

## II.—LOCAL MUNIMENTS.

BY WILLIAM BROWN, F.S.A., secretary to the Surtees Society  
and to the Yorkshire Archaeological Society.

[Read on the 26th November, 1902.]

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I.—1198-1208. Grant by Philip of Poitou, bishop of Durham, to Robert of Langley, of forty acres of the bishop's waste, between Esh and the Deerness, on the east side of the road leading to Rowley. The limits of date of this charter are settled by the appointment of Aimery de Talboys, the bishop's nephew, as archdeacon of Durham in 1198, and the bishop's death in 1208. The present vicar of Esh, the rev. W. Stuart White, who has kindly assisted me with this charter, writes: 'I am afraid that I am not able to identify the forty acres; but, it seems probable that they were somewhere near to the small estate owned by colonel Edward Leadbitter-Smith, at Flass, which was formerly the property of old lady Peat. At the date of the charter the Esh family owned Rowley, and, I believe, they still own it. Besides this Rowley, called Rowley Gillet, there is Cold Rowley, which lies out by Catchside of Consett.'

Philippus, Dei gracia Dunelmensis Episcopus, omaibus hominibus totius episcopatus sui Francis et Anglis, salutem. Sciatis nos dedisse, concessisse, et presenti carta confirmasse Roberto de Languele et heredibus eius, pro homagio et seruicio suo, in feodo et hereditate, quadraginta acras terre de wasto nostro, inter Eas' et Diuerness', ex orientali parte uie que uadit [ad] Roelee. Habendas et tenendas sibi et heredibus suis de nobis et successoribus nostris, libere, quiete, et honorifice, reddendo inde nobis et successoribus nostris

annuatim quatuor solidos ad quatuor terminos in episcopatu constitutos, pro omni alio seruicio, auxilio, consuetudine, et exactione. Quare uolumus, et precipimus quod predictus Robbertus et heredes sui predictam terram habeant et teneant de nobis et successoribus nostris per predictum seruicium, libere, quiete, et honorifice, in bosco et plano, in pratis et pascuis, in terris cultis et incultis, in uuis et semitis, in introitibus et exitibus, cum omnibus libertatibus et liberis consuetudinibus ad predictam terram pertinentibus, salua in omnibus foresta nostra, ita quod quietus sit de pasnagio propriorum porcorum suorum de nutritura sua, quos non adquisierit contra pasnagium nostrum. Hiis testibus, Aimerico, archidiacono Dunelmensi, Leone de Heriz, Jordano Escolland, Rogero Daudr', Robberto filio Meldr[edi], Gileberto Ansard, Robberto de Amundeuill', Waltero de Mostiers, Willelmo de Lomelee, Waltero Daudr', Petro Arpin, Robberto filio Thome, Johanne de Torp, Daniele de Ess', Hugone de Capella, Willelmo de Herlesee, et aliis multis.

Seal, in yellow wax, a good deal broken, bears a bishop standing with crozier in left hand, and the right raised in the act of blessing . . . . ILLVM PHILIPPI D . . . . Apparently the same as that described in the *Proceedings* of the society (vol. x. p. 303). See reproduction of this seal one half size on p. 82.

II.—1197-1208. A confirmation by the same bishop, of a grant by Adam and Alexander de Horde to Robert de Clifford, of the moor of Horde, now Orde, near Berwick, of which a third part was to remain as pasture in common between Clifford and the Hordes. The rent to be paid by Clifford to the grantors was a besant<sup>1</sup> or two shillings at the feast of St. Cuthbert in September, that is, the feast of his translation, which was celebrated on the 15th of the month.

Adam de Orde stands near the head of the pedigree of Orde of Orde, in Raine's *North Durham*, p. 248. He confirmed the grant to the monks of Durham of the fishery of the Pool and the service of Robert de Clifford made by his son Henry de Orde, who had cut off the hand of the king's forester, and Alexander de Orde is one of the witnesses to the confirmation, *ibid.* 134, 249.

Philippus dei gracia Dunelmensis Episcopus. Omnibus has litteras uisuris uel audituris tam presentibus quam futuris salutem. Sciatis nos concessisse et

<sup>1</sup> There were two coins coined in Constantinople and current in England which were called bezants, after Byzantium, the ancient name of that city, the gold besant and the silver besant. It was the latter coin which was current for two shillings. See Kenneth's *Pavochial Antiquities*, edit. 1695, p. 10 and appendix, *Boldon Book* (25 Surtees Society publ.), app. p. liii. [F. W. D.]

presenti carta confirmasse Robberto de Clifford et heredibus suis Moram de Horde quam idem Robbertus habet ex dono Ade et Alexandri de Horde per easdem diuisas per quas Hugo bone memorie predecessor noster eam tenuit ita quod predictus Robbertus et heredes sui tenebunt de predictis Adam et Alexandro et de eorum heredibus duas partes predicte More in dominio, et tertia pars illius More que est apud Orientem remanebit inter prenomatos Adam et Alexandrum et dictum Robbertum in communi pastura. Tenebit eciam predictus Robbertus et heredes sui predictam Moram de supradictis Adam et Alexandro et heredibus eorum in feodo et hereditate libere et quiete et honorifice absque omni seruicio consuetudine et exactione reddendo inde annuatim predictis Ade et Alexandro et heredibus eorum unum bisancium uel duos solidos, ad festum sancti Cuthberti in Septembri. Quare uolumus et precipimus quod predictus Robbertus et heredes sui habeant et teneant predictam Moram per predictum seruicium libere quiete et honorifice in pratis et pascuis in introitibus et exitibus in uuis et semitis in aquis et petariis et in omnibus aliis libertatibus liberam et quietam ab omnibus aliis seruiciis et consuetudinibus et si prefatus Robbertus infra suas proprias partes stangnum vel molendinum firmare uoluerit firmet sicut in carta prenominatorum Ade et Alexandri quam inde habet continetur. Hiis testibus Jordano Escolland Gileberto de Lega Leone de Heriz Rogero Daur' Rogero Bordon Willelmo Escolland Willelmo de Latton Willelmo de Elton' David de Auburne Willelmo de Hetton' Thoma de Twis' Constantino de Grendon' Helia de Cornal' et Willelmo filio suo Robberto de Scremereston' Johanne de Agardeston' et Helia filio suo Patricio de Cheseuic et aliis multis.

Seal destroyed.

III.—Feb. 28, 1312-3. Agreement between John Odenel of Chevelingham and Nicholas Demester of the same place, concerning the marriage of John's son and heir, Thomas, with Isabel, Nicholas's daughter. John Odenel covenanted to settle all his freehold, namely, a messuage, a croft, 51 acres of land, 5 acres of meadow, and half an acre of wood, in Chevelingham, now Chillingham, on Thomas and Isabel in special tail. The charter of feoffment to be made according to the wishes of Nicholas's counsel. As soon as Thomas and Isabel should have had seisin for forty days, they were to re-enfeoff John Odenel for life in two-thirds of the property settled. Each parent to support his child during the five years next ensuing. Nicholas to receive the issues of the remaining third during that period. The parties to the deed covenant to build (*herbeger*) a house in the said third part sixty feet in length. Marriage to take place when Nicholas wishes it, if Holy Church will permit, Isabel being then a child.

Ceste endenture tesmoigne les couenaunces fetes entre Johan Odenel de Cheuelingham dune parte e Nichol demester de mesmes la vile dautre parte endroit del mariage Thomas filz e cyr le dit Johan e Isabele la fille le dyt Nichol. e des autres choses en ceste endenture comprises dount mesmes ces Johan e Nichol en ceste fourme sount acorde. cest asauer qe lauaundit Johan ad grauntee par sa fay done lealment premys a feffer par sa chartre en fourme taille. le dymayn en la feste de la Trinite en lan de grace mile ccc. e xiiij les auaundiz Thomas e Isabele e les eyrs de leur deux corps lealment engendrez de tut le fraunk tenement dount le dyt Johan fu seisi le iour qe ceste endenture se fyt. nomement dun mes. vne croufte cinkaunte vne acre de terre cink acres de pre. e vne demye acre de boyse od les apurtenaunces en Cheuelingham a tenir des chefs seignurs du fe par les seruices qe a les diz tenemenz apendent. e si Thomas e Isabele murgent sanz eir de leur corps isaunt touz les auaundiz tenemenz cest asauer mes croufte. terre. pre. e boyse. od les apurtenaunces au dyt Johan Odenel e a ses eirs reuertiront e remaindrout a touz jours. e serra la chartre de feffement fete par le dit Nichol e soun counsaile en touz poinz a leur volente si auaunt com lay le put souffrir. e kaunt Thomas e Isabele aueront pesiblement leur seisine de karaunte iours continue il refefferont le dyt Johan Odenel de les deux parties de touz les tenemenz auaundiz od les apurtenaunces dount il serront par luy feffez a tenir dez nomez Thomas e Isabele e leurs eirs auaundiz en la vie le dyt Johan taunsoulement. e apres soun deces touz les tenemenz auaunt nomez od les apurtenaunces as diz Thomas e Isabele e leurs eirs auaundiz enterement reuertiront e remaindrout a touz iours. e kaunt Thomas e Isabele serront ensy feffez le dyt Johan sustendra Thomas son filz a ses propres custages par les cinc aunz procheinement suaunz e le dyt Nichol sustendra Isabele sa fille en mesmes la manere. e fet asauer qe apres la confecioun de ceste endenture Johan Odenel auaundyt lerra au dyt Nichol e a ses eirs e ses assignez la terce partie de touz les auaundiz tenemenz enterement od les apurtenaunces en tote manere des issues e profiz ceux tenemenz regardaunz a tenir jeskes la fin de cinc aunz procheynement suaunz de les auaundiz Thomas e Isabele sanz acountes rendre ou rien fere a nuly. e apres les cinc aunz passez les auaundiz Johan e Nichol ordoneront pur la dyte terce partie al profit Thomas e Isabele taunke a leur age en la meilleure manere quil porrout. e les auaundiz Johan e Nichol frount herbege en la dyte terce partie vne mesoun de seisaunte pez de homme en longure couenablement fete a leur custages en comune. e kaunt le dyt Nichol vodra les esposailles des auaundiz Thomas e Isabele se prendront si seinte eglise le put souffrir. e si la dyte Isabele murge denz lage quinz aunz mesmes celui Johan Odenel se conust pur lui e ses eirs e ses executours estre tenuz e oblige au dyt Nichol en dys liures dosterlinges a paer al dyt Nychol ou a soun atourne cest escrit portaunt a Cheuelingham denz mesmes lan apres le deces la dyte Isabele. e pur ceo feffement e les couenaunces en ceste endenture comprises en touz poinz lealment parfurnir le dyt Nichol Demester se conust estre tenuz a Johan Odenel en dys liures dargent dount le dyt Johan serra parpae le iour qe Thomas e Isabele serront feffez. e sil auigne qe le dyt Johan Odenel sait ataint quil eyt couenaunt enfraynt en nul poynt de nule chose en ceste endenture comprise le dyt Johan se conust estre tenuz e oblige au dyt Nichol demester en dis liures

desterlinges a paer au dyt Nichol ou a soun attourne portaunt cest escrit en lan procheinement suant apres le iour de la confeccioun de cest escrit. e lauandyt Nichol se oblige au dyt Johan Odenel en lauaundite peine. sur mesmes les condicions a tenir couenaunt. En tesmoygnaunce de queu chose a ces escriz cirografez. les auaundiz Johan e Nichol entrechangeblement ount mys leur seals. Done a Cheuelingham le Mescredy prochein apres la feste seint Mathy lapostle lan du regne le Rey Edward filz le Rey Edward syme.

Seal destroyed. A cross written on either side of the slit for the label.

IV.—No date. Grant by Isabel, daughter of Nicholas Demester, to Thomas de Hetonne, knight, of two parts of all the tenements in Chewelingham, which once belonged to John Odenell; and of the remaining third which was then held in dower by Emma, widow of John Odenell.

It does not appear how Isabel's estate in special tail had become enlarged to one in fee simple, or how she managed to evade the provisions of the statute *De Donis*. It is, however, possible that John Odenel had, since the settlement, conveyed his reversion in fee to his son and daughter-in-law jointly.

Sciant omnes homines quod ego Issabella filia Nicholai Demester dedi concessi et hac presenti carta mea confirmaui Thome de Hetonne militi duas partes omnium tenementorum cum pertinenciis in Chewelinghama que condam fuerunt Johannes (*sic*) Odnell'. Habendas et tenendas predicto Thome heredibus et assignatis suis de capitalibus dominis feodi illius per consuetudines et seruicia que ad illas duas partes pertinent imperpetuum. Et ego Issabella et heredes mei predictas duas partes cum pertinenciis prefato Thome heredibus et assignatis suis per consuetudines et seruicia predicta contra omnes homines warrantizabimus imperpetuum. Preterea ego Issabella concessi predicto Thome quod tertia pars tenementorum predictorum cum pertinenciis quam Emma que fuit vxor Johannis Odenell' tenet in dotem et que post mortem ipsius Emme michi reuerti deberet remaneat prefato Thome. Habendam et tenendam sibi heredibus et assignatis suis. vna cum duabus partibus predictis de capitalibus dominis feodi illius per consuetudinis (*sic*) et seruicia que ad illam tertiame partem pertinent imperpetuum. Et ego Issabella et heredes mei predictam tertiame partem cum pertinenciis prefato Thome heredibus et assignatis suis contra omnes homines warrantizabimus imperpetuum. In cuius rei testimonium huic carte sigillum meum apposui. Hiis testibus Rogero Hayronne Thoma Grey Militibus Waltero de Dichaud Steffano de Houbournc Johanni (*sic*) de Hesilrig' Willelmo de Lyhama et aliis.

Seal destroyed.

V.—May 6, 1343. Grant by Joan, widow of Nicholas de Huntercombe, to Thomas de Heton, knight, of all the freehold in Chevelyng- ham and Cheuelyng- ham, which had belonged to her husband. Note on the back that it had been inrolled before John Stonor and his fellow justices in the Common Pleas. The arms on the seal are arranged in an unusual fashion, as the woman's coat is placed on the dexter side. The ordinary Marmion bearing was a red fess instead of the three mascles or elongated lozenges. The Huntercombes derived their name from the manor of Huntercombe in Oxfordshire, which Nicholas de Huntercombe, apparently the husband of the grantor in this charter, alienated to Dorchester abbey in 1330 (*Cal. of Patent Rolls*, 1327-1330, p. 505). They seem to have become connected with Northumberland by the marriage of William de Huntercombe with Isabel, daughter and one of the heirs of Robert de Muschamp (*Excerpta è Rotulis Finium*, ii. 90). In 1324 a settlement was made on the marriage of John, son of Nicholas de Huntercombe, and Constance, daughter of John de Lilleburn, by which the manor of Chevelyng- ham, which Nicholas had leased to Thomas de Heton as a security for 200 marks, was settled on John and Constance in tail; also the manors of Beleford and Yesington, and moieties of the manors of Lowyk and Hethpole, held in dower by Ellen, widow of sir Walter de Huntercombe, and other manors including Huntercombe (*Cal. of Close Rolls*, 1323-27, p. 316). It seems probable that John de Huntercombe died without issue. In 1333 Thomas de Heton was pardoned for his trespass in acquiring in fee simple from Richard (*sic*) de Hunterscoumbe the reversion of the moiety of the manor of Lowyk, expectant on the demise of Elena, widow of Walter de Hunterscoumbe, and after attornment by the said Elena, it was granted that the same should remain to John, since deceased, Alan and Thomas, his sons, and Isabel, his daughter, in fee tail (*Cal. of Patent Rolls*, 1330-34, p. 566). In 1344 Thomas de Heton had licence to crenelate his dwelling place at Chevelyng- ham, and make a castle or fortalice there (*ibid.* 1343-1345, p. 191).

Sciant presentes et futuri quod ego Johanna quondam vxor Nicholai de Huntercoumbe remisi relaxaui et omnino imperpetuum quietum clamaui Thome de Heton' Chinaler omnem accionem dotis me contingentis post mortem predicti Nicholai quondam viri mei de toto libero tenemento quod vncquam

fuit predicti Nicholai in Chelyngnam et Cheuelyngnam.<sup>2</sup> Ita quod ego predicta Johanna racione alicuius seisine tenementorum predictorum per predictum Nicholaum prius habite. vllam accionem dotis erga predictum Thomam aut suos quoscumque heredes aut assignatos de cetero exigere vel habere non potero. set per presentes exclusa sim imperpetuum. In cuius rei testimonium presentibus sigillum meum apposui. Dat' apud London' die Martis in festo Sancti Johannis ante Portam Latinam anno domini millesimo tricentesimo quadragesimo tercio.

*Dorso*: Irrotulatur coram J. de Stonor et sociis suis Justic' domini Regis de communi Banco anno regni Regis E. tercii a conquestu decimo septimo ro. cxliii].

Seal red wax,  $\frac{7}{8} \times \frac{6}{8}$  inch. *Vair three lozenges [gules] for Marmion of Checkendon, in Oxfordshire, impaling [Ermine] two bars gemelles [gules] for Huntercombe [S' J]O[HAN]NE DE HVNT'-CVM[BE]*. See plate V. no. 1.

VI.—July 22, 1347. Grant by Alan de Heton to sir Henry, the chaplain, vicar of Chevelyngnam, of his lands and tenements in Doddington, near Wooler.

Sciunt presentes et futuri quod ego Alanus de Heton' dedi concessi et hac presenti carta mea confirmaui domino Henrico capellano vicario de Cheuelyngnam omnes terras et tenementa que habeo in villa de Dodyngton'. Habend' et tenend' omnes predictas terras et tenementa cum pertinenciis predicto domino Henrico heredibus et assignatis suis tenend' de capitali domino feodi illius per seruicia inde debita et de iure consueta. Et ego verodictus Alanus et heredes mei omnes predictas terras et tenementa cum pertinenciis vt predictum est predicto domino Henrico heredibus suis et suis assignatis contra omnes gentes warantizabimus imperpetuum. In cuius rei testimonium huic presenti carte sigillum meum apposui. Hiis testibus Thoma Gray milite Roberto de Maners milite Waltero de Crayk' milite Johanne de Bellyngnam Dauyd Gray Waltero de Hakford' Johanne de Wetewode et aliis. Dat' apud Dodyngton' die dominica proxima ante festum Sancti Jacobi apostoli. Anno domini millesimo tricentesimo quadragesimo septimo.

Seal, red wax, circular,  $\frac{7}{8}$  inch in diameter. Within a traceried panel a shield couchée bearing a lion within a bordure engrailed with a label of three points. Over the helmet a demi-wyvern as a crest. On the sinister side a dragon with a label depending from its mouth the inscription on which is illegible (? A HETON). On the dexter side a claw issuing from the top of the shield holding a lance with triangular pennon charged with a cross. No inscription around. The Middletons of Silksworth, quartered Heaton, *vert three lions silver*.<sup>3</sup> The Heaton of Heaton, in Yorkshire, apparently not

<sup>2</sup> It is not apparent why both forms of the name of the place should be used.

<sup>3</sup> In the 'Craster Tables,' printed in vol. xxiv. of the *Archæologia Aeliana*, sir Allen Heaton has assigned to him, *vert a lion rampant argent*.



1.



2.



3.



4.



5.

1. SEAL OF JOAN DE HUNTERCOMBE. (See p. 68.)

2. SEAL OF THOMAS DE MIDLTON. (See p. 74.)

3. SEAL OF ALAN DE HETON. (See p. 68.)

4. SEAL OF ALAN DE HETON, knt. (See p. 70.)

5. SEAL OF MARJORY DE HETON. (See p. 70.)





connected with the Northumberland family, bore, *vert a lion and a bordure engrailed silver*, which was one of the quarterings of Gascoigne of Lasingcroft. See plate V. no 3.

VII.—June 25, 1354. Grant by Constance, daughter of John de Eshlyngton, to William de Routh of her property in Overframelyngton, now Long Framlington. The deed was executed at Richmond in Yorkshire, to which county Routh and most of the witnesses belonged.

Sciunt presentes et futuri quod ego Constancia filia Johannis de Eshlyngton' dedi concessi et hac presenti carta mea confirmaui Willelmo de Routh' omnia terras et tenementa cum pertinenciis in Ouerframelyngton' in Comitatu Northumbrie que michi descendebant jure hereditario post decessum Thome' de Eshlyngton' fratris mei. Tenend' et habend' omnia predicta terras et tenementa cum pertinenciis prefato Willelmo heredibus et assignatis suis tam in dominiis quam in dominicis libertatibus aysiametis et commoditatibus vt in moris boscis piscariis viuariis viis aquis molendinis stagnis semitis pascuis et pasturis et omnibus aliis dictis terris et tenementis quoquomodo spectantibus seu pertinentibus de capitalibus dominis feodi illius per seruicia inde debita et de jure consueta imperpetuum. Et ego vero predicta Constancia et heredes mei omnia predicta terras et tenementa cum pertinenciis vt predictum est prefato Willelmo heredibus et assignatis suis contra omnes homines warantizabimus et imperpetuum defendemus. In cuius rei testimonium huic presenti carte sigillum meum apposui. Hiis testibus dominis Roberto de Hilton' Ricardo 'Tempest Johanne Mounceaux militibus Ricardo de Ask' Johanne de Ellerton' Thoma de Routh' Willelmo de Waghen et aliis. Dat' apud Richemond die Mercurii proxima post festum Natiuitatis Sancti Johannis Baptiste anno regni Regis Edwardi tercii a conquestu Anglie vicesimo octavo.

*Dorso*: Framelyngton.

Seal destroyed.

VIII.—July 24, 1384. Grant by Alan de Heton, knight, and Marjory, his wife, to William de Heland, rector of Angram, of all their land which came from the inheritance of the said Marjory in Swinhoe, Horton, Coldmartin, Tynemouth, and Alnwick.

Omnibus hoc scriptum visuris uel auditaris Alanus de Hetou' miles et Marioria vxor eius salutem in domino Noueritis nos dedisse concessisse et hanc presentem cartam nostram (*sic*) confirmasse Willelmo de Heland' rectori ecclesie de Angram heredibus et assignatis suis totam terram nostram que fuit de hereditate dicte Maryorie (*sic*) in Swynhow Horton' Caldemarton' Tynmouth et Alnewyk' Habend' et tenend' omnia predicta terras et tenementa cum omnibus suis pertinenciis prefato Willelmo heredibus et assignatis suis de capitalibus dominis feodi illius per seruicia inde debita et de jure consueta in perpetuum

In cuius rei testimonium presentibus sigilla nostra apposuimus Hiis testibus Johanne de Fenwyk' Roger Heroun Willelmo de Lawall' myletibus (*sic*) Roberto de Aggriston' Johanne de Hesilrig Johanne de Howburn et aliis Dat' apud Cheffyngham die dominica in vigilia Sancti Yacobi apostoli anno Ringni Regis Ricardi secundi post conquestum octauo.

Two seals of red wax. (1) Circular,  $\frac{7}{8}$  inch diameter, on a shield within a reticulated border, a lion. The shield is suspended from a tree : **Sigillu' alani de betoun.** (2) Circular,  $\frac{7}{8}$  inch in diameter. Within a traceried panel, a lady standing and holding before her a shield charged with a lion : **s' marjorie de beton.** See plate V. nos. 4 and 5.

IX.—Same date. Power of attorney from Alan de Heton and his wife to John Scrywan (? Scriven) to deliver seisin of the property comprised in the last deed to William de Heland.

A toutz ceaux qe cestz lettres uerrount ou orrount Alain de Heton' chiualer et Mariori sa femme saluz en dieu Sachez nous auer ordine et en nostre lowe misse Johan Scrywan nostre attorne pour diliuer sesine a William de Heland' person del glise de Anggram de totz les terris et tenementz qels furount del heritage de dit Mariori en Swynhow Horton' Caldemarton' Tynmowth' et Alnewik heiaunt ferme et stable ceo qe le dit Johane fet en. nostre noune tochant le dit sesine En tesmoyn de quel chose a cest lettre de attorne nous awoms mise nos ceallis Escrit a Cheffyngham le veille de Sein Yakes le apostill Lan de Ring' le Roy Richard secund pois le conquest ouyttyme.

Two labels, one seal remaining bearing a lion as in no. 8.

X.—August 12, 1384. Power of attorney from the same to John de Birkin, vicar of Chillingham, to receive from William de Heland seisin of the property they had granted to him. According to the pedigree of Middleton of Silksworth, given in the *Visitations* (Foster's edition, p. 239), one of sir Alan de Heton's daughters and heiresses, Margaret, married Thomas Middleton, brother of sir John Middleton.

A toutz ceaux qe cestz lettres verrount ou orrount Alain de Heton' chiualer et Maryori sa femme salutz en dieu Sachez nous auer ordine et en nostre lowe misse Johan de Birkin vicar de le glise de Cheffyngham nostre attorney por resaiuer sesine a nostre oups de William de Heland' person de le glise de Anggram de totz les terris et tenementz qe furount del heritage de dit Mariori de qels le dit William foit enfeffe par nostre chartre Heyant ferme et stabil ceo qe le dit Johan fete en nostre noune tochant le resayuer de dit sesine En tesmoyn de quel chose a cestz lettre de attorne nous auoms myse nos ceallis escrite a Swinhowe le vendirdi prochen apres le fest de Seint Lowrauns le apostel (*sic*) lanne de Ryng le Roy Richard secund pois le conquest ouyttyme.

Two seals of white wax : (1) Marjory de Heton's seal as to no. 8, very poor impression ; (2) circular,  $\frac{5}{8}$  inch in diameter, with a device,

XI.—April 10, 1422. Grant by Thomas de Midelton, esquire, son of John de Midelton, knight, and of Christiana, his wife, both deceased, to John de Midelton, knight, his elder brother of the whole blood, of a moiety of the site of the manor of Belsay, and of all the demesne lands with a moiety of the patronage of the advowson of the chapel of the Blessed Mary in Belsay, and other property, with certain rents from the manor of Trewick, except three tenements and three husbandlands belonging to them in Belsay, and a cotage with four acres of land, which John had in exchange by another charter for certain lands in Alnwick, one of which tenements lay above the south row before the gate of the manor, another by the lidgate<sup>4</sup> above the north row on the west of the manor; these were called Gibsonlands, and the third tenement lay at the west end of the said vill above the south row, then in the tenure of Nicholas Henrison, and the cotage lay above the south row, opposite St Mary's chapel, and was the third cotage eastward from the capital tenement of the said chantry. To hold in tail in exchange for a third part of the manor of Silkworth, and for a third part of certain lands in Tunstall, and in the Basset-flat, near the common field of Offerton, in the bishopric of Durham, which had once belonged to lady Jacoba de Strevelyn, with divers remainders over.<sup>5</sup>

<sup>4</sup> A 'lidgate' still means a gate or passage in provincial English; 'a gate between ploughed land and meadow, or pasture and meadow, in an open field'; a gate at the entrance of a village used to hinder cattle from straying among the houses (*English Dialect Dictionary*).

<sup>5</sup> The following circumstances throw some light on these transactions between John and Thomas de Middleton. In 1318, Belsay and other possessions in Northumberland of sir John de Middleton (I.) were forfeited by him for his part in the rebellion of Gilbert de Middleton against Edward II.

In 1335 those possessions were granted by Edward III. to sir John de Strivelyn, subject to life interests which had been granted by Edward II. to Thomas Crumbweil and Thomas de Bamburgh (*Patent Roll*, 9 Edward III. pt. 2, mem. 20).

In 1324 Silkworth had been granted to Richard de Emeldon, who died in 1333.

In 1361 sir John de Strivelyn and Jane, his wife, *née* Jane de Emeldon, one of the three co-heiresses of Richard de Emeldon, settled the lands (1) of sir John de Strivelyn, (2) of Barnaba de Strivelyn, *née* Barnaba de Swinburne, his first wife, and (3) of Jane de Strivelyn, with limitations in favour of John and Jane de Strivelyn in tail, with remainder to John de Middleton (II.) and Christiana, his wife, in tail, with divers remainders over (*Feet of Fines, Northumberland*, 181, file 13, no. 121. deed in Durham Treasury, new *History of Northumberland*, vi. 132, Hodgson's *Northumberland*, II. i. 35).

John de Strivelyn and Jane, his wife, died without heirs of their bodies, the former in 1378, and the latter in 1391. John de Middleton (II.) died in 1396, and Christiana, his wife, in 1421; and, immediately after her death, the deeds of

Sciant presentes et futuri quod ego Thomas de Midelton' Armiger filius Johanis de Midelton' Chivaler et Cristiane vxoris eius nunc defunctorum dedi concessi et hac presenti carta mea indentata confirmaui Johanni de Midelton' Militi fratri meo seniori de integro sanguine totam illam medietatem Situs Manerii de Belsove et omnes illas terras dominicales ibidem cum medietate aduocacionis patronatus Cantarie Beate Marie in Belsove et medietatem Curie bosci plani prati pasture stagnorum molendinorum et certarum piscariarum ac Medietatem sexdecim terrarum Husbandr' cum medietate viginti cotagiorum ibidem et cum redditu siue seruicio vnus libre piperis dimidie libre Cimini exeunte de Manerio de Trewyk' et cum seruicio sex denariorum super quolibet ingressu cuiuslibet heredis post mortem antecessoris eius in Mancro de Trewyk' exceptis tamen tribus tenementis et tribus terris Husband' eisdem pertinentibus et vno cotagio cum quatuor acris terre eidem pertinentibus in Belsove in Comitatu Northumbrie que dictus Johannes habet in excambium per aliam cartam meam de et pro certis terris in Alnewyke quorum tenementorum superius exceptorum vnum iacet super le Southrawe coram portam (*sic*) Manerii ibidem aliud tenementum iacet iuxta le lidgate super le Northrawe ex parte occidentali dicti Manerii et vocantur gibsonlandez et tercium tenementum iacet in fine occidentali dicte ville super le Southrawe nunc in tenura Nicholai Henrison' et dictum cotagium iacet super le Southrawe ex opposito dicte Capelle Beate Marie et est tercium cotagium versus orientem a capitali tenemento dicte Cantarie que omnia predicta hic per me concessa simul cum dictis parcellis superius exceptis nuper habui ex dono et concessione Simonis de Weltden Habend' et tenend' omnia predicta terras tenementa et cetera alia superius specificata in Belsove exceptis preexceptis cum suis membris et pertinenciis prefato Johanni fratri meo et heredibus de corpore suo legitime procreatis de capitalibus dominis feodorum illorum per seruicia inde debita et de iure consueta

partition and mutual conveyance and arrangement which follow were entered into by their sons John de Middleton (III.) and Thomas de Middleton.

It is observable that whilst Thomas de Middleton claims and conveys by these deeds a moiety of Belsay and the other possessions which had originally come into the settlement from the Middletons through the grant of them by the crown to sir John de Strivelyn, he does not claim or convey any interest in the lands which had originally come into the settlement from Richard de Embleton through Jane de Strivelyn in Alnwick and Silksworth.

According to a record cited by Hodgson (II. i. 354), John de Middleton (I.) forfeited in 1318 only half the manor of Belsay, etc. Probably the other half was preserved to the Middleton family by an entail created before that date, and that under that entail John de Middleton (II.) took one half of Belsay, etc., by a title outside the settlement, and used that half for the endowment of his second son Thomas de Middleton, and that the latter was thus enabled to exchange his interest in Belsay for his brother's interest in the Alnwick property, and in Jacoba de Strivelyn's third of Silksworth manor.

The way in which the warranties of the guarantors were relied on, and the existing entails disregarded by the parties throughout all this batch of deeds, is deserving of attention.

From the seals it would seem that the Middletons had not at this date quartered the arms of Strivelyn (on a shield *sable crusilly and fitchy silver three covered cups*), but both the Middletons of Belsay and the Middletons of Silksworth afterwards did so. A Middleton deed in the Durham treasury dated in 1465 bears the quartering (1ma 6ta Spec. no. 43). [F. W. D.]

imperpetuum in excambium pro tota illa tertia parte Manerii ville de Silkesworth' cum suis membris et pertinenciis ac reuercionibus et seruciis vniuersis ac pro tertia parte vnius terre Husband' iuxta campum de Tunstan' (*sic*) et pro tertia parte terrarum in le Bassetflate iuxta campum de Offerton' infra Episcopatum Dunelmensem que quondam fuerunt domine Jacobe de Strevelyn sicut iacent per suas rectas diuisas de et sub modis et formis ac condicionibus subsequentibus. Videlicet sub condicione quod si contingat dictum Johannem fratrem meum sine herede de corpore suo exeunte obire. Volo tunc quod omnia predicta terre tenementa et cetera alia cum pertinenciis in Belsowe et Trewyk' hic per me concessa exceptis preexceptis michi prefato Thome de Midelton' et heredibus masculis de corpore meo exeuntibus remaneant et reuertantur imperpetuum. Remanere inde postea heredibus de corporibus dictorum Johannis de Midelton' Chiualer et Cristiane vxoris eius exeuntibus legitime procreatis. Remanere tunc postea rectis heredibus et assignatis dicti Johannis fratris mei. Tenend' de capitalibus dominis per seruicia predicta imperpetuum. Et sub condicione quod si contingat me prefatum Thomam de Midelton' vel heredes masculos de corpore meo exeuntes seu nostrorum aliquem per prefatum Johannem fratrem meum heredes vel assignatos suos vel per aliquem eorum nomine seu covina aut per quemcumque alium de predictis tertiis partibus Manerii et ville de Silkesworth' cum pertinenciis de terrarum Husband' iuxta Tunstan aut terrarum in bassetflat cum pertinenciis vel de ceteris aliis prescriptis cum pertinenciis infra Episcopatum Dunelmensem vel de aliqua parcella eorundem per processum iuris possessionem amittere expelli siue disseisiri per aliquem titulum iuris in eisdem habentem seu pretendentem habere ante datam presencium collusionem fraude et malo ingenio omnino postposit' quod tunc liceat michi prefato Thome de Midelton' et heredibus masculis de corpore meo legitime procreatis omnia predicta terras tenementa et cetera alia prescripta in Belsowe et Trewyk' superius declarata exceptis preexceptis hic per me concessa intrare habere et michi et heredibus de corpore meo exeuntibus retinere imperpetuum Remanereque inde postea in omnibus et per omnia vt superius dictum est hac carta et seisina inde deliberata in aliquo non obstante. Et si talis introitus racione premissa de cetero eueniat quod absit quod tunc dictus Johannes frater meus heredes et assignati sui teneantur ad reliberandum michi prefato Thome et heredibus masculis de corpore meo exeuntibus omnimoda scripta carta (*sic*) et munimenta tam dictas terras et tenementa in Belsowe et Trewyk' quam alia terras et tenementa in Thornburgh' nunc Simonis de Weltden' tangencia que idem Johannes frater meus habuit ex liberatione mea super deliberacione seisine presentis carte Et ego vero prefatus Thomas de Midelton' et heredes mei omnia predicta terras tenementa et cetera alia in Belsowe et Trewyk' exceptis preexceptis hic per me concessa cum suis pertinenciis prefato Johanni fratri meo et heredibus de corpore suo exeuntibus ac heredibus de corporibus dictorum Johannis de Midelton' Chiualer et Cristiane defunctorum exeuntibus necnon heredibus et assignatis dicti Johannis fratris mei modo et forma predictis ac de et sub condicionibus prescriptis in omnibus et per omnia vt predictum est contra omnes gentes Warantizabimus et defendemus imperpetuum. In cuius rei testimonium vtrique parti huius carte indentate nos prefati Thomas et Johannes frater sigilla nostra apposimus Hiis testibus Roberto de Ogle Willelmo de Swynburn' Militibus Johanne del

Strother Willelmo Carnaby Nicholao Turpyn et aliis Dat' decimo die mensis Aprilis Anno domini Millesimo quadringentesimo vicesimo secundo. Et anno regni Regis Henrici quinti post conquestum Anglie decimo.

There have been two seals, only one left, red wax, circular, diameter  $\frac{6}{8}$  inch. A shield, *quarterly and in the first quarter a cross paty*. A cross pattern in place of the inscription around. The bearing of Middleton was, *quarterly gules and gold and a cross botony silver in the quarter*. See plate V. no. 2.

XII.—Same date. Grant by John de Midelton, knight, to Thomas de Midelton, esquire, his brother of the whole blood, of a tenement in Alnwick, by le Malterosse in which Thomas Bownes had lived, and 30 acres of land belonging to it, and three tofts on the west of it, a tenement in Bondgate, a husbandland belonging to it, eight acres of land in le Haugh called Messengerland, which had belonged to Lady Jacoba de Strevelyn, to hold in tail male, in exchange three tenements, etc., in Belsay, with divers remainders over.

Presens carta indentata testatur quod ego Johannes de Middleton' Miles filius et heres Johannis de Midelton' Chjualer et Cristiane vxoris eius nunc defunctorum dedi concessi et hac presenti carta mea confirmaui Thome de Midelton' armigeró fratri meo de integro sanguine vnum tenementum in Alnewyk iuxta le Malterosse in quo Thomas Bounes nuper habitauit et triginta acras terre eidem tenemento pertinentes ac tria tofta que iacent ex parte occidentali dicti tenementi et vnum tenementum in Bondegate et vnam terram Husband' eidem tenemento pertinentem, necnon octo acras terre iacentes in le Haugh' vocatas Messengerland in Alnewyk cum suis pertinenciis que quondam fuerunt domine Jacobe de Strevelyn' prout iacent ibidem per suas rectas diuisas Habend' et tenend' predicto Thome et heredibus masculis de corpore suo exeuntibus de capitalibus dominis feodorum illorum per seruicia inde debita et de iure consueta imperpetuum, in excambium pro tribus tenementis tribus terris husband' vno' cotagio ac quatuor acris terre in Belsowé in Comitatu Northumbrie cum suis pertinenciis inferius declarandis, de et sub modis et formis ac condicionibus subsequentibus videlicet sub condicione quod si contingat prefatum Thomam sine herede masculo de corpore suo exeunte obire. Volo quod tunc omnia predicta terre tenementa et tofta cum suis pertinenciis in Alnewyk michi prefato Johanni filio et heredibus de corpore meo exeuntibus remaneant et reuertantur imperpetuum Tenend' de capitalibus dominis per seruicia predicta Et si contingat me sine herede de corpore meo exeunte obire volo quod tunc omnia predicta terre tenementa et tofta hic per me concessa cum suis pertinenciis

integre remaneant heredibus de corporibus dictorum Johannis de Midelton' Chiualer et Cristiane vxoris eius legitime procreatis Tenend' de capitalibus dominis per seruicia predicta. Ita quod deficientibus heredibus de corporibus eorundem Johannis de Midelton' Chiualer et Cristiane legitime procreatis quod tunc omnia predicta terre tenementa et tofta hic per me concessa cum suis pertinenciis rectis heredibus meis remaneant et reuertantur imperpetuum Tenend' de capitalibus dominis per seruicia predicta vt predictum est. Et sub condicione quod si contingat me prefatum Johannem filium seu heredes de corpore meo exeutes seu nostrorum aliquem arte vel ingenio per prefatum Thomam heredes vel assignatos suos vel per aliquem alium de predictis terris [et] tenementis in Belsowe inferius declarandis vel de aliqua parcella eorundem per processum iuris possessionem amittere expelli ammoueri siue disseisiri per aliquem habentem seu pretendentem habere titulum iuris in eisdem ante datam presentis carte Collusione fraude malo ingenio et covina omnino postpositis quod extunc bene liceat michi prefato Johanni filio et heredibus meis predictis omnia predicta terras tenementa et cetera prescripta in Alnewyk cum suis pertinenciis hic per me concessa intrare habere et possidere in feodo talliato vt predictum est imperpetuum Remanere postea inde in omnibus et per omnia vt predictum est hac carta et seisisna eiusdem in aliquo non obstantibus Et si talis introitus racione premissa de cetero eueniat quod absit Adtunc (*sic*) dictus Thomas et heredes sui teneantur ad reliberandum michi et heredibus meis predictis in feodo talliato ac heredibus illorum qui contigerint possessionem habere per formam iuris in le remanere vt predictum est omnimoda illa scripta cartas et munimenta dicta terras seu tenementa in Alnewyk tangencia que idem Thomas habuit ex deliberacione mea super deliberacione seisine et sigillacione presentis carte Et vero ego prefatus Johannes de Midelton' filius et heredes mei omnia predicta terras tenementa et cetera alia prescripta in Alnewyk hic per me concessa cum suis pertinenciis prefato Thome et heredibus suis masculis de corpore suo exeutibus Ac heredibus singulorum illorum predictorum qui contigerint possessionem siue ius inde habere per formam iuris in le remanere vt predictum est modo et forma Ac de et sub condicionibus prescriptis contra omnes gentes warantizabimus et defendemus imperpetuum Presens insuper carta testatur quod prefatus ego Thomas de Midelton' dedi concessi et hac presenti carta mea indentata confirmaui prefato Johanni de Midelton' Militi fratri meo seniori predicta tria tenementa tres terras husband' vnum cotagium ac quatuor acras terre cum pert. in Belsowe infra Comitatum Northumbrie que simul cum aliis tenementis in Belsowe nuper fuerunt Symonis de Weltden' et quorum tenementorum hic per me concessorum vnum iacet super le Southrawe coram portam (*sic*) Manerii ibidem aliud iacet super le Northrawe iuxta le lidgate ex parte occidentali dicti Manerii et vocantur Gybsonlandez et tercium tenementum iacet super le Southrawe in fine occidentali dicte ville nunc in tenura Nicholai Henryson et dictum cotagium iacet super le Southrawe ex opposito capelle beate marie ibidem et illud cotagium est tercium cotagium versus orientem a capitali tenemento eiusdem Cantarie in excambium pro predictis terris tenementis et toftis cum pertinenciis in Alnewyk Habend' et tenend' omnia tria tenementa tres terras husband' cotagium et quatuor acras terre in Belsowe cum suis pertinenciis prefato Johanni de Midelton' fratri meo et heredibus de corpore suo



exeuntibus de capitalibus dominis feodi illius per seruicia inde debita et de iure consueta imperpetuum in excambium pro sepedictis terris tenementis et toftis in Alnewyk cum suis pertinenciis de et sub modis et formis ac condicionibus subsequentiibus videlicet sub condicione quod si contingat dictum Johannem fratrem meum sine herede de corpore suo exeunte obire volo quod tunc omnia predicta terre tenementa et cetera alia prescripta in Belsowe cum pertinenciis hic per me concessa michi prefato Thome et heredibus masculis de corpore meo exeuntibus remaneant et reuertantur imperpetuum Tenend' de capitalibus dominis per seruicia predicta Remanereque inde postea heredibus de corporibus dictorum Johannis de Midelton' Militis et Cristiane vxoris eius legitime procreatis Tenend' de capitalibus dominis vt predicatur. Remanere postea rectis heredibus et assignatis dicti Johannis fratris mei imperpetuum Tenend' de capitalibus dominis per seruicia predicta. Et sub condicione quod si contingat me prefatum Thomam seu heredes de corpore meo exeutes seu nostrorum aliquem per prefatum Johannem fratrem meum heredes vel assignatos suos vel per alium eorum nomine consilio seu covina vel per quemcumque alium de predictis terris tenementis seu toftis in Alnewyk cum suis pertinenciis vel de aliqua parcella eorundem per processum iuris possessionem amittere vel alio modo expelli ammoueri siue disseisiri per aliquem titulum iuris in eisdem habentem seu pretendentem ante datam presentis carte collusione fraude et malo ingenio omnino postpositis quod tunc bene liceat michi prefato Thome et heredibus masculis de corpore meo exeuntibus omnia predicta terras tenementa et cotagium in Belsowe cum suis pertinenciis intrare habere et possidere imperpetuum hac carta et seisina eiusdem in aliquo non obstantibus Et si talis introitus ratione premissa de cetero eueniat quod absit quod tunc dictus Johannes frater et heredes sui teneantur ad deliberandum michi dicto Thome et heredibus meis masculis. Necnon aliis heredibus superius in le Remanere specificatis omnimoda cartas scripta et munimenta dicta terras seu tenementa in Belsowe tangencia hic per me concessa que idem Johannes frater habuit ex deliberacione mea tempore deliberacionis seisine et sigillacionis presentis carte mee Et ego vero dictus Thomas et heredes mei omnia predicta tria tenementa tres terras husband' cotagium et quatuor acras terre in Belsowe cum pertinenciis prefato Johanni fratri et heredibus de corpore suo exeuntibus ac heredibus dictorum Johannis Chiualer et Cristiane vxoris eius de corporibus eorundem Johannis et Cristiane exeuntibus necnon rectis heredibus prefati Johannis fratris mei modo et forma predictis ac de et sub condicionibus prescriptis contra omnes gentes warrantizabimus et defendemus imperpetuum. Et in huius rei testimonium vtrique parti huius carte indentate nos prefatus Johannes de Midelton' filius et predictus Thomas sigilla nostra apposuimus Hiis testibus Willelmo de Rodom Ed'o Crawcestre Armigeris Ricardo Bounes Johanne Porter de Alnewik Nicholao Turpyn' Ricardo Anisle Jacobo Anisle et aliis. Dat' decimo die Aprilis (etc., ut in ultima carta) Et sciendum est quod predicta clausa que sic incipit Et in huius rei testimonium etc. scribitur in altera parte huius carte post datam.

Two labels with fragments of seals in red wax, one apparently the same as that attached to the last deed.

XIII.—June 20, 1475. Grant by Thomas Middleton of Silksworth, esquire, to sir John Middleton, knight, and others,<sup>6</sup> of his property in Hartley, Tynemouth, Hadston, Alnwick, and Doxford.

There is another deed between the same parties and relating to the same places with the addition of Bamburgh, dated at Silksworth, June 20, 11 Edward IV. (1471), but in other respects identical with the deed printed below.

Sciatis presentes et futuri quod ego Thomas Middilton de Silkesworth Armiger dedi concessi et hac presenti carta mea indentata confirmaui Johanni Middilton Militi Willélmo Hylton Armigero Roberto Tempest Armigero Roberto Porter Roberto Harbotill et domino Johanni Skynner presbitero omnia mesuagia terras tenementa redditus et seruicia cum suis pertinenciis que habeo in villis et territoriis de Hartlawe Tynmouth Hadilston Alnewik et Doxford in comitatu Northumbrie Habend' et tenend' omnia mesuagia terras tenementa redditus et

<sup>6</sup> The parties to this deed were sons of the Thomas and John de Middleton, the partitioners mentioned in the preceding deeds. Thomas, in the present deed, is mentioned in the *Durham Visitation* pedigree of the Middletons of Silksworth, and married Eleanor, daughter of Rowland Tempest. John, in the present deed, is omitted by Hodgson from his pedigree of the Middletons of Belsay. This John Middleton (IV.) married Isabella, daughter of Roger Thornton. *Cott. Ch.* xii. 41, B.M., *Dodsworth MSS.* 52, fols. 124, 125, and new *History of Northumberland*, VI. 300, 343, where he is called in error the son, instead of the grandson, of Christiana de Middleton. Her son, John Middleton, the partitioner, married Joan ..... [F.W.D.]

Middilton, Thomas. *Inq. p. m.* taken 27 Sep., 1480, at Bishop's Auckland. Thomas, aged 16, is his son and heir. With the intention of depriving the bishop of the custody of his lands and heir, he had enfeoffed William Hilton and others of his lands, &c., of which they were to enfeoff his heir upon coming of age, but of which he took the profits, &c., to the date of his death.

Silkesworth, manor of, held of the prior of Durham, &c.

44 Report of the Deputy Keeper of Public Records, p. 463.

Middleton, Thomas. *Inq. v. o.* taken 20 Dec., 1498, at Darlington. He had (without due delivery by the bishop) entered on his lands.

Silkesworth, } manors of.  
Elestobb, }

*Ibid.*, p. 465.

Middleton, Thomas. *Inq. v. off.* taken 6 Sept., 1512, at Durham. Anne, aged 4, is his daughter and next heir. Gilbert, aged 30, is his brother and heir to one-third part of the manor of Silkesworth and lands in Tunstall and Bassett Flat, next Offerton, which lands had been, by deed dated 10 April, 1422, conveyed by John Middilton (son of John Middilton and Christian his wife) to his brother, Thomas de Middilton and Margaret his wife and his heirs male. They had issue Thomas, who was the father of the said Thomas and Gilbert.

Silkesworth, a third part of the manor of, &c.

*Ibid.*, p. 466.

Middleton, Lancelot. *Inq. per br. de mand.* taken 16 Sept., 1561, at Durham. George Myddilton, aged 20, is his son and next heir. Silkesworthe, manor of, and lands and tenements there; held of the dean and chapter, &c.

*Ibid.*, p. 471.

seruicia predicta cum suis pertinenciis prefatis Johanni Middilton Willelmo Roberto Tempest Roberto Porter Roberto Harbotill et Johanni Skynner heredibus et assignatis suis de capitalibus dominis feodorum illorum per seruicia inde debita et de iure consueta imperpetuum. Et ego vero predictus Thomas et heredes mei omnia mesuagia terras tenementa redditus et seruicia predicta cum suis pertinenciis prefatis Johanni Middilton Willelmo Roberto Tempest Roberto Porter Roberto Harbotill et Johanni Skynner heredibus et assignatis suis contra omnes gentes warantizabimus et imperpetuum defendemus In cuius rei testimonium huic presenti carte mee indentate sigillum meum apposui Dat' apud Silkesworth predict' vicesimo die mensis Junii Anno regni Regis Edwardi quarti post Conquestum Anglie quintodecimo.

Seal, red wax, circular, diameter  $\frac{3}{8}$  inch. Device, an eagle.

XIV.—Same date. Power of attorney to Robert Dove of Hartley to deliver seisin.

Nouerint vniversi per presentes me Thomam Middilton de Silkesworth armigerum ordinasse deputasse et loco meo posuisse dilectum michi in X'po Robertum Dove de Hartlawe meum verum et legitimum attornatum ad deliberandum pro me et nomine meo Johanni Middilton Militi etc. plenam et pacificam seisinam ac legalem possessionem de et in omnibus mesuagiis terris tenementis redditibus et seruiciis cum suis pertinenciis que habeo in villis et territoriis de Hartlawe Tynmouth Hadilston Alnewik et Doxford in comitatu Northumbrie Habend' et tenend' omnia mesuagia etc. prefatis Johanni Middilton etc. heredibus et assignatis suis secundum vim formam et effectum cuiusdam carte mee indentate eis inde confecte cuius dat' est apud Silkesworth die et anno confeccionis presencium ratum et gratum habens et habiturus quicquid predictus Robertus Dove attornatus meus pro me seu nomine meo fecerit in premissis In cuius rei testimonium huic presenti scripto meo sigillum meum apposui Dat' apud Silkesworth predict' vicesimo die Junii Anno regni Regis Edwardi quarti post Conquestum Anglie quintodecimo.

Same seal as to last deed.

XV.—March 15, 1479-80. Demise from Thomas Middleton of Silksworth, esquire, to Edward Sunderland of Bamburgh of a waste burgage and three acres of land in Bamburgh for a term of forty years from Whitsuntide then next, at an annual rent of 6s. 8d. Power of re-entry if the rent be in arrear for forty days, and no sufficient distraint be found, or the burgage shall not have been rebuilt, or kept in a state of repair. Robert Man and Robert Sym sureties.

Hec indentura facta inter Thomam Middilton de Silkesworth armigerum ex parte vna et Edwardum Sundirland de Bamburgh ex parte altera testatur quod predictus Thomas concessit et ad firmam dimisit eidem Edwardo vnum burgagium vastum et tres acras terre cum suis pertinenciis iacen' in villa et territorio de Bamburgh Habend' et tenend' dictum burgagium et tres acras terre predictas cum suis pertinenciis predicto Edwardo heredibus et assignatis suis de Capitali domino feodi illius per seruicia inde debita a festo Pentecostes proxime futuro post datam presencium (May 21) vsque terminum quadraginta annorum extunc proxime sequencium et plenarie complendorum Reddendo inde annuatim durante termino predicto prefato Thome heredibus et assignatis suis ad festa S. Martini in yeme et Pentecostes per equales porciones sex solidos et octo denarios sterlingorum Ita quod si contingat dictum redditum sex solidorum et octo denariorum a retro fore in parte vel in toto non solum post aliquod festum prenotatum quo solui debeat per quadraginta dies et sufficiens districcio in predicto burgagio cum suis pertinenciis nequiat inueniri Aut si predictus Edwardus predictum burgagium sumptibus suis propriis de nouo non construxerit vel si ipse Edwardus heredes vel assignati sui predictum burgagium postquam constructum fuerit non sustentauerint et reparauerint Tunc bene liceat predicto Thome heredibus et assignatis suis in predict' burgagium et tres acras terre cum suis pertinenciis reintrare et illa in suo pristino statu rehabere et possidere presente indentura in aliquo non obstante Et ad omnes et singulas condiciones prescriptas ex parte predicti Edwardi tenendas et perimplendas [predictus Edwardus inuenit Robertum Man et Robertum Sym plegios<sup>7</sup>] 'posuerunt se prefato Thome Middilton plegios et manucaptors Et predictus Thomas Middilton et heredes sui predict' burgagium et tres acras terre cum suis pertinenciis predicto Edwardo heredibus et assignatis suis in forma predicta durante termino predicto contra omnes gentes warantizabunt et defendent In cuius rei testimonium partes predictae hiis indenturis sigilla sua alternatim apposuerunt Dat' quintodecimo die Marci Anno regni Regis Edwardi quarti post conquestum Anglie vicesimo.

Three labels, seals destroyed, for the lessee and his two sureties.

XVI. Feb. 6, 1488-9. Grant by John Bellingham of Hirst, esq., to John Middleton, knight, William Musgrave, gent., and William Horsley, chaplain, of all his property in Hirst in Woodhorn, or elsewhere in England.<sup>9</sup>

<sup>7</sup> Passage within square brackets is written in a different hand.

<sup>8</sup> Some such word as *qui* wanted to complete the sentence.

<sup>9</sup> The family of Bellingham of Bellingham, on the North Tyne, transferred itself, as to the main line, in the thirteenth century to Burnside, in the parish of Kendal, which estate is stated to have been acquired by Richard de Bellingham on his marriage with Margaret, daughter and heir of Gilbert de Burnside (see Nicolson and Burn's *Westmorland and Cumberland*, vol. i. p. 125). By a deed, dated Oct. 1, 1471, Robert Bellingham released certain rents and personalty to his son, Robert Bellingham (*Cartae Swinburn*, vol. i. pp. 173-174). Robert Bellingham, the father, died March 14, 1475/6, seised of a

Sciant presentes et futuri quod ego Johannes Bellyngham de Hyrst in Comitatu Northumbrie Armiger dedi concessi et hac presenti carta mea Indentata confirmaui Johanni Myddylton militi Willelmo Musgrave generoso et Willelmo Horsley capellano omnia terras et alia tenementa mea vna cum redditibus seruiciis liberorum hominum escaetis et reuersionibus quibuscumque que habeo vel habere poterò in dominiciis vel seruiciis die confectionis huius carte seu michi vel heredibus meis accidere seu reuerti poterunt imperpetuum cum omnibus suis pertinenciis in Hirst in Wodhorn in Comitatu predicto vel alibi infra regnum Anglie integre sine aliquo retenemento Habend' et tenend' predictis Johanni Myddylton Willelmo Musgrave et Willelmo Horsley capellano heredibus et assignatis suis libere quiete bene et in pace [cum] omnibus libertatibus commoditatibus proficuis et aisiamentis eisdem terris et tenementis quoquomodo spectantibus [vt] in communiis pratis pascuis pasturis moris mariscis . . . leris quarreiiis carbonariis petariis et turbariis veuariis (*sic*) aquis piscariis viis semitis ac aliis locis et rebus quibuscumque . . . capitalibus dominis feodi illius per seruicia inde debita et de iure consueta Et ego predictus Johannes Bellyngham et heredes mei omnia predicta terras et alia tenementa mea vna cum redditibus seruiciis escaetis et reuersionibus cum omnibus pertinenciis supradictis prefatis Johanni Myddylton Willelmo Musgrave et Willelmo Horsley capellano heredibus et assignatis suis contra omnes gentes warantizabimus et imperpetuum defendemus In cuius rei testimonium tam predictus Johannes Bellyngham quam prefatus Johannes Myddylton Willelmo Musgrave et Willelmo Horsley capellanus partibus huius carte feoffamenti sigilla sua alternatim apposuerunt Dat' apud Hyrst predict' sexto die mensis Februarii Anno Regni Regis Henrici septimi post conquestum Anglie quarto.

One label. Seal destroyed.

moiety of Abberwick, parish of Edlingham; the inquisition after his death being taken at Alnwick, June 12, 1480; his son Robert was of full age (*Cartae Swinburn*, vol. i. p. 171).


There is, in the Swinburne papers, an award, dated Sept. 18, 1491, given by arbitration, in a dispute between sir Robert Bellingham, knight, who claimed to recover possession of Abberwick from Robert Bellingham, gent. The latter retained possession, but was ordered to pay a certain sum of money. The Bellinghams, at that period, had lands at South Middleton, near Morpeth, and apparently also at Bradford, near Belsay (*Cartae Swinburn*, vol. i. p. 170). Notwithstanding the above-named award, sir Roger Bellingham of Burnside was party to a suit respecting Abberwick about 1509. He and his wife, Mabel, lie under a goodly tomb in Kendal church (see Nicolson and Burn's *Cumberland and Westmorland*, vol. i. pp. 125-126). He was succeeded by his son sir Robert Bellingham, who, having no son, sold Burnside to sir Thomas Constable.

*Inq. p. m.* Joh. Musgrave, 8 Hen. V. no. 25 (1426-7). He died seised of the manor of Riell (Ryell near Stamfordham). He was son of Robert de Musgrave by his wife, Margaret, daughter of Robert de Ryhill. The said John died Dec. 7, 1420; Robert de Musgrave, his son and heir, aged 31 years.

*Inq. p. m.* of Thomas Musgrave, taken 18 April, 1488. Robert Musgrave, his elder brother, being seised of [Kirk] Heaton gave it to one Elizabeth Musgrave for the term of her life, and then to the said Robert Musgrave, so Thomas being seised of the manor of Ryell, gave it to one Isabel Musgrave, for the term of her life. The said Thomas died 10 Nov. 1482 (?), his heirs being his daughter, Joan, widow of William Fenwick, and his grandson, Robert Mitford, son of Margaret, the deceased daughter of the said Thomas (see *Cal. Inq. Hen. VII.* vol. i. p. 144).—(J. C. H.)

XVII.—Jan. 6, 1489-90. Release by sir John Middleton, knight of the body of the king, sheriff of Northumberland, and lord of Belsay, William Musgrave of Riall, gentleman, and sir William Horsley of Newcastle-upon-Tyne, chaplain, to John, son and heir of Robert Bellingham of Kirkheaton, and to Margaret, daughter of George Creswell of Newbigging, gentleman, of their lands and tenements in Newbigging and Framlington, to the clear yearly value of 40s., which the releasors had of the grant of John Bellingham of the Hirst.

Omnibus X<sup>pi</sup> fidelibus ad quos [presentes] littere peruenerint Sciatis nos dominus Johannes Middilton Miles pro Corpore domini Regis vicecomes Northumbrie et dominus de Belsoo Willelmus Musgrave de Riall in Comitatu Northumbrie gent' et dominus Willelmus Horsley de Nouo castro super Tynan Capellanus remisimus relaxauimus et hac presenti carta nostra confirmauimus Johanni filio et heredi Roberti Bellyngham de Kirkeheton in Comitatu Northumbrie Et Margarete filie Georgii Creswell de Newbigging in Comitatu Northumbrie gent' Omnia terris et tenementa in villis et Campis de Newbigging et Framelington in Comitatu predicto ad valenciam quadraginta solidorum legalis monete Anglie per Annum de Claro vltra reprisas que habuimus ex dono et feoffemento (*sic*) Johannis Bellingeham de le Hirst in Comitatu predicto gent' Habend' et Tenend' Omnia predicta terras et Tenementa in villis in (*sic*) Campis de Newbigging et Framlington in Comitatu predicto prefato Johanni filio et heredi Roberti Bellingeham predicti Et prefate Margarete filie prefati Georgii Creswell et heredibus eorum et assignatis eorum imperpetuum de Capitalibus dominis feodi illius per seruicia inde debita et de jure consueta In Cuius Rei Testimonium huic presenti Carte nostra (*sic*) Sigilla nostra Apposimus Data apud Belsoo Sexto die Mensis Ianuarii Anno Regni regis Henrici Septimi post Conquestum Anglie quinto.

Three seals (1) a merchant's mark (2)  (3) a bird, perhaps an eagle displayed.

XVIII.—May 21, 1488. Notice by Henry, earl of Northumberland, lord of Poyninges, and of the Honours of Cockermonth and Petworth, and warden of the East and Middle Marches against Scotland that he had received the oath of fealty from a Scotchman, unnamed.

Henricus Comes Northumbrie dominus de Ponynges et honorum de Cokir-moth et Petworth gardianus Est et Meddill Marchiarum Anglie versus Scociam Ac Justiciarius omnium forestarum domini nostri regis vltra Trentam omnibus ad quos presentes littere peruenerint Salutem Sciatis me prefatum gardianum die confeccionis presencium Recepisse corporale Sacramentum de  
<sup>10</sup> oriundo in scocia [quod] erit verus legius et subditus de cetero domino

<sup>10</sup> Name left blank in the original.

nostro Regi qui nunc est et Successoribus suis Anglie Regibus et quod omnes leges et Custum' Anglie tam prouis' quam prouidend' in omnibus fideliter obediet et Inviolabiliter obseruabit durante vita sua In cuius Rei testimonium Sigillum officii mei gardianitatis Presentibus feci apponi Dat' in Castro meo de Warworth xxj die Maii Anno Regni Regis [Henrici] Septimi post conquestum Anglie Tercio.

Label for seal. Marks of wax on it.



Seal of Philip de Pictavia (1197-1208).  
(One-half size.)