routledge of Prince Edward county may have lived in Cumberland county at one period of his life. The counties adjoin, and it should not be overlooked that James

Pleasants, the administrator of Routledge's estate lived in Cumberland county, as did John Pleasants, son of Routledge's partner.

(10) The surname of Robert Routledge of Prince Edward county appears consistently as "Routledge" or "Routlidge", the common form of the name in England at this period. The Irish form "Rutledge" was usual in Virginia at this time.

APPENDIX III.

Robert Routledge — Purchase of lands in Virginia.

Prince Edward County, Virginia, Court Records:

Deed Book No. 2, page 175 — Deed dated October 17, 1763 — Henry Haynes and Mary his wife of Bedford County, convey to ROBERT ROUTLEDGE of Prince Edward County for 50 pounds a tract of 218 acres in Prince Edward on the South branches of the Appomattox River — it being part of a tract of 2977 acres granted Edward Nix late of Prince Edward and said 218 acres by him said Edward Nix and George Nix conveyed to David Murray and by said Murray sold to sd. Henry Haynes — Some of the lines mentioned in this deed are: "On Edward Nix's line to a corner white oak which is the line of the land and sd. Nix acknowledged to JOHN PLEASANT, then down the creek called Plain Run to a corner."

Witnesses: Obadiah Wright, Marvel Stone, Deverix Jarratt.

Deed Book No. 2, page 254 — Deed dated November 19, 1764 — Deverix Jarratt of Prince Edward County conveys to ROBERT ROUTLEDGE of the same County for 35 lbs. 200 acres in Prince Edward, part of a tract containing 2977 acres granted to Edward Nix by patent in 1745, July 10th.

Witnesses:

Signed Deverix Jarratt

Robert Williamson

Elizabeth X. Jarratt

Benj. Arthur

James Murry.

Deed Book No. 3, page 24 — Deed dated October 21, 1765 — Robert Williamson and Frances his wife of Bedford County convey to ROBERT ROUTLEDGE of Prince Edward Merchant for 100 lbs. a tract on the southside of the Plain Run in Prince Edward and joining the sd. Plain Run — the Quantity being 500 acres more or less "on Pleasant's line, on Edmond Franklin's line, on May's branch, etc.".

No witnesses listed.

Deed Book No. 3, page 25 — Deed dated October 21, 1765 — Marvel Stone of Prince Edward conveys to ROBERT ROUTLEDGE (no residence given) for 70 lbs. a tract of 354 acres on the southside of Appomattox River in Prince Edward County — it being part of 604 acres granted to Jacob Winfree by patent Dec. 7, 1758. "To pointers in Nix's line, Henry Dykes' line, etc."

No witnesses listed.

Note by Mrs M. H. Morton: The index to grantors shows no deeds of conveyance from Robert Routledge or Rutledge. No deeds from James Pleasants as administrator of Robert Routledge. There is no will to show disposal of all the above lands.

APPENDIX IV.

Col. John Chiswell.

From: *Virginia Magazine of History and Biography* iv (January 1897) 359.

"Charles Chiswell was clerk of the General Court in 1706. He lived in Hanover and died April, 1737, aged 60, leaving his son John his executor. The son, Colonel John Chiswell, was for a number of years one of the most prominent men of the colony. He was a member of the House of Burgesses from Hanover County in 1744, 1748, 1752, 1753, 1754, 1755, 1756, 1758 and probably in other years, and was actively engaged in lead and iron mining. He married Elizabeth (who died February, 1776, aged 54), daughter of Colonel William Randolph, Jr., of 'Turkey Island', and had issue: I. Susanna, married, first, John Robinson, Speaker of the House of Burgesses, and second William Griffin; II. Mary, married, 1766, Warner Lewis, of 'Warner Hall'; III. Elizabeth, married Charles Carter, of 'Ludlow', Stafford county; IV. Lucy married Colonel William Nelson, of 'The Dorrill'. She was born August 3, 1752, and died April 14, 1810. Colonel Chiswell killed in 1766 in an affray in a tavern a Scotch gentleman, Robert Routledge, and was committed to prison to wait trial, but committed suicide."¹³⁷

¹³⁷ He died 15 October 1766. Several correspondents in *The Virginia Gazette* spoke well of him, one saying "And Col. Chiswell has had a very fair character, and has many good qualities, and was well respected and beloved by all in general that were acquainted with him, . . ." VG 10 October 1766.

APPENDIX V.

List of notices of the death of Robert Routledge appearing in copies of *The Virginia Gazette* in the library of the Virginia Historical Society.

Purdie and Dixon,¹³⁸
Virginia Gazette.

20 June 1766, page 2, column 3; 18 July 1766, page 2, columns 1, 2 and 3 and page 3, column 1; 25 July 1766, page 1, columns 1 and 2; 15 August 1766, page 2, column 2; 22 August 1766, page 2, column 1; 29 August 1766, page 2, columns 1, 2 and 3; 12 September 1766, page 2, columns 2 and 3; 19 September 1766, page 2, columns 1, 2 and 3; 10 October 1766, page 1, columns 1 and 3 and page 2, columns 1 and 2.

APPENDIX VI.

John Routledge (1763-1811) — Details of his service in India.
(From Dodwell & Miles, *List of Bengal Civil Servants, 1780-1838*.)

Date of Rank as Writer. 7 August 1783.

1785 . . .	Assistant to the Resident at Hydrabad.
1786 . . .	Assistant in the General Treasury.
1787 . . .	Assistant to the Committee of Treasury.
1788 May 18	Deputy Civil Pay-master.
1788 December 4	Commissioner of the Court of Requests.
1789 April 22	Second Assistant to the Collector of Tirhoot.
1793 May 1	Collector of Behar.
1796 September 25	Collector of Benares.
1802 at Home.
1805 Returned to India.
1805 October 4	In charge of the Collectorship of Bareilly.
1806 April 21	Collector of Bareilly.
1807 Out of Employ.

Resigned January 26,¹³⁹ in India, and died February 27 1811 in Scotland.¹⁴⁰

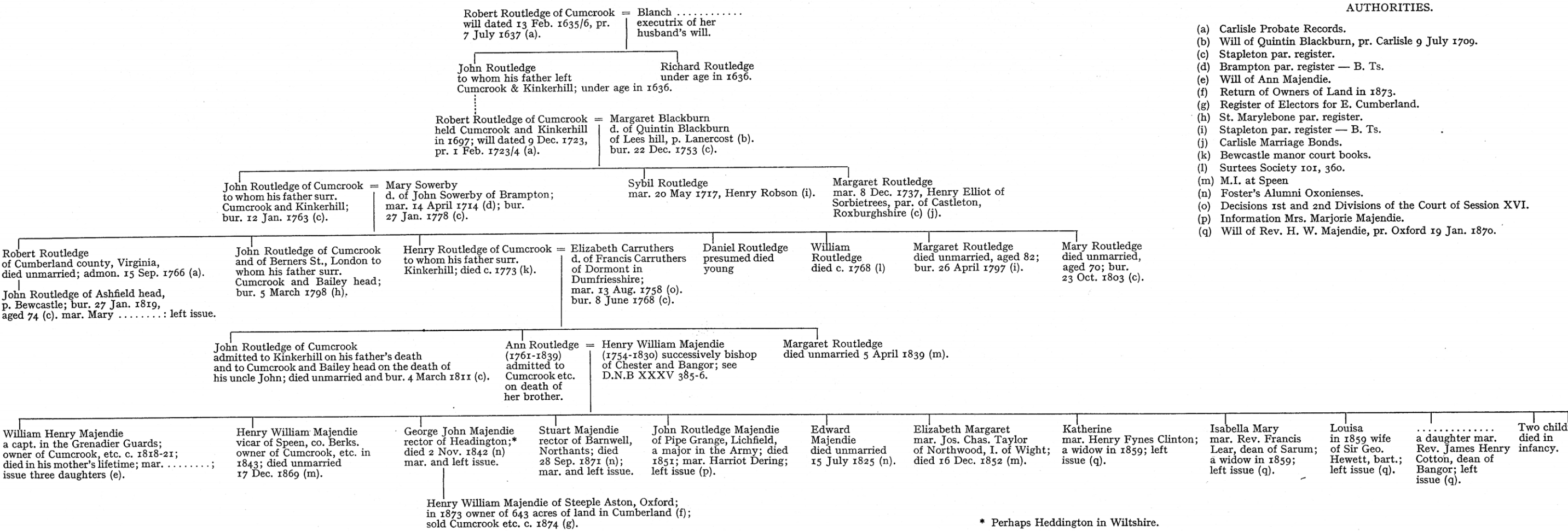
¹³⁸ Purdie and Dixon were the publishers of *The Virginia Gazette* at this time. It was printed at Williamsburg. A rival paper was also being published by a Mr Rind.

¹³⁹ Should this read January 26. 1809? The late Major V. C. P. Hodson in a note, some years ago, gave his service as 1783-26 January 1809.

¹⁴⁰ He died at Carlisle.

AUTHORITIES.

- (a) Carlisle Probate Records.
- (b) Will of Quintin Blackburn, pr. Carlisle 9 July 1709.
- (c) Stapleton par. register.
- (d) Brampton par. register — B. Ts.
- (e) Will of Ann Majendie.
- (f) Return of Owners of Land in 1873.
- (g) Register of Electors for E. Cumberland.
- (h) St. Marylebone par. register.
- (i) Stapleton par. register — B. Ts.
- (j) Carlisle Marriage Bonds.
- (k) Bewcastle manor court books.
- (l) Surtees Society 101, 360.
- (m) M.I. at Speen
- (n) Foster's Alumni Oxonienses.
- (o) Decisions 1st and 2nd Divisions of the Court of Session XVI.
- (p) Information Mrs. Marjorie Majendie.
- (q) Will of Rev. H. W. Majendie, pr. Oxford 19 Jan. 1870.



Abbreviations.

BP	J. Bain, <i>Calendar of Border Papers</i> , 2 vols.
PNC	<i>The Place-Names of Cumberland</i> , ed. Armstrong, Mawer, Stenton and Dickinson.
A	<i>Archaeologia</i> .
SBL	R. P. Sanderson, <i>Survey of the Debateable and Border Lands</i> , 1604.
SS	Surtees Society.
SP	State Papers.
BM	Bewcastle manor court books.
NDC	R. S. Ferguson, <i>Miscellany Accounts of the Diocese of Carlisle</i> , by Wm. Nicolson.
NFM	Nichol Forest manor court books.
RD	Robert Dodgson, <i>A History of the Dodgsons of Dodgsonstown, etc.</i> (MS., 1843).
WS	Letter from Sir Walter Scott to Lady Abercorn, 21 May 1813. (<i>The Letters of Sir Walter Scott, 1811-1814</i> , ed. H. J. C. Grierson.)
VG	<i>The Virginia Gazette</i> .
PEC	Prince Edward County Court Records.
CGS	G. B. Routledge, <i>Carlisle Grammar School Memorial Register</i> .
CR	D. G. Crawford, <i>Roll of the Indian Medical Service, 1615-1930</i> .
PDRC	Press Lists of the Public Dept. Records, Calcutta, 1748-1800, per the late Major V. C. P. Hodson.
BO	V. C. P. Hodson, <i>List of the Officers of the Bengal Army</i> , 4 vols. (1927-1947).

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