

IV.—AN ACCOUNT OF THE CUSTOMS OF THE COURT LEET AND COURT BARON OF MORPETH, WITH THE COURT ROLL OF 1632. (Extracted from Mr. Woodman's Collection.)

By J. C. HODGSON.

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THOUGH the history of Morpeth has been exhaustively given by the Rev. John Hodgson, there remains in Mr. Woodman's collection a great mass of unpublished information and documents: some of these relating to the Court Leet and Court Baron, with original notes of the Trades Guilds, the writer desires, with Mr. Woodman's permission, to lay before the Society.

As the charter of 15 Charles II. has it 'the inhabitants and burgesses of the town and borough beyond the memory of man have been a body corporate by the name of "the Bailiffs and Burgesses of the Borough of Morpeth."'

The body of the corporation consisted of freemen elected in a certain customary manner from the 'seven companies' or crafts, and it may be of some interest to preserve some notes of these trade guilds which originated in a distant and well-nigh prehistoric past, as the customs which their books, or tradition, have preserved if not now narrated will be lost. Each guild was independent and governed by its own bye-laws, each elected a definite number of its members to become freemen on the governing body of the municipality.

1. The merchants¹ and tailors to whom were 'imputed' barbers, waxmakers, 'bowers' and 'shaethers,' electing four brothers to be burgesses.
2. The tanners and barkers electing six.
3. The fullers and dyers, to whom were 'imputed' wrights, carvers, and hatters, electing three.

¹ 1666 1 Nov. It is agreed by the alderman and company of marchants to fine ye Taylors for their public contempt to ye alderman and trade of marchants six shillings eightpence every man toties quoties.

NOTE.—For deed as to Morpeth markets, fairs, and mills, see *Arch. Aeliana*, Vol. III. (N.S.), p. 69.

4. The smiths, sadlers, and armourers, to whom were 'imputed' slaters, loriners, and sword slippers, electing three.
5. The cordwainers, to whom were annexed the curriers, electing three.
6. The weavers electing three.
7. The skinners, glovers, and butchers electing two.

What a change the present century has made in these trades! The merchants and tailors still exist; the tanners entirely gone, and their tan-yards converted into building ground and gardens, yet Mr. Woodman remembers eight of them, although the very names of the occupants are forgotten. Of the fullers, carvers, dyers, and hatters, not one remains; one hatter he remembers who felted hats, and two or three fullers and dyers, but no carver. The armourers and sword slippers, all defunct, are no longer wanted, and the loriners² gone, but a small number of cordwainers yet exists. The weavers are gone, although in the early years of the century the woollen, linen, and diaper weavers were numerous, but at that time a spinning wheel was in every house. Mr. Woodman recollects three skinners and one glover, now there is not one; three tallow chandlers, two cloggers, two hecklers, two woollen manufacturers, one considerable. A cotton manufactory was established, but failed. An old man from Light-water house, near Mitford, attended the market weekly with turned wooden goods, milk bowls, creaming-dishes, trenchers, and butter stamps. The carding machine and power loom have banished heckling, and weaving is done in huge factories. An old woman used to boil linen webs in wood ashes and bleach them.

The members of the guilds or free brothers were inchoate freemen, but before they could be sworn in, it was decided by lord Mansfield 'that the full set of twenty-four must be complete and all of full age before any one could be sworn in, and that the lord of the manor was obliged to swear all, having no power to reject any of those who presented themselves,' and as each of the seven companies had to

² Loriners or Loriners, a company of artificers in London who make bits for bridles, spurs, and suchlike ironware for horses.—Bailey.

To the Worship of Almighty God and the sustentacion of Saint Loys gyld and light in the hye Kyrke of Morpeth after ye lawdable manner and coostome of the said Toun and in eschewing of contencion and dyscorde y^t hath ben amongs smyths Saidlares armarais . . . bretherin of ye said gyld &c.—*Byelaws of the Company of Smiths, Sadlers, and Armourers, 1533.*

contribute its quota of brothers to make up the set of twenty-four, and some of the companies having no brothers to elect the system at length came to an end. After election a brother could sell his right to be sworn; the sum of £60 and upwards in the present century was given, because being a freeman entitled a man to have a field supplied by lord Carlisle or Mr. Ord; this cost each upwards of £1,000 a year: so much for parliamentary representation. Well might Frederick, earl of Carlisle, write from Rome to his friend Sir George Selwyn, 'I have a Benedictine father teaching me Italian who will not allow me to pay him, I wish my burgesses at Morpeth had the same taste.'

Every brother paid twopence per month to the funds of his company, which were anciently expended in lights for the church, and up to the passing of the Municipal Corporations Act, in payment to the friends of a brother on his death;³ for providing black cloaks and hat bands, which at that time were worn by all attending funerals, and for occasionally entertaining⁴ a stranger and minstrels, other than the waits.

The relation between religion and business was maintained. The great meeting day of the Tanners' company was Trinity Monday, when a bough of oak was planted before the alderman's door; the brethren met, each carrying a branch of oak and marched to church

³ And if any broder or sister be ded ye den schall bring ye candeles to ye dirge and eury broyer and sister schal offre an halpeny at ye chirche and he yat offres nacht he schal paye an halpeny to ye almes at ye next manspeche.—*Gild of the Holy Cross, Lincoln.*

Also it is ordeyned yat on ye day of ye sepulture of any broder or syster of yis gilde y^t euryche offre a ferthyng and yemen a halpeny to allemasse ande aboute ye dede ij candles of viij pounds of wax and two pouere men shal bene hirede of ye almesse silver to holden ye torches about ye dede.—*Gild of St. Christopher, Norwich.*

A brother dying six miles off, the alderman shall go with the wax and bring the body to the 'herthe.'—*The Tailors' Gild, Norwich.*

And so all fairly clad they go in procession with much music to the Church of the Friars Minors of Beverley, and there at the altar of St. Elene solemn mass is celebrated and every one of the Gild makes offering of a penny. The Mass ended and all prayers said they go home and after dinner all the Gild meet in a room within the hall of the Gild and there they eat bread and cheese and drink as much ale as is good for them.—*Gild of St. Elene, Beverley, 1378.*

⁴ 1623 geven to minstreels and songstares xviiij^d
payd for strangers that came in by chance ij^s

1648 Disbursed to the waits of Alnwick 2^s
this yeare to our oune waits 5^s 6^d

1652 Pay^d on our craft day for wine 3^s
to the musitians on our feast day 2^s—*Merchant Tailors' Books.*

and heard mass;⁵ they then went to the Town Hall for business, after which they had their feast, the principal dish being a fruit pie⁶ of veal, ham, currants, and raisins. In modern times the alderman entertained the brethren with cheese and ale.

It will be observed that the guilds were what is now styled 'co-operative,'⁷ it being more for the common interest to buy for all, and then divide in proportion to the requirement of each. Thus it will be seen that the Tanners' company bought oak trees, stripped the bark, and sold the wood.

A remarkable instance of the change in our habits is that for three Wednesdays after the Stones Fair⁸ in Newcastle all the ordinary work of the tan-yard was given up, and the men stood in the street, where

⁵ At ye general day yat ilke brother be redy wit othir to go to ye kirke wit is brothere with a garland of hoke leaves.—*Byelaws of Wigenhall, Norfolk.*

1601 Paid for Strangers of Trinitie Sunday xij^s x^d
Item 8 quarts of wine of Trinitie Sunday v^s iij^d
Item to the county pypers of Trinitie Sunday xvij^d
Item six quarts of wine at dinner the Monnday after Trinitie Sunday iij^d

Item more to the Tanners 4 quarts of wine ij^s

Item more in sugar that daye xiiij.

Item more for straungers that day v^s x^d

Item more for a pottel of wine xiiij^d.—*Tanners' Company.*

1613 The x. April. For twoe oche graines to ye towle bouth for Trinitie Sun. ij^d. 1639 Paid for oake graines for the towle bouth 4^d. Item for oake graines to the church 4^d.—*Books of Tanners' Company.*

1645 Paid for dressinge the chamber at Trinitie Monday 1s.—*Ibid.*

The merchant tailors, however, used branches of birch. 1632 pd for ye burche sett up at Towle Bouth 2^d.—*Merchant Tailors' Books.*

⁶ This dish Mr. Woodman's father had and which Mr. Woodman still has.

Also it is ordeyned that upoun the Sunday next after St Kateryne day most commonly to be hadde the said alderman and his Brederne and sisters shall come to their Gilde Halle togedre and take such as shall be there prouyded by the Stuarde off the Gilde for the tyme beyng. Att which dyner a man and his Wyff shall paye iij^d and eny other single persone—both preste man and woman shall paye ij^d. Any one not present to pay a lb. of wax and his dinner beside.—*Guild of St. Katherine, Stamford, Henry VII.*

⁷ 1564 21 April. Purchased of Cuthbert Horsley of Horsley esq: 500 oak trees growing at Horsley Birks for £145.

1605 24 April. George Fenwick of Longshaws esq. entered into a bond that Robt. Mitford of Mitford esq and Cuthbert his son and heire apparent should perform an agreement for the sale of the woods and underwoods at Espley for £100.

1607 1 July. Paid to Robert Haslerige of Swarland esq.: £60 for 70 trees on Swarland aforesaid.

1668 1 July. Paid Richard Wilson £59 5s. 0d. for barke from Ulgham Parke.

1695 26 May. Bought of Thomas Ledyard of Newcastle upon Tyne a parcel of oak bark at Tritlington Bankes.—All the foregoing from the Tanners' Book.

⁸ Last Wednesday in November.

scales were fixed, to take the mart hides from the farmers, weigh and pay for them, after which the men dined in their master's house. This was kept up to the year 1825. Now, so completely is the killing of marts⁹ given up that few housekeepers know what hung beef is. And at that time all farmers came to market in carts, or on horseback with a sack, carrying the hides. Now dog carts are general.

No one could carry on business in the borough unless he were a brother of one of the companies.

The fair presented a union of the municipality and of the lord. All the tenants of the lord from Longhorsley, Stannington, Ulgham, etc., as well as at Morpeth, were required to attend on Ascension Day and St. Magdalen's Day, to accompany the steward who proclaimed the fair in the market place, then at the Fair-moor and at the old lime kiln at the terrace, in the following words:—

Whereas it is enacted that every lord of a fair shall make, or cause to be made, open proclamation how long the said fair shall endure now know ye that the [*Right Honourable Frederick Howard*] Earl of Carlisle, Viscount Howard of Morpeth, Baron Dacre of Gilsland, and Lord of this present fair, doth strictly charge and command all manner of persons, coming and repairing to this present fair, that they keep the peace of our Sovereign Lord the King; that no manner of persons during this present fair shall commit or make any riot, route, or unlawful assembly, or any other misdemeanour within the precincts of this fair; and all manner of persons are required peaceably and quietly to pay their tolls, due or accustomed, and that no person or persons bring to the said fair any infected goods, and all such persons as shall buy sell or exchange any horse, gelding, mare, or filley within the said fair, shall enter them with the clerk of the tolls, with the colours, age, and marks of the said horses, geldings, colts, and filleys, together with the names, surnames, and dwelling places as well of the buyer as the seller thereof. And it is the will and pleasure of the lord of the said fair coming, and repairing to the said fair, shall have free egress and regress, to and from, the same; and if there should happen any difference, or controversy, to arise between party or parties, within the said fair, the party or parties, grieved may repair to the officers of the said fair, when they shall have justice administered unto them according to the court of Pied poudre; and lastly know ye that the said fair shall continue for the space of three days whereof the present day is one. God save the King.

The Lord of the Fair.

So soon as this was done the bailiffs with all the corporate officers

⁹ Mairt.—An ox slaughtered at Martinmas and salted for winter store. It was not unusual for a few families to join in the purchase of a mairt and to divide it among them.—*Brockett*.

proclaimed the fair at the market place, the blue stone at Buller's Green, and the lime kiln at the terrace.¹⁰

The bailiffs were judges of the court of *Pied poudre*, and Mr. Woodman has been frequently present when one of them heard and decided cases. In former times no sale could take place before the market bell¹¹ rang at eleven o'clock; in modern times the market began with sunrise, in winter before it. A curious custom general, if not universal, in the market, was as follows:—A butcher buying an ox took a shilling in his hand, spit¹² upon it, and if his offer were accepted, gave it to the seller; this of course was the earnest or 'arles' penny, but the spitting on the coin is not so easily explained. In some cases the seller had to return some coin known as the 'luck penny;' to this some of the borderers attached great importance.

The duties of the bailiffs were numerous, and, during the long war, onerous, and their house doors never rested. They were justices of the peace, and qualified as such at the Christmas Quarter Sessions, they had to swear in the recruits, to commit deserters, to billet soldiers, to relieve soldiers' widows¹³ and children having passes, they had to fix the weight of bread according to the price of wheat, they had to condemn the bread under weight seized by the bread weighers and give it to the poor.

The corporation were large occupiers of land, and were tenants of 1,500 acres at Clifton field, which lord William Howard offered to them at 1s. 6d. per acre, although he was informed it was well worth

¹⁰ The lord received stallage and pickage, the first for placing stalls, the second for breaking the surface of the ground.

¹¹ Item that noe barker shall by covenant or make bargain for any skins ye Saturday or one the Wednesday before the bell ringe cheape nor handle any skins and every one offendinge shall for every skin see by handled or cheaped forfitt and pay the one half to the lord the other half to the comon.—*Bye Law Book of 1593*.

¹² Spitting to avert evil influences was considered an act of religion. It is an Irish luck superstition.

Most tradespeople have a peculiar custom they call handsel, that is to say, the first money they receive in the morning they spit upon and put it in their pocket. The same in Scotland.—*Past and Present*, p. 544.

To spit in your hand before grasping the hand of a person with whom you are making a bargain is held to clench the bargain and make it binding on both sides.—Napier, *Folk-lore*, p. 100.

Spitting a defence from magic.—Grimm, *Teutonic Mythology*, 1633.

Spittle a charm against all kinds of fascination.—Theocritus, Pliny, many examples. Brand, pp. 139, 140, 141.

¹³ The women were paid 6d., the children 3d.

2s. 6d. They had their own 'common' of 401 acres. It has been in their possession from time immemorial, and was what is commonly designated 'moor' until 1762, when it was first ploughed. Adjoining the common on the west is the 'Gubion,' containing about 312 acres. For it the corporation paid a rent of £10; lord Carlisle offered a lease for ninety-nine years at £10 10s. This offer was refused, an action of ejectment was successfully brought against them in 1806,¹⁴ and lord Carlisle recovered possession. It was then all heath and whins. They also occupied the moor land of Cottingwood, of some 400 acres. They gave it up in the latter part of last century, after which it was fenced and cultivated. In Cottingwood was the racecourse, in the south-east corner of which, at 'the hollin port,' the inhabitants of Morpeth encamped at the time of the great plague. The 'ridges' behind the houses were cultivated as corn lands, as were the North Field lands, 60 acres of which they ridded of wood, but afterwards parted with, only reserving the after-eatage.

The officers of the corporation were two bailiffs, a sergeant-at-mace, two flesh- and fish-lookers, two ale-tasters and bread-weighers, and four constables, who were elected and appointed at the court leet, according to ancient usage: the bailiffs and sergeant being elected by the lord from the nominees of the jury who selected and presented all the other officers. The orders and bye-laws of the borough, as revised and agreed upon in 1593, may be found in a book commonly called 'the blue back,' which yet remains in the town's hutch, a copy of which was in the box of each company. Amongst them is

AN ORDER CONFERRING THE ELECTION OF BAYLIFFES AND SERGEANT.

Itm it is ordered and concluded and agreed by the said Thomas Lo. Dacre burgesses and comenaltie aforesaid that ye great inquest at ye Court at Michaelmas shall by there discession name 4 men to ye election of bayliffes and ij men to ye election of sargeant and they soe named to ye election of ye said officers it is concluded that the said S^r Phillip Dacre Knight brother to ye Lo Dacre or other for the tyme beinge the office that the said S^r Phillip now beareth officient with him or them the aldermen of the seven crafts shall by their discession elect and chuse twoe of the said 4 soe named to the Offices of Bayliffes and these elect to stand for the space of one year and alsoe to elect one of the said ij names to the office of a sargeant and soe by them in like manner to stand for

¹⁴ 1806 13 May at a common guild it was resolved that to defend the claim made on the Gubion by the earl of Carlisle the stint money be increased to 10^s — *Corporation Book*, No. 2, p. 97.

the space of one yeare as is above said pvided always he beinge once elected to the office of a bailiff or sergeant as aforesaid and serving in the said office by the space of one yeare shall not be elected or chosen to any of the said offices for and duringe the terme of three yeares next ensueinge but that he shall duering the term of three yeares soe longe to be cleyr from the election of any of the offices above s^d.

As the holding of the court leet and manor court has almost ceased, it may be of interest to preserve an account of their customs. The courts were held at Michaelmas and Easter, the former being styled the head court, when the various officers were elected. The manor court was also held at Christmas. As the municipality was self-governed, the bailiffs met in the town hall at a Cite-court or side court three weeks before Michaelmas Monday, to fix and give notice of the court; they chose the jury summoned by the sergeant.

In the early morning of Michaelmas Monday there was an appearance of bustle in the town—a general sweeping of footpaths, repairing of pavements, and scattering of gravel to cover defects. Two men with halberts visited each public house: they were the ale-tasters, whose duty it was to see and report that the ale brewed was ‘healthful for man’s body.’ At 10 o’clock the warning bell rang, fifteen minutes later the notice bell, and shortly after the meeting bell. Those whose duty it was to attend the court had for some time been assembling at the ‘Queen’s Head,’¹⁵ where they prepared for the duties of the day by partaking of biscuits with wine and spirits. They took their places in order—first, the town’s waits, a piper and fiddler in green coats and drab knee breeches, each bearing on his right arm a silver badge of the corporation arms; then four constables bearing staves with square tops, having on the sides the arms of the lord of the manor and of the corporation, the old town cross with its flat roof and large balls at the corners, and the scales of justice; then two fish- and flesh-lookers, having staves with knives at the top; then the two bread-weighers and ale-tasters with their halberts; the sergeant with his silver mace came next, followed by the two bailiffs; then the steward of the court, the seven aldermen and the jurymen. In the old town hall was a semicircular seat raised on an elevated platform. On this the lord’s steward, as presiding officer, seated himself, the bailiffs, as assessors, sitting on either side, and beyond them

¹⁵ *i.e.*, Queen Anne’s.

seven aldermen. The sergeant placed the mace on the table opposite to the steward, and standing beside him, made proclamation—

OYEZ! OYEZ! OYEZ!

All manner of persons who owe suit and service to the court leet of the lord of the manor¹⁶ and borough of Morpeth now to be holden, or who have been summoned to appear at this time and place draw near and give your attendance. Every man answering to his name when called to save his amercement. God save the king and the lord of this manor.

Those who held lands by suit and service were then called, and where there had been a change of ownership the new owner was admitted.

The roll of burgesses was then called, 'app^d' [appeared] being written opposite the names of those who answered to their names.

The sergeant again made proclamation:—

OYEZ! OYEZ! OYEZ!

All manner of persons who owe suit and service to this Court and have not answered to your names, appear and answer to the second call, otherwise you will be amerced. God save the king and the lord of this manor.

Those on the roll who had not answered were again called; those who, being absent, had deputed others to answer for them, who paid a penny, were marked 'ess^d' [essoigned]. Those who entered no appearance were marked 'abroad' or 'def.' [default].

The bailiffs then handed to the steward the names of those who had been summoned as the leet jury or lord's jury, to the foreman of whom the following oath was administered:—

FOREMAN'S OATH.—You as foreman of this homage with the rest of your fellows shall enquire and true presentment make of all such things

¹⁶ The manor of the borough of Morpeth is distinct from the manor of the castle of Morpeth: the lord had influence but not power, his duties being ministerial. When the De Merlays obtained a grant of the borough the lord possessed no land therein, and it may be presumed that the plots of ground he subsequently held were acquired by bargain from the suitors. His duty being to lead and protect the burgesses, he said to them 'give me a bit of land whereon I may build me a tower for my men at arms and give somewhat yearly towards their maintenance.' They gave both, the burg-bote amounted to the then large sum of £11 9s. 2d. and the same amount is yet paid as Borough Rent (*Auxilium dicitur quod ex consuetudine debetur ad restorationem urbium burgorum castrorum.*—Spelman). And so with the mill and bakehouse. Again, the lord was bound to protect merchants resorting to the fair and therefore undertook the repair and mending of the roadway of the streets, and in consideration levied and received tolls formerly amounting to a large sum for all cattle and sheep sold in the market.

The monastery of Newminster had eighty houses in the town, the chantry several more, showing that religious bodies prior to the Reformation had one-third of the land.

as shall be given to you in charge; and of all such other matters as shall come to your knowledge presentable at this Court: you shall present nothing out of hatred or malice, nor conceal anything through fear favour or affection: but in all things shall true and just presentment make according to the best of your understanding. So help you God.

Then were sworn the rest of the homage, by three or four at a time, thus:—

The like oath which A.B., your foreman hath taken on his part you and each of you shall well and truly observe and keep on your respective parts. So help you God.

A return was then made by the respective aldermen of persons elected by the companies to be admitted freemen, who were then sworn.

THE FREEMEN'S OATH.¹⁷—You and every of you shall swear now being elected Freemen and free burgesses within this Borough to be true and faithful to the Lord of the same, his heirs, and successors. And also shall to your wit power and ability maintain and defend all the orders privileges and customs belonging to this town and Corporation. So help you God.

The following proclamation was then made:—

OYEZ! OYEZ! OYEZ!

If any person or persons can inform this court or inquest of any treason, felonies, bloodshed, or any other offence, matter, or thing, let them come in and they shall be heard.

The jury was then 'charged' by the steward learned in the law, who directed them to examine and report on any matter which he thought right, after which the jury retired, perambulated the short or long boundaries of the borough—the short comprising the borough without and prior to the grant of the North Field lands in 1281, the long including those lands—they then sat to hear complaints, to decide them, and to prepare their report, also to nominate four bailiffs, two sergeants, and the other officers.

The leet jury dined by themselves.

In the evening, a procession similar to that of the morning was formed and marched back to the town hall, the great bell solemnly tolling for the 'dying' officers. When all were seated, the names of

¹⁷ As before stated, it was decided by lord Mansfield that no one of those elected could be admitted and sworn until the entire set of twenty-four was complete, each one being of full age.

the leet jury were called, and the foreman handed their presentments to the steward, who, as each case was called, named a fine and entered them in the roll. Two burgesses named by the jury were then sworn as 'affecters.'¹⁸ These confirmed or reduced the amercement as they thought right, but could not increase or altogether dispense with it: their decision was conclusive.

Burgus	Læta et Viffus franc Pleg. Cum Cur' Barroni p' nob'lis
de	Dni Will'mi Howard et D'ne Elizabeth' vx'is sue ib'm
[Mor]peth	tent' primo Die Octobris Anno Reg. Caroli nunc Angl.
. . . ibm	&c. Octauo A ^q D'ni 1632 Coram Thome Witherington
. . . Baroni	armigero Senefcallo Cur' p'd :
.	
.	Dn's Lumley p' Stanington nup' terras Rogeri Thornton gen'
defalt'	Heres Dni Ogle p' manerio de Shilvington
defalt'	Heres Dni Ogle p' manerio de Middleton Morrell
defalt'	S' John ffenwicke miles et Barronett p' manerio de Walker
defalt'	Idem Joh'es ffenwicke p' manerio de Wallington
defalt'	Rob'tus Witherington armig' p' Manerio de Pleffey in Stanington
	Shotton Blakdon & Northwetflet
this onely 3 ^a -4 ^d et primus	Will'ms ffenwicke armig' p' Man'rio de Stanton
non comp'uit eff. p. m' waters	in p'ochia de Horfley
defalt'	Tenentes de west Duddoe p' tenen' D'ni Will'mi Howard
defalt'	Ten'tes vel occupatores de Cookes Land in Stanington
ap :	Will'm Bowlton admiff's antea Joh'es Ogle armig' p' terris in Horfley
Bulbecke	James Care comp' p' W ^{mo} ffenwick Heres Will'mi ffenwicke de Whit-
Barroney	chefter gen'
defalt'	Will'ms ffenwicke gen' p' Man'io de East Heddon
p' cat'	Rob'tus Bewicke gen' p' Man'io de Haughton in p'ochia de Heddon
	sup' murum
p' cat'	Rob'tus Shaftoe gen' . . . heres de Cawdwell p' villa de Benwell
nil fact'	D'ns Man'ij de Etchwicke
defalt'	Heres Joh'is Killingworth p' terris et Ten'tis in p'ochia great Benton
defalt'	Matheus Newton de Stokffeild hall gen' p' vna farma in Etchwicke
defalt'	Joh'es ffenwicke de ffennam p' vna farma in Etchwicke
Comp'uit	Georgius Clarke de Etchwicke p' vna farma ib'm
Comp'uit	Oliverus Killingworth de Killingworth gen'
defalt'	Will'ms Kilingworth de killingworth gen'
defalt'	Oswaldus Mitfordford (<i>sic</i>) de North wetfleyd gen'
comp'uit	Rob'tus Dalton de Northwetfley gen'
	Cuthbte Ogle est tenens et est admiff's
	Heres Comit'is Salopiæ eff p' Ro: Lefley
	Ball' burgi de Morpeth
	Edw'us fillius (<i>sic</i>) et heres Will'mi Readhead infra ætatem
	Willms Readhead fillius Jarrardi Re ætatem
eff p' C.C.	Nich'us Thornton ar

¹⁸ French, *affecter*, to tax.

eff p. Jo: White Thomas Oxley Clic'us
 Joh'es Bull . . .
 Co Rob'tus Wardhaugh
 Co Georgius Marfhall
 Co Cuthb'us Pye
 eff p' S. Smith Joh'es Smith
 eff p.' Ed: Oliu' Georgius Graye gen'

The Lords Jurie

Thomas Pie Jur'	} Jur'	Jarrard Readhead	} Jur'	John Dinin	} Jur'
Gawaine Smith		John Smith, Cordiner		Cuth Pie	
Thomas Aydon		Tho: Stoco		John Smith tanner	
Edward Bride		Edward Bewick		Tho: Watfon	
Stephen Clarke				Will'm Bethum	

[Presentments].

Quit Wee p'fent Richard Greene of Morpeth for makinge affray vpon Will'm kellam

Quit Will'm Kellam for the like vpon Richard Greene

in Will p' Peter Brathe miller for difobayinge the fergant xijd
 feipm' pleg' Will'm Harifon

... will p' Peter Brathe miller for makinge affray vpon the fergant xx^d
 ... ipm' pleg' Will'm Harifon

in will p. Peter Brathe miller for affray vpon Edward Oliver Constable xx^d
 feipm' pleg' W^m Harifon

Quit Will'm Milburne for affray & a bloud vpon Rob'te Boyde pleg' Geo: ffenwicke tann'

Quit Rob'te Boyde for the like vpon him the faid Milburne

in will p. Rob'te Greve for affraye vpon Edmond Scott xx^d
 feipm' pleg' John Mage

in will p. James Carr for affraie vpon James Hall on the m'kett daie x^s
 feipm' pleg' Geo: ffenwicke gen'

vacat' James Hall for the like vpon the faid Carre on the m'kett daie

Quit Thomas Clugh Milner for affray vpon Thomas Henderfon pleg' Rob'te Smith iu'

... .. Thomas Henderfon for the like vpon the faid Clugh pleg' John Brakine

Quit francis Greene for affray vpon Margerye Ratcliff on the ffaire daie

Quit Margery Ratcliff for the like vpon him the fame daie pleg' Rich: Greene

Referd francis Greene for affraie vpon Luce Greene on the faire daie

Refered Margaret Greene for affraie vpon Margery Ratcliff on the ffaire daie

vacat' Margery Ratcliff for the like vpon hir the fame daie pleg' Rich: Greene

in will p francis Greene for affraye vpon Markett Greene on the ffaire
 feipm' daie 1^s

Try Quit Marke Greene for the like vpon him the faid francis
 Greene the fame daie 1^s
 pleg' Tho: Greene Cordwayner

in will p. feipm'	ffrancis Greene for affraie vpon Lowrence Softley beinge fergant in executinge his office on the faire daie	1 ^s
in will p feipm'	ffrancis Greene & Margaret his wife for abufinge the Bailiffs, and Raifinge an vprere vpon the ffaire daie, and difobay- inge the bailiffs authoritie, and for Cominge forth of ward w th owt their privitie or Consent, being Comitted to ward for their abuffes	iijs ^s iiij ^d
....	Will'm Awbon fhomaker for affraie & bloud vpon Thomas Clugh	iijs ^s ...
....	pleg' Jo: Greene [Thomas Clugh] miller for affraie & bloud vpon him the faid Awbon	pleg' Jarrett Todd
quit	Cutbte ffawcas for affraye vpon Thomas Clugh miller	pleg' W ^m Awbon
quit	Thomas Clugh miller for affraie vpon him the faid ffawcas	pleg' Jarret Todd
Culp	John Craforth miller for affray & bloud vpon Thomas Clugh miller	iijs ^s iiij ^d
	pleg' Will'm Awbon [Tho]mas Clugh miller for the like vpon John Craforth miller
[in will] p feipm'	Marke Greene for affray & a bloud vpon George Smith	xx ^d
	Rob'te Sadler of Langhurt for affraie & bloud vpon Edward Robinfon of Throple on the Markett daie	vi ^s
	pleg' Dorrthe Bullocke	
in will p. pleg'	Edward Robinfon the like vpon him on the same daie	vj ^s
vacat'	Parfevall Pearson for affraye vpon Jarett Readhead	
in will p feipm'	Jarrett Readhead the Like vpon him	
vacat	Lancelott Swane for affraie vpon John Challino ^r	
in will p feipm'	John Challino ^r the like vpon him	xx ^d
in will	Will'm Tayler for keepinge fwyne Contrarie the order	xx ^d
in will	Rob'te Vrwen the like	xx ^d
in will	Thomas Simpfon the like	xx ^d
in will	Will'm Bentham the like	xx ^d
in will	Gawen Smith the like	xx ^d
....	Thomas Wills for brewinge Contrarie the order	iijs ^s iiij ^d
....	Ezeakaell Cutb'te for the like	iijs ^s iiij ^d
in will	George ffenwicke gen' the like	iijs ^s iiij ^d
in will	Rob'te Sedgwicke the like	iii ^s iiij ^d
	Yo ^v are to inquire for the Lord of the mano ^r what wafts & decayes is w th in yo ^r brough and what rent or rents the faid Theanfwere wafts ought of Right to paye vnto the Lord of the brough & howe to this In- Longe the faid rents haue bene behinde & vnpaid & by whom, & quitionis who were Tennants to the faid burgages, when they fell, into fuch abouzed (?) decaye, & whether ['there' interlined] were any tymber or ftones on the backe fide. Ledd or Caried awaye from any of the faid wafts and by whom they	

were Caryed away & what quantitie there was of the same stone or ty[mber] & whether the said waifts belonge to the Lord of the Mano^r or to any other p^rson or no, And whether there be any rent belonginge to any other p^rson beside th dewe to the Lord of the free iffewing out of any of the said waifts, howe much rent, & to whom is the same to be paid.

2. Yo^r shall Inquire whether the passage on both sides of the Towne bridge be stopped & by whom, whereby the Inhabitants Cannot have free passage to fetch their watter from Waynspecke.

We finde that the one passage was inclosed by m^r Oxley schoolemafter by the consent of the Towne, being a Conveniencie belonging to the schoole; And for the other passage is paved according to a late order, but we finde that the railes nowe sett downe by Robert vrwen shalbe pulled (?) vp and taken awaie p^rsently.

The Juryes
v^rdict to
the
Inquiffcon
for the
waifts.

We finde a waifte burgage Late in the occupacⁿ of Richard Todd of the yearly vallewe of iiij^d vnto the Lord and hath bene waifte for the space of this five yeares or there abouts; by whom wee doe not knowe, for that no p^rson hath inhabited since in the same and wee finde that neither stone or tymber is wantinge from the same savinge twoe spares but whom they were taken away wee knowe not and that there is a yearly rent of vij^s dewe to the Kinge out of the same as also iiij^s p. ann^r to the scoole of Morpeth.

We finde a waift late in the occupacⁿ of widdowe Lemen of iiij^d p^r ann^r to the Lord w^{ch} is vnpaid for 4 yeares by paft by whom wee knowe not, for that it hath bene waifte eu^r since and no p^rson inhabitinge therein and that the spares in the said howe were taken away by Rob^{te} Vrwen and that there is a rent yearly to be paid to the kinge but howe much wee knowe not.

Wee finde a waifte Late in the possession of Will^m Watfon of the rent of iiij^d p. ann to the Lord, and that the rent is arrearad for the space of certaine yeares but by whom wee knowe not and that all the stones & tymber thereof was sould & dispofted off by the said watfon to the vallewe of x^{li} by the said watfons confession to vs, and there is other rent issuinge owt of the same.

Wee finde a waifte Late in the possession of Mathewe Dawfon deceased of the yearly rent of iiij^d to the Lord & yearly to the Kinge vij^s. and that the said Dawfon was Tennant to the said burgage when it fell into decaie, and that the burrowe rent as arrearad to the Lord for the space of 5 yeares by paft and that all the spares Bibbs & riginge tres thereof are wantinge and pte of them taken awaye as wee are informed by Rob^{te} Vrwen.

Wee finde a litle waifte latly purchafed by m^r Nicholas Thornton of the yearly rent of iiij^d but that rent is yearly paid to the Lord.

Wee finde that the Late Bailiffes are liable to a payne of xxxix^s xj^d impofed vpon them for not reparinge and mendinge the bowe bridge accordinge to an order made the Last Courte at Easter 1632 as appears by the Records.

Wee order & finde that no inhabitant wthin this burrowe fhall bake either Loafe bread or mancheats vpon the faboth daie vnder the payne of vj^s viij^d. and that the Baxters fhall not heate the oven to bake any vnder the like payne.

[Wee find] & order that no Inhabitant wthin this burrowe fhall hereafter impound anye mans beaft for any [kind of 'tretpafs in their] .backe howfes or courtaines but in the Com'on pownd vnder the payne of vi^s [viij^d] but that the fuccedinge Bailiffs fhall from tyme to tyme keep th[e pound in] good . . . repaire vnder the like paine, and to haue a good Lock for the gate [of] the faid pownd.

In will
feip.

John Bulman doth p^rsent Lowrence Softley for not Executinge his office beinge Sergeant and refufeinge to feiz the goods of Rodger Toores George ffenwicke & others haueinge Execucon to that effecte & goods of the feverall ptyes shewed vnto him.

vij^d in execut altror. but the fyne . . . moderate because the party greued hereby is fatiffyed.

in will 8^d in
ex' altror'
& goods . . .

The same doth likewise p^rsent Gerrard Readhead as aforefaid for refufeinge to seiz the goods of Thomas Greane Cordiner haueinge execucon to that effect . . . the goods of the faid Thomas Greane fhewed vnto him.

qu in Easter Court
1633: Try

John Bullman for bakinge from the Lords oven—Culpable
xij^d.

for keepinge fwyne contrarye to the order :

Quyt	Thomas Simpson		
Try culpable	Thomas Oliver	iiij ^s iiij ^d	Alice Hall in will vj ^s 8 ^d
culpable	Gawen Smith	iiij ^s iiij ^d	Tho: Will in will vj ^s 8 ^d
.	Thomas Greene tailor	i pige xij ^d	Ezekell Cutb'te in will vj ^s 8 ^d
	Stephen Clarke	i pige xij ^d	Geo: ffenwicke g' in will vj ^s 8 ^d
	Raiphe Errington	xij ^d	Ro: Sedwicke in will vj ^s 8 ^d for brewinge Contraie to order.

The jury then gave the steward a list of the burgesses selected to fill the various offices, four being returned for bailiffs, two for sergeants, etc., from which the steward made a selection (the bell tolling for the dying bailiffs.)¹⁹ Attached to the above roll are the following:—

¹⁹ One gentleman (Mr. J. Fenwick) had been so frequently bailiff (1700-1740), and the bell had so often tolled for him, that he was very generally known as 'old death.'

When a benchor of the Middle Temple was raised to the judicial bench during term, he dined at the high table in the usual way; but at the close of dinner he rose and 'passed down the hall between shouted "good byes," the 'doors swung open, and as he passed out of them *the bell tolled solemnly as for 'a parting soul.* He had gone from among us; he was no longer of us.'—*The Still Life of the Middle Temple*, by W. G. Thorpe, F.S.A., p. 343.

Balifes	Aletafters
Thomas Pye	Edward Bewick
Will'm Grene Jur'	Thomas Gayre the elder } Jur'
John White	
John Pye Jur'	
Sergeant	ffithe lookers
Jerrard Redhead Jur'	Steaphen Clark } Jur'
Richard Todd	Tho: ftokoe }
Conftables nether ward	Como' kep's
George ffenwick tan''	Will'm Marr Jur'
Thomas Gayre the younger } Jur'	Mathew Tod Jur'
midell ward	Cuthbert Ogle
John fmithe tanner	George Marfhall Jur'
Robert Smyth merchunt } Jur'	
vpper ward	Cotting burn kep's
John Cowp'	Cuthb't frawdton Jur'
John Challenor } Jur'	Hughe Anderfon Jur'

In April 1653 the 'free Burgefles off morpeth were John White, Robert Wardhaugh, Tho: ffaucus, Geo: Vinins, James Watfon, Will'm Green, John Pye, Tho: Gayre, Tho: Stoker, Edward Bewick, Edward Olliver the elder, Will'm Bethune, John Smith, John Coup', Tho. Watfon, John Challenor, John Woodruffe, Robt Vrwen, Gawen Smith, Geo. Marfhall, Gerard ffenwick, John Gaire, Thomas milburne, tann^{er}, xxofer Patterfon, Edward Vrwen, Richard Hutton, Edward marr, Matthew Challenor, Will'm milburne, Raiph White, Edmond Oxley, Raiph milburne, Tho milburne tayler, ffancis Pye, Tho warniner, Tho. Shipley, William Marr, Robert Pott, Georg Davy, John Chanley, Thomas Wardhaugh, Gawen Aydon, Michael Tompfon, Robert Lumfden, Edward hutton, George Olliver, Will'm Baies, Will'm Davy, Robert White, William Vrwen, Robert Smith, Thomas Dawfon, Thomas Pearfon, Ofwould mitford, Thomas Bitlefton, William Barker, John Pye Clar, mich widdrington.'

The two new bailiffs were then sworn.

The oaths are important as setting out the duties here :—

THE BAILIFFS' OATH.—You shall swear as Bailiffs and Chief Officers within this town of Morpeth for this year next ensuing if you shall so long live. You shall do equally and indifferently right and justice as well to the poor as to the rich according to your knowledge wit and power and according to the laws and statutes of this Realm and according to the antient customs of this Town without respect of Persons. And that you shall not take nor exact anything of any person but such fees as the laws of this Realm *doth* permit and award unto you. And that you shall at all times hereafter maintain defend and keep inviolable all the liberties privileges and customs of this Town to your power. And do all things that may be commodious to this Town during the time of your office. And make account of such things as ought to be good to the commonwealth of this Town. You shall serve the King's Majesty and his Successors. Your natural Lord and his Heirs respecting the Commonwealth of this Town. So help you God.

The bells then rang a merry peal for the new bailiffs. The sergeant was next sworn :—

THE SERGEANT'S OATH.—You shall swear that for the year next ensuing you shall well and truly serve as Sergeant of this Town and truly do and execute all and every thing that to the said office belongeth without taking of any person exaction or bribe other than the ancient accustomed fees, and such as the laws of this Realm, and the ordinances of this Town doth allow, without having respect to any person for love, favor, or affection but as right and your duty doth require. And you shall in all things lawful obey the Bailiffs and be true to the Commonwealth of this Town. So help you God.

The two fish- and flesh-lookers, who carried a pole with a 'gully' at the top, were then sworn :—

THE FISH AND FLESH LOOKERS' OATH.—You and either of you shall swear that you shall well and truly serve in the office of Flesh and Fish lookers for this year next ensuing. You shall see that Flesh and Fish brought to be sold in the market be healthful for Man's body. Likewise you shall see that all persons bringing flesh and fish for sale within your office that they and every of them bring good and wholesome flesh and fish for man's body. And every one offending, you shall present at this Court. And in every other thing you shall well and truly behave yourselves in your said office according to the best of your knowledge. So help you God.

The two ale-tasters and bread-weighers who carried halberts were then sworn :—

THE ALE TASTERS' OATH.—You and either of you shall swear that you shall well and truly serve in the office of the Ale tasters and Bread weighers for this year next ensuing, that the bread brought to the Market to be sold be truly weighed, and the same do continue the weight according to the Price of the Corn sold in the Market. Likewise you shall see that Ale brewers and tiplers within your office that they and every of them make good and wholesome Ale and Beer for man's body. And every one so offending you shall present at this Court. And in everything you shall well and truly behave yourselves in the said office. So help you God.

The four constables²⁰ who bore staves were then sworn :—

THE CONSTABLES' OATH.—You and either of you shall swear that you shall well and truly serve in the office of Constables of this Town for and during the space of one whole year now next ensuing. You shall endeavour

²⁰ There had formerly been more than four constables, two being elected for each of the wards into which the borough was divided. When there were gates at the end of each street, and probably a stockade round about, the duties of the constables would be onerous, as their watch and ward must have been constant. In 1722 it was ordered 'that noe person for the future shall be sett upon the watch but who shall be above the age of 16 years, and that they shall continue 'from 9 o'clock at night till four o'clock next morning under the penalty of '13^s 4^d upon the person who sends such watchman.' Evidently the constables might use or employ deputies.

yourselves to the utmost of your powers to see the King's Majestie's peace kept and watch and ward observed and kept in this Town as it hath been accustomed and as it ought to be. And according to the Statute you shall punish all rogues vagabonds and sturdy beggars haunting and resorting within the precincts of your Office and punish offenders accordingly. Also you shall punish all such persons as do or shall play at any unlawful games. And if need require you shall raise Hue and Cry after felons, according to the Statute in that behalf made to the utmost of your powers. So help you God.

After the appointment of officers, the court was adjourned by the following proclamation :—

OYEZ ! OYEZ ! OYEZ !

All manner of persons who have appeared this day at the court leet of the manor of Morpeth may now depart, keeping their day and hour on a new summons. God save the king and the lord of this manor.

The bells then rang out a merry peal and the attendants of the court in procession as before marched to the house of the senior bailiff; here were assembled on the first floor many young people with great baskets of apples and nuts which were thrown to the street to be scrambled for. In the rooms were tables covered with linen, on which were a large Cheshire cheese, loaves of bread, pipes, and tobacco, and silver tankards borrowed from friends. Servers then gave to each person two apples and two handfuls of nuts while the serjeant received from each a shilling,²¹ although the payment was far from universal. After a short sitting the party in like manner proceeded to the houses of the junior bailiff and serjeant, after which they all found their way home as best they could.

It will be observed that the jury had many and large powers to remove nuisances, fix boundaries, prevent waste, punish for forestalling²² and regrating,²³ grinding away from the lord's mill or baking

²¹ The dinner given by the lord of the manor is certainly of late introduction. Of old, after the labours of the day were over, the persons who had taken part in the proceedings had probably been entertained by the newly elected bailiffs and serjeant in three parties—the new officers at the senior bailiff's, the retired officers at the junior bailiff's, and the jury at the serjeant's. In this collation of bread, cheese, ale, apples, and nuts, all home produce, we have the remains of the primitive and ancient custom of the thirteenth century. The shillings paid for the bread and cheese, etc., were paid to the bailiff entertaining; the shillings paid were few and far between.

²² Buying up merchandise on the way to market before it was presented for sale in market hours, abolished by 7 and 8 Vict. c. 24.

1709 Chas. Burnett's wife for forestalling the market amerced 3^s 4^d.—*Morpeth Court Rolls*.

²³ Buying goods in market and selling again in or near the same, abolished by the above statute.

1668 Robert Storey presents George Young for a regrator for buying cabbage plants in the market and selling them again.—*Morpeth Court Rolls*.

from his oven, prevent the straying of pigs and cattle, proscribe eavesdropping,²⁴ prevent assaults or fighting when they 'presented' both offending parties. With all this, they had no power to inflict a fine or punishment, this rested with the steward, yet his judgment was not final but had to be traversed by two 'affecters.'

After the lord's jury had left the hall to make their perambulation, the jury of the manor court, commonly called the party jury, were sworn. Their jurisdiction was in the trial of causes, as in the county court.

Actions entred
x^o Sept' 1632 to
be tryed this Courte

Cur' Barron' p'nob'lis dni Will'mi Howard et d'ne Elizabeth vx'is fue ib'm tent' die Lune viz primo die octobris A^{no} Reg Caroli nunc Angl' &c octauo A^oque d'ni i632 Coram Thome Witherington armig'o Senescallo Cur' p'd.

The ptie Jurie			
Andrew marr	Jur'	Robt Smith merchant	Jur'.
John greene	} Jur'	Georg ffenwick tan'	Jur'
John white		Tho: Gaire junior	Jur'
John Pie		John lawfon	Jur'
Tho: Vrwen		Robt Smith Joyner	Jur'
Tho: Gaire fenior	} Jur'	John Challiner	Jur'
Edward oliver			
Richard Todd			
Richard Pearfon			

... names

Refferd Actions at the Last Courte.

	Thomas ffawcus Alderman of the fullers Complayneing againft Thom[as] Magee in a plea of debt of
Try Quytt	Robte Vrwen of Stanton againft Efeakaell Cutbert in a plea of affumpfit of his p'mife for graffinge a Cowe & quie ad dam'	vij ^s x ^d
Try Quit ye defend ^t	Robte Lumfden againft Ofwould Mitford in a plea of debte for dyinge of x yards of Cloth of a deare Collor at ix ^d the yard'	vij ^s vj ^d
Refer'	John Scot againft Hugh ffyfe in debt of the p'ties both to appeare next Courte [This entry struck out.]	
Try Culp-able ij ^s	Will'm ffenwicke of Wallington gent' againft Rob'te Thompson of west gate in a plea of debt of... .. pleg' Tho: Gaire fen'	xxxix ^s xj ^d
agreed	Edward Milburne of Langshawes againft Thomas Browne of Netherwitton in a plea of debt of	vij ^s vj ^d

²⁴ 1717 Presented John Mather for an easing-dropper and common disturber of the peace and neighbourhood of this corporation. Amerced 39^s 11^d. Affered to 30^s.—*Morpeth Court Rolls*.

Refer to Bratram Gaire & Jo: Bullman	Margaret Greeve vidua againft Thomas Baites in a plea of Covenant for the reparinge hir howfe who did not ad dam'	xxxix ^s xj ^d
default' ex'	George Marfhall againft Jarrett Todd in a plea of debte for a boll of oats vpon a wager of a horfe race	vj ^s viij ^d
agreed	Peter Graye of Stannington againft John Hall of Netherton in a plea of debt of	xvj ^s
default Culp- able iij ^s p dam'	Phillip Harifon againft John Stanrker al's Stankley in a plea of trespas on the Cafe ad dam' pleg' Jarrett Todd	xxxix ^s . . .
default	The faid Phillip againft the faid p'tie in a plea of affumfit of p'mife for Charges expended at Yorke by the complanant againft the defend ^s ad dam' ... pleg' idem
Refer' to Phil- lip Gare fen' & W ^m Greene	John Lawfon againft Thomas Watfon in a plea of trefpas for diftroyinge of Corne ad dam'	xx ^s
Confett xxxv ^s v ^d quit for the reft. . . culpable 35 ^s v ^d	Iffabell fiawcus widdowe againft Thomas Potts fen' in a plea of debte for Lether	xxxix ^s xj ^d
default	John Smith of Mofden admi'tr to Thomas Smith againft Rob'te Robfon of Shaftoe in a plea of debt for xxxiiij ^s iij ^d remaynder of xl ^s pleg' Jo: Greene	xxxiiij ^s iij ^d
Paid all in Courte	Thomas Hudfon againft Edward Scott in a plea of debt of	vj ^s
quit vpon the oath of the def ^t	Iffabell Attkinfon of Hepfcott againft Ofwold Mitford in a plea of detinewe of viij yards of white Cloth ad dam'	viij ^s
agreed	Rob'te Robinfon fmith againft Rob'te Harbotle of Hebborne in a plea of debt of x ^s vij ^d
Refer'	Will'm Kellam againft Edmond Oxley in a plea of debt of
Culpable vj ^s	Roger Towers of Morpeth againft Will'm Awbon of the fame thoema[ker] in a plea of debt of vj ^s iiij ^d remaynder of a debt of xxxix ^s xj ^d
Refer'	Thomas Shipley & Edward Shipley againft Ement Humble in an action of the Cafe for fayinge that the Complanants stole his wives Lyninge weebb ad dam' quer'	xxxix ^s xi ^d
difmift	John Brakine againft Margery Waryner in a plea of debt for twoe extres 2 ^s , one harrowe xiiij ^d three fellowe Cribbs 2 ^s , one dobler 2 ^s a doble falt fate in toto	viij ^s v ^d
Refer to John & Bartrum Gaire	Thomas Baites againft Margaret Greve in an action of debt for howfe rent ...	xxvj ^s [i ^d]
Try. Culp- able ix ^s	Thomas Smith tann' againft Will'm Awbon in a plea of debt of	xij ^s

default'	The same against Rob'te Smith of the spitle in a plea of debt beinge plege & bondfman for the said Rob'te Smith beinge arrested in Morpeth Courte at the suite of Jasp' Smith of Effhott who recovered against the said Rob'te Smith and so execution was awarded against the Complant as appeareth by the Records of the Courte who paid the monye ...	xxvj ^s viij ^d
default'	The said Thomas Smith against the said Rob'te Smith in a plea of debt beinge plege & bondfman for the said Rob'te Smith who was arrested at the suite of one Thomas Palm' of Lynton Mill the said Rob'te Smith was evicted in Courte [and] the Comp ^{lt} as bond for hym paid the monye vpon execution as appeareth [by the Records] of the Courte ...	xj ^s iiij ^d
[Refer ^r]	Cutb'te Ogle ien' gent' against Iffabell Huntley admin'ftratrix to James Huntley in a plea of debt of	[iiij ^s]
Confest	Bartram Gaire & Phillip Harifon bailiffs against Thomas ffawcus glover in a plea of debt for scoole Rent ...	iiij ^s
	The same against Iffabell Headlye Will'm Watfson & Hugh Anderfson in a plea of debt for scoole Rent ...	[iiij ^s]
default'	The same against Rob'te Lawfson of Benrige for scoole rent for a howfe in Morpeth ...	[xx . .]
fatet'	The same against Thomas Wrven in a plea of debt for scoole rent ...	iiij ^s . .
default	The same against Phillip Milburne in a plea of debt for scoole rent ...	ij ^s iiij ^d
Quyt	Gilbert Challinor against Ezeakaell Cutbert in a plea of debte of
.	Margery Waryner against John Brabine in a plea of debt of
Try. Culp- able xiiij ^s viij ^d	George Davye tann' against Thomas Greene fhomaker in a plea of debt for Lether. to be paid at Cornwell faire 163i ...	xix ^s
Try. Quyt.	Iffabell dawfson & Thomas dawfson execut' to Christofer dawfson deceased against Will'm Greene in a plea of debt for the rent of a fhope in the m'ket stead ...	x ^s
	Iffabell Marfhall widdowe against Peter Brathe millner in a plea of trefpas for Castinge hir yarne into the millne dame viz ^t vj heare of lynin yarne & iiij heare of ftrakinge ad damp' ...	iiij ^s
	[This entry is struck out.]	
Try Quyt	Parfevall Pearfson against Roger Towars in a plea of withholdinge a bedd stead ...	vj ^s
.	John Bullman against Thomas Greene & his wife in a plea of debt of ...	xxiiij ^s
default'	The same against Will'm ffawcas webfter in a plea of debt of xvj ^d

default'	The same against Rob'te Clafp' & his wife in a plea of debt of	vj ^s
Try.	Wee doe finde John Bullman beinge alderman of the Marchants against John Lawfon and Cutb'te Ogle as Prockters to the said Companie of Marchants in a plea of debt of	xxxij ^s v ^d
	The same John Bullman against the said Prockters in a plea of debt	xxxij ^s v ^d
agreed	Rob'te Bell tann' against Will'm Awbon fhomaker in a plea of debt of	xxviiij ^s
.....	Will'm Betham against Thomas Todd tayler in debt of	xviiij ^s
... vj ^d	John Shipley against Rob'te Lumfden in debt for his horfe hire... ..	xiiiij ^d
Culpable	Bartram Gaire against Rob'te Storrer in debte of	iiij ^s ix ^d
Try. Culp-able	Dm'ns Will'ms Howard against Margery warner in a plea of debt for fower yeares Rent of a Clofe in hill gate at ij ^s viiiij ^d	x ^s viiiij ^d
Try. Quyt	Rob'te Lifleyger ag ^t Thomas Browne al's Muge in an action of trefpas w th fheep in Corne ad dam'	x ^s
fatet'	Rob'te Mowe against Tho: Knight in debte	xiiiij ^s
fatet' vs j ^d	The same against Tho: Potts fen' in debt	vj ^s vj ^d
[Endorsed	Michaellmas Courte i632., M ^r widdrington vpon Rob'te widdringtons default for not appearinge did fine him iiij ^s iiiij ^d as doth appear vnder the stewards own hand writtinge as the booke will make mencion']	

The duties of the party jury were at an end after they had given their verdicts in the various cases before them.

The steward, officers, party jury, and those who had been admitted freemen, dined together. The steward, who presided, had great opportunity for the exercise of tact, by toasts and occasional songs, in keeping order in what was often a turbulent and unruly party.

After dining, they returned to the town-hall to attend as burgesses the evening sitting of the court, and to witness the appointment of officers, and thence to the houses of bailiffs and sergeant.

NOTE.

Of the popular estimation of these courts in former times, of the care with which they were guarded, and of their importance, an illustration may be found in lord William Howard's *Household Book* (Surtees Soc. vol. 68, pp. 397-402). In a letter from sir John Forster, the warden of the Marches, to secretary Walsingham, a memorial to the Queen by Mr. Francis Dacre, and a contemporary narrative, all reprinted from the State papers, we have presented to us a lively picture of some events of 1587.

In that year lord Wm. Howard held the lordship of Morpeth as husband of Elizabeth, sister and co-heiress of lord Dacre; but the rights of the co-heiress were contested by Francis Dacre, her uncle. Lord William was in possession, and his constable, Edward Grey, held the castle for him; but through their attachment to an ancient and splendid name, Dacre had many friends and sympathisers among the burgesses. 'The meanest sort of the most parte of the inhabitants of the said towne of Morpeth who did owe sewte and service unto the same did not onlye refuse to macke there appearance and do the services unto them apperteynenge, as before time they were accustomed to do at the lyke courtes there holden for the said Lord William Howarde, but affirmed that yf there were any courte there to be howlden for the said Mr. Fraunces Dacars they wolde make there apperaunce there and in no where els.' Sir John Forster, the Lord Warden of the Marches, was called upon to preserve order by the constable, Mr. Edward Grey (who happened to be his nephew), and the narrative insinuates that he displayed partiality through this kinship, and that he had 'in his possession parcell of the lands in controversie of the yerely value of one hundred markes at the least, by the graunt of the said lord William.' 'Immediately then did sundry troopes of horsemen come to the town by dossens, scores, and sence xxx in companyes, all of Mr. Graye's freinds of the borders, and soone after the Lord Warden came in with a great companye and rode to the castell, and there lodged with Mr. Gray the said constable,' . . . 'Yn the morning by day was lyght, the streat over agynst Mr. Dacre's lodging was sett all along with men of the Borders weaponed with swords, daggs, pikes, and the lyke upon the baksyde of the sayd lodging to the number in all of about 100 persons and Mr. Gray and others with him walking before them caryng theyr walk so far as the howse reached wheryn Mr. Dacre lodged, and so turned agayne still so contynuyng untill 3 of clocke at afternoone when Mr. Dacre came away.' One of the bailiffs of the town supported the authority of lord William, 'the other bayliffe, all the aldermen and the burgesses upon the ring of the bell came to the Moote Hall, and beyng called dyd flatly say they wold neyther sitt yu court, appere, or make awnswer but yn Mr. Dacre's name and accordyng to the order of theyr town, and therupon departed.'

Lord William's officers caused the mace to be taken from the town's serjeant in the presence and with the countenance of the Warden and when 'they cowld not make a Jury, they, of theyr own awthorytye, withowt and contrary the order of the town, did create vj new fremen . . . and yett, for all the evill hast cold not make up the number of xij persons had they not supplied ther want with one who had not longe before that tyme had bene a Lord of Mysrule, and one other that was the common Hayward [the other account says 'nowtherd'] of the Towne.' Mr. Dacre, outnumbered and outmanoeuvred, left the town, and in his memorial to queen Elizabeth of his wrongs and sufferings we have preserved to us this scene of a sixteenth century drama.

After many years of legal conflict the possession of the estates was confirmed to the co-heiresses, and lord William, by a politic course of good sense and liberality, attached his refractory and disaffected burgesses to himself and his house. His was the gift of the great mace to the corporation.²⁵ In 1580 he re-granted the

²⁵ See *Arch. Ael.* vol. xiii. p. 201, for an account of the Morpeth mace.

Clifton field of 1,500 acres to be held by the burgesses at a low rent, and in 1606 lett to them the farm of tolls.

'Memorandum that I Willm Howard have granted to the Bailliffs of the Burrowe of Morpeth the towle within the foresaid Burrowe for the sum of Twenty shillings for ane whole yeare and that the overplus of the said towle shall be employed by the said Bailliffs to the benayfitt of the foresaid Burrowe and to be declared upon their accounts. In witnes wherof I have sett my hand the syxt daie of September in the yeare of the Raigne of our Sovereigne Lord James by the grace of God of England, France, and Ireland the fourste and of Scotlande the . . . Anno dom 1606

'WILLM HOWARD.'

By such prudent conduct he conciliated his opponents and so endeared himself to his friends that, in 1610, we find from an entry in their books that the Tanners' company bestowed upon him 'a present of wyne and sugar,' which cost them Is. 6d.

APPENDIX.

After our hartie comendacions upon intelligence gyven us by . . . officers as well of y^r sute for the occupacon of pcell of the demean of Morpeth called Clifton feild conteyng xv^e acres, as also of the valuè thereof we are well contented for the better maintenance of y^r estate, and the rather also at the request of our verrie good ffrende the Lord Warden, that y^e shall have the same in lease from Michaelmas next for the terme of fyve yeares then next ensuing employing y^t to tillage or pasture to y^r best comodities at y^r choise and pleasure ff the yearlie rent of one hundred Poundes being much lesse then y^t is worth and close upon y^r yearlie payem^t of the usuall rent you shall have and enjoy th use and profits of such meadows and haye boundes in the said Clifton feilde as y^r [predecessors] held in the late L. Dacres tyme And if y^a shall dislike or not so will accept the lease of the said Clifton Feild as we have ment w^h great favour to delyver y^t unto y^{ou} we will then upon y^r answeare received w^{ch} we furthwth expect of you, deliver the said Clifton Feilde over to others to our better comoditie, and never the lesse to . . . you in forme before said to enjoye that y^{or} said meadow and thus we bid you farewell. From London the xiiijth of June 1580

y^r loving ffrends

Arundell

William Howarde

Concord. cum origin.

Northumb.

Decimo quarto die mens Octob. Anno R.R. }

Jacobi xvj^o Annoqz dni. 1618. }

Received of the fermars of my land of Clifton feild and Hepscott in the county aforesaid the sum of five hundred pounds of curra't mony of England for one yeares rent or farm of the said grounds called Clifton feild & Hepscot due to me at the feast of S^t Michaell the Archangell last past before the date hereof of w^h some I acknowledge my self fully satisfied by thes pnts. In wittnes whearof I have heerunto sett my hand and seale ye day and year above written

vth

William Howard

