

ART. XIX.—*Dalston family documents*. By C. ROY
HUDLESTON, F.S.A.

Read at Carlisle, September 3rd, 1965.

IN CW2 lv 172 I have mentioned the sale at Messrs Sotheby's on 4 February 1952 of a collection of some 75 Westmorland documents, formerly preserved at Sands Hall, Sedgefield, co. Durham, the home of the Ord family. These documents (Lot 80) were acquired by a member of our Society, and included in the lot were 14 Durham documents, which the purchaser handed over to the University Library, Durham.

On 3 April 1950 the University Library had acquired Lot 159 at Sotheby's sale. This lot consisted of about 50 documents, which had also been preserved at Sands Hall, chiefly relating to land in Morden in the parish of Sedgefield, co. Durham. The lot also included seven documents relating to the Dalston family, the existence of which were unknown to me when I wrote my paper, *The Dalstons of Acornbank* in CW2 lviii 140 ff.

On 11 March 1952 at Messrs Sotheby's sale Lots 250 (which contained 15 documents largely relating to Sedgefield) and 251 (a collection of 40 documents relating to properties in Cumberland and Westmorland) from the same source were auctioned and were bought respectively by the University Library, Durham, and by the purchaser of Lot 80 at the February 1952 sale.

Most of the Cumberland and Westmorland documents have, with the sanction of the purchaser, been handed to Mr Bruce C. Jones for preservation either in the Record Office, Carlisle, or in the Record Office, Kendal, and early in 1965 the University Library, Durham, handed to me, for transmission to Mr Jones, the seven documents bought in April 1950. I have prepared a calendar of these seven documents, which is printed here.

They are of considerable interest and I am grateful to Mr D. G. Ramage, the University Librarian, and Dr Ian Doyle, Keeper of the Rare Books, for making the representations to the Curators of the Library which have resulted in the Dalston documents being re-united.

1. General pardon to Thomas Dalston of Uldayl co Cumberland esq. Latin. In poor condition, torn and rubbed. Seal missing. 9 March 1 James (37 of Scotland) [1604].

2. Royal commission appointing Christopher Dalston esqr., Lieutenant Governor of "Our Citty. Town and Castle of Carlisle and of the Forts and Fortifications there." Whitehall 1 March 1693/4.

3. Commission, signed by Charles Earl of Carlisle, Lord Lieutenant of the counties of Cumberland and Westmorland and Governor of the city of Carlisle, appointing John Dalston esq. captain of a company of foot in the Regiment of trained bands commanded by Sir George Fletcher Baronet as Colonel raised or to be raised in the counties of Cumberland and Westmorland for his Majesty's service. Signed Carlisle. 4 April 1698. Seal, with Howard coat of arms and coronet.

4. Commission, signed by Charles Earl of Carlisle, Lord Lieutenant of the counties of Cumberland and Westmorland and Governor of the city of Carlisle, appointing John Dalston esqr. major of a regiment of Foot and captain of a company of Foot in the Regiment of Trained bands commanded by Sir Daniell Fleming knight as colonel, raised or to be raised in the counties of Cumberland and Westmorland for his Majesty's service. Signed: Carlisle. 16 January 1700.

Seal — quarterly, 1. Howard 2. Brotherton 3. Fitzalan 4. Dacre.

5 and 6. Lease and release, the lease dated 25 July 1707 and the release 26 July 1707, between John Dalston of Acronbank, Westmorland, esq. and Henry Curwen of Workington Hall, Cumberland, esq., whereby Dalston mortgages to Curwen for £363 the capital messuage, tenement, demesne land and farm called Farebank¹ situate within the manor of Plumpton and parish of Heskett, Cumberland.

Signed by John Dalston in the presence of John Caile, John Renison, Tho: Fletcher.

¹ For some account of this house see CW1 xv 85 f.

Seal: a bird, wings outstretched, standing on a book, and over the shield the letters H I.

Endorsed: July 29th 1710. Then Received from Mrs Lucy Dalston att the hands of Mr John Caile the full summe of Three hundred and eighty four pounds fifteen shillings & sixpence in full of the money due to my Master Henry Curwen esqr. upon this Deed I say Received for the use of my said Master the said summe of £384. 15. 6. by me W. Helme. Witness hereof Henry Birkett John Caipe.

7. Indenture tripartite between 1. Henry Curwen of Workington, Cumberland esq. 2. James Cook of Stockton in the county Palatine of Durham gent and Charles Dalston of Earsden, Northumberland gent, 3. Lucy Dalston gentlewoman widow and relict of John Dalston of Accornbank, Westmorland, esq. lately deceased.

Re-conveyance by Curwen to Lucy Dalston of the capital messuage called Fairbank &c.

15 August 1710.

Signed by Henry Curwen (seal: fretty and a chief) and Lucy Dalston (seal: chevron between three daws' heads, a crescent for difference).

Curwen signs in presence of Thomas Wytham John Caile William [?] Denison, W. Helme, Lucy in presence of John Caile Richard Wiseman (mark) and W. Jefferson.

I have also handed over to Mr Jones a draft, undated, indenture tripartite, between (1) John Dalston of Acornbank esq. Lord of the Manor of Uldale, (2) Wilfrid Clark of Standing Stone, Cumberland gent, (3) [blank]. This states that Daniel Clark of Uldale yeoman and Joyce Clark his daughter are seised, according to the custom of tenant right within the manor of Uldale, of a dwelling house and two closes called the Intacks in Aukertres, held of Dalston by the yearly customary rent of 4s. 8d. Wilfrid Clark, for £20. 16s., has contracted with Dalston to buy the freehold and seigniory of these customary premises, mines of copper, lead, tin, iron, coal and other minerals being reserved to Dalston.