



The Guild History of Berwick.

THE GOVERNMENT OF THE TOWN BY THE GUILD.



UNDER this heading we must first inquire into the origin of the word Berwick, and then into the origin and history of the town and Guild. It is well known that various attempts, all unsuccessful, have been made to discover the origin of the word. In Holinshed's 'Scotland' there is the following legend: 'In the 9th century, during the reign of Kenneth, King of Scotland, the strongest castle in the whole country Kenneth bestowed upon that valiant captene named "Bar," whose counsel and forward service stood the Scots in no small stead in the English wars—that fortress ever after called by the name Dunbar, that is to say, the Castle of "Bar."' May not the 'bar' in Berwick and in Dunbar be one and the same word?

Another story runs thus: 'After this Armoger (54 A.D., ob.) reigned his son Westman and wele governed the lande, and in his tyme came Roderik, a Gascoigne, into this land, unto Stenmore. Thanne King Westman assembled a gret oyste and faught with Roderik and slough hym in Bataille, and than he gave theyme a forlete cowntre whos chiuetaine [chieftain] was called Beryng, and ther began a town called Berwyke, and edified and bilde all the cuntrye aboote and become ryche menne; bot their were no wommen among theym; and the Britains wolde not marie with theym because they were strangers, wharfor thei sent ovir the see into Irelande to the gentills to sende theym wommen both of gentilwomen and of commoners.'*

* Burrell MSS.

In support of this view: 'Berengus interfecto Roderigo domino suo obtinuit locum habitandi in Britannia a mari et postea ædificavit villam de Berwic.*'

The Rev. Joseph Stevenson, who is certainly an authority, says that Doddington may be the head of the family of Duddo, and gave it his name; and that his descendants founded Doddington. Berrington, again, is from 'Beor.' May not Berwick be the town of 'Beor'?

Chalmers, in his 'Caledonia,' asserts that North Berwick derived its name from the same source as Berwick-upon-Tweed, which, in all the early charters, is called South Berwick. It means the 'bare' or naked village or castle. North Berwick stands on the naked shore of the Forth, being a small narrow promontory projecting from the town into the Frith.

Again, the prefix 'Par' or 'Bar' in Celtic names generally denotes a Border tribe. Hence the name of the Parisii, who occupied the country adjoining the Senones. It was the most northerly part of the possessions of the Celts as distinguished from the Belgians. Hence probably the bar of the river, or the barrier of a town. Query, then, is Berwick equal to Bar vic, the Border town?

Berwick is the same as Beretum, Villa Frumentariæ or grange. It is not likely that Berwick was a villa Frumentariæ or grange when it must have received its name from the Saxon settlers at the mouth of the Tweed. It was much more probably named from the circumstances of its want of verdure, from the Anglo-Saxon bare, nudus, and wic, vicus.†

Others, again, incline to the very simplest interpretation, viz., that the 'Ber' is simply 'Bere' or Barley, and 'vic' a town; so that Berwick is the Beretown. Either it might mean that the lands around Berwick grow excellent barley, or that much of the grain was sold in Berwick, that there were large granaries in the town in ancient times.

We cannot omit the fact that the *bear* has long been connected with the arms of Berwick. A very early specimen is found on a seal attached to one of the Coldingham charters ‡ which is still in the Durham Register. It bears date about the year 1250 A.D. How the *bear* became attached might affect the etymology of the word. Between 'Bear' and the first syllable of Berwick there is a close resemblance. It is much more probable, however, that the *bear* on the Berwick arms was suggested by the name, than that the origin of the name had anything to do with bears. The second syllable may be from 'vyk' or 'vik,' a 'bay' in the Scandinavian tongue, or simply from the Latin vicus. Further than

* Ex libro Giraldi Cambrensis. Berengus, after he had killed his own Lord, Roderik, secured a place of habitation in Britain by the sea, and afterwards built the town of Berwick.

† II. 'Caledonia.'

‡ Raine's 'Appendix,' 654.

this, it can serve no good purpose to pursue the subject. The word seems to yield no indisputable etymology. Its spelling, also, varies immensely. Some of the more curious forms are given: Beruic, Beruic, Beruwyk, Beruik, Berwyq, Barwhek, Berwugca, Berewyc, Berwicchii. The real name is Berwick-upon-Tweed, or Berewicum-super-Twedam. In passing from the origin of the name to the origin of the town we pass to equally difficult ground. There is no reason to believe that the beginning of Berwick differed much from that of other seaside towns. The following remarks of Cosmo Innes are peculiarly applicable to Berwick:

'I have alluded to some of the causes which determined the position of our Scotch burghs. The royal demesne and castle formed the nucleus of some, as of Ayr, etc. The cathedral or great abbey attracted others. . . . Some have an evident fitness as barriers against the wild mountaineers But more of our ancient burghs owe their origin to the mouth of a river, indenting our rugged coast, and tempting some adventurous natures or some sea-rovers from Flanders to seek shelter there for their cobbles and busses, to carry on their fishing, and to establish their infant trade and even some rude manufacture. Such lovers of the sea needed little more. They had the shelter of the cove and the *bar* against storms, a sufficient stream to drive their corn-mill and their waulk-mill. They had in the constitution of their race the power of uniting and submitting to authority, and a coherence and vitality quite sufficient to meet on any common emergency. Such towns were, I suppose, as old as anything like society among us, and probably long before any of the ascertained facts of our history, when later some enlightened sovereign like David I. led these burghers forward, protecting their industry by his laws and a charter, and further by the natural defence of a little castle built at the head of the town, where a few of the King's "Milites," or a body of townsmen under the King's bailie, arming suddenly, could show face against any roving galley of "heathen Danes," or equally lawless robbers of our own hills seeking to reap where they had not sowed—the aboriginal village, proud of its new charter, passes for the creation of a sovereign who only gave legal form and sanction to its old customs.'*

All trace of the origin of Berwick is lost, but, in these lines of Innes, we have the most probable account of the formation of early Berwick; for until the time of David we learn nothing of it as a town. But, in the beginning of his reign, it had an existence—a corporate existence, too—from the fact of its actual position and influence. Its aldermen, as we have said in a previous page, were learned in all the usages of a burgh; and whence could this knowledge be derived, if it were not a burgh obeying a recognised code of laws? It became a Royal Burgh under David, and a member of the Court of the Four Burghs. It was evidently then a most important town, growing in activity and trade. 'It was thus the Anglo-Norman Burgh, with its feudal castle and civic population, distinct and separate from the garrison, which was the model of the burghs established and confirmed by David beyond the Tweed. It may be doubted whether any free communities engaged in commerce and occupying walled towns were in existence much before this reign, even in the Lothians; though the germs of such societies may have existed at

* Cosmo Innes's Introduction to first vol. of 'Ancient Laws and Customs of Burghs of Scotland.'

several places at that early date. Had there been burghs or walled towns in any part of Saxon Northumbria before the close of the eleventh century, the invading Scots would surely have been checked before they reached the gates of Durham.*

We begin our history of the Guild from the reign of David, and at once pass to consider the laws that governed this early society. There were undoubtedly guilds in Berwick earlier than this reign, for guilds seem to have existed in towns from their earliest beginnings. The term 'guild' most probably means a feast. The craftsmen of each trade met occasionally over their feast of ale and bread to discuss matters of deep interest to themselves, and thus formed guilds, which were in their nature simply *trade* associations. These separate guilds could never, in their disunited form, govern the township. The community, therefore, chose the Borough Reeve, or Provost, who should preside at their common meetings where they deliberated on their welfare and their freedom. 'Each burgh seems to have been originally divided into four wards, similarly to a shire into four quarters. Over every ward was placed a Bailie,† a type of the rural Mair of the Quarter; the leading personage being the Burgh Reeve or Provost, chosen annually with the Bailies and Bedells of the community of the burghers, in the first burgh moot held after Michaelmas. Complete self-government, indeed, was conferred from the outset upon the Scottish burghers by a Sovereign desirous of attracting such a class to his kingdom. And the enlightened policy of David, together with the state of peace and prosperity which he secured for the whole of the north of England, as well as for the settled portion of his own kingdom, soon filled the walled towns, which rapidly sprang up on every side, with a crowd of willing settlers from South Britain and from Flanders, who were guaranteed the enjoyment of even more than the usual freedom and privileges under the royal protection. The original burghers as a class were, with few exceptions, of foreign extraction—emigrants from Southern Britain, and, not unfrequently, Flemings, as in Berwick, where the Flemings long dwelt apart as a separate Guild.‡ Their common interests gave rise to unions of several burghs into a sort of parliament. Of this nature was the Hanse of Northern Burghs, to which David had granted his protection, confirmed by King William, and a yet more memorable combination in the South, consisting of the Four Burghs, Berwick, Roxburgh, Edinburgh, and Stirling. These were the Four Burghs from whose deliberations emanated the code of laws that still bears their name. Such was the origin of these laws, which, in due time, received the

* Robertson's 'Early Kings of Scotland,' vol. i., p. 297.

† Hence the *four* bailies that so long were officers in Berwick.

‡ Robertson's 'Early Kings of Scotland,' vol. i., p. 179.

sanction of the King's Court of Parliament, but which, even independent of that action, were received as authoritative by all the burghs of Scotland. We see here the real origin of our third estate, which had this defined organization and authority, and constituted that remarkable parliament of the *curia quattuor burgorum* centuries before the burghs, as one of those estates, sat and voted in the national Parliament.*

Berwick's interests internally were in the hands of the Bailies and the Provost, who guided the community prosperously onward. Appeals from their decisions went to this Court of the Four Burghs, which met once a year in Haddington, presided over by the Chamberlain of Scotland (hence called the 'Chamberlain Air'), and was competent to decide cases of appeal from all the burghs of Scotland. Representatives from the Four Burghs sat in the Court with the Chamberlain, to aid him in reviewing the decisions of individual burghs. 'What were the precise functions of this Court cannot now be fully ascertained; but it is obvious that the Court decided questions involving the usages of burghs and the rights and privileges of burgesses, and even regulated, in regard to such matters, the principle of movable succession.'† 'In that assembly, probably, were ordered and assessed the taxes which the burghs contributed to the necessities of the State. We know, indeed, that they joined in the aids of public contributions from a very early period.'‡

In the Chamberlain Air inquiries were, likewise, made whether the Bailies and other officers of the King in the several burghs performed their duties properly. For instance, in one Chamberlain Air which is extant, the date of which is uncertain, there are inquiries—

'If the Bailies do judgment and justice at all times, and equally to the pair and the ritche; if they tak gifts for doing justice to any or mak themselves parties in Court, or kepe the assise of brede, aill, and flesche; if they search thrice in the year for casting furth of lipper folk, and have caused wechtes and elnes to be duly examined. Inquiry is to be made if brewster wives sell aill conform to the price set upon it by the taisters, and if they selle before it has been prized by the tasters, and if they sell by potfuls and not by sealed measures.

'Again, if fleschers by ony vthyr than sound beastes or sell otherwise than publicly in the market, and keep the assise imposed on beef, mutton and pork. Also inquire if there be ony common sklanderers not punished, and if double wechtes be used, one for buying and one other for selling. If ony are using the burgh freedom who are not free, and who used the freedom and have not biggit land after a year. Inquiry is to be made of coukes makand reddie flesche or fish in pastry not fit for the use of man, or if, after they have kepit such the proper time, they heat it again and sell it to the manifest deception of the people.'

Another important and curious inquiry is set down in this long and inexhaustible list. It is 'anent some four score marks of Silver granted by our Lord the King

* Cosmo Innes's Introduction to first vol. of 'Burgh Laws and Customs.'

† Thomson in first vol. of 'Scots Acts of Parliament.'

‡ *Ibid.*

for the cleansing of the town³ of Berwick into whose hands they have come, and whether into the hands of private persons, and the town was not cleansed of that money.' Some malappropriation of money is evident here. Innes hints that if the date of this grant could be discovered, then the date of the whole 'Air' could be ascertained. This is impossible, as no data remain whereby anything of this grant can be learned at all.

In the proceedings of the 'Air' we have the manner given at length in which they 'chalance' the 'Ail Taistares':

'In the first they are nocht redie at the fourth puttyn of the Takyn for to tast ail. Secondly, they are nocht redy to tast ail as oft as the Brewster tunniss. The third, that they wannes [go] within the hous, whar thai sulde stand in the middis of the streyt befor the dur, and send an of thar falowis in with the bedal that sul chese of what pot he will tast, the whilk he sal present to his falowis, and thai sall discern thar apon, efter the assise to thaim put. The fourth, that they present nocht the defaultis before the Balzeis in the next Court followand. The fifth is that thai mak nocht the assise of ail, but sayis sympilly, "it is gud or it is ewill."

This curious custom would not be unacceptable work for some even at the present day; but, for the sake of decency, it is to be hoped that the 'ail' was not strong, for, if there were many houses to visit in one day, the consequences with heady 'ail' may be imagined. Baxters, fleschers, and salmon-fishers were all under the control of this Court. Various other matters were settled in the same manner. Its whole powers may not be thoroughly known, but surely in these remarks enough has been said to give us an idea of a very busy Court, and one which, if well worked, performed an important and extensive duty.

There are two sets of laws published—the one relating to the internal regulations of the town or burgh, and called the 'Statutes of the Gild' (*Statutæ Gildæ*); the other referring more to the relationship between those who lived in the country and those who lived in the burgh. These were the laws of the Four Burghs referred to above. The original language of both is Latin. Both sets of laws have been published by different editors. The whole set of Guild Laws in Latin, and the first seventeen in Scotch, were printed in the first volume of the 'Acts of the Scottish Parliament.'* Cosmo Innes, in the first volume of the Burgh Record Society, published them again in the same form, and translated the remainder in Latin into modern English. Toulmin Smith, in 'English Gilds,' has printed only an inaccurate copy, taken from a work published at Rouen and edited by H. Houard, a learned French antiquary, and from a German work entitled 'Das Gildewesen im Mittelalter,' edited by Dr. Wilda. Thomson and Innes edited their copies from what is known as the 'Ayr MSS.,' which are now in the Advocates' Library,

* This volume was edited by Thomas Thomson, the learned Scotch antiquary.

Edinburgh. Through the carelessness of the custodiers, no Latin copy has been preserved in the Berwick archives. In 1568 evidently a copy was in existence; for, among the writings and charters mentioned that year in the 'Guild Book,' as handed over to the custody of Anthony Temple, Mayor, there is this interesting notice: 'One Book in Paper wryten in Lattin touchinge the statuts of the Towne of Barwick.' It seems to have been entirely overlooked by the authorities here that even an English copy still existed among the Records of the Guild. Toulmin Smith asked the question of a late town clerk, and his answer was, 'That no such laws were here, and never had been.' These laws were all the time in his keeping, in the English of the later part of the fifteenth or early part of the sixteenth century. I do not think the language is older, and the handwriting is certainly not older, than the reign of Henry VII. The copy is a specimen of very careful and very beautiful penmanship. These laws will be found complete in Appendix No. VII. Meanwhile we shall give an idea of their scope. They bear to have been enacted under the presidency of Robert Bernham, Mayor of Berwick-upon-Tweed, and Simon Maunsel and other good men of the burgh. Now Robert Bernham was Mayor in 1238 * and in 1249.† The general understanding by Thomson and Innes is that these laws were made about the latter year.‡ Probably *made* is not the proper term; *codified* seems the more correct. They were, at that time, brought into unity and harmonized for the good of the town. These laws greatly resemble, both in form and substance, the Laws of the Four Burghs. These latter were certainly older than this date; as old as the reign of David. Thomson says of them, 'They bear a great resemblance to the Laws of Newcastle made in the reign of Henry II., and probably in use as early as Henry I. (1100-1135), that is, contemporary with David. The Latin in both those of the Four Burghs and those of Newcastle is identical, or nearly so. Here is the Latin of the first law of 'Leges Quattuor Burgorum,' followed by the Latin of the first of the Newcastle Laws:

'Quilibet Burgenses potest maniare foris habitentes infra forum suum et extra infra domum suam et extra sine licencia prepositis nisi commercia vel nundine teneantur in burgo et nisi fuerit in exercitu regis vel in custodia Castellii.'

'Burgenses possunt maniare foris habitantes infra suum forum et extra et infra suum domum et extra et infra suum Burgum et extra sine licentia prepositis nisi comitia teneantur in burgo et nisi in exercitu custodia Castellii.'

The resemblance here is more than accidental. It is well-known that David was frequently about Newcastle during his reign. His son Henry was Earl of

* 'Coldingham Charters.'

† First Law of the Marches in first vol. of the 'Acts of the Scottish Parliament.'

‡ Colston's 'Edinburgh Guildry' inaccurately has 1284, pp. 25, 30, and 37.

Northumberland ; there is, therefore, no improbability in supposing these laws to have the same origin. Again, the customs leviable at the ports of Berwick and Newcastle were the same in nature, and in amount on any given article, which clearly shows the close connection between the two towns at that time.

To return to the laws of the Guild. There is no doubt but that the laws, codified in 1249, had been in existence since David's reign, and towns had been governed by methods indicated therein. The reason given by Bernham and his coadjutors for drawing up these laws is thus set forth: Up to this time a number of Guilds had existed with divers interests, and not always working harmoniously one with the other. Now the desire was to amalgamate all these Guilds into one, 'that from hensfurth that no man presume to procure any other gilde within our burgh, but all gang together with on assent and trew lowff.* This desire seems to have become general at this epoch, and probably it shadows forth the growing influence of the merchant class. The Guilds were generally tending to become mere Merchant Guilds, and to a very great extent all tradesmen were debarred entrance thereinto. 'Also it is ordered that no bowcher by nother woll nor hydys whils he occupys that craft, or melles with the slaying of bees.' No butcher while he handles the axe can be a merchant or meddle with the staple trade of the town. These Guilds were very arbitrary and conservative in their action. No unfreeman could trade and no freeman was permitted to assist any unfreeman in his trade. Freeman, and these alone, were to have entire control over all commerce coming within reach of the burgh. Hence the Guild was very careful that everything traded in was good. 'Noe shomaker to tand eny hydys bot of whom the erys and hornes be bothe of on lenthe.' 'If it hapyn the byere of any merchandise se it gud above and wars vnder, the seller shall mend it after the seyght of the Feryngmen.' However, entire selfishness did not regulate all Guild concerns. There was a kinder, a more lovable side to it. In short, the Guild formed not only an exclusive trading society of merchants, but also a society for helping their poorer and more unfortunate brethren. 'If any of oure brether of oure gilde fawll in age or in poverté or in seknes, and not hawyinge whervpon he may leff, at the disposition of our alderman and other of oure brether he shalbe releffed with the goods of our gylde.' If anyone died poor and left wife or daughter, the wife was to be relieved, and provision to be made for the daughter, either to enable her to marry or to enter a religious house. The true bequeathing of property was also clearly laid down, as well as the amount of fine for admission to the freedom, which was asserted to be 40s., and in addition every freeman who had goods worth

* All extracts are taken from the Berwick copy.

£40 must possess a horse worth 40s. The trade regulations were strict, minute, and definite. No married woman could trade in wool. There must be no sale of goods but in the market-place and in market hours. Forestalling the market was a serious offence. No wool was to be taken from sheepskins from Whitsunday till Martinmas. Wool from the skins of recently-clipped sheep would be short and useless. Herring must be sold to a freeman at the same price as they were bought for in the boat. A favourite fine for breaking any trade regulation was a tun of wine forfeited to the Guild. The government of the town by these laws was vested in twenty-four feering-men, a maior, and four bailifs. 'The Maire and bailleffs be elect and chosyn be the consideracion and syght of the comonty; and if there be any contravers or debayt in the chesyn of them, then they shall be chosyn be the oth of the xxiiij ferynge-men.' The deliberations of this body were secret, and all were bound to secresy, under penalties of dismissal after the third offence, and he that was in this manner disfranchised was to be considered for ever 'a vntrewe man.' Attendance at meetings was compulsory, and he that came not at the ringing of the bell was fined 12d. There was to be no quarrelling among the representatives as they went to the Guild or during the meeting, or in returning home, under a penalty of 3s. 4d. If the quarrel resulted in striking with the fist, he that was proved to be in fault was fined 100 marks, and had, moreover, to amend to him that was struck what the feryngmen judged expedient. 'If any brother drawe blode of another with a clowbe or with any other wapyn, or maym hym of any membre, he shalbe condempned at the arbeterment of the aldermen.' These forfeits or fines were not to be lessened at any 'Mane's prayers.' So careful were they over their behaviour, and so little faith had they in the self-restraint of their neighbours, that, considering prevention better than cure, they forbade a knife to be carried into Guild, under a fine of 1s.

Thirty-eight of these regulations appear to have been made in 1248. The remaining eight have separate dates, and were drawn up from 1281 to 1294. The feryngmen for this purpose met in the church of St. Nicholas and in the hall of the Friars of the Holy Trinity;* although the Berfreyt is mentioned in the body of the code as the place for meeting. In the Ayr MSS. the separate enactments number fifty-one; but there is no important difference between the two sets. The Berwick Code is shorter, as if the language had been stripped of some of the redundancy of the early MSS.

The code of the Four Burghs is a much more extensive series of enactments. One hundred and nineteen are given in Innes's volume of the Burgh Record Society.

* Ravendale Chapel, near the Bridge; see *post*, under 'Ecclesiastical History.'

We cannot load our history with these laws; nor is there any necessity, for we have already referred to their close resemblance to English laws, amongst which most of them may be read.

Berwick continued to be governed on the basis of these laws till the charter of James in 1603, or, more correctly it might be said, till the passing of the Municipal Corporation Act in 1835. The Guild brethren were undoubtedly assisted to some extent by the laws of the Four Burghs, which, along with the Guild Laws, gave all necessary powers and furnished all necessary regulations. The laws of the Four Burghs are characterized as more complete and compact, and have in them more of the qualities of a body of statute law, than any other fragments of ancient legislation.

It is a problem yet unsolved whether any early charters were conferred upon the town. The presumption is that such was the case. None, however, have been found, and none are referred to save in the time of the Alexanders. The nature of a grant of Alexander III. is still extant. It is set forth in an inquisition in the time of Edward III., still preserved in the Tower of London. By this inquisition the jury returned, 'That in all past times the town of Berwick-upon-Tweed had been a free burgh, and had had a Mayor and Bailiffs and a Common Clerk, and that these officers were each entitled to a certain annual fee; that, when the revenues of the burgh were in the hands of Alexander III. of Scotland, these salaries were paid by his Chamberlain (an officer whose duties were then similar to those of the Treasurer of the Exchequer of England), until Alexander granted the town with all its revenues and issues, reserving an annual rent to the Crown payable at his exchequer at Berwick, to the Mayor and commonalty of that burgh, after which the salaries were paid out of this annual rent.*'

Considerable light is thrown upon the subject of the nature of the revenues of Berwick by records at a date subsequent to this, but no contemporary records of this period remain. It may safely be concluded that the King of Scotland was the lord of the soil and of the fisheries of the Tweed, and that he gave grants—some in fee subject to annual rents, called 'Burgh Mail,' a term of payment that remained in Berwick till quite a recent date; and some upon lease—that certain tolls and customs were also payable in respect to merchandise, and that the lands were subject to a Castle-guard rent for the maintenance of Berwick Castle. These revenues were chargeable with the expense of keeping the Castle in repair, with the salaries of the officers appointed to collect them, with the annual fees to

* The 'Weddell MSS.'

the Mayor, and Bailiff, and Town Clerk for executing certain duties within the burgh, the nature of which is not explained.

In 1296, Berwick was conquered by the English; but it is quite evident, from the after-history of its records, that even Edward I. did not change its government, but continued all its officers as in the time of Alexander III., viz., 'Chancellor, Chamberlain, Sheriff, Justiciar, Maior, and Bailiffs.'

The original charter of Edward I. is not to be found; but, in the confirmations by the other Kings, it is quoted at length; and from a translation in the 'Oath Book' in Berwick archives, the substance is given as follows. We omit the introductory matters:

'Know ye that for the betteringe of oure town of Barwick-upon-Tweed and the profite and comodytie of our men of the same towne, we will and grant, for us and our heires, that our foresaid towne be from hensforth a free Burroughe, and the men of the same town free Burgesses; and that they have all liberties and free customes to a free Burroughe belonging for ever. And that they may have a Guild Hall or place of meeting, and a Brotherhoode or Guild of Merchants and other customes and liberties to that Guild belonginge, so that none of that Guild make any merchandize within that Burrough, but by the will of the burgesses of the same Borrough. Furthermore we grant to the same burgesses that they of themselves elect every yeare one Maior, a discreete and meete man who shall be faithfull to us and our heirs and serviceable in the government of the same Borough, so that when the Mayor is chosen he shalbe presented to us or our Chancellor, Treasurer, and Barrons of Exchequer of Scotland (yf we or our heirs be not then present), and to us shall swear fealty, and that it shall belong to the same burgesses that Maior in the end of the year to amove, and him or another to elect and present in manner aforesaid. And that the Maior and Comonaltie of the same Boroughe of themselves electe fflower Baliffs descreete and meete men which faithfully shall doe and execute those things which to their office dothe apperteyne within the Borough aforesaid and to us and to our heirs before the said Maior shall swear fealty. That the burgesses shall have power to bequeath their property in their last will and testament without any hindrance from us or our ministers. That they be impleaded only in their towne of Berwick before the Maior and Baliffs. That they haue the retorne of all wrytts whatsoever touching that Borough, and that no one interfere, unless in default of the Maior and Baliffs. That the burgesses elect a coroner who shall be presented to the Maior, to whom he shall swear to act in his office faithfully. Further we grant that a certain prison be maide and had within the said Borough to chastise malefactors there taken; and that a gallowse likewise be erected without the said Borough upon our owne grounde, so that the said Maior of infangthief and outfangthief may doe judgment. We grant likewise that the Burgesses have Theolonium,* Pontagium,† Passagium,‡ Muragium,§ Pavagium,|| Canagium,¶ Lastagium,**

* Such moneyes as is paid for things bought and sold.

† A discharge for any payment going over any bridge.

‡ Discharge for passing over a causey or other highway.

§ Discharge for payment of silver towards repairing the walls of a town.

|| Discharge for yealdinge any payment for paving in any citie or town.

¶ Liberty to lay a conduit pipe through any man's ground and to open the earth to amend the same *toties quoties*.

** Discharge for payment for carriage of goods whether any man list.

Caragium,* Picagium†, Kieagium,‡ Vinagium,§ Achate and Rechate,|| Socca¶ and Sacca,** Theam,†† Warde‡‡ and Warde Penny.§§ We grant acquittance of murder in the same burgh, and discharge of payment of fines for any one escaping who has committed murder within said burgh. That no man take lodging in the burgh by force, nor by livery of the Marshall. Also that no foreign merchant should buy or sell any goods which ought to be weighed or troned except by the King's beam and trone. Also that if any mannes bondsman shall be in the burgh, and shall be of the Guilde, and shall bear scot and lot by one year and a day without impeachment he shall not be further challenged of his Lord, but shall be henceforth a freeman of this burgh. That no one shall purge himself by cause of Battle but by the oath of four and twenty men, of the same burgh, that be lawfull. That all shall bear the sessment when found necessary. That no strange merchant shall sell any merchandise in the town but in gosse. Moreover, if any of the burgesses of the aforesaid burgh at their deaths shall leave any orphans born in lawful wedlock, the same orphans with their chattels, lands, tenements and possessions shall by the Mayor and Baliffs of the same burgh be placed in the custody of some trustworthy burgess of the same burgh, next of kin to the said orphans, to whom their inheritance can not descend, who shall give sufficient security that he will keep and maintain the same orphans, their lands and tenements in due state, without waste, sale, or destruction, and that he will answer for and restore all the issues of such lands, tenements and houses, deducting reasonable expenses and costs to the said orphans when they shall attain their full age, by the view and consideration of the Mayor and Bailiffs of the said burgh, and that the Mayor and Bailiffs shall have power to ascertain yearly that the said wardship has been well and faithfully performed for the advantage of the aforesaid orphans. That, lastly, the aforesaid burgesses may have two markets in every week, on Monday and Friday, and one fair every year, to continue from the Invention of the Holy Cross to the feast of the nativity of St. John the Baptist. Signed at Westminster, 4th day of August, in 30th year of the reign of Edward I. (1302).⁷

After the example of Alexander III., Edward gave another charter on the 30th March, 1307 :

‘ In which he granted and confirmed to the Mayor and burgesses and the *whole community* of his town of Berwick-upon-Tweed, the same town with its mills and all its appurtenances, with its Tofts and Crofts and waste-places within the palisades||| of the same town, to have and to hold to the said Mayor and community and their heirs and assigns of the King and his heirs, with the mills and all other appurtenances, with his Tofts and Crofts and waste-places within the palisades of the same town, and with tronage and pesage and with all liberties, customs, and fisheries, and all and singular other the appurtenances which to the aforesaid town belonged in the time of Alexander III., late King of Scotland, for ever (except the Customs of wool, woolfells, and hydes and the other Customs lately granted to the Crown by the merchants, and also except fines, amerçiements adjudged before the

-
- * Discharge for serving the Prince with carriages, either by land or water.
 - † Freedom from payment for setting up booths or of striking stakes into the ground.
 - ‡ Freedom from payment for unloading goods on any kay adjoining the water.
 - § Exoneration of imposts of buttlerege, and such like.
 - || Liberty to buy and sell merchandizes or necessary things thro all our lands and power.
 - ¶ Suyte of men for the Courte according to custom.
 - ** To hold plea and correction in the Courte.
 - †† To have bondsmen with their bound service with their goods and chattels.
 - ‡‡ Discharge of Watch and Warde.
 - §§ Discharge of yealdinge any payment for watching the walls of a town.
 - ||| This confirms what I have said, that the walls were not built till Edward II.'s reign.

King's Governor and Chamberlain or his Justiciaries of the realm of Scotland (redemptions, forfeitures, and other escheats belonging to the Crown within the same town), paying therefor yearly to the King and his heirs at his Exchequer 500 merks yearly by equal quarterly payments for all services, exactions, customary payments, and demands whatsoever.'

After Bruce came into possession of Berwick, he granted a charter (which has been lost), in which he again demised the whole town in the same manner as Edward I. to the burgesses, except the two fisheries of Cole and New-Water. During all these years, when Berwick was sublet in this way to the burgesses, the revenues and expenses were only returnable to the Exchequer at Berwick; but all the rolls of the Berwick Exchequer have been lost. It is not till the year 1327 that the roll of accounts is found on the Roll Book of the Scottish Exchequer. From 1327 to 1333 they are still preserved complete. A year's accounts may be given at this stage to show what were the exact revenues and disbursements of this famous burgh:

The account of Sir Alexander de Seton, Collector of the Burgh of Berwick, rendered at Berwick, 16 March, 1339, of the rents (de firmis probably the Burgh Mail, Uddyngmal, Cannage, etc., of the English accountants) received at the terms of Whitunday and Martinmas, 1328. He debits himself for the rent of the said Burgh for that year - - - - - £266 13 4 (This is evidently the rent at which Bruce demised the town to the burgesses.)

	£	s.	d.
Balance in preceding account - - - - -	28	3	4
Balance due for erecting engines at Norham - - - - -	9	9	6½
Paid John de Dunfermling, Clerk of the Liveries of the King's House - - - - -	2	6	8
To various individual grants by King's orders - - - - -	22	0	0
Paid to Nuns of S. Berwick in part of their annuity - - - - -	16	0	0
Paid to Abbot of Kelso for his fee - - - - -	16	0	0
Paid to Abbot of Newbottle for his fee - - - - -	6	13	4
Paid to Master of the Hospital of St. Mary Magdalene - - - - -	1	5	0
Paid to Michael de Angus by the King's order - - - - -	13	6	8
Paid to Abbot of Melrose* - - - - -	100	0	0
Paid to Carmelite Friars of Berwick - - - - -	8	0	0
Paid for making a boat for the ferry across the Tweed - - - - -	12	14	0
Paid for building a mill at Edrington, by King's command - - - - -	20	1	0½
Allowed to the accountant for the passage of the English during the nuptials (the marriage of Bruce's son) - - - - -	1	0	0
Allowed for the small custom of Peter the Engineer, Peter Bostall and John de la More, King's officers - - - - -	15	11	1
	£272	10	9
Due by accountant for the Ward of Tranent Castle - - - - -	4	0	0
	£268	10	9
Balance due to Seton - - - - -	£1	17	5

* In explanation of this payment see Appendix No. viii.

Then follows in continuation an account for the years 1329, 1330. It is only necessary to mention some of the fresh items :

	£	s.	d.
Allowed to accountants for the fishery of Edermouth, now in possession of Sir Robert de Lawder by right of inheritance .. - - - - -	40	0	0
To Michael de Angus for the custody of Berwick Castle for one term - - - - -	6	13	4
Divers spices and carriage of the same for the King's use - - - - -	4	1	6
For great salt for salting 600 salmon, with portage of the same and other expenses connected with said salmon - - - - -	2	17	1
For great salt for salting the King's deer caught at Selkirk - - - - -	1	4	0
To Mayor and community of Berwick for two years' due - - - - -	52	14	0
Allowed for small custom of 3 merchants - - - - -	24	4	9
Then follows the account of the Collector of Customs, 11 March, 1330 :			
Received since 22 June last for custom on wool, wool fells and hides - - - - -	531	11	6½
Among the payments are :			
£ s. d.			
Paid to Robert de Lawder, balance of his fee of fifty marks - - - - -	6	13	4
Paid to Robert de Lawder for his fee due at Martinmas - - - - -	33	6	8
Thomas de Patinham, Mason, for repairing the walls of Berwick Castle - - - - -	5	0	0
Allowance for collecting said custom - - - - -	13	5	9

The accountants debited themselves with £8 13s. 3d. for the custom of 4d. per £ imposed upon the goods of the English imported into this port.

We thus see that the Crown revenues, at this period, were the rent of the burgh, payable yearly ; the new Custom on wool, wool-fells, and hides ; a small tax on English imported goods ; cannage, or harbour dues ; small customs ; the ferry across the Tweed ; the royal fisheries in that river ; the rent of some of the burgages in the town ; and the fees and profits of the iters of the Chamberlain. The payments consisted of salaries of the Crown officers in the town, of which number at that time were the Mayor and bailiffs ; pensions to the various religious houses in the burgh, as well as to the Abbots of Melrose, Newbattle, and Kelso ; expenses for repairing the walls and fortifications and castle walls ; and a number of incidental payments enumerated in the accounts.

On the conquest of Berwick, in 1333, the King appointed all his officials as they had held office previously in the town, and formed an Exchequer exactly on the model of his own at Westminster, where his accounts were rendered, but afterwards they were enrolled on the Pipe Rolls of the King. From these rolls we present an account to compare with the preceding Scottish one. John de Bourdon, Chamberlain, gave in his account from Michaelmas, 1333, to 24th June, 1334—three-quarters of a year :

RECEIPTS.

	£	s.	d.
Rents of divers tenements escheated to the King at surrender of the town - - - - -	29	6	4
Similar rent due at Whitsunday - - - - -	16	7	3
Custom on wines let to farm, and belonging the King - - - - -	4	0	0

	£	s.	d.
Custody of gaol called the Berfret, and let to farm - - - - -	4	0	0
Rents called Burgh Mail of 176 burgages at 3d. per burgage and half-yearly - - - - -	4	10	8
Profits of the Court (the Iter) - - - - -	3	11	8
Rent of custom called the Little Custom in the port of the Tweed - - - - -	33	6	8
Rent of halfpenny toll collected at the market - - - - -	10	0	0
Rent of ferry over the Tweed - - - - -	12	0	0
Rent of moiety of fisheries on north side of Tweed called Edermouth, Totingford Folstreme, North Yarrow, Hundwatre Abstel, Law or Tyte belonging to Berwick and Broad belonging to vill of Paxton, all escheated to the Crown, and now let to Thomas de Bamburgh and the accountant at a yearly rent of 100 marks and not more, for the King had granted some of the fisheries to various parties - - - - -	23	12	9
The rent of the mill at Edrington and of the mill near Berwick Castle - - - - -	23	6	8
Rent of the custom of troning of wool and of custom of stallage - - - - -	7	6	8
Rent of custom of measuring corn imported by sea and the rent paid by meters of corn in Tweed - - - - -	1	8	4
Rent of a toll near Upsetlington - - - - -	0	6	8
Rent of piscaries in Tweed, Crabwater and Holdman, $\frac{1}{8}$ of Levidepool and $\frac{1}{2}$ of Abstell and Shipwell, which belonged to Berwick Bridge - - - - -	2	16	1 $\frac{1}{2}$
Rent of certain burgages in barony of Lindsay, late belonging to Lawrence Abernethy, escheated to the Crown at the surrender - - - - -	2	14	2
Rent of divers tenements in various streets, escheated as supra - - - - -	32	0	0
Rent of wastes - - - - -	4	2	6
Rent of tenements in East Upsetlington and of a fishery in Tweed forfeited by William Biset - - - - -	7	6	8
Rents of two-thirds of vill of Paxton and the piscaries of Orret, Bulshot, and Stream in the said river, and of land in Simpring and elsewhere in county of Berwick, which had escheated - - - - -	9	18	8 $\frac{1}{2}$
From the burgesses in aid of the wages of the watchman - - - - -	6	13	4
Henry de Chesham, for a fine for holding a waste in Berwick - - - - -	2	0	0
From the moneyers for licence to coin money in Berwick - - - - -	0	13	4
For marble sold for a tombstone - - - - -	2	0	0
For cannage of 1,035 sacks of wool, 48 last 10 dakres of hides exported - - - - -	9	19	9 $\frac{3}{4}$
From collectors of customs in wools, wool fells and hydes in same part - - - - -	401	15	0 $\frac{1}{2}$
Total income - - - - -	<u>£654</u>	<u>7</u>	<u>3$\frac{3}{4}$</u>

PAYMENTS.

	£	s.	d.
To the night watchman - - - - -	54	3	10
For repairing the Castle and walls of the town - - - - -	39	18	11
For other repairs to the Castle walls, and for repairing the house called the Tolbooth, in which the King's pleas are held, and the expense of erecting a cross called Hold- man's Cross at entrance to harbour for safety of ships - - - - -	4	5	5
To soldiers for guarding Castle of Berwick - - - - -	1	8	0
To messengers carrying writs to the King - - - - -	0	1	6
To the Prioress and Nuns of Berwick and of Halystane, the Abbot of Kelso* in part of			

* The Abbot of Melrose no longer receives his £100 under English Kings.

	£	s.	d.
annual pensions granted by Kings of Scotland and confirmed by Ed. III. and by part of mills of Berwick	28	0	5½
To John, son of John of London, for rent of a tenement in Uddingate escheated	1	13	4
To Thomas de Balmborough, Master of Hospital of St. Mary Magdalene, near Berwick, on account of an annual rent payable from time immemorial to that hospital	1	5	0
To the Prior of Durham, in part of rent of ½ of the vill of Paxton held by him by knight's service granted to John Mantelent during the minority of the heir, but which had escheated to the Crown by Mantelent's rebellion	3	6	8
To Patrick of Dunbar for timber for the Castle	10	0	0
To two messengers on King's service	26	0	0
To William de Bevercotes chancellor for fee of his office	20	0	0
To accountant by King's gift for valuation of lands assigned to King by E. Baliol	6	13	4
For the carrying of artillery for the siege of castle and town of Berwick	3	0	0
To Henry Batail, part of rent of Berfrey, which he and his ancestors had from Alexander III.	0	10	0
To Whitely and Beverley for fee-farm rents of tenements escheated by rebellion of owners	2	2	8
To Henry de Percy as Governor of Berwick on account of his annual fee	341	13	4
To the accountant for his fee and expenses	60	0	0
To William de Burneton, Mayor of Berwick, for his fee £10 and a gift from the King	33	6	8
Balance	11	3	1¾
Total outlay	<u>£654</u>	<u>7</u>	<u>3¾</u>

On comparing these accounts, one cannot but be struck with the small income, notwithstanding the additional revenue derived from escheats, etc., after the surrender of the town to the English. It shows very clearly that the ordinary revenues derivable under the Bruces and the Alexanders had been greatly damaged by the war. The income of the English Exchequer was still further reduced by grants of the escheats to the King's friends. Numbers of the tenements, waste, or uninhabited, yielded no rent because the Scots who had inhabited them were driven forth out of the town. Some of the Customs were reduced by orders of the King to induce merchants and others to inhabit it. The mills at Edrington were let at a diminished rent, for the inhabitants of Berwick were now allowed to grind their corn where they pleased. The ferry across the Tweed produced less, for it was so much occupied by the King and his army.

Edward III., on 4th of June, 1336, confirmed the Charter of Edward I., granted in the year 1302. The second which he granted, demising the town at a certain rental to the inhabitants, was not again confirmed by any future King.

Nothing is more certain than that the town of Berwick during these early times, and consequently during its future history, was governed according to the laws of Scotland. This is again and again shown by writs in the Scotch Rolls. A few instances in the reign of Edward III. will suffice for proof. In 1334,

when Antony de Lucy was Justiciary of the Town of Berwick, and of all the King's possessions in Scotland, he was directed to execute the duties of his office according to the law and custom of the kingdom of Scotland. In 1341, the burgesses in a petition to the Crown set forth that, when Berwick was last surrendered to England, the King granted to them that they should thenceforth enjoy and use all manner of liberties, customs, and laws which were in force in the time of Alexander III. The King admitted this to be true, and directed the collectors of the customs of the port to act in favour of the petitioners. In 1343, Edward III. informed the Governor of Berwick that, by an indenture made immediately prior to the surrender of the town between him and the burgesses of Berwick, and enrolled in his Chancery of England, they should henceforth be governed by the laws of Scotland. Lastly, in the case of the courts of appeal, it was established, 30th March, 1345, that, since Berwick can no longer form one of the Court of the Four Burghs, and appeals cannot be taken there and settled, the Governor and Mayor, calling to them twelve men of the same burgh, expert and learned in the law, should meet at a certain place appointed once a year, within fifteen days of Michaelmas, and terminate all such appeals according to the law and custom of these parts.* These orders are sufficient to prove this contention that Berwick was governed in these times by the laws of Scotland as laid down in the time of Alexander III. The great difficulty that lay before the Guild was that the collection of the revenues and customs of the town was in the hands of English Ministers who came to Berwick with the inborn idea that only English laws could be administered. The complaint of the burgesses was frequent, 'that these Ministers were using them according to English laws, and not according to the laws of the Indenture.' The inquiry was important and curious, why were the burgesses so very anxious to live under the Scotch laws? For during the reign of Edward III. the Scottish merchants

* The Scots were very slow to give up the hope of regaining Berwick to its old place in Scotland and to the Court of the Four Burghs. It was not till the 6th of March, 1368, in a Parliament held at Perth, that the following resolution was passed: 'It was ordanit and statut be the thrie estates convenit and electit that sa lang as the tounes of Berwick and Roxburgh sall be haldin be our enemies of England (the whilk ar and ow to be twa of the 4 burghis whilk of old maid the Court of the Chamerlan once a yeir at Hadynton, on decisions given in ony of his courts of air and appealit), the burghs of Lanark and Lithgow sall be chosin in the premises, and henceforth are premonidit to compear at this court to be haldin as aforesaid and be as valid for common justice as if there were na let or hindrance through the twa foresaid touns beand haldin be oure enemies as aforesaid. Bot sa that when the twa burghis sall cum into the power and the party of our Lord the King thai sall incontinent and withoutyn objection joise thair auncient priviledgis.' The hope of return is not at all diminished even in this order, and, as we have seen in another part of this history, the idea haunted like a nightmare James III. and IV. of Scotland.

had been expelled the town, and English merchants were really the traders and yet the complainers. Although it is nowhere indicated what the Alexandrian laws were in detail, yet there must have been advantages and privileges in them that made them profitable. One of these was the less tax exigible from the export of wool in this port than that in any other English port. The King had, likewise, lessened the petty customs of the port to encourage tradesmen to come to the town.

On 28th March, 1356, the King granted a charter confirming his first and exemplifying it in some points, and again specifying explicitly—

‘That the burgesses should be governed by the same laws and usages as their predecessors used in the reign of Alexander III. Further, that his customers, troners, and other officers should continually reside in Berwick; and that they and the burgesses should not be compelled to appear elsewhere than before the Chamberlain of Berwick, or the King’s justices thereunto assigned within the said town, or to answer for any trespasses, debts, agreements, or any other contracts committed, made or entered into in the said town, for which they were bound to answer to the King.’

Next year, 1357, Edward granted another charter, conferring other rights upon his Berwick burgesses, who must have had superior privileges already. This charter was said to have been granted in consideration of the heavy losses they had sustained through the Scots the last time they had taken Berwick (1355), and because the King was desirous of contributing to their relief as an inducement for them to reside there.

He granted to all the burgesses resident, or who hereafter should reside, all their houses, rents, piscaries, possessions, as well without as within the town, so long as they should be resident. He also granted to the burgesses, their heirs and successors, that they admit as burgesses all those who were willing so to reside and desirous of becoming burgesses, and charge fines for such admissions, and appropriate these fines to their own proper use. He also granted to the said burgesses and their heirs and successors the custom called Cannage, and also the prison called the Berfrey, with all profits arising from the same custom and prison, but upon condition that out of the cannage tax they should keep the port in repair. He further granted to the aforesaid burgesses all the lands, tenements, and rents given by the burgesses in former times for founding and maintaining charities and eleemosynary establishments to be disposed of as they saw fit, so that they maintained these as far as the issues and tenements and rents would allow.

Also that the Mayor and Bailiffs should have cognizance of all trespasses committed, and should hear and determine complaints according to custom, except only trespasses committed by the soldiers in the garrison under the command of the Governor against their fellows. In case a soldier should offend against a civilian, or *vice versa*, then the Mayor, Governor, and Bailiffs should meet together and hear and determine their cases. All malefactors apprehended in the same town for felonies or trespasses should be imprisoned in the said prison of the Berfrey and not elsewhere, and should be there detained according to the law and custom of the said town. It concludes thus: ‘That there be granted a weekly market to be held near the town during the subsistence of any truce with Scotland to which the subjects of that kingdom were to be at liberty to resort, and a writ was directed to the wardens of the Easter Marches to grant letters of safe-conduct to Scotchmen frequenting the market for trading purposes.’

As we shall see, the burgesses were not slow to take advantage of several of the liberties and franchises granted in their charters. Especially did they, during their corporate existence as a guild, admit burgesses on payment of fines, or, as it is called, by redemption. Again, they were jealous to a very alarming degree of defending the closing of all causes of dispute, or of transgression, within the town, and of answering no writ whatever sent from Westminster on the plea of 'non currit.'

Richard II., on March 2nd, 1384-85, confirmed the former charter granted by his predecessors; and on March 20th, 1403-4, Henry IV., by letters patent, granted

'for the relief of his town of Berwick to the burgesses and community of the same town 20 acres of land lying upon the Snuke within the precincts of the burgh for an increase of their pasture, to hold to them and their successors for ever. And, moreover, he granted to the said burgesses and community that they should pay their Burgh mail for all these tenements and burgages as well inhabited as waste say 6d. and not more, and that they should not be compelled to pay more.'

This grant explains the constant reference to the Snook in after times. Henry V. granted a charter confirmatory of the preceding in all its liberties and privileges, and even mentioning that if any of these had not been in use, they were still to be acted upon at the judgment of the burgesses. Edward IV., and the other Kings down to Henry VIII., simply confirmed the charters of their predecessors, with the exception of that peculiar grant of Edward IV. already recited in the general history of the town,* and the particular grant of Henry VIII. given in Appendix No. IX.

We pass on now to the lengthened Scotch occupation from 1461 to 1482, when we learn much concerning trade, customs, revenues, and payments. For the year 1461-62, the whole customs derived from wool, woolfells, hides, and salt salmon only amounted to £21 9s. 11½d., which included £9 15s. 2d. collected from minute customs not severally named.† As the years of Northern occupation progressed, the wool and hide trade seems to have ceased altogether, while the salmon exportation continued to increase. From one last one barrel the first year, it mounted up to eighty lasts eleven barrels in 1479. Seventy-seven lasts were exported in 1480, and an equal number in 1481. At first the custom payable was 5s. per barrel, but it fell in three years to 3s. In 1479 the amount raised from salmon alone amounted to £152 17s., fully seven times the amount of the customs of the earlier years. The King's fish for one season amounted to fifty-four barrels, which were sold for £2 5s. 6d. per barrel. The size of the barrel for salmon was carefully regulated, measuring fourteen gallons, by Act of Parliament,

* See page 101.

† The 'Parva Custuma' of the English Chamberlains. In other words, what were afterwards understood as 'Tolla.'

which in quaint words thus set forth its requirements: 'The mesure of ye barell, quhilk is callit of ald ye hamburgh barell, be of ye mesure of xiiij gallonis, And that twa girthis be maid of irne, ane for ye midds and ane for ilkane of the endis. And quhar eiver it beis fundin that ony Salmond barels be maid within the said mesure, that they be our souveraine lordis eschete.'*

Other fish than salmon were dealt in. A large number of dried mulones (*aridorum mulonum*—codlings?) were exported. In 1468, as many as 6,400 were exported, at the rate of 2s. per 100 for custom. In 1471, fifteen barrels of salt herrings were exported, at a tax of 6d. per barrel. The imports consisted of wine in small quantities, coarse salt, and considerable bulk of malt. Occasionally fine flour was imported and sent on to Scotland. Other sources of revenue existed from which the Collectors of Customs filled their treasury. £50 of fines, at one Iter Justiciary, were delivered to them, along with £26 13s. 4d. from the sale of certain oxen, cows, and sheep declared to be escheat by the Court. And, again, £3, on another iter, for the sale of cows by escheat of William Wanelo, of Berwick. £58 12s. 9d. was realized for the Burghal Ferm, £38 of which was only paid after commissioners had settled some disputes over property in the town claimed by certain ecclesiastical persons as property of religious houses which were free of said Burghal Ferm, or Burgh Mail. The Snook which Henry IV. granted to the burgesses was now resumed into royal hands, and £10 of rent derived from it. During the last two years of Scotch occupation, £10 was also obtained from the two fisheries of Aldstell and Crabwater, which fisheries had been kept previously for the King's own use.

The following are a few of the payments of the same period. For repair of the castle, when it came into the hands of King James, £9 was paid to Robert Blakiter, and £20 to Robert Lauder for the same purpose in 1464. Nearly £90 was paid to Clay, a carpenter, for making a boat on the Tweed, for passage from Berwick to England. The bridge could be forbidden to be used by the Bishop of Durham, who owned the right to the half of it—so a wherry was built of large size for transference of men and horses at pleasure. The Humes of Ayton and Polwarth had evidently been taken captive by the English about 1481; for three last of salmon† was allowed to 'George Hwme' of Ayton,‡ two last to

* 'Scots Act of Parliament,' vol. ii., p. 213. It is calculated that a 14-gallon barrel would hold 12 salmon at 15 lb. each, or 180 lb. of fish. Now, 971 barrels were exported in 1479, which gives 11,752 salmon at 15 lb. each, or 176,280 lb. of salmon exported that year at a value of £2,209, which makes it about 3d. per lb.

† Three last of salmon were equal to about £80 in value.

‡ George was son of Alexander Hume, of Dunglass. His son George was taken prisoner at Solway Moss in 1542, and ransomed for £200.—Carr's 'Coldingham,' p. 125.

‘Patrick Hwme’ his brother, and one last to ‘Patrick Hwme’ of Polwarth, in aid of their redemption from the hands of the English.

Before passing on, it may be fitting to offer a single word on the term ‘*comunitas*,’ which frequently occurs throughout the documents from the earliest time down to the reign of James I. of England. It would frequently seem to imply that the rights and privileges conferred upon the town were not to be confined exclusively to the freemen of the burgh, as that term is now understood. The Mayor, burgesses, and ‘community’ in the reign of Alexander II. purchased the prison of the burgh. Edward I. seems to have indicated in his charter that only one privilege, that of ‘making merchandise,’ should be confined exclusively to one class, viz., to those who composed the Merchant Guild, and that the term “making merchandise” did not mean ordinary trading, seems obvious from the fact that even foreign merchants were allowed to buy and sell provided that the goods, if they ought to be weighed or troned, were brought to the King’s beam and trone.* In other words, the grants appear to have been for the good of all the town; and in Edward I.’s second charter, he granted the town of Berwick not to the Mayor and burgesses, but to them and ‘to the whole community of the town.’ The grant of Henry IV. of the Snook was to the burgesses and community and their successors; and Henry VIII.’s grant was to the Mayor, burgesses, and ‘community,’ and assessments for debt in Edward III.’s reign were clearly laid upon the community as well as the burgesses.

The revenues of the town, from the time in which it became English in 1482 till 1603, were very small, and principally consisted in rents and profits of the Toll-booth, which then, as lately the Town Hall did, contained several shops which were let to tenants, and a ‘Met,’ or measure-house, in which merchandise was weighed and measured; profits of the prison; land in the Snook with common of pasture on the other lands within the burgh, and other parcels of ground such as Mayor’s Banks, the Bat and the Coroner’s Meadow; the rents of a shamble for butchers; fines on the admission of burgesses; amerciaments imposed by the Guild and the Burgh Courts; fair and market tolls; harbour, port, and quay dues; fines for licenses granted to non-burgesses to trade within the burgh; and, during part of the period, the profits arising from the leases of the salmon fisheries in the river Tweed, and of the customs and imposts of wines payable to the Crown within the burgh; over and above all which part of the salaries of the Mayor, bailiffs, and town clerk were paid by the Crown. The Corporation were trustees of the various charitable trusts, such as eleemosynary endowments for the different nunneries,

* Weddell MSS.

friaries, chauntries, hospitals, altars, etc., within the burgh, rents of tenements given for the repair of the bridge across the Tweed. Particulars of as many of these items as possible will be given as the 'History of the Guild' is developed from the local records, which now begin, and continue in almost uninterrupted succession till the Guild passes into the council under the Municipal Corporation Act in 1835.

It will be seen from the preceding pages that the Government of the town before 1603 was largely controlled by the military. I may briefly sum up the powers of the different authorities. The *Custos Castri* and the *Custos Villæ* were one and the same person for the greater part of the period from 1333 to 1603, and under his charge was placed the defence of the town and castle against foreign invasion. He was assisted in this by the Mayor and burgesses as a matter of self-interest, and to ensure this co-operation, the Mayor was a paid servant of the Crown. What would now answer to a Board of Health or Urban Sanitary Authority, at that time consisted of a Council, composed of Governor, Marshal, Master Porter, Treasurer, Mayor, and two or three of those who had borne the office of Alderman. To the records of this court we have been much indebted for many interesting details. The Guild, on the other hand, in these early times had entire control over the trade of the town—who were to be members of Guild—and how the fines of admission to the fraternity were to be regulated. All debts between members themselves—or members and others not free—became subject to a settlement at the hands of this body, presided over usually by the Alderman *pro anno*, rarely, if ever, by the Mayor.

After James's charter became law, all this was changed. The power of the Guild was then extended over the whole of the town's affairs. It combined the full powers of a Town Council and Urban Sanitary Authority, regulated trade, levied all assessments, took under its charge the poor of the town for the greater part of its existence, and assumed the entire management of the landed estate settled upon the inhabitants by their present charter. The Mayor, no longer a Government official, was paid his £10 fee by the town, and his power was commensurate with other Mayors' in civil matters, and, in legal matters, he exercised all the powers conferred on him by the charter. He sat in all the Courts, he had a seat with almost, if not altogether, equal power on the bench alongside the Recorder and the Justices. The power of life and death—in other words, of a gaol delivery—remained in these hands till 1842, when, by the 5th and 6th Vic., c. 38, this jurisdiction was abolished, and the Quarter Sessions were alone held in the town after this date. All capital crimes are now tried at the Northumberland Assizes.

In 1835 the old Guild, with all its powers and privileges, passed away, not

too soon if we consider the abuse of its powers for the last thirty years of its existence. For a long time, at first, the Guild performed its work satisfactorily by appointing a private Guild—a committee of its whole number—consisting of the most substantial burgesses, with full powers. Hence we have the constantly recurring phrase, ‘We xii order,’ really meaning the whole private Guild, no matter what its actual numbers were. This committee, for some time during last century, and for the first thirty-five years of this, was dispensed with, and the whole fraternity of freemen was summoned together to consult and decide upon every question. This government by a democracy does not make such a power at all a desirable one. It speedily showed that the Guild had outlived its usefulness, and had caused a change to be absolutely imperative. A Town Council was instituted in Berwick consisting of a Mayor, six Aldermen, and eighteen Councillors, with powers similar to those of other burghs in England. Four Bailiffs, along with the Mayor, acted as Sheriffs of Berwick till 1835, since which time a Sheriff with usual powers has been chosen in the usual way. The Bailiffs then ceased to be elected. Berwick is now governed by the English law in all its Courts, and subject to the higher Courts of Appeal, as other purely English towns. It is placed in Northumberland for all parliamentary purposes, but it forms a county of itself, and was so constituted by 5 and 6 William IV., c. 276, where it is declared, ‘that the burgh and town of Berwick-upon-Tweed, within the limits assigned to it by the said Act, shall be a county in itself to all intents and purposes, except only so far as relates to a member or members to serve in Parliament.’ The Town Council dined together, for the first time, on 8th March, 1836. This day was chosen because of the date on the silver tankard which had been presented to the town, in 1686, by Mr. Robert Forster, on the condition that every 8th day of March his health should be drunk out of the vessel at the common council-table. The Council did not long consider this condition as binding, for, on the 5th November, 1836, just nine months after each member of said Council had drunk the tankard empty to the health of R. Forster, Esquire,* they sold for filthy lucre the said tankard and other plate in their possession, viz., a silver oar and silver bowl. With the proceeds of this sale, which only amounted to £32 7s. 2d., they attempted to buy a chain for the Mayor, which, however, cost the Treasurer £51 10s. This chain has been elaborately ornamented in late years by gold medallions bearing the names of the respective Mayors. From the

* Forster was not the first who gifted plate. Rev. George Gardiner, D.D., Dean of Norwich, a native of this town, in 1585, presented a silver basin and ewer to the town, which was, for a number of years, handed from Mayor to Mayor for use on festival days and other convenient times, until it disappeared altogether from the Guild Books without any record being left of its fate.

illustration inserted as the frontispiece this feature of the chain will be easily understood. Besides the chain, the Mayor's insignia now include a purple cloak.

THE PROCEEDINGS OF THE GUILD.

The earliest recorded meeting of the Guild which has been preserved occurred in October, 1506, in Henry VII.'s reign, headed thus:

'In the name of God Amen, the gyld holdinge in the Frers within the toun of Berwick, — of October, the 21st year of the reigne of our Soueraigne lord King Henry VIIth, the Mair then present with the Alderman and the other officers as hereafter follows :

Robert Barrowe Mair, Thomas Awark, yonger, Dean, Rauff Brown, Alderman.

'The names of the twelve men (Feryngmen) :

John Shotten, William Gardner, Thomas Burges, John Rochester, Thomas Brady, Thomas Watson, Alexander Lauerok, George Brown, William Nycholson, Harry Beck, George Fowry, William Shotten.'

The only order made by this Guild follows :

'Also it is constitut and ordeyned ffermly by the assent of the xij men afor-said, that all suche personnes that mysevse or behaff them selff, beying of the said gilde, towards the Mair, Alderman, or Dean, or any other of the xij men or any hed officer of the town of Berwick, either in words or deds ; that the said person or personnes so doing for the fforst falt sex shillings and eight pens steling (sic).* Also the second falt so done by the same person to forfeit xijs. iiijd., and also if the said person be in falt or trespas as aforesaid the iij^{de} tym that then to be put out of the Gilde to loos hyse fredom for ever without any redempcion, and mor ower the said person so fawtyng to be at the puneshement of the Mair, Alderman, dean, and xij men.'

* The spelling of this period in the Guild Books is very curious. I add a few examples—all English words, only twisted in the orthography : Seyll, sysyd, sysers, fyse, geyr, offyss, monyshede, preiudyssall, hogsed, confechone, owythe, howght, swne, cepeyinge, hymesellffe, skwll, throtye, bowke, debytes, kelynge, attoratye, viage, vntyll, juperdy, pounched, gyff, tach, ows, anner, crystymes, vsse and injoe, fayse, seysse, soger, ffasson, ffayeth, hyff, leffwll, a naxshon, shovyshently, ventard, vnles, shwce, sopelye casyon, powt, hayors, a noblygasyon, ewsyall, sucye, ofysars, optein, sowerseys, ownkylla, ewsc.

The following is the heading of a Guild order in 1555, in the exact words and spelling ; 'In the fwrste and segond yere of the Reane of Phelype and Mary be the grayss of God, Kynge and Quene of england, ffrance, Naples, Jeresalame, and Jarland, deffendars of the Faythe, precyncs of Spayne and Secylie and archdwkes of Austryes Dwekes of Melyone, burgand and braband, cwntys of Haspwrge, fflandares, and tyrole beffor Thomas Morton, Aldermanne.'

This is a characteristic order referring to the dignity of the Guild and the decorum of its members. Throughout the Guild's existence it was ever a matter of complaint that the burgesses did not uphold these in their integrity. In 1559 the freemen were admonished to come to every court in 'their gownes and othar apparell' under a 'forfett to the Gylde of 8s. without redemsyon.' A century later absentees were compelled to give a good account of themselves to the Alderman, or submit to the fine of 2s. each, and if it was not instantly paid they must lie in gaol till the debt was cancelled. On the 3rd November, 1648, Robert Turvin was fined 2s. for coming into Guild without a gown. At the period of the Commonwealth in England every burgess had to appear not only in a gown but in a black hat at every Head Guild or public meeting under a fine of 12d. A few years later, 1655, 'grey' hats were forbidden; nothing but black could be worn. Richard Davison entered into Guild with a 'grey hat,' and, without option of a fine, he was committed for five days. But, on bail being given, he was granted a respite, on account of important business, till Monday, when he must return and serve out his imprisonment. Coloured hats under Puritan rule must have indicated 'Malignants.' Order of speech was almost as difficult to enforce as order of outward habit. 'Forasmuch as debates in Guild have hitherto been very much interrupted by the popular way of handling them, and no end can be had of the matters moved, it is hereby ordered that for the future no person shall presume to interrupt the discourse of another in Guild, and that none save one shall speak at a time, always observing to speak to the Mayor and Guild under supreme penalty; no reflecting or scurrilous expressions were to be used by one brother to another.' This order was to be read at every Head Guild. Down to the beginning of the last century a penalty of 6s. 8d. was exacted for non-wearing of gowns, and in these gowns they were commanded to 'walk with the Maior on the Fair day, with the town's waits before them, in all dignity and decorum.' A fine of 5 groats was the forfeit for disobedience to the above order, as well as for leaving the Guild without permission after the door was closed. The behaviour continued still far from being faultless. Edward Cook, like a bad boy, sat down in the Mayor's chair while his Worship was addressing the Court. For this 'insolent behaviour' he had to ask pardon of the Mayor, and was severely reprimanded by the Alderman. William Mening, about the same time, called Mr. Pattison, late Alderman, 'a Lyar' in open Guild, with other indecent, abusive, and tumultuous language and misbehaviour, for which he was locked up till he confessed his fault to the Mayor. We shall not follow this subject further, but meanwhile proceed to the course of legislation of this august body clothed in all their dignity of office.

LEGISLATION OF THE SALMON TRADE.

Salmon was the first article of trade the Guild proceeded to regulate, so far as its books are extant. The whole of the Tweed, 'from Horncleff or Wawthem Down,' at this early time was subject to its control, and clearly and definitely it settled that 'no fishing water must, on any condition, be let to any but a freeman of Berwick;' and the only time in which fish could be caught in these waters was from 'the Sonne aryse vnto the Sonne be gon down,' according to the custom and ordinance of the said Guild. Salmon, when so caught and brought into the town, were declared to belong to the person who caught them, and the fishers were warned not to allow any 'Mannes son or servint for to stele hys fathers nor masters salmond nother by neyght no daye.' The penalty attending this fault was that 'on half was forfet to the gyld and the other half to them that fyndeth any so falsyff,' so as to encourage discovery. All salmon prepared for export was salted, and in Berwick alone could this trade be carried on. Twedmothe and the Spytell are particularly mentioned as forbidden places, and penalties were annexed as in the preceding article. As only a freeman could fish for the salmon, so he alone could engage in salting and exporting the commodity. The staple trade was entirely in the hands of the Merchant Guild, and salmon was undoubtedly part and parcel of the said staple. We have already seen what size of barrels were used for this trade when the town was Scotch; it is nowhere declared in the Guild Books what size was in use in 1509, but we have it stated that the merchants trading with London must 'pak no salmont in no london berrells afor they be measured; and if they kepe the trewe syse for to be sealed and so to pass.' There is no reason to suppose that this barrel was different from the Hamburgh barrel in size, for the price of the barrel is nearly the same as it was in 1479, only some thirty years previous. When the size of the barrel was settled, it was laid down distinctly that 'Fremen' alone could ship these from 'this Port.' Close time on the Tweed was from Michaelmas to Candlemas, as we see from the following resolution, from which is also determined what kind of nets were then used: 'No man except he be free burges of this toun shall fysh vpon tweede for no salmond with longe net, short net, nor reyngne net, from Candellmesse to Myghelmes day, he that so doth to forfett and lows hys cowbell and net; and mor to pay vi^s viij^d.*' The freeman who is so privileged must on no account hire a Scotchman to help him to fish; nor could he employ even an unfree servant

* Keeping close time then was as difficult as now. A very frequent offence, indeed, was the 'kelynge of kepar' in close time, and the 'kelynge of smolte' in April and Maye.

to fish or buy fish for him. Regulations are easily made; to carry them into actual operation is much more difficult. The coopers, packers, and gaugers do not seem to have fulfilled their duties in a proper manner. 'The coopers do not head the barrels at the proper time; the gagers do not gage and stamp them as they ought to do, and the packers are constantly found packing salmon on the other side of the Tweed.' This latter offence was very difficult to check. Another curious fault is mentioned, viz., 'some lay with ther cobyll on other men's watters.' For the second offence, 'the cobyll to be brokyn and ther bodys to prison XL days.' This was clearly a case of disturbing the fish in water not belonging to the person so offending.

Queen Elizabeth seems to have had a royalty of all the fisheries in the Tweed. In 1568 we learn that one barrel out of every last (12 barrels) was set aside for the Queen's use. Five lasts in this year were sent to the Queen of the best and largest fish that could be obtained, at £2 6s. 8d. per last, when the market price was about £30. According to the data 720 barrels at least was the produce that year.

The determination of the Guild that all salmon must be sold, cleaned, and salted in Berwick led to nuisances, about which the sanitary inspector had something to report: 'There is such corruption and stench all the sommertime in the stretes by washing of Salmon in sundrye places in the town, especially in the Westerland, issued forth of George Orde's, Rowland Bradfurth's, and Davy Skeall's, that it is very like to poyson and infect all the toun.' 'Salmon ought to be weshed at the river side and not in their back sides, for the blood thereof is dangerous for infection.' 'No Freman, *nor any others*, who occupyed Salmon should presume to washe them within the toun, nether in their houses, nor in their back sides, in order to avoid corrupt ayre or other noysome diseases.'

During the year 1727 Daniel Defoe visited Berwick, and the only thing that seems to have attracted his attention was the trade in salmon. He remarks, 'that which we call Newcastle Salmon, pickled or cured, were sent to London yearly. Upon inquiry, I found that really this salmon, that we call Newcastle Salmon, is taken as far off as the Tweed, which is three score miles, and is brought by land on horses to Shields, where it is cured, pickled, and sent to London as above, so that it ought to be called Berwick Salmon not Newcastle.' The carrying of salmon to Shields was contrary to the laws of Berwick, which required all salmon to be brought to Berwick and cured in this town. The difficulty of stopping the trade lay in the fact that the south side of the Tweed was in Durham, and the Berwick authorities had no power to arrest there. Their case is stated thus:

'The cadgers do us great injury in buying up the salmon and taking them to Shields, when by Act of Parliament all must be salted and cured in Berwick. This Act should be secured by a severer penalty to the offender, to be sued for in any Court of Record by Plaint or Action of Debt. The method of seizure is otherwise difficult, by reason they goe by ten or a dozen in company together, and generally take the by-roads. Recorder, Solicitors, and Sir Thos. Trevor, Attorney-General, are, each and all, called upon to help, but they hesitate to advise from the difficulty of arresting.'

NOTE ON SALMON TRADE TILL THE PRESENT TIME.

The trade in salmon was carried on by coopers, men who, at first, evidently attended to the barrels for packing the salmon; but latterly the term had a wider meaning. The cooper of last century bought and sold all the fish of the salmon kind. Before 1788, salmon were boiled in large boilers filled with water made very salt, and pickled with some peculiar flavour known to the coopers only. The water, it is said, was never changed, only additions made to it to keep up the quantity. The salmon having been boiled was then packed in regularly 'sysed' kits or barrels. Berwick salmon, thus created, became famous in all the markets of the country as well as in many of the Continent. Afterwards, when shipping became more active, live salmon were conveyed to London in wells in the ships. But, in 1788, a great revolution in the trade took place. It had been discovered that salmon packed in ice would keep sufficiently long to enable them to be sent to market. This plan was introduced to Berwick from Perth by a gentleman named John Richardson, who obtained the information from Mr. Dempster, a member of Parliament. He had seen it in operation on the Continent.* From 1788, the practice of sending the fish fresh to market gradually became general, until, in a few years, the old system became obsolete, and the coopers began to decay. At the present moment there is no such name known among the salmon-dealers. In Fuller's time there were thirty-two coopers in Berwick. I append some details from another pen, more minute than those I have given :

'The Tweed fishing begins on January 10th and ends on October 10th of each year†. A salmon in January and February weighs from 4 lb. to 8 lb. They get larger till September, when each weighs about 18 lb. or 20 lb. A salmon in October, when the price is 10s. or 12s. per stone, is as valuable as in January or February, when the price is 30s. or 35s. per stone of 18 lb. 10½ oz. (avoir.). No gilses (grilse) are seen until June, and then about 3 lb. or 4 lb. each, and but few got; but they soon increase to 6 lb. or 8 lb. in weight and in numbers also, when six for one salmon is caught, and often twelve or fifteen for one. It is admitted by all fishermen that gilses are young salmon, and return to the Tweed the succeeding year as such; but I never heard of any means used to ascertain this. [This admission is still in dispute.] There are trouts of all kinds in the Tweed; the principal—the large trout from 6 lb. to 10 lb., and the whitling from 3 lb. to 4 lb. The above are caught by the net. The Tweed also abounds in all kinds of small trouts, but these are taken only by anglers with rod and line.

'Salmon and trouts were formerly sent to London raw in boxes, in January, February, and March. Afterwards, trouts were sent alive in vessels with wells, and the salmon and gilses boiled and packed in kitts about 28 lb. in each, filled with vinegar. In August and September many

* Fuller's 'History of Berwick,' p. 423.

† Now it begins on February 15th and ends on September 14th.

hundred barrels were salted and sent to Spain and Italy, but since 1770 none have been salted, London requiring the whole. The number of kitts is uncertain, perhaps about 30,000 or 40,000 per annum, exclusive of those sent raw in January, February, and March. About 1786, packing them with ice began, and it was used partially till 1795 or 1796; since that time all have been sent in ice, in boxes $3\frac{1}{2}$ feet long, 18 inches broad, and 12 inches deep. The salmon, gilses or trout are put in first, and afterwards the ice above, which is beat down with a shovel, as gardeners beat a sod into the ground. The cover is then nailed on. There have been a few salted and dried called kippers. In each box are put about 140 lb. avoirdupois, but more ice and fewer fish in hot weather.'

The number of boxes sent away in the years between 1796 and 1818 vary from 6,404 (in 1806) to 13,189 (in 1801). The number of fish caught for twenty-five years after 1808 averaged 134,000; for the last twenty-five years preceding 1885 the number only averaged 50,000. It is difficult to account for the falling off in these latter years. The close time seems too long. It is now two months shorter than it was, and during September and October many fish are known to pass up the river. The rent of the fisheries of the whole Tweed has varied immensely. In 1799 it was £10,000; 1817, £13,604; 1825, £11,293; and in 1838 it was only £4,000; and now the rental of the whole is about £14,000, the highest during the century.

FINANCES AND ACCOUNTS OF THE BURGH.

At a Guild held in 1517, before Wyllyem Walles, Alderman, the following order was made: 'That yf a freman be set in the tolouth by the Mayre or Alderman, and yf the sayd freman goe out off the tolouth wythout lycens of the saym officer, that sett hym. At every tym so fattyng to paye 6s. 8d. wythout any redemsyon to the Comon Chamber.' The 'Common Chamber' here mentioned was afterwards commonly known as the 'Town Chamber,' which was again a name for the 'Treasury' of the town; and, at this early period of our history, the Mayor, among his multifarious duties, acted as Treasurer to the Town Chamber. In the 29th year of Henry VIII. the Guild resolved 'that Master Mayre shall haue the Town Chamer in as ample manner as Odnell Selby had it or any afore him.' The only items of income accruing to the Mayor were as follows: 20s. for every one obtaining his freedom by redemption; 8d. for every pack of cloth that any stranger brought to the market; 12d. for every pack of marsory ware; 6s. 8d. of a fine for using wrong weights and measures; 12d. for every freeman warned and who does not come to the Guild, 'excepe he ax lycens of Master Alderman.' The Mayor was expected to pay in return for the privilege of having the 'Town Chamer,' '16 nobells, and to pay the sergeants' gowns besides.' It was added to this bargain 'that yf the sayd Mastre Mayre pleysse it to have the Town Chamer the next year, to have it afore any other man, payng as other wyll, the one halfe to be payd at the hede court after Crystymes, and the other halfe at the hede court after trinitye Sundaye.'

In 1542, George Morton had the Town Chamber at the rent of £40, out of which he paid :

	£	s.	d.
For Serjeantes gownes	4	0	0
To Mr. Burrell, Mayor that year, in redie money	20	0	0
We have allowed him for two shoppes with the toun	1	6	8
Mor allowed him for money given to Lionel Thompson to rid to Alnwick	1	13	4
For money given to Midcalf, my Lord Marquess trompett, at Mr. Mayres order	0	6	8
Mor allowed him in his own hands with the toun	13	6	8
So all things clear reckoned, the toun is owne George Morton	0	13	4

and this is to be paid out of fines of the Court.

The rent of the Town Chamber varied much year by year. It was let in 1552 for £26 13s. 4d. to four Burgesses—James Meares, John Mawe, Thomas Tolle, and Robert Smith. In 1556 another source of income to the Town Chamber is mentioned, viz., the rents of shops under the Town Hall or Tolbooth. Then, as now, there were shops or piazzas under the Tolbooth. There were eleven such, as follows :

- Hedle's shop, let for 40s., or 10s. per quarter.
- Henryson's shop, let for 40s., haftar the same rate.
- Thos. Noddar's shop, let for 20s. „ „
- Mathe Botcher's shop, let for 10s. „ „
- Edward Botcher's shop, let for 7s. „ „
- George Henryson's shop, let for 5s. „ „
- Thos. Pye's shop, let for 26s. 8d. „ „
- Wedo Pearson's shop, let for 10s. „ „
- John Shawe's shop, let for 20s. „ „
- John Dobson's shop, let for 40s. „ „
- John Henryson's shop, let for 8d. per week.

The next Mayor's account extant is that of 1561, when Thomas Bradford held the office. His receipts consisted of

	£	s.	d.
Money received of Geo. Bardewell and Ed. Browne in Scottish money	4	18	0
„ „ of Matthew Sharpe for his shop at 1s. per week	0	9	0
„ „ Lytell Tolboth, 4d. per week	0	17	4
„ „ of Musterd and his fellows	2	0	0
„ „ of Baynes wife and others (forestallers)	0	8	0
„ „ for Toll for 9 weeks	2	0	0
„ „ for fyne of waters for myself this year	1	0	0
„ „ from the Pynder	0	9	0
„ „ from Matthew Johnson	0	9	0

The account is not very intelligible, but it chiefly consists of fines, and he fines himself, and pays the fine to himself, for having let his fishing water illegally to a Scotchman. His payments, which mainly refer to the Tolbooth, then in bad repair, follow :

	£	s.	d.
For 34 fir dales at 3s. per dale for the Tolbooth -	-	5	2 0
For glas for the windos - - - - -	-	8	0 0
For the Tolbooth 32 able double spars - - -	-	0	16 0
100th wood to the glaziers - - - - -	-	0	2 0
Two doblers and one great doble - - - - -	-	0	5 0
Nine long pieces of great timber - - - - -	-	3	0 0
A piece of timber on shore 21 feet long - - -	-	0	10 0
One great lock for the council door - - - - -	-	0	5 0
One great fir dale more - - - - -	-	0	3 0
For nails to Robert Watson - - - - -	-	0	10 8
John Dentons fir dale - - - - -	-	0	3 0
John Schottens fir dale - - - - -	-	0	3 0
To my Lord Warton and the Commissioners - - -	-	2	0 0
		<u>£22</u>	<u>9 0</u>
The towne is indebted to Mr. Bradforth - - - - -		£9	13 8

One source of expenditure that caused no end of trouble and difficulty was the payment of the members of Parliament. Anthony Temple was chosen M.P. in 1562. To pay his expenses they resorted to various means. Thomas Rugg was fined for his freedom £13 6s. 8d. For leave to trade in the town they fined William Musterd, John Nickson, John Scott, John Lowther, Henrie Johnson, Steven Drie, £1 each. Steven Sanderson was fined 5s. for unlawfully buying and packing fish. A general sessment was then laid on the whole of the burgesses to raise the sum still required. In the year 1563-64, a considerable amount was raised from fines to allow trading in the town, and among the items of outlay there were £4 spent for sergeants' gownes; 10s. given to the players, probably the forerunners of the 'waits;' for sugar and wyne to my Lord of Bedford, when he came to Berwick, for a welcome, £6 3s. 9d. ; more for sugar for my ladie Carie, 10s.' The lady was only credited with sugar, while my lord had both sugar and wine. In 1570 part of the revenues were let for a year for £30, and now they were particularly enumerated as the 'profits and revenues belonging to the Town, both by water and land,' the latter being described to be tollage, package, shop-rents, fines for license to trade granted to non-freemen, and the water revenues being described to be anchorage, bollage, quayage, etc. ; and also the forfeitures incurred by packing and gauging salmon contrary to orders of Guild. In 1575 all the revenues, except the water-bailiffship and the private profits of the Town Chamber, were let for a year for £37. Fines for enfranchisement seem to have formed part of these private profits, for, in 1576, £54 was received by the Guild for admitting a burgess. In 1581, and subsequent years, a close or parcel of land in the possession of

the Queen's Victualler for the garrison, and worth £6 per annum, was let with the other ordinary revenue of the Corporation. In 1599, the Mayor, who had been previously allowed to appropriate to his own use as perquisites certain tolls on corn, horses, and cattle, relinquished this privilege. At the same time new tolls were ordered to be collected, and the value of the revenues thereby increased, being let that year at the advanced rent of £45. During these years the Schoolmaster's salary was £10, the Town Clerk's the same. In 1573 a scavenger was appointed, at £2 13s. 4d. per annum. In 1574, £4 was allowed a London barrister for his assistance and advice in the Corporation's causes. Next year, half a barrel of salmon was allowed instead of £4 for this purpose, and this was ordered to be continued during the barrister's lifetime. In 1580 the Recorder's fee was £10. In 1590 the Guild ordered 40s. to be paid to the clock-keeper for his work. The payment of the M.P.s continued to be regularly made till 1593, when the Mayor and Captain William Selby were appointed. The Mayor's fee alone was paid, and the latter was not allowed any money by the Guild. Gifts, feasts, etc., continued to drain the Corporate purse. In 1593, a pair of fine pistols and a fine Scotch dagger were purchased and presented to a gentleman, whose name is not given, the town's good friend. In 1599, a clock-keeper was retained by the Corporation, with an annual salary of £4. It appears that the Coroner, besides a claim he had to a meadow, was entitled to fees on inquests from the Corporation, and the Guild, in 1601, authorised him to appropriate to his own use at a fair valuation certain weapons which he had in his possession *virtute officii*, in part payment of the fees then due to him.

Up to the time when the Charter was passed, the town's accounts seem to have been kept in the Guild Books or on separate pieces of paper. After this they were entered in a book and properly kept. As yet, the income and expenditure of the town were very small indeed; but one thing is clear, there was no debt on the Corporation of any kind at the passing of the Charter, nor for many years afterwards.

Immediately after 1603 the revenue and receipts began to increase. The Burgh Mail rents and chantries had previously been collected by the Crown; now they became the property of the Corporation. In 1605 the income of the town amounted to £167 8s. 10d., and the payments to £177 7s. 2d., leaving a balance due to the Treasurer of £9 18s. 4d. The whole revenues were described as consisting of 'Water dues, on vessels importing goods, bollage, anchorage, beaconage, and barrellage;' and tolls on goods exported, viz., salmon, corn, and coals; and also land dues, viz., package or tolls for packs, tolls of the market for pedlars,

toll of corn carried out of the burgh, and tolls of horses and cattle sold in the market. The other Corporate revenues, besides rents of meadow and stint grounds and other lands, are described to consist of 'Burgh Mail, chantry, and other rents,' which two burgesses were appointed to collect and account for; and 'uncertain profits, as tonnage of wines, redemption of burgesses, forfeitures of recognizances, fines and americiaments, profits and perquisites of Courts,' etc., which the Mayor, Alderman for the year, and bailiffs were to cause to be collected and accounted for quarterly. In 1606, and several successive years, the ordinary revenues, made up as above, were let for £36. The Treasurer's books for these years are lost, and no account of the separate items of expenditure can be obtained. In 1607 the Mayor's accounts are interesting. He had collected for the town's use £174 8s. 6d. He was allowed a drawback for sheep's grass, on account of poor widows and trouble about it, £6, and he had paid out £177 7s. 2d.; so there remained due to him £8 18s. 8d. To pay part of this debt:

'This day is delivered over to the said Mayor these parcels of Household Stuff belonging to Mrs. Ffenwick, in part payment of arrerage of rents due for the house she now dwelleth in Marygate, laid forth by him in his late maioraty, viz., one little trunk, 4s.; An old Byble, 5s.; Two pewter candlesticks and a pewter tonne and a little salt, 5s.; a pair of old linen sheets, 5s. 6d.'

These articles had been valued by Aristotle Knowsley and Andrew Crow, bailiffs, at the sum of 20s., and were delivered over to the Mayor as part payment of £8 18s. 8d. It would be interesting to know what Mr. Jackson, the Mayor, thought of these presents instead of one pound in money.

Although the revenues had considerably increased, yet money was not very plentiful. The Alderman had been accustomed to give a feast at the Head Guild every year. In 1607 the Mayor and other authorities entreated Mr. Alderman that he would spare the feast, and hand over the money to the good of the town, which 'he was contented and pleased to do.' He handed over the £6 which he would thus have spent, and it is, by the consent of the Guild, 'recorded in memory of his great kindness and our thankfulness.'

After the charter of James I. became law, the freemen merchants contended that they were exempt from the tax of butlerage and prisage of wines; but eventually it was agreed, on 9th January, 1608, to pay a composition of 100 marks to Sir Thomas Waller, Knight, for the license to sell wines. Four of the wealthiest members of the Guild—Michael Sanderson, Thomas Parkinson, Leonard Fairly, and Hew Grigson—lent the money, which was repaid to them in ten years' time, by each of them retaining the rents of lands leased by themselves from the Corporation.

During the first half of the century few changes took place in these revenues.

They remained almost stationary, and the outlay was always equal to, if not greater than, the income. The cry of poverty was frequent, and many projects were started to increase the income as far as possible. The lands granted by charter were gradually enclosed, and let as farms, from which rents could be obtained to relieve the embarrassed state of the finances. On November 3rd, 1648, they enclosed 'certain lands near Lamberton, and let them to the best advantage, beginning at the North side of Segden Chesters, up the South side of Scurry Law Burne, from thence up the North side of the Stony Muir Riggs, directly to the Eastmost of the three Knowes, and from thence to the Stone Cabbanits, and so directly to the Meere Loch, and so to the Lord Mordington's corne at the Garrison's meadows above the way.* Again, Shaftoe's Close was let to Mr. Ffoxton, for sixty years, on present payment of £100,† and 1d. per annum after; and out of this money he was to pay himself for his debts, one of which was incurred by supplying, at the town's expense, candles to the garrison.

From 1649 to 1656 the monetary affairs of the Guild were in as low a condition as they had ever been throughout its history. But now the wheel of fortune took a turn for the better, and from 1657 to 1661 the financial condition of the town was highly satisfactory. This arose principally from the large revenues derived from Lord Mordington's estate, which had been forfeited by the Commonwealth. These were used to clear off all debts, and make needful repairs to the fortifications and the bridge. In 1658-59 they amounted to £2,280 5s. Up to Michaelmas of 1660, £1,291 had been obtained by the Mayor from the same source, who accounted for the spending of £3,112 4s. 3d. On the Restoration being completed, the Mordington estates had to be restored to their owner, and so the financial condition of the Corporation speedily became embarrassed again. In 1661 they had to borrow £50 to pay for the renewal of the lease of the rectory. They now sold the castle for £100 to Stephen Jackson.

His Majesty sent to the town for a free benevolence in this year. The Guild generously contributed £100, which was raised with difficulty by public subscription. The Mayor was asked to subscribe a double share to make up the sum. A quantity of Commonwealth 'coyne' was found in the town, now of no use, so the Guild melted it to make a 'cupp' or a 'bowl' for the annual race to be run this year. To relieve their finances a little, Banks, the Schoolmaster, was dismissed, for they could not pay his salary. The Bounds-riding had, then as now, been accompanied with a dinner, on the company returning to town; the expense of this dinner had been paid out of the public purse, and now it was

* These are the boundaries of the New West Farm of the present day (1887).

† Shaftoe had been Postmaster, and this close named after him was the same as the Post Banks.

GENERAL EXPENSES.

	£	s.	d.		£	s.	d.
Twcedy's Widow Fund - - -	5	4	0	Mr. Mayor's Feast* - - -	40	0	0
Ringin Bells on Mich ^s Day - -	1	18	8	Dinner at Bounds ridin ^g * - -	37	9	4
Paid to Waits „ „ „ - - -	19	4	-	Bellringers „ „ - - -	19	4	-
Paid for Kipper keepin ^g - - -	4	10	-	Ribbons for „ „ - - -	4	14	2
Bringin ^g down the boats - - -	1	0	0	Music for „ „ - - -	9	8	-
Repairin ^g the New Milne dam - -	24	16	9	4 Sergeants' Horses at Bounds ridin ^g	4	0	-
Given to Workmen at the dam - -	0	2	6	Plate run for at Bounds ridin ^g -	14	6	6
Twelve months' assessm ^{en} t - - -	16	12	5	Guard and Gunners at Bounds ridin ^g	14	6	-
Mendin ^g old shore gate - - -	10	0	-	Three Sessions dinners - - -	6	0	0
Waits' cloaks - - - - -	4	3	8	Spent at the Crown and Mr. Cater-	-	-	-
Writs and Proclamations - - -	1	7	7	all's with Mr. Davison, Lecturer -	11	0	-
Paid Mr. Alderman - - - - -	27	10	6	Paid to Poor Travellers - - -	3	6	3
Paid for 3 Bulls - - - - -	8	0	0	Mr. Chamberlain (2nd payment) -	26	16	4
Hay for Bulls - - - - -	2	11	0	Taxes - - - - -	1	10	2
Glaziers at Church and Tolbooth -	5	8	11	Salkeld, a debt when Agent - - -	27	0	0
Fee Farm, paid to the Crown - - -	20	9	8				
				Bailiff's and Town Clerk's charges at Edinburgh on Prendergust's Sessions - - -	4	16	0
				Thos. Dickenson and Jas. Scott, two witnesses and their horses, at Edinburgh, to answer about our ground claimed by laird of Prendergust before the Lords of Council, and given to Secretary there - - - - -	13	10	0
				Town Clerk for Charges on Journeys on Town's business - - - - -	6	10	0
				Mr. Recorder when he came to try the water, and his Salary, £4 - - - - -	14	0	0
				Expenses of Counsel in this case - - - - -	53	5	8
				My own and Town Clerk's charges at Newcastle to speake with the Earl of Carlisle - - - - -	7	0	0
				Disbursed at London by Jas. Scott on obtainin ^g grant of £100 for Bridge - - - - -	137	10	8
				For the return of £125 of said money, at 13d. per £ - - - - -	5	4	2
				James Scott's and Daniel Collingwood's expenses, £20 each - - - - -	40	0	0
				Town Clerk for Ribbons for Lord Ashley's, and Mr. Briggs' Tickets, for wax and laid out - - - - -	9	3	-
				Paper for Town's business, 5s., and rent of Rectory, £10 - - - - -	10	5	0
				Not properly specified - - - - -	140	5	1
				For drawing out this acct. - - - - -	1	0	0
				<u>£1,041</u>	7	4	-

Considerable outlay might have been saved if the Guild had not so lavishly treated many of its friends. Lord Widdrington, Governor in 1671, had been absent for a time, and on his returning to town was handsomely treated in the new Guild Hall. Edmund Thorrold, Deputy-Governor, had used the burgesses with great civility, and they proposed on his leaving town that he should drink a glass of wine with them that they may wish him a good journey. When the Duke of Hamilton was known to be coming this way, the Guild at once decided to give him 'a handsome treat.' The same to Lord Ogle when, in 1675, he succeeded as

* These are large sums, considering the year, 1666.

Governor. He must have had a second treat, for the Mayor and Guild had to pay for 'a broken table and a stained carpet in Mrs. Grieve's when the Lord Ogle was treated with the Bishop of Durham.' About the same time Stephen Jackson and his son with their wives were in town from London. Jackson had been for a long time a trusted friend. A treat was determined upon, and the Alderman and Bailiffs were ordered 'to look out for wild-fowl and other novelties that can afford for them entertainment.' In this same year the Guild made a treat of a kettle of salmon on the river-side to one of their firm friends. We must forbear to add more concerning this form of expenditure, but enough has been said to show the tendency, foolish certainly when the income of the town did not permit of such prodigality.

For some years the average expenditure and income fluctuated about £900. Yet the balance against the Corporation steadily grew. The only means the Guild had to recruit their financial condition was to take some of the unenclosed land and turn it into 'Treasurer's Farms,' whose rents could be used for public purposes. In 1685 they converted sufficient land into farms to furnish rents worth £173 annually, and, in 1710, more farms were enclosed and let, from which £200 of rent was obtained. This plan continued to be carried out during the remainder of the Guild's history. In 1685, £600 of Bridge Money came into their hands, with which they paid off a debt of £100, and £150 of the expense of the new Charter, and bought a new silver mace for £36 11s. As the century advanced the authorities became more straitened in circumstances. In 1697 this mace was given to Mr. Lawson, the Mayor, at a value of £30, for which all his debts were to be cancelled. In the same year, they borrowed £200 for debts, and promised to pay it off at the rate of £40 a year in seven annual payments. In all, with interest, they paid £288 for this loan, which was rather more than 12 per cent. interest for the time.

In 1699, the machinery almost came to a standstill. Debt kept increasing so fast that something had to be done. The usual plan was adopted, and so frequently was it resorted to in after times that it may be called the patent for reducing the expenditure of the Corporation. In this year all the salaries were lowered. The Mayor's was reduced from £40 to £30, the Latin schoolmaster's from £60 to £50, the writing schoolmaster's from £40 to £25, the sexton's from £4 to £3, and so on. No more money was to be allowed 'for coffins to the poore.' All leases were to be signed without unnecessary expense. No more music was to be allowed on festival days. £10 and no more was to be spent for dinners, except 'on extraordinary occasions.'

In 1696, the first Treasurer of the Corporate Funds is mentioned, Cuthbert



[BERWICK.]

BERWICK FROM THE CARR ROCK.

J. HERRIOTT, Photographer,]

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Brady. He continued in office without a salary till 1700, when Mr. Matthew Forster was appointed, and 'for the great trouble there is in the office he shall yearly have a silver tanker, given him at a value of £6.'

For the next twenty or thirty years the Guild kept on borrowing largely and retrenching in small and trifling matters. They borrowed £700 to pay off a debt of £400. At the same time, they resolved that they should no longer pay 1s. 6d. to the serjeant for whipping offenders, nor pay the bellman 6d. per call, when the call was for the Corporation!

However, in the year 1729, they began to consider seriously the state of their finances. The following is a statement of their debts:

'Due to Wm. Dickson, £100; Wm. Miller, £100; Ed. Wilson, £300; Thos. Watson, £800; Ed. Neelson, £224; to the Executors of Mr. Thompson, £100; Elizabeth Nicholson, £100; Geo. Watson, £150; Elizabeth Songster, £320; due to the Treasurer, £265.—Total, £2,659.'

Some of the causes why they are in debt are as follows:

They maintained all the aged and impotent poor, and divers orphans and bastard children, while all the inhabitants ought to be taxed for the same; they repaired the church and churchyard walls, and utensils in the church, which ought to be found by the parishioners; they paid extravagant prices and rates to workmen and artificers, and the inspectors were very careless, which was a chief cause of the town's indebtedness. New offices with salaries were created, and these salaries went on increasing; the town's debts were carelessly collected, and tenants were continually eased of part of their rents and were not kept to their covenants. 'In short, the tenderness and easy compliance of the Guild and the lenity of the Magistrates rather than disoblige the body when they are pressing, have brought the town into insuperable difficulties which will in the end, if persevered in, render us incapable of discharging our just debts, and bring the town into contempt and reproach.'

Under this pressure they elaborated a scheme to give them a surplus.

	£
1. They resolve to let the farms of Baldersbury for 7 years - - - - -	700
And the Yellow Gowland on the west side of Hallidown Hill; to the west and north side of Peddigar Loch, and then down the north side of that and down the dene together with the furthestmost Horse-close, which, at present, is covered with broom and barren heath, for 7 years, at £120 - - - - -	840
2. That a tax be laid on all salaries at 1d. per £ in 7 years will give - - - - -	140
3. That a tax be laid on all meadows at 2s. per acre for Justices and Maiors, and 5 groats on the Aldermen's, 16d. on Balliffs', and 1s. on all burgesses - - - - -	315
4. That the Key be let out to merchants and others in lots and shares in 7 years - - - - -	70
5. That the carter's house be let for 7 years - - - - -	30
6. That the tythes be let for £80 for 7 years - - - - -	560
7. That £400 of the debt was for the bridge, and it can need no repair for 7 years. Money coming from it will amount to - - - - -	400
Total - - - - -	£3055
Debt - - - - -	2659
Surplus - - - - -	£396

These moneys were to be handed over to three trustees who were to receive the cash and pay off the debts. Those who drew up the scheme, appealed in the following words to the burgesses to carry out their plan and get the town freed from the burden: 'As the Corporation's affairs now stand they are in debt and bondage, disorder and confusion, the fatal consequences of which, if not timely prevented, may be desolation and loss of privileges, ruin and misery. These things no person of sound reason or sound judgment would choose, when liberty, freedom, peace and order, preservation of valuable privileges, credit, honour, and a prospect of lasting prosperity may be obtained, and that at so easy and cheap a rate as denying ourselves so short a time of a trifling inconsiderable convenience.'

John Sibbit, Mayor and Town-clerk this year, was the prime mover in this matter; and, if his advice had been taken, the credit of the town would have remained good. Sibbit was one of the ablest officers that ever served the town and Corporation. But how was the scheme worked? Baldersbury was never let; the tax on the meadows for the first year was taken to renew the lease of the Rectory, and for five years the scheme was borne very grudgingly indeed, when in 1734 the trustees were dismissed, the scheme abolished, and the revenues managed as before. The only retrenchment thought necessary at this time, 1729, was to sell the horses and carts that had been bought eight years before to keep the town clean. The horses were sold for £7 1s., the two carts for £7 4s.; total, £14 5s., by which they incurred a loss of £15 15s. As in former times, each inhabitant had to keep his own door clean, and cast away his rubbish.

In 1739, a new method of borrowing came into use, viz., the granting of annuities, at the rate of about £10 on £100. This gave them command of ready money. Thus they went on borrowing till, in 1744, the interest payable for annuities alone amounted to £240. This year, again, salaries were reduced, £5 taken from two of the teachers, and £10 10s. from another. The income and expenditure of 1746-47, the year after the rebellion, may be given to contrast with that of 1665-66:

INCOME.

	£	s.	d.		£	s.	d.
Grand Farm and ballast key* -	311	7	5	High Mill House -	2	0	0
New Farm -	53	10	0	Correction Yard and a Small House -	1	8	0
Tweedmouth Colliery† -	47	2	6	Fenwick's Bat -	0	10	0
Cocklaw -	61	0	0	Easter Reckonings -	10	7	6
New Mill -	73	0	0	Tax on the Cattle -	165	9	0
New Lime Kiln -	1	10	0	Tax on the Meadows -	35	3	0

* Formerly 'Ancient Revenues,' viz., Tolls, Burgh Mail, Anchorages, Ballast, etc.

† The colliery was acquired along with the royalties of Tweedmouth and Spital.

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	£	s.	d.		£	s.	d.
Bridge Money - - - -	47	3	7	Cheswick Tythes - - - -	16	10	0
Coldmartin Rent - - - -	6	12	6	Clerke's House - - - -	0	4	0
Bailiff's Bat - - - -	41	0	0	Tweedmouth rents - - - -	9	11	0
North Bells - - - -	140	0	0	Engine House - - - -	6	10	0
Shambles - - - -	39	10	0	Burgesses made free - - - -	52	10	0
Stank Closes - - - -	6	0	0	Apprentices enrolled - - - -	12	0	0
Petty Tythes - - - -	13	15	0				
Grand Tythes - - - -	88	0	0				
					<u>£1247</u>	<u>13</u>	<u>6</u>

There was a very considerable increase of income during these 80 years.

EXPENDITURE.

		SALARIES.					
	£	s.	d.		£	s.	d.
Mayor - - - -	33	10	0	Edward Evans, Sexton - - - -	2	0	0
Cooper (Vicar) - - - -	80	0	0	Henry Hewetson, bellman - - - -	2	0	0
Cooper by order of Guild* - - - -	30	0	0	David Forster, Gaoler and cleaning			
Andrew Jackson, Writing Master - - - -	15	0	0	the leads - - - -	9	10	0
Ph. Redpath, Mathematics - - - -	20	0	0	Lindsay and Allen, for cleaning High			
Rich. Mather, English Master - - - -	10	10	0	St. and Foulford - - - -	3	0	0
Ralph Morton, Reading Master - - - -	20	0	0	Geo. Davison, deacon of the shambles	2	0	0
James Neelson, Latin Master - - - -	60	0	0	John Oswald and McGill, waits - - - -	10	10	0
Town Clerk - - - -	10	0	0	Douglas, for Keeping Water Pipes - - - -	12	0	0
Coroner - - - -	2	0	0	Patterson, Field Grieve - - - -	15	0	0
Four Sergeants - - - -	36	0	0	Holmes and other beadles - - - -	9	0	0
Mrs. Pratt (Pension) - - - -	10	0	0	Mrs. Sibbit (Pension) - - - -	10	0	0
Mrs. Richardson (Pension) - - - -	10	0	0	Mrs. Cook (Pension) - - - -	4	0	0
Mrs. Rowland (Pension) - - - -	3	10	0	John Park (Pension) - - - -	2	0	0
Mortoft's Widows - - - -	10	0	0	Recorder's Fee - - - -	4	0	0
Treasurer's Fee - - - -	20	0	0				
A year's allowance for the Justices - - - -	10	0	0	Total Salaries and Pensions	<u>£499</u>	<u>0</u>	<u>0</u>
Sharp and Lyell, cowherds - - - -	24	0	0				

GENERAL EXPENSES.

	s.	d.
To Waits for Playing before the Magistrates on Michaelmas Day - - - -	5	0
To Waits for Playing at Tweedmouth Court, 5s., and on Duke of Cumberland going through the town - - - -	15	0
Making Coffins for Poor People or Soldiers, 5s. each for an adult and 2s. 6d. for a child, 36 in all - - - -	152	0
Edward Collins, Molecatcher, for killing 2,700† moles, at 1d. per head - - - -	225	0
For spreading Mole Hills on the Pasture Grounds - - - -	105	0
Three Bonfires, at 1s. 4d. each - - - -	4	0
Sergeants and Constables for conducting a woman out of town - - - -	1	6

* Given to Cooper instead of the lecturer for the afternoon lecture.

† This and the next are very common entries, indicating vast numbers of these animals in the grounds.

	£	s.	d.
And for apprehending and carrying to Gaol Martha Price, 1s. 6d., and for whipping one C. Burnett - - - - -			3 0
To Wm. Chisholme for two blue mill stones for Insurance Duty, Freight, and Portorage	£48	19	4
Cartage for do., £1 10s., and Laying down at New Mill, £7 15s. 4d. - - - - -		9	5 4
Wine for the Church, £13 4s., and Washing the Linen, £1 10s. - - - - -		14	14 0
Cloth for Sergeants, Gaoler, Bellman, and Beadles' Coats, 8 in all - - - - -		18	6 8
Making the above 8 Coats - - - - -		2	13 0
3 Coroner's inquests, 13s. 4d. each - - - - -		2	0 0
Vagrants and Prisoners in House of Correction at 1s. 5½d. per week, and other Charity-	90	12	6
Contingent expenses, including all save Salaries and Charity - - - - -	£919	8	0½

	£	s.	d.
Interest on £2,050, £102 10s.; Interest on Annuities, £110 - - - - -		212	10 0

Connected with the late rebellion the following occur :

To the Constables for impressing horses to carry gunnes to Dunbar for the army - - - - -		0	5 0
To John Clerk for expenses attending the baggage - - - - -		0	8 0
To Robert Anderson for carrying baggage to Dunbar - - - - -		0	6 3
To Pattison and others for carts for carrying baggage to Dunbar - - - - -		0	15 0
To Pattison and others for carts for carrying baggage to Dunse - - - - -		1	0 0
D ^d Miller and John Currie for two carts carrying baggage to Dunbar - - - - -		1	18 9
Geo. Douglas and others attending with lanthorns the Duke of Cumberland - - - - -		2	10 0
Mark Young and Constables for their extraordinary trouble during late rebellion - - - - -		1	10 0
Wm. Jacks for six tubs for carrying powder - - - - -		0	6 0
Wm. Campbell for billeting soldiers during late rebellion - - - - -		5	0 0
Ralph Williamson for billeting soldiers during late rebellion - - - - -		5	0 0
Sergeants and Gaoler for extra trouble - - - - -		2	10 0
Thos. Malcomb for coals for Corporation's use during late rebellion - - - - -		4	11 10
			<u>£26 0 10</u>

INCOME.			EXPENDITURE.		
	£	s. d.		£	s. d.
Balance - - - - -	1237	2 6	Salaries - - - - -	499	0 0
	271	18 0½	Charity - - - - -	90	12 6
			Contingencies - - - - -	919	8 0½
	<u>£1509</u>	<u>0 6½</u>		<u>£1509</u>	<u>0 6½</u>

Some interesting items I quote from other accounts, illustrative of manners and customs of ancient times :

	£	s.	d.
Mary Brown was kept for 6 days by Bailiff Forster for - - - - -	0	1	3
The Beadles bought whipcord for 3d. and whipped the said Mary Brown out of town for 1s. 6d. - - - - -		0	1 9
Tolling the Bell at the Queen's funeral (1737) - - - - -		0	5 0
For seizing 7 angle rods and 2 leisters and 15 nets (illegal fishing) - - - - -		1	5 0

	£	s.	d.
Two tar barrels for burning bad beef sold from a ship - - - - -	0	3	6
Andrew Mitchell and James Smart for baiting a bull* - - - - -	0	2	6
Andrew Bell for an Almanac for use of the Church - - - - -	0	0	6
The May Day Dinners (1740) cost - - - - -	18	11	0
In 1732 the Bishop of Durham was entertained at a cost of - - - - -	40	5	6
To Wm. Constable for Catching a Seal - - - - -	0	2	6

The Guild continued liberal to the end; the only thing one can say against it is that they were liberal at the expense of the present generation and not of their own. During the Volunteer period, 1778 and onward, they subscribed 2 guineas to every able-bodied landsman enlisting in Berwick, and 5 guineas to every able-bodied seaman, and 3 guineas to every ordinary seaman over and above the Government allowance. Fifty pounds, this year, were so spent, which they borrowed for the express purpose: they likewise borrowed £150 to pay the poor-rate on the Corporation lands; £300 to pay the lease of the Rectory. A public subscription was made for the necessitous poor, and the Guild borrowed £50 and subscribed that sum. In 1789, £50 was granted for the race this year at Lamberton, and at the bounds' riding each person who took part received 5s., and £8 was spent on ribbons.

In 1798, they completely outdid all their previous efforts. They subscribed £50 to purchase shoes for the British army, to be sent over to the Continent, and gave a donation of £1,000 to the service of the State, advertising their munificence in the *Sun*, the *Star*, the *Whiteball*, the *London Evening Post*, and the Edinburgh, Newcastle, and Kelso papers. The Government, with William Pitt at its head, was incurring National Debt more rapidly than ever had been done before; and this evil influence seems to have infected the whole country.

The year 1817 is important in our financial statement. A thorough investigation was made into the town's solvency, and a plan elaborated by the more wealthy part of the Guild which, if adopted even so late as that year, would have saved the town from its embarrassed condition; but, on consideration, the plan was thrown out and the old patent adopted of lessening salaries all round. For eight years ending 1815, the excess of expenditure over income had been yearly no less than £1,546. For 1816 the excess was £6,068 9s. 10d. From 1807 to 1816 the total excess amounted to £18,441 3s. 10d., borrowed on interest and on annuity. The total bonded debt was then £24,675; interest payable £1,185, and on annuities £844 4s. 2d., making in all a charge of £2,030 on an income of £5,000 per annum. Fixed charges upon the revenue left £300

* This so late as 1732; another instance occurs in 1740.

for contingencies, which were never less than £1,000; so that at least a yearly deficit of £700 remained. This was the plan adopted to save the credit of the Corporation:

SALARIES.

	PRESENT.		FUTURE.		
	£	s.	£	s.	
Town Clerk's Salary	200	0	150	0	
Four Sergeants at Mace	128	0	100	0	
Wm. Whillis, Bellman	12	0	4	0	
Thos. Statham, Bellringer	31	4	25	0	
Two Beadles	40	0	30	0	
Wm. Brown, Gaoler	40	0	20	0	
Mr. Alderman	10	0			
Steward to Court Leet	10	0	5	0	
Bailiff	10	0	4	0	
Blower to Church Organ	5	0	3	0	
John Rowland (Clerk)	15	0	10	0	
Wm. Wilson, Plumber	12	0			
Bailiff	20	0	10	0	
Wm. Young, Keeper of Exchange	10	0	5	0	
William Henderson, Dean	5	0			} Appointed again shortly after.
George Gregg, Keeper of Engine	2	0			
Wm. Ferrow, Keeper of Pipes	8	0			
Samuel Laws, Constable	8	0			
Henry Alder, Singing Master	5	0			
Thos. Herriot, Ness Gate	3	0			
The oldest Freeman	10	0			
George Riddle, Coroner	25	0	20	0	
Rich. Todd, Schoolmaster	70	0	60	0	Todd's salary was raised again within a year.
James Hall, Schoolmaster	70	0	60	0	This order shortly after rescinded.
Andrew Stevenson, Schoolmaster	70	0			To be continued at £60 if they teach Grammar in their Classes, if not £10 to be taken off.
Mungo Cairns, Schoolmaster	60	0	60	0	
James Paterson, Schoolmaster	60	0	60	0	
Alexr. Graham, Schoolmaster	60	0	60	0	
Andrew Thompson, Pensioner	25	0	20	0	
Bell ringers for 10 ringing days	20	0	12	0	
Riding the Bounds	8	8	2	8	
Bailiff's Annual Pay	40	0			
Coals for Schools	18	0			Rescinded in January, 1821.
Water Bailiff	10	0			
R. Evans, Sen.	18	0			
	£1140	0	£724	8	Saving of £415.

A nominal saving of only £415 was obtained in this way. I say nominal; for in a few years all the salaries were raised to the former amount, and things went on as before. Very unnecessary expenditure the Guild indulged in immediately the

above scheme was passed. At their very next meeting they ordered that Lord Ossulston and the Hon. H. G. Bennet be made free, and that their tickets of freedom be surrounded with gold lace to the extent of £6 14s. 9½d. In October of this year, they ordered a silver oar at the value of £6 15s.; and the town's arms and Mayor's name were ordered to be put in it. On the death of Queen Charlotte, they covered the Mayor's and Bailiff's pews in the church, and the town's arms in the Town Hall, with black cloth, at an expense of £41! For hanging this black cloth, the bill was £5 7s. 8½d. Again, on July 19th, 1821, the coronation of George IV. was celebrated, and 10s. given to each burgess and 5s. to each burgess's widow, to solemnize the event. £250 was needed for this distribution, and it was borrowed for the occasion!

In 1825 Thomas Jordan Steel was Treasurer and Mayor. He was presented during his mayoralty with two silver goblets, worth £8, for attending to the true interest of the Corporation, and, during the first year of his official life, with a piece of plate worth £5 for the correctness of his statement that year! The statement of accounts for 1825 was as follows: Income, £25,233 7s. 6d.; Expenditure, £33,710 18s. 9d.; leaving a balance against the town of £8,477 11s. 3d.! This was the result of five years' work. The debt in 1817 was £24,000; now, in 1825, it was £33,518, with annuities to the extent of £12,280: total, £45,798.

The statue of Justice in the Council-chamber was the work of J. Alexander. It was finished in 1789, and, in 1825, he was paid £5 in satisfaction of his work.

In 1831, another financial committee was appointed to consider ways and means, but it resulted in no decisive action. In short, a week after it met the Guild ordered 10s. to each freeman and 5s. to each widow, to enjoy the coronation of William IV. as they had enjoyed that of George IV. In this year the debt was increased by £3,600; and, on the passing of the Reform Bill, 5s. was presented to each burgess, so that he might qualify himself for the enjoyment of the day. A full statement of the debt of the Corporation may now be given. It is taken from an account delivered by the treasurer to the Committee of the House of Commons on Municipal Affairs in 1833:

	£	s.		£	s.	d.
In 1801 the total debt =	9,539	0	Interest payable was -	720	0	0
In 1811 " "	=18,212	0	" "	- 1,235	11	0
In 1816 " "	=27,740	0	" "	- 1,751	5	0
In 1821 " "	=38,328	10	" "	- 2,473	10	0
In 1826 " "	=45,803	0	" "	- 2,711	2	7
In 1832 " "	=54,011	15	" "	- 2,949	5	0
In 1835 " "	=43,803	0				
In 1847 " "	=46,103	0				

In 1867, the debt remained the same as in 1847, and now, in 1887, it has decreased to £37,186 5s. This diminution has been effected through the sale of houses whose leases had expired. It will be noticed that the debt was principally contracted during the first thirty years of this century. The deficiency was considerably over £1,000 per year, and the following abstract will show the item of the account that led to this :

	<i>£</i>	<i>s.</i>	<i>d.</i>
Total yearly expenditure of the Corporation in salaries, interest, etc., on an average of two years - - - - -	6,007	1	0½
Cash divided among burgesses and widows of burgesses as meadows and stints -	5,894	4	6
	11,901	5	6½
Total receipts on an average of the same two years - - -	10,335	13	4
Yearly deficiency to be made up by borrowing money - - -	£1,565	12	2½

The second item of the expenditure is where the money ought to have been saved, and the yearly deficiency indicated in this abstract should have been saved on the meadows and stints. That is, the freemen of the first thirty years of this century lived at about £1,500 yearly above their income, to the grievous loss and damage of their successors in all time coming. The whole government of the town in these years was conducted in a most irregular and extravagant manner, and showed, above all things, that the Guild had outlived its days of usefulness, and that the Municipal Corporation Act did not pass into law a day too soon for the safety of a remnant at least of the large corporate property that had been gifted to Berwick in the Charter of James I.

MEADOWS AND STINTS.

The property that the freemen of Berwick owned by Charter right, before James I., was very small indeed. The Berfrey had belonged to them since the reign of Alexander III., probably from about 1250. It was given by Simon Maunsell to the town. This Berfrey became the tolbooth of later times, and the tolbooth was changed into the Town Hall about 1750, so that the land on which the Town Hall stands has really belonged to the burgesses for more than 600 years. About ten acres of land in the Snook had been conferred upon the town by Henry IV.; this property belonged to them till Elizabeth's reign, when it seemed to have been forgotten that it was ever theirs. Likewise the right of common pasture over part of the Crown lands belonged to the burgesses of the town, the stallingers and the soldiers of the old establishment, thus :—' We ffynde and presentt that by auncient

order, custome, and prescription, ever sithence Berwick hath bene English, the bounds and fields of this toun doe belong to the burgesses and olde Garryson of the firste establishment, and to the stallengers of the same, and that by auncient righte and custome they may keep in the same bounds every man their kyne, and on other beaste, for strengthe, and also a nagg and a gelding, and not above.' The soldiers of the last establishment were desirous of the same rights, but these were declared hurtful to this town. The lands, that were included in the above order, are thus described: 'Baldersbury, Latham, Chapmanchesters, Grangeburn, Catcragge, Cockelawe, and other places within the bounds which belong to the burgesses, the ordinary garryson, and the first establishment, and to the stallangers.' To these were added the Snook, the Maudlen Fields and Gaynslawe. These additions had been made, during the building of the fortifications, for feeding her Majesty's beeves; and Mr. Vernon, the present victualler, was retaining them against the rights of the town. Further, the town cattle had free common of pasture within the Marshall Meadows from hay-time till Candlemas, without any hindrance or 'yntervption,' and so of right they ought to have. The stint,* at this time, seems, so far as cattle were concerned, to have been as stated above; but a very great number of sheep were pastured, more than should have been, according to orders. The four dykers, in recompense for repairing the castle dykes and bringing water from the heads to the ditches about the town, were always allowed eighty sheeps' grass. The two men, that were yearly appointed to be the keepers and pinders for the fields, were allowed between them forty sheeps' grass. Also for repairing the 'cassey,' without the Marigate, there was allowed yearly twenty sheeps' grass, and, to the common herd, in recompense for keeping young cattle, twenty sheeps' grass. The stint in the year 1575 was as follows:

ALLOWED TO THE DIFFERENT OFFICIALS, ETC.

To the Maior	-	-	-	-	40	Mr. Marshall	-	-	-	-	-	40
To the Treasurer	-	-	-	-	40	Mr. Porter	-	-	-	-	-	40
Mr. of the Ordnance	-	-	-	-	40	Mr. Chamberlain	-	-	-	-	-	40
The Provost Marshall	-	-	-	-	40	The Toun Clerk	-	-	-	-	-	20
Six Pinders	-	-	-	-	120	Four Dykers	-	-	-	-	-	80
The Day Watch	-	-	-	-	20	Repairing the Cassey	-	-	-	-	-	40
'Comon Nolthirde'	-	-	-	-	20	'Clope Keper'	-	-	-	-	-	20
Keper of Conduit within the toun	-	-	-	-	-	-	-	-	-	-	-	20

* 'Stint' is a technical Berwick word. It is easily seen in the passage to what it refers. The burgesses and others were stinted or limited to a certain number of cattle which they could put on the fields. This right was afterwards commuted to a money-payment, which retained the name. The original purpose, however, in course of time was forgotten, and hence the supposed difficulty in the meaning of the word.

Allowed to be given and distributed to the poor - - - - -	120
„ unto Robert Carr in respect he lost one of his ears in defence of the fields the time he was a Pinder - - - - -	20
„ the Executioner - - - - -	20

Instead of the original eight score, there are here thirty-nine score of sheep pasturing in the fields. If these were regularly going in the fields, then at times they must have occupied much less ground than what is already stated, for part of the common ground was 'hayned' for hay every summer. In connection with the hay a very curious custom obtained. The hay-ground was all parcelled out into suitable lots for the various parties who possessed a right to it. It was seemingly difficult to allocate the lots without offence. The plan adopted was novel, probably unique. All the shareholders, if they may be so termed, on a given morning in summer, when the hay was fit to cut, collected in Castlegate on horseback, each on his own horse (if the horse was borrowed, the hay was forfeited), and at a given signal (a shot was fired), every man at full speed made for the lot that he desired; the fastest, of course, got the best. Elaborate rules were laid down for this manner of settling the vexed question. A space for the whole code cannot be given, but a few laws are appended: (1) 'That no man runne bare backed, but to have bridell and sadell.' (2) 'That no man make any quarrel or give any foule words.' (3) 'That every man that will run shall bringe his name to the Marshall before the mowing day, and swears his horse his own.' (4) 'That no man presume to come within the common meadows ten days before the running day, on horseback, or on foot, to view any place where he would run to.' No further change of any consequence happened till the charter of James I. became law, when the property, on which they had pastured their cattle and horses for nearly 300 years, became their own in absolute right. For a few years after becoming entitled to the land they continued the same mode of pasturing and haymaking, for on the 15th April, 1605, every free burgess was allowed to pasture 'two kye and one nagge' or 'three kye' only. All others shall have 'two kye' only. If any commoner wants a 'nagge,' in place of his 'kye,' he shall petition the Guild and state the reason, and then he shall receive as much favour as the Guild can extend in that case. Again, every burgess shall have the first preference for their sheep, paying for every score of ewes and 'yielde sheape,' 8s., and for every score of lambs 3s. 4d.: all others (stallingers), who have regularly paid the sessments to Mr. Mayor, to pay 10s. and 3s. 4d. as above.

It is evident from these orders that the non-freemen, stallingers, or commoners, as they are variously called, had participated at first in the pasturage of the fields along with the freemen, and this without any question being asked. At

the meetings held for discussing matters in regard to obtaining the charter and sending deputations to London for this purpose, and especially at the rejoicings over the charter when it was presented in Guild for the first time, after it was brought from London, the commoners took their full share. From these considerations the non-freemen evidently considered this new charter to be as much in their favour as the old charters of the previous English Kings ; and the freemen themselves, for a time, as evidently acquiesced in this participation. But different results very soon became apparent. Some held that the charter was granted to freemen only, after which the non-free element began to be gradually eliminated out of all right to the fields. At first all non-freemen were equally eligible to this right ; then, only the ancient inhabitants, especially those who had contributed to the expense of the charter. But, in 1616, Judge Forster expressed an opinion that none but freemen had a right to participate in the meadows or fields. The burgesses did not deem this a final settlement of the question, for they prepared a case to lay before Mr. Smith, the Recorder, in 1624, from which it appeared that 'some of the inhabitants of the town, not being burgesses nor free of the Corporation, made demand of certain meadows, pasture, and feeding within the said fields and bounds.' Pretences of the title: (1) They are naturally born in the town ; (2) They have been ancient inhabitors of the town ; (3) They have freehold in the town ; (4) They have been, or are, servitors in the town ; (5) The Mayor and Burgesses promised, on the passing of the charter, that the fields should be for the general good of the town ; (6) The grant to the Mayor, etc., was, as they allege, intended by his Majesty to all the inhabitants and town dwellers. (It ought to be noticed that they who allege this helped to pass the charter, and assisted the freemen to pay for it.) Recorder Smith's opinion is thus expressed: 'I am of opinion that the said pretences are insufficient in law. The said inhabitants cannot justify, by reason of any ye said pretences, to have any right, or title, or interest of common, or meadow, or otherwise, of or in any of the said lands, tenements, or meadows, or hereditaments granted to the said Erle of Dunbarr, or to the said Mayor, bailiffs, and burgesses respectively.' The stallingers seem to have acquiesced in this decision finally. The Guild do not seem to have acted hastily in casting out the commoners, for, in 1660, a number of stallingers were using great liberties with the fields, and pasturing cattle in them without leave. The late dissolved garrison were, likewise, using liberties. In 1692, all stallingers, who had had meadows for more than twenty years, were still to be continued ; but all others were to leave their meadows, and these were to be given to younger burgesses. But, in 1720, all stallingers were

literally crushed out of the meadows. This was done for two reasons. On the one hand, the number of freemen had increased very largely—in 1610 there were 140, now 468. Then, on the other hand, the meadows had decreased, owing to numerous pieces of land being now enclosed and let as farms.

The liberality of the Guild was long displayed in admitting others to share in the meadows than those who had even an imaginary right. Sir George Home and Mr. James Crainston had harridge for their horses, as burgesses, because they had been good friends to the town. Thomas Foxton traded so largely with packs that he required seven horses to carry on his business properly; he was allowed four horses above his stint, 'for his trade is of great benefit to the town.'

'Widow Margaret Willoby (1710), in respect of her great usefulness to the inhabitants of this place, by reason of her skill and readiness in curing their Black Cattle, is to have a meadow in the town fields as formerly.' In 1722, Dr. Matthew Forster, Dr. Nicholas Ogle, and Rev. John Lowe, of Mordington, who resided in town, had each a cow's pasture in the Close, and a horse's grass in the out-fields, as burgesses had. About 1750, all the three Dissenting ministers in the town had meadows as burgesses, and this custom continued down to the end of the century.

On October 11th, 1605, the first attempt was made at parcelling out the ground in separate meadows. The reason given is as follows: 'To avoid the great inconveniences which have yerely hapened by reason of the confusion and disorder in taking the hay and devyding it amongst the burgesses and inhabitants of this Boroughe, and to the end to nourish peace and quietness, and ease the Magistrates of that intollerable toylle and troble yerelie hath fallen to them about the said divisions, it is ordered by this Guild that, before the 30th of November, there may be an exact survey taken of all the meadows belonging to this borough, that the said meadows may be proportioned out to several persons, before the 2nd February next, in such sort as to this Guild shall be thought to agree with equity and good conscience, in order that all discontent and murmuring may be taken away, and the state of the town advanced, and the grounds themselves bettered by good husbandry.' Notwithstanding these cogent reasons, the division did not take place till November 7, 1608, when 'it was ordered that the New Close, Nunslees, Lathome, and Hawked Cowe, shall be allotted to all the Burgesses who have not yet been Bailiffs, at two acres apiece, to pay for the same 4d. per acre; and if there is not enough land, then the south of Baldersbury may be taken from Grange Burn to the Bull Letch.' Thomas Barth and eight other burgesses were allowed each three acres of meadow-ground on Baldersbury; ten acres at the foot of Letham were

allotted to the four sergeants-at-mace, and a number (not stated) of acres were set apart for stallingers and some others in his Majesty's pay and divided amongst them by lot. The remainder of the meadow-ground was to be parcelled out amongst the other burgesses. Each burghess was ordered to pay 6d. for every acre of ground he held towards the charges of making a boundary-ditch between England and Scotland. Towards this a sessment was laid on the inhabitants generally (including stallingers). After the bound-ditch was made, the riding of the bounds began. In 1609 this custom is first mentioned in the Guild Book ; in that year the riding took place twice ; latterly, it was fixed to be, as now, on the first of May, and during all its history there have been the same customs observed as now obtain on that day : a race on the level ground at Canty's Bridge, a dinner in the afternoon to those who go the circuit. At that time, ribbons were provided at the town's expense for decoration of the horses that took part. The dinner was then paid for out of the corporate purse, but now it is paid by the Mayor.

Now that the land was settled upon the Mayor and Corporation, they had great difficulty in defending it in its integrity. Their great opponent was Sir James Douglas, Lord Mordington, whose property bounded with the freemen's. The part in dispute was that called the 'old walls and the stanks.' Mordington claimed them as part of the Maudlin Fields, the Guild defended them as part of the property gifted by King James, and, after great dispute and interference of law, the land was settled definitely upon the burgesses.

No sooner was this settled than the Laird of Prendergust, John Hume, entered law with them for the New Farm at the Edinburgh Court. This claim was likewise successfully resisted. The Lord Governor of the Town entered law with them for the North Bells Fishery, and this they were obliged to defend, and, as with the other claims, they were again successful. After this year (1666) their lands, fishings, etc., remained undisturbed. Nothing further of interest presents itself under this head ; the Guild continued to turn more land into farms as necessity required, and the practice of good husbandry increased, when it became apparent that cultivation rendered the land of more value than when it lay unenclosed and in pasture.

The Berwick Bounds extend from the mouth of the Tweed by the river-side for about five miles to Gainslaw, where the Bound Road meets the river. The boundary then passes northwards over the river Whiteadder, and continues in the same direction to the German Ocean, then by the sea-shore to the mouth of the river again. Of all the land within this boundary the freemen own about two-thirds, or 3,077 acres. The remainder, at first conferred upon George Home,

Earl of Dunbar, is now held by several proprietors. The freemen's part yielded in 1837, £10,000. In 1867 the rent of the treasurer's farms amounted to £4,156, and the stints, which were added, to £2,964; in all £7,120. In 1887 the former yielded £3,789, and the latter £2,934: total £6,723.

ADMISSION TO THE FREEDOM.

Admission to the freedom of Berwick was not only by inheritance but also by purchase. The first mention of it in the Guild books is about 1513, in these words: 'That all the sons of freemen, except their eldest sons, shall be made free, paying to the Chamberlayn or Treasurer 6s. sterling and all other duties according to use or custom.' The eldest son alone, at this time, possessed the right by inheritance. The Kings of England and sometimes the Governors of the Town and other noblemen tried at times to thrust friends or favourites upon the Guild and force an admission to the freedom, but the Guild generally resisted these attempts save where very manifest advantages were apparent. The price of admission by purchase varied according to the whim or the necessity of the Guild. The price differed for another reason—whether the purchaser was desirous of trading in the staple wares of the town or not. If the former, a higher price was attached to this privilege. All who were desirous of purchasing the freedom were obliged to possess land to the value of 40s. or goods worth £40, 'or ells to have security that he shall be so possessed within a year and a day or to stand disfranchised.' The admissions to the freedom were undoubtedly the most arbitrary as well as the most curious of the Guild's proceedings. A few admissions, as examples, will be inserted to bring these points fully before the reader: Robert Jackson, the first of a long line of Jacksons connected with Berwick, and who, under James's charter, were leading members of the Guild, was admitted to the freedom for 40s.; but he found he could not pay the sum in cash, so he put in pawn the following articles till he could redeem them again:

'Twelve fir dalea, one yron chymney,* a new croke, a new tyke of a fetherbed and a bolster, a dressing ffyrme, a long ffyrme, a boutinge salte, a salte box, a knocking stone, and a spynninge whele.'

'Mr. Thomas Morton Esquyor, at his request, is made a freeman by unanimous consent of the Guild. But because he was a good friend to the town and in consideracion of his Good counsell and assystance in our common causes as well past as to come, we do frelye allowe to gyve vnto him the annuyte and yerely

* A fireplace.

recompense of one half barrel of Salmon * during his life time forth of our towne chamber and revenue.' This is a unique action on the part of the Guild, to exact no fine, but really to give a yearly recompense for admission to freedom. The Mortons were a great family of merchants, opulent and powerful, and farmers of Murton estate. They afterwards settled in the county of Durham.

It was very different with Edward Mery, who was admitted in 1576. The town was indebted to this gentleman £53. They made him 'free of this Corporacion;' he generously cancelled the debt and gave £1 in 'monneye' to them.

Adam Orell was ordered to pay 5 cwt. of lead, good, able, and sufficient according to the weight of the town, or pay £10 into the town chamber. Adam was not to intermeddle with the staple ware of the town.

Sometimes favour must have been shown. Thomas Ffoxton paid £5 of a fine, and was not free of the staple, and at the same price Edward Walsingham was made free in the most ample manner. This suggests a relationship with Walsingham, Elizabeth's secretary. Richard Graydon 'was admytted to his fredom for one barrel of salmon, due to Thos. Handley, Fishmonger of London.'

'Thomas Sarisbrigge shall give the Towne in respect of his admittance ffouer leather Bucketts, twoe good and sufficient iron hooks.†

Mark Saltonstall, who became one of the leaders of the Guild, was admitted for £5, Edward Arnold for £10, and George Moore for 5 marks, all at the same Guild. Stephen Jackson, in 1600, along with Thomas Satterhett, was admitted to the freedom, 'and they shall pay and give to the towne, one fair Carpet cloth, and a dossen of Quishions furnished at their equal charge.' The necessities of the Guild were not only supplied, but even their luxuries furnished out of the admission to the freedom.

On the 2nd of December, 1605, Edward Oxeley was fined £10 for his freedom; £5 at present, and £5 at Whitsunday next. 'The present £5 to be paid to Matthew Johnson, for the redemption of a bond in which the said Johnson standeth bound to Mr. George Morton for the releasing of certain plate of Mr. Morton's in the hands of Henry Hitton.'

In 1636 there was a great complaint about the way of admission to the Guild, and the consequent evil thus wrought in the towne:

* The half-barrel of salmon was regularly paid by letting a shop under the Tolbooth to Matthew Sharp for the yearly rent of half a barrel of salmon.

† The buckets and hooks were given, and stored up in the Tolbooth, in case of fire. These became in the next century a recognised tax upon every one admitted to the freedom; and in more recent times it was commuted for a money-payment of 3s. 4d.

'The merchants can get no prentices to serve 7 years so long as the freedom may be had at so small a rate as now it passeth. Likewise by this means men unskilful in merchandise sett up shopps to the undoing of themselves, through want of experience, and the loss of others that be skilful merchants. Whereas a few might live of that which but make a multitude beggars. It is therefore agreed that no person whatever shall be admitted henceforth under a fine of £20 stg., and no burgess whatever to speak in Guild against this rule under a fine of 20s.'

But the freedom was not very easily gained even before this rule passed, for, in 1632, Thomas Hope was admitted a freeman 'on consideration to be undertaken to glasen all the windows in the Tolbooth council-chamber and low hall for seven years at his own charges.'

From the year 1645 and onwards, the burgess-roll increased very rapidly through the admission by ticket of a great number of non-residenters who had simply paid a passing visit to the town, while taking part in the warlike proceedings of these stirring times. In the early part of the sixteenth century, not more than fifty or sixty persons were enrolled as burgesses, and at the end of the century, in 1597, there were only sixty-eight names on the roll. For a few years after the Charter of James I. was passed, the number increased rapidly till 140 was reached, when it remained stationary till the admittance of the honorary burgesses mentioned above raised it to 205. Until the Revolution of 1688, the roll increased to vast proportions, as many as 540 names being inscribed on it for that year, of whom 302 were non-resident. The list was purged next year, and the numbers reduced to 260, most of whom were resident in the burgh. This number gradually increased, till, in 1726, there were 482, of whom 148 were non-resident. In 1776 there were 857; in 1800, 948; in 1832, 1,118; in 1835, the last year of the Guild's existence, there were about 500 resident burgesses; in this year, 1887, there are only 290 and 96 widows who possess shares in the meadows, the decrease having been rapid during the last nine years. In 1878 there were no double meadows; now there are 110. When the freemen and the widows of freemen do not equal in number the meadows (496), the rest are shared according to seniority, thus giving double meadows to more or less.

We can scarcely pass over all the famous names that have been inscribed in the burgess-roll. The Duke of Berwick was among the first of the celebrated non-resident freemen who had no other connection with the town than honorary freedom. The Duke acknowledged the receipt of the gift of the freedom in the following letter :

'Gentlemen, I received your letter of congratulation, and thought myself obliged to return you my thanks for it. I am glad his majesty has conferred on me the title of *soe loyale* and ancient a corporation as you are. And doe assure you that so long as your zeal and faithfulness for the King's

service continues, you will not question the affectional and favorable assistance in the power of, etc., BERWICK.'

The Duke of Cumberland, of Culloden reputation, was made a freeman, as well as the Duke of Bedford in 1746. 'Mr. Secretary Pitt and Mr. Legge have been administering affairs so wisely of late, that it is resolved to present each of them with a Ticket of Freedom.' These were presented (1758) in silver boxes, with the Berwick arms engraven on the lids. Mr. Pitt 'expresses in the most polite manner' his satisfaction at being admitted to the freedom of Berwick. In 1792, Mr. William Wilberforce was admitted 'on account of the high sense which the Corporation entertain of his distinguished merit and worth in his bringing to view the enormous cruelties practised by the slave-traders upon the unfortunate inhabitants of Africa.' In the same year, Charles James Fox was admitted, 'for he has uniformly supported in Parliament the interest of the Protestant Dissenters, and because he exerted himself for the repeal of the Test and Corporation Acts.' On the 18th of July, 1815, R. Simpson and James Mills moved that Lord Cochrane receive a ticket of freedom. The Mayor and Robert Romer moved and seconded that the two gentlemen above be expelled the Guild for twelve months for moving such a motion. Simpson and Miles moved and seconded that the Mayor and Romer be censured for moving a motion contrary to the laws of the Guild.* The Duke of Wellington was made a freeman, and his ticket was ornamented with gold lace, and £100 was subscribed at the same time for the wounded at Waterloo. In 1821 Joseph Hume, the celebrated economist, was presented with the freedom, and came here on the 25th of September, 1822, and took the oath of a burgess. Lord Campbell became free of Berwick on the 2nd of July, 1823. Rear-Admiral David Milne, of Paxton House, was made free after the defeat of the Dey of Algiers. The right of presentation to the freedom was taken from the burgh at the passing of the Municipal Corporation Act, in 1835. Since the passing of the Act, all the sons of a freeman are free by inheritance on attaining their majority; and a non-freeman can attain the freedom by serving an apprenticeship of seven years to a freeman, and paying a bonus of £30.

I shall detail the lives of two of the freemen of former times, the stirring scenes of which will illustrate the manners of our forefathers.

* Cochrane became Lord Dundonald on the death of his father, and served his country for the long term of sixty-three years. It will be noticed that the difficulty in the Guild occurred when the false rumours about Cochrane had been spread abroad.

I. MARTIN GARNET.

Martin Garnet, a noted freeman, cannot well be passed over without lengthened notice. He was partially admitted to the freedom on October 18th, 1564. He at once passed into the front rank of the burgesses, and was admitted to full freedom on October 6th, 1570. From his case we learn that one partially free could act as a member of Guild. He became a bailiff in 1568, was an alderman in 1569, and had signed orders before 1570. In this latter year it was agreed by the 'Borde' that Martin Garnet 'sholde be fre in all things vpon a reasonable composition; that hys composition with the towne shalbe 40s., all thyngs past done and consydered.' This last clause refers to the difficulty the Guild had to restrain Garnet from interfering with the staple trade till he had paid his fine, or put in an obligation to do so. Garnet was by far the most stirring member the Guild possessed in the latter half of that century. He has left a distinct mark upon the records not to be obliterated with time. A few of the incidents in his life will show the character of a clever, rough, strong, and sometimes roistering member. On April 30th, 1572, two years after he was made free, he became M.P. for Berwick, and was to be allowed for every day, from his setting out till his 'retorne, 5s. per day over and above what he may bestowe upon learned counsell.' He took with him, (1) The charter of Queen Mary, (2) The grant of King Henry VIII. unto this towne, (3) The old wrytt sent to Berwick in the first year of Queen Elizabeth.* Garnet was absent at this Parliament seventy days, and his expenses amounted to £17 10s., and he had disbursed £2 to learned counsel, viz., sergeants of the law. Charters were commonly sent to London with the members in these times. Points of law or privilege were discussed and defended; and the assistance of lawyers was called in, when necessary, to help the parliamentary representatives. Next spring, in 1572, he was again appointed to go to Parliament, and to be paid as on his last journey. On his return home he was to be 'paid his money friendly.' He continued Member of Parliament for twelve years, and repeated his journeys very much after the fashion of those mentioned. He was accompanied by the Town Clerk, Peter Fareley, when more than ordinarily difficult work lay before him in London. His fee was not always paid in a 'friendly' fashion. After his home-coming in 1580, when he had been absent for seventy-four days and £24 13s. 4d. was due to him at 6s. 8d. per diem, he received £10 of 'Sessment' and £10 from Nicholas Pindlebury as the price of his freedom;

* (1) The charter of Queen Mary was only confirmatory of the earlier charters. (2) Grant of Henry VIII. was a distinct grant, and appears in Appendix IX. (3) This writ has not been traced.

and for the rest, which was £4 13s. 4d. or thereabout, he was to rest contented as paid.

This Member of Parliament and member of the famous Guild of Berwick did not always behave in the most seemly manner. On the 30th March, 1573, this list of offences was recorded against him. For his 'heynous abuses of the Queen's majesty and the office of her highness' mayoralty, *in primis*,—the said Garnet did divers tymes presumptuously refuse to acknowledge his dewtye to said Maior; but, meeting the Maior divers tymes in the streats, dyd shoulder hym with his cappe on hys hede and beinge garded with halbarts at his backe, as thoughe he had bene officer hymselfe, in despite of the Quene's Majesty's auctoritie.' Also to show his 'mallice and disobedience toward the said Mayor, he dyd most vniustly and vnrulye belye the said Maior vnto Sir William Drurye and vnto Edward Mery to the sclander of the office. Also he came to the tolbooth privyleye armed and 'their dyd boste the Maior givinge vnto hym contemptuous words contrarye his alleageance,' and said the next tyme he came vnto the said Maior he wold be better provided, and, beinge commanded to warde, he thretened saying, yt sholde be the dearest comandement evir he comanded. Also, being admitted a Member of Parliament for the town, he hath lost our chief regalitye for the transportation of our hydes graunted vnto vs by the Quene's ma^{tie} and all her progenitors to the grete vndoing of this poor corporacon and their children.* Lastly, Martin appealed to the Court at York on the plea that he was 'damaged by the corporacon one thousande marks. Vpon the whyche vniuste alledgmente the towne was forced of their chardge to sende to answer this same whyche was vntrothe and to his reproche therin and to the hurt and damage of this town.'

The Guild upon examination of all these articles resolved that Martin Garnet is 'not fytte for the corporacon but ffor the same defaulke and ither disobedience, he is to be clerely disfranchised frome his fredome.' He was, in addition, 'fyned 20s. accordinge to our ancient orders.' For several months Martin remained contumacious, but in August, of that year, he humbly submitted himself to the authorities in the following manner: 'Ffor the matters yn controversy betwixt Martin Garnet and the towne, the said Martin haithe accordinge to the right honourable the Lord Presydent's order pronounced in these words to the Maior and his brethren: "Mr. Maior and yow the worshipfull his brethren, I do perceive that yow have conceived evil againste me, and yet in my hart I dyd never mynde to offend yow or your authoritye. And desiringe yow

* Robert Newdegate was Martin's neighbour in the Parliament. He got no blame for this loss, which was only temporary. Newdegate was not a member of Guild, and there seems nothing whatever known about him.

all soe to conceive of me, I submyt myself vnto yow besechinge yow that ye will restore me againe to be one of your socyete, ffrom which yow have separated me, which yf yt pleas yow to graunte I doe truste yow shall all perceave I will not onely show myself alwayes obedient to yow and your authoritye which now for the tyme yow supplye. But alsoe for maynteynaunce and defence of this corporacon and the liberte therof to my power I will alwayes do that which appertaignes to my duetye and for the matters which are betwixt me and my neighbour Bradfurthe I have submitted myself to the order of my Lord Presydent, which humble submyssyon is willinglie accepted by the Mayor and brethren, and thervpon have received hym into hys former state and liberty amongst the corporacon.”’

This was the second submission after the second disenfranchisement. The first I have omitted, owing to the imperfect state of the Guild books ; but it was effected at the suit of the Earl of Sussex, and this second submission was at the instance of Lord Huntington, Lord President of the York Council. But no sooner had he put his hand to this order and submission than he broke out afresh. For although restored so recently, ‘yet sithence and now of lait he haithe most stubbornlye and sediciously behaved himself in such unlawful and slanderouse maner towards the maior now beinge and corporacon without any iuste cause to him given, which lewd dealinge haithe moche redounded to the discredite of our poore corporacon.’ For this new offence, ‘we clerely disfranchise and dismysse the said Martin Garnet,’ from enjoying any right or liberty amongst us at any time hereafter. He was then put into warde, ‘vntill he putt in sufficyente bonde for now occupienge or vsinge any of the liberties to vs appertayninge,’ and on April 7th, 1575, Martin had the further temerity to arrest and vex two of the leading members of the Guild in London,* ‘for action of trespas and debt.’ For this Martin was to be kept in warde till he ceased all such actions ; because he never attempted to try these actions in Berwick, but took them to a foreign court before he tried for justice, which was contrary all the customs and privileges of the town. We hear no more of him till September, 1575, when, for the third time, he was received into the Guild without either fine or remark.

But, alas! on July 26th, 1576, he was again disfranchised for his contempt and abuse of the privileges of the town. He had, again, entered suit in a foreign Court, and most shameful—‘a forren balive, called a pursuivant, hath entered into the Burgh at his sute ; and tooke upon him to mysyse the maior in words, and him pulled by the shoulder and collar, peaceably serving an admirall process

* Anthony Temple and Anthony Anderson were the two. Of Temple I have spoken. Anderson was long a leading member of Guild, almost contemporary with Garnet.

against him, which dealings have opened a great gapp in the overthrowe and breach of this liberty.' He had, also, called the Mayor a 'Violent Robber,' and 'other naughtye speche which he was not able to prove and justifie.' Therefore the Guild 'do agree that the said Martin Garnet ys not worthy to be one of oure fellowship, and therefore we do all agree and subscribe that the said Martin Garnet from henceforth shall stand *utterlye disfranchised for ever* from his fredome as not worthy of that priviledge amongste vs.' Martin defended this conduct of his in very fair words. He answered that Mr. Maior hathe violently taken away his goods contrary the Quene's Majesty's laws and customs of the broughe; and that the maior hathe contrary his duetye and othe, robbed him of his goods, and he hathe complained to the higher courte for redresse, and that this Guilde is not to medle withall, and saithe that he ys not to abyde the order of the Guilde. The Guilde had evidently been too meddlesome in this last case, for Martin was no longer troubled on this issue.

He was a busy merchant in Berwick all the time that he was a political and civic servant. He was corn-merchant and salmon-dealer or cooper. As a trader in salmon, he came frequently before the Guild, which acted at that time more as a County-court than in any other capacity. Debts were frequently due to him for salmon, and he appears to have been a lender of money to his poorer brethren, but, whether as claimant for a salmon debt, or as a usurer in case of need, he was always a most inexorable creditor, and allowed no man to escape paying the uttermost farthing. Robert Bradfurth owed him £10, which Martin had paid on the condition that Bradfurth's scarlet gown was put in pledge. Bradfurth, slow to deliver his precious garment, was peremptorily ordered by the Guild to give it in as security, according to promise and covenant. Lionell Jackson had incurred a debt to Garnet under similar circumstances, and pawned to Martin his 'gold whissell, one silver salt, and one girdell of gold and silver.' After some time, Jackson tried to redeem these on a false issue, but, after proof led, Garnet was allowed to retain the jewels. About the same time he retained a prisoner for debt until death came to release him. Again, John Selbie, one of the Mayor's officers, he committed to warde, *in the prison on the wall*, which was out of the common resort, therefore dismally dull. Selbie was 'kept here for twenty-six days, when he complained to the Maior and Alderman, who found that the poore man was very sick.' Knowing there was no remorse in Martin, Selbie pitifully begged release at the hands of the Mayor. Just then it was discovered that no official could be imprisoned for debt without consent of the Mayor, so he was immediately released.

Although Martin thus urgently demanded his pound of flesh, he was not so

ready to cancel his own debts, as witness the following. He was frequently Mayor ; and a strange custom at this time prevailed, viz., that the Mayor was responsible for the custody of debtors, who were, then, kept in confinement in the low Tolbooth, or even in the Council-chamber. If any debtor escaped from the Mayor's supervision, the Mayor was understood to pay the debt himself. This custom put Martin into the anomalous position of being obliged at times to pay debts which another man owed. As might have been expected in such a man, he refused or hesitated to pay. The following was the case. Patrick Turbett was put in ward, at the suit of Thomas Winstanley and Henry Ruge. He escaped from Garnet's custody, and the plaintiffs demanded satisfaction from the Mayor. The Guild delayed giving judgment. A week elapsed, when the debts were proved at £42 and £21. The Guild could not compel Martin to pay. A storm had evidently arisen in it, and the members dispersed in haste, as no conclusion is recorded, nor did the officials append their signatures, an omission of the rarest occurrence. Martin, immediately, appealed to the Court at York against the attempt to make him pay for the escape of Turbett. This being against the liberty and privilege of the town, Garnet was put in ward for the misdemeanour. A writ came from the Lord President of the Northern Court, summoning the case under his jurisdiction. The Guild, on April 14th, 1579, firmly answered, ' That forasmuch as our libertie ys absolute within itself and exempte from all other counties of England ; and that the order, judgment, answer, fynall determination of all causes, ples, and matters within the town, doe rest to be here decided, herde and ended ; therefor we order and thinkes it very requisyte that Mr. Maior shall for the defence of our liberties and avoiding of all contempt that may ensue, cause the same letters to be answered before the Court of York by one or two of our brethren* well instructed, to declare the strength of our libertie and the truth of the aforesaid, and that the said Maior shall not enlarge the body of the said Garnett otherwise than he now ys.' For once the Guild took firm hold of him and forced him to abide their order. But he stayed in ward with a bad grace. On July 7th he was still under guardianship in the Council-chamber, evidently along with other debtors. On the above day, 'abowte eighte o'clock in the morninge, Robert Bradfurth, then beinge at ward, in the Tolbooth, have hapned to goe vpp from thence into the Council-chamber, where was likewise at ward Martin Garnet, and at the same instant tyme chaunced to be in company of the sayde Garnett, James Meares, John Haslewood, & Meredith the Griffethe, and at the coming vpp

* Peter Fareley, Town Clerk, was sent. Winstanley and Ruge, the creditors, were ordered to go likewise, but at their own charges.

of the saide Bradfurth into the Chamber aforesaid, being in God's Peace and in the Quene's Majesty's, and saluting the company with "Good morrow," the saide Martin Garnett, without any other speach given unto him by the said Bradfurth, did begyn in quarelling maner, "that that chamber was no plase for Bradfurth, and that he sholde not abyde there": who made answer, "he wolde be there in despite of him." Whereupon the said Garnett, without any further speach, removed sodenly from the place where he stood, and toke a cudgell staffe in his hand and came towards Robert Bradfurth and heaved up the same cudgell againste hym, offeringe to strike at hym. Whereupon each dyd drawe their daggers each againste other, and were parted and stayed by the other company from further troble. Whereupon the Guild doe find and presentt that the said Master Garnett dyd breake her Majesty's peace within the Councill-chamber against the saide Robert Bradfurth.' It will be observed that the Guild appended no fine to this misdemeanour. Garnet's haughty and overbearing conduct frightened them from extreme measures. He was, soon after this, liberated, and proceeded to attend to his Parliamentary duties. He was now an aged man, his turbulency ceased, the Guild-books no longer bristle with his name and with his uncouth initials. Save to recover a simple salmon debt, or get orders to go quietly to London to perform his customary duties, he no longer appeared in Guild. In 1582 he passed into the silent land. It is said by Raine that this man could not write his own name. True it is, he, generally, printed his initials 'MG' in a miserable scrawl, and, at times, used a wooden stamp for the superscription of the same letters. But once in the Guild-books I find the full name very carefully written, certainly not in the Town-clerk's hand, but whether in Garnet's it is impossible to tell. I cannot entirely follow Raine in saying he could not write. Bold, dashing, and hasty, he scrawled his initials* in the Guild-books; and it is just possible, in his calmer moments, he could use his pen, and that decently well. He was owner of the Tower of Buckton, which he left, along with his farmhold in Buckton, to Agnes his wife, and also his lease in Buckton, which he held of Richard Beele.†

2. HENRY BREARLEY.

Henry Brearley became free on March 19th, 1595-96, for a fine of £5. He very soon obtained office in the Guild. He was made a bailiff within a year, and, in 1599, became alderman for the year. He never rose higher in the civic scale;

* Many of the Guild members only put their initials for their signature. Robert Jackson did so, but in so neat a hand as to suggest that he could have written his name if he pleased. See Garnett's signature in Appendix XI.

† Raine's 'North Durham,' pp. 200, 201.

the rest of his life seemed to have been spent in asserting and maintaining what he considered his rights and privileges. While he was alderman he protested against the dismissal of John Brown, the Recorder, because 'a general dislike is taken against him.' This protest was entered in the margin of the Guild book, the only case of its kind in the whole of the series. His protest was supported by two reasons, first, because neither he nor his deputy was present at the Guild, and second, John Brown was not present to answer for himself.

Out of this dismissal arose the next scene in which Brearley figured. Thomas Parkinson, speaking in the Guild, was interrupted by Brearley with these words: 'What need we a recorder havinge so good a chauster,' 'and furthermore whatsoever Mr. Parkinson said the table should give no credit to it for he would stande no censure thereof.' Further speeches being offered concerning the attachment (of Brown) Charles Hasleopp said: 'If the attachment was done according to law he saw no reason but it should stand good.' Whereupon Mr. Parkinson replied: 'So the forfeitures of Bondes are taken att Westminster which is not so amongst us.' Then Mr. Parkinson proceeding to the matter, Mr. Brearley: 'Now shall we have Robert de Bruss's Law.' Then said Parkinson: 'Robert de Brus was a King, but you are a Knave;' and would have departed and so would Mr. Brearley. Both being stayed by Mr. Alderman, Mr. Brearley said: 'He thought it great storme to be called "Knave" by Tome Parkinson or a better man,' and have swared and said: 'That Mr. Parkinson was a shifting, cusinge Knave, and he would prove it.' So then Mr. Parkinson said: 'that he was a runygate and he would show it under writing;' and further Mr. Brearley said, 'he was a cusinge Knave and would pay his debts with nothing.' The courte adjudged them both to prison, and Brearley to pay a fine of five marks.

The next matter in which Brearley was concerned was an important one. He entered into co-partnership with a non-freeman of the name of John Harding. Brearley had bought the goods of Widow Pindlebury and had not enough cash to pay for them. Hence he asked Harding, who had served in the shop whose goods Brearley had bought, to share the trade. Harding and he had priced the goods contrary to law, for the valuation of such property was a perquisite of the bailiffs. For this double contempt of co-partnership and valuation he was ordered, 29th May, 1600, to pay a fine of £100 'as a light and gentle admonition rather than a just punishment for so fowle and dishonest offence, which ffyne, in case he refuseth to satisfy them, the said Guild have given power to Maior and Alderman to commit his body to prison till the same be paid. And because a person wilfully and advisedly perjured' (he had broken his freeman's oath, which prohibited

partnership with non-freemen) 'is not fyttē to lyve and conorse in any Christian socyete, especially of tradesmen ; therefore the said Guild hath disenfranchised the said Henry Brearley, all which punishment the said Guild have power to inflict as by the charters, practices and precedents doth appear.'

On the 19th June he was still being kept in prison ; and then, asking what he was kept there for, he was answered because he wouldn't pay the fine. He stubbornly answered that he would never pay it. His prison was in the open tolbooth, for 'ther is a great resorte of people coming and repaying to him by means whereof it were thought good to restreyn his libertie ; and, therefore, sending two of the Bayliffes to lock the doores of the prison, the said Bryerley in most raging manner did not only revile one of the said bailiffs in calling him " Villaine and Knave," but also did with a stole runne at him and did stryke him in the shoulder with his fyst, and wold have offered further violence if he had not been restreyned.' Brearley objected to the locked doors ; he appealed to the Court of Queen's Bench, and a writ of Habeas Corpus was immediately issued against the Mayor and Bailiffs of Berwick, which writ they did not return. Brearley was meanwhile put into a closer prison, but the door was not locked, for he was now reviling the magistrates in the outer prison and calling them ' A Sort of Rascalles.' The Court of Queen's Bench did not relish this contempt on the part of the Berwick authorities, and fined them £2,000 for not returning the writ, and issued an alias Habeas Corpus which was not returned. The Court then ordered the fine to be estreated, and that a pluries Habeas Corpus should arise (subpœna 500 marks) returnable immediately before the Chief Justice in his Chambers at Serjeants' Inn. At the same time they issued an alias attachment against the Mayor and Bailiffs, and ordered Lord Willoughby, then Governor, to execute it returnable *octabis Hilarii*. The next day the estreat for the fine was suspended upon Henry Brearley being discharged out of prison and bailed to appear in this Court at the octaves of Saint Hilary. In Hilary term they were ordered to return the pluries Habeas Corpus, and, afterwards, the Mayor and two of the Bailiffs were committed and remanded upon interrogatories as in contempt ; and two of them were ordered to find bail at the suit of Brearley before they were discharged. This was the order of the Court : ' Upon the recommendation of the Court by consent they determine that the fine of £100 set upon Brearley should be reduced to £10, and that upon his submission he should be restored to his freedom.' But he was to remain disenfranchised till he made his submission. The town both lost and won. The Guild was shown that writs were returnable to the Court of Queen's Bench in criminal cases, but that the fine of Brearley was legal, and that his deprivation of freedom was likewise legal.

Thomas Parkinson had been to London attending to this case, and returned to Berwick on the 3rd of April, 1601, and, on the 17th of April, Brearley submitted to the Guild. He was restored to his freedom on payment of £46 13s. 4d., and the payment of the £20 fine ordered in the Queen's Bench against the Mayor and Bailiffs 'in regard he was the cause thereof.' He was likewise to drop all causes in the courts against them. To all this he agreed, 'and so he was to receive his othe of a freeman again and open his shoppe in God's name.'

It might have been thought that Brearley had had enough of vexation and trouble over the Guild and its doings, and so remained a peaceable citizen for ever after. But the sequel shows us the contrary. The next case arose in a simple enough manner. The Lord Warden had removed to a new dwelling-house, and the Guild, willing to show their loyalty and good pleasure, gave the Warden a present of a 'Hoggeshead of Wyne valued at £6.' Widow Smyth, a poore woman, had furnished this wine, and could ill lie out of her money. The Guild was impecunious. They fyned one Robert Whitfield £5 for his freedom and thought thus to fulfil their engagement. But Whitfield could not raise the money in time. The following expedient was adopted. A ship with wood was in the harbour, loaded with 1,300 deals, and if the Guild laid a tax of 1d. a deal upon each one of the load, over and above the price of 8½d., it would thus be able to raise £5 8s. 4d., and, by the addition of 11s. 8d., Widow Smith would be cleared. Just when this arrangement had been completed, Brearley bought the deals and refused to pay the tax, and thus renewed his contempt against the Guild. Now Brearley for a while baffled both Mayor and Guild and showed himself extremely disorderly. Mr. Mayor sent for him very quietly at first, employing for this errand 'a burgess but no officer.' He sent Nicholas Bradfurth to ask Brearley to come and speak with him. Brearley replied 'he was at breakfast in his house and would be at his shopp shortly, but would not come to the Maior, for he heard the Maior was going to punish him for not paying his 1d. on the deal.' Upon his answer, the Mayor 'ymediatelie sente one Thomas Eaton, one of the Serjeantes at mace, to require the said Brearley to come.' Brearley had by this time come to his shop, and seeing the sergeant coming, 'retorned back to his house at a great pace, and gave two great knocks at his dore, and his servant not coming in haste so soon as he expected, he was going into one John Pattyson's house, his next neighbour, and in the meantime his own door was opened; and he slipping in, the sergeant came to him and told him that the Maior required him to come to him, and willed him also in the King's Majesty's name to come; whereupon he willed his man to shut the dore and bolte it.'

Now, Mr. Mayor, what do you say to that? No freeman could be apprehended

in his own house or in his shop, so Brearley meanwhile was safe. Some days after this, on the 14th July, 1603, the Guild being met, Brearley was sent for, and being asked to step down to the hall till his neighbours had considered of his offence, Brearley very quietly walked away home. On the Maior asking for him, it was answered, 'he was in his own house.' Two mace sergeants were sent for him, but the errand was fruitless; then one of the bailiffs was sent, who met him in the street, and commanded him in the King's Majesty's name to come to Mr. Maior. He told the bailiff he would come at his leisure. He did appear, and 'fell again into other extreme speaches as well against the Maior as dyvers others of his brethren.' But, when the Maior was going to pass sentence of imprisonment upon him, 'he opened the lock of the door and stepped down stayres to his own house where he is, and would not stay, although the Maior commanded him several times to stay.' They now ordered that he shall be apprehended wherever he can be found, and imprisoned. This finding of him came to be a difficult task. He was met one day by several of the authorities and commanded by them to come to the Maior, but 'he denyed to come and used many very longe speaches,' sending this message: 'If I be a Traitor or a full' (fool) 'lett the Maior . . .' and broke the matter. Wherefore Brearley was not caught on that day; nor did he come to the Maior and say, 'Mr. Maior, I am sorry for my contempt,' but he said it not. Then, as time went on, Brearley kept out of the way, for when he had occasion to 'ryde out of Towne he fledd the King's High Strete; lyghtinge of his horse, he ranne oute at the Castle porte and then was feryed ower at a place never used for passinge out of Barwicke in the day time; and coming in the same way at his retorne,' was only in contempt of the Maior's authority. Brearley sent H. Hitton, the Alderman, to the Maior; he would, if he pleased, speak with him, 'in his owne garden, in the ffieldes, or on the walles.' In the end there was no help for it 'but to apprehend him on the Sabbathe daye.' This was evidently against the practice, if not against the law of the time. But the Maior resorted to it for this among other reasons: he hoped that Brearley 'wold this day, if any, having heard God's word so plentifully preached by three godly preachers, become obedient and remember the othe of a freeman and be sorye for his prowde contempt, yet nevertheless the Maior knowing him a prowde man, without government in wrath and passionate to coller, wold not according to the guarden' (guerdon) 'of his grosse desert put him in the basest prison, nor in the inner Tolbooth, but placed him in the council chamber, a ffayre and lightsome place.' An hour or so after this the Maior sent Eaton the sergeant to see if Brearley would have his supper brought him, or other necessaries into the chamber, or if he would take any meat or drink.

Brearley answered gruffly 'No.' After supper the Mayor sent to see if he would have a bed or anything else ; but he would not open the door, and simply gave outrageous speeches against him. The Mayor went himself next morning at nine o'clock with Robert Case and John Schotten and Laurence Harkor, the Town Clerk, to Brearley, and asked if he would have any meat. He said, 'No! for fear of poison!' To which the Maior answered, 'God forbid! But you may have it from your own house brought to you.' He refused all offers until he could eat meat in his own house. Nine days after this, on August 27th, 1603, Mr. Maior coming into the council chamber, where Brearley was still kept at warde, noticed that Brearley had now a dagger about him, 'which at the time of his comittment he then had not, nor any other dagger.' The Maior thinking it not fitting for divers reasons that he, a prisoner, should beare the same dagger, therefore required him to deliver it to him, the said Maior, which he refused to do. The Maior then demanded 'who brought the clothes he had on.' Brearley answered this frivolously. Upon which the Maior asked 'who brought his dagger into prison.' 'The same who brought the clothes,' he answered. The Maior then asked 'if he had any knives in his pocket.' To which he answered, 'If you have any right, search.' Brearley 'unreverentlie walking up and down with his hat on his head in the presence of the Maior, offered towards him, who commanded Brearley to hold off him. But he with proud words came nearer. The Maior commanded the two bayliffs to stand between them. Brearley then said, "The Maior has weapons as well as I," and said, "I will not reverence Hew Grigson, but I honor the staff." To which the Maior answered, "The staffe was geaven him to be known thereby." Bryerly alleged and said, "It was geaven to him in the Queen's name." The Maior said it was true, but said again, "It was since geaven by the King's Majesty, whome God long preserve with his royal issue and their noble posterities long to reign over us and all his dominions." Brearley said he did not believe it, and that he would come out of warde *volens volens.*' The result of all this was that Brearley was kept in ward till he paid 40s. of a fine, and was then allowed to go at large.

Brearley was little heard of after this. He died poor ; his long fight with the Guild had destroyed his trade. The last time his name occurs in the Guild books was when the Guild agreed to confer upon him 2s. 6d. a week out of their poor money.

CONDITION OF THE STREETS, CHIEFLY AS SHOWN IN
PRESENTATIONS TO BAILIFFS' COURTS.

An immense amount of matter exists, showing the state of the streets and houses in the town, and what supervision the Guild exercised in all such matters of a local nature ; but of this we can only give a few selections. We have still such information most tersely stated in the Bailiff's Court or Court Leet presentations. Of the business of two complete courts the most salient points will be given. The first is dated 1557, and opens thus :

'(1) We xii present that Mr. Marshall and Mr. Maior doth not their duty that haith not in tymes past executeth the Bayleves Courts which was done for the comonwelthe of this the King's towne.

'(2) Mr. Marshall doth not his dutye in soveringe* any nolte or shep to lye on the King's walles or in the streats by night to the newnest† (*sic*) of the people by Scrye and larome.

'(3) That ther ought no Scots borne person nor aliant to come to the King's walles nor within forty feet thereof, but for ther so doinge to have the danger of the statuts at the plesur of the Captain.

'(4) That Mr. Marshall shall aught to see that everye man that hath eny grey hounds, spanyells in thys the King's toune accordinge to the statuts, and for all coarse Masteves and other vnreasonable dogs to avoide the toune or elles to be slain by such person as shalbe chossen by Mr. Captain and the Counsell.

'(5) That Mr. Maior and his officers dothe not ther duties in seing the markit place without filth or dounge in so moche that they hawe the profit of the shopes of the toll Both.

'(6) The Maior is to blame for allowing freemen to dwell oute of toune, which was never sithence Berwik was Englesche till now of lait.

'(7) Mr. Marshall and Mr. Maior shold cause ther serviands to mak a dewe serche every month ons for all for all Scots, vacabounds, and comon skolds that is found in the four baleves courts, and as oft as thai ar found to tak a fine that Mr. Captaine will tak of them.

'(8) Mr. Maior doth not his dutie that wil not cause everie man that dwelyth in the for streat to mak clene afor his own dor, and them that wil not then a stress to be taken of them, and the porters to carie it awaye. For ther is dyvers that hath dounghells befor ther dor both wenter and somer ; the which is a shamfull seght in the King's toune.

'(9) Thers dyvers pit casson‡ bothe on the grenes or in other dyvers places in the streats of thys toune, as it apers which is daungerouse whell§ thaic be filled againe.

'(10) Mr. Maior doth wrong his offycers that thai mak not a dew serche ons in the wycke bothe of Syes|| of brade and ayлле messoures and wights a cording to thold costeme of this toune ; that is to saye, whyne malt is at xs. ye boll or ther a bout then thai maye sell a quart for a peny of good ayлле, and whyne it is 8s. ye boll then theic maye sell iij pynts for a peny, and when it is at 6s. ye boll then a Pottill for a peny, and if God send the corne better cheap, so to be ordered and ratyd in lyke case.

'(11) Mr. Marshall and Mr. Maior doth wronge that tholles other gruse or swyne or duks goinge in the King's stretts.'

Then the Jurors examine the town for 'Scots vacabounds and skolds,' and enumerate them in the different streets :

* Suffering.

† Nuisance.

‡ Dug.

§ Until.

|| Assize.

'THE WISTER LAINE. Stephen Ederington kepethe a Scots woman, Henry Maners hath a Scots woman to his maide, and Nicholas Denton (Maior) hath a Scots woman in his house. BRIGGATE. John Watsone the Porter hath a Scots woman to his wief, and dwellith vpon the walles. Also Lourance Billes wief a Scotswoman, and her ii. sons and her daughter are evell disposede. Also Mr. Bayverlaic a Scots woman to his wife, and his servant a Scot; likewise Mr. Ryve, Mr. Vollenteyn, and Wm. Barber hath Scots women for wiefs, and Olevor Selbe a Scots woman for a noris. Thomas Walker kepethe a nothers man's wief. SANDGATE. Six Scots women are mentioned, and Esbill Anderson, a scold of her tounge. ESTER LAINE. There are 3 Scots women, and in Thomas Spyners two vacabounds, and in Widow Garners two vacabounds, and one in Ralph Harysons.

'THE NESSE. There are nine Scots borne persons, and Elizabeth Browne kepeth ane unlawful house, and resort of men vnto the house which treobles all her neightboures with her noughtie Rull. All the Nesse is covoured with casting of Asse and other vnlawful thyngs, through which is the comon stret and cart waie vnto the Palles. In RATON RA there is on Rosses wief is a scold of her tonge and a vacabound, and in the house with Wedowe Milnc. Widow Hagerston kepes on vnlawful hous, as drawing a resort of men at vnlawfull tymes of the neight against the orders of this toun.'

'In CROSSGATE two Scots borne persons, and John Jackson kepes dicing and carding in his house at vnlawful tymes of the neight.

'In the SCOTSGATE two Scots women, and In HYDE HYLL there are seven.'

After this duty was faithfully performed the bailiff took a wider view, and presented :

'All the fields without the gats is comon from the mouving daie to Candlemas daie saveing the Castle Hills, and at ther ought to be no pyndyng. There ought no sheap to go within thes filds, but only the stent, which is a great impoverishment to all. No cattle ought to go forth of the cowgate, but only the stent, nother wynter nor somer. The noterd (noltherd) doth not his dutie in keping nout, for he louks not to them, but sets some tyme a lad, and goeth not hymself to the fild to do his dutie. The young brome of this town ought not to be cut, for it is a comodyte to this town.' (I suppose it was used for firewood.)

They now set down various griefs for consideration :

'The xii fferyng men beyng to gether hath complened them selffes of sertayne greves as here after folowethe :

'We ar greved that Mr. Captayne of Barwike and Mr. Captayn of Northam doth constrene the fysshers of Twed to breake the Sabbothe day, or els they wyll not suffre theyme to fysche be the weake day, but will take away the cobbles or netts.

'Also that Shyppes goyng and cumyng owt of Scotland and into Scotland dothe not come to Barwike and then bye, sell, and cvstom, a cording to the Kings grantt.

'Also we compleane of swch as slay the kepar Sawmon and the Smolts betwene Myghelmes and St. Andrews day.

'Also we wold hawe xii men allowed to be obedyent vnto the office of the Maralltye wharby the Kings Magestys serves may be better sett forward.

'Also we ar desyrus to hav a Scole Master allowed in thys King's Magestes towne of Barwike.

'Also we ar desyrus to have the holman wole bylte vpe which wold be a great helpe to thys towne.'

This last was the Holdmanwall which guarded the Haven, and was built along the ridge of rocks upon which Elizabeth's Pier was afterwards erected, and which occupied the same site as that of the present pier.

To keep the streets clean :

'We xii wyll the porters shall mayke clene the markett place ij tymes in the weyke and the stretts of the sayme everie Satterday att neyghte, for the wych thaye shal haue for so doying of everie howse of thys toun ijd. in the yere, and that everie howse to swepe togethir afor thir dors agayn the Porters cum, in payne of ijd.'

A few years after the above, in 1578, it was ordered that a common scavenger ought to be appointed for the 'swete and clenely kepyng of thys toune.' In the Earl of Bedford's time such an official had been, but there was none now, and the consequence was that 'heapes of clay, filth, dung, and ashe lyethe in everie corner of the toune.' But the scavenger made no impression, for next year

'There is great slacknes that suffereth a fowle and noisome chaunzel to remaine so filthye all along Sandgate. All the layne and strete extendinge from Walkergate upp towards the mydle mounte lyethe verye noysome and filthye, so as noe man can pass to the rampyr, especialye in the nighte tyme, in defaulke of pavement. An empty messuage is used as an ashepit to the annoyance of the whole strete. Mr. Maior should see to amend it. The water streame issuing frome the well at the grenes is turned from its accustomed course by the bleaching of clothes in somer, and causes and bredes myres and boggs to the hurt and annoyance of the whole toune.'

The pavement had not been very strong, for 'Shodd cartes ar not alowed in the strets otherwyse no man can kepe his cassey hole.' The following was a 'noughtie' practice: 'The servants in Soutergate swepp down the myre and filthe and thereby dothe stopp and cheke the lower end of the streat which is fytt to be reformed.' The same difficulty occurred in Easter and Wester Laines. Between the heat of summer and the filth of the streets a clear connection was shown to exist at that time. For instance, 'We xii fynd that the great dunghill near the churchyard is very noysome and had neede to be amended before the heat of somer.'

At that time, provision required to be carefully made in case of fire. The houses in great measure were wooden and the firewood for the most part whins, heather, and broom. Concerning 'Sodden Fyre' it is said that many good orders have been found in this town, and one in particular is good, that every Councillor and Alderman and other officer should have in their houses two 'leathers' and a hood. The council 'should cause to be made one howke of a stone of iron with a rope of thurtye fathome, the Mayor to have another maid and both to be kept in Toll-boothe redy for sarvice.'

The lighting of the town for this century, the sixteenth, was performed as follows: 'All the inhabitants shall, from the 31st October till 2nd of February, provide a lantern and a candle to hange forth in the night from the houres of six of the clock till nyne.' That Raphe Yonge, the bellman, shall be appointed to call on the same, and 'whosoever doth not hange forth a lanthern and a candle accordingly shall pay for the defaulte 4d.'

Not many houses are mentioned in detail as to the rooms and the furniture they contained. Once we have details of a large house. It was called my lord's lodgings (either what came afterwards to be called the Governor's House, or what was known as the Palace—the residence of the Kings of old. I prefer to fancy it the latter). It consisted of the following rooms and outhouses:

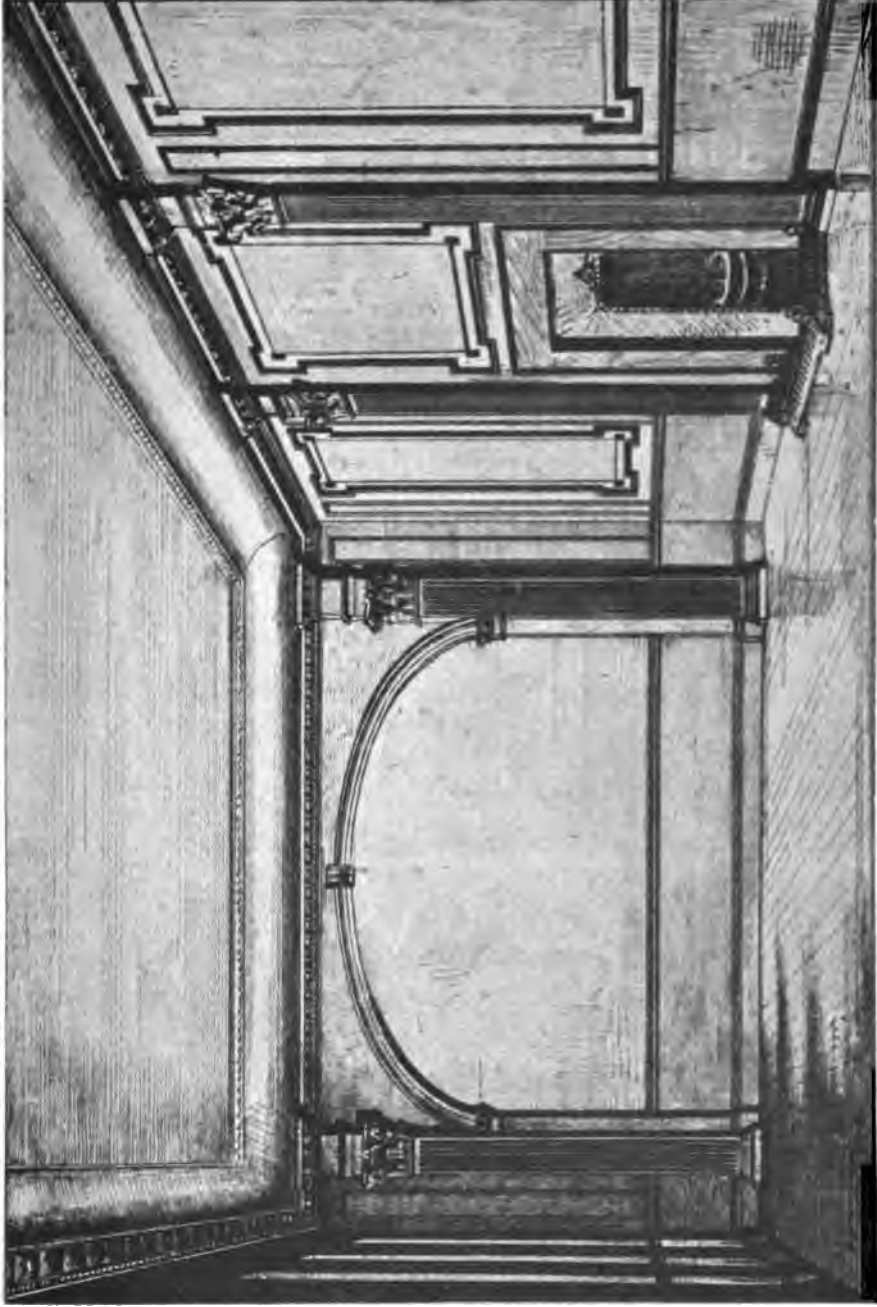
'The kitchen, the courting, the lower hall, the wyne cellar, twoe pantrys, the great chamber, a little chamber between the chappell chamber and the great chamber, the chappell chamber, and studdy in it, the wolle chamber, the garrett over the chappell chamber, the high studdy, the old bed chamber at the north end of the great hall and the study, the gallery at the east side of the said bed chamber, so ffarre as the said chamber extendeth, one study in going forth of the great chamber, a chamber going to the store chamber, the store chamber, the wardropp chamber, and a studdy chamber within the same, the highest studdy, the garrett over the store chamber, the armoury garrett, the stable and half the garden.'

The whole of this large house of 21 rooms, besides outhouses, was let for a term of 21 years, 'at a yerelie rentt of £10.'

In two instances we have inventories of the furniture* in use in houses in Berwick—one of them the household furniture belonging to Mr. Henry Brearley, the other to Mr. James Melville, who was a preacher in Berwick about 1580. Mr. Brearley's inventory is as follows:

	£	s.	d.		£	s.	d.		
In the Hall :									
One Table, with frame of Oake	-	0	3	4	One old table and fframe -	-	0	0	6
One fforme of firre	-	0	0	4	An old bynge -	-	0	0	8
One chayre	-	0	1	0					
Three joint stooles	-	0	1	8	In the Lofte :				
One iron chimney	-	0	3	4	Ffive trusse of hay -	-	0	5	0
In the little Buttery :					In the Kitchen :				
A payre of Gantrees, a little halfe					One iron chimney	-	0	3	4
ffirkyne and an old hamper	-	0	0	8	One payre of racks	-	0	1	0
A dresser stoole	-	0	0	3	A spitt	-	0	0	6
					A payre of crooks	-	0	0	6
In the Courting :					A payre of jibcrooks	-	0	0	3
A piece of a salt Butt	-	0	0	6	A payre of tonges	-	0	0	2
					An old murrion	-	0	0	2
In the Stable :					One olde brush	-	0	0	1
A racke and manger	-	0	3	4	One table chayre	-	0	1	0
					One olde dressing borde	-	0	0	4
In the Inner Backsyde :					One iron drippinge panne	-	0	0	6
Old sparres, watles and daylls	-	0	10	0	A table	-	0	0	6
A hen coope	-	0	0	4	A vessel heucke	-	0	0	4
Certen brycks	-	0	3	4	A stone mortar	-	0	0	4
A lether-	-	0	0	10	A salte box	-	0	0	2
					One olde brasse potte	-	0	1	0
In the Celler :									
A fflake	-	0	1	0					
Tenne halfe daylls	-	0	1	0					

* Some illustrations of furniture and interiors of houses are here inserted.



J. HERRIOTT, Photographer,]

[BERWICK.

CEILING AND FIRE-PLACE OF A HOUSE IN TWEEDMOUTH.

THE NEW YORK
PUBLIC LIBRARY
ASTOR LENOX
TILDEN FOUNDATIONS

	£	s.	d.		£	s.	d.
Two pewther plates - - -	0	0	6	A forme of ffyrre - - -	0	0	6
A settle - - - - -	0	0	6	A chest of ffyrre - - -	0	2	0
A cubborde - - - - -	0	2	6	A wicker chayre - - -	0	0	4
Fflower shelves - - - -	0	0	8	Twoe pictures - - - -	0	0	2
A pewther salte flatt - -	0	0	4	Six glasse bottles - - -	0	1	8
Three stone potts - - -	0	0	3	Old hangers of blew cloth	0	1	8
A doz. of old trenchers -	0	0	1	A blew rugge - - - - -	0	3	4
A knife case - - - - -	0	0	1	A table and frame of oake	0	1	8
A milke syle, a pepper box and a hayre				Another of oake - - - -	0	0	6
brush - - - - -	0	0	2	One chist of waynscott -	0	2	4
A glasse case - - - - -	0	0	6	A little iron chimney - -	0	0	6
In the Chamber over the Hall :				One old trundle bedd - -	0	0	6
One standing bedsteade of waynscott -	1	0	0	In the Chamber over the Great			
One chayre - - - - -	0	0	4	Chamber :			
A litle table and fframe - -	0	0	10	A litle bedstead of ffyrre -	0	2	0
A mapp and another picture - -	0	0	6	A bedstead of ffyrre - -	0	1	0
Twoe footpackes - - - -	0	0	6	A hamper - - - - -	0	0	4
In the Chamber over the Kitchen :				A little flock matres - -	0	0	6
One ffeild bedstead - - -	0	2	4	An old presse - - - - -	0	1	6
A fetherbedd - - - - -	0	6	8	Total amount - - - - -			
A payre of old lynnens sheets - -	0	1	0		5	6	10

The inventory of Mr. James Melven, or Melville, follows. It is more valuable than Brearley's, and represents a better class altogether :

	£	s.	d.		£	s.	d.
In the Hall :				j small trunke - - - - -	0	3	0
i Fir table and frame - - -	0	3	4	j Scots nedle work carpett -	0	6	8
ij Litle small fir tables - -	0	2	0	ij small cabenets - - - -	0	8	0
j Litle old corner cubbert -	0	1	4	certaine books worth - - -	2	0	0
ij Shorte fir formes - - - -	0	1	0	His apparrell - - - - -	5	0	0
j Scots needle worke carpett -	0	6	8	Linen sheets, table clothes, pillowberes			
ij old little gren chares - -	0	0	8	and napkins - - - - -	3	10	0
j old screane - - - - -	0	1	0	vj silver spoones - - - -	2	0	0
six thrume cushens - - - -	0	6	0	j silver kan - - - - -	1	10	0
In the Chamber and Parler :				In the Citchen :			
j short table and frame - - -	0	5	0	j bras pott - - - - -	0	4	0
j corner cubbert - - - - -	0	2	6	j Iron pott - - - - -	0	2	0
vj Leather chares - - - - -	1	0	0	ij Small pans - - - - -	0	3	4
x Scots nedlework quishens -	0	15	0	ix Pewter dishes - - - -	0	9	0
vj Gren carsey quishens - -	0	5	0	iiij Small Saucers - - -	0	1	0
ij Picklers - - - - -	0	2	0	ij hand basons - - - - -	0	2	6
i bed stead with curtens and val-				ij Pewter candle sticks -	0	2	0
lence - - - - -	1	0	0	j old quart pott - - - -	0	1	4
ij Feth ^r beds, j bolster, ij pillowes	3	0	0	j pottle pot - - - - -	0	3	4
j Tool twilte - - - - -	0	6	8	ij Chamber pots - - - -	0	2	0
j Grean rugg - - - - -	1	5	0	j chaffing dishe - - - -	0	0	1
j Pair blankets and j Scots Plad	0	6	8	Summa - - - - -			
ij two bedsteads with furnisheings	1	6	8		£27	6	10

The second, and more elaborate Court Leet, is of such length (89 presentments) that it must undergo rigorous curtailment. It bears date June, 1616:

'1. Many in the burgh seldom or never go to Church on the sabbath day, nor sermon daye, and are supposed to be recusants contemning the sermons and services, nor receive the communion yearly. Laurence Stub ought not to brew or keep an inn because he receives not the communion yearly. These ought all to take the oath of allegiance, for there is reason to take their examination on behalf of his Mat^{ty} supremacy, his crown and dignity.

'2. We think no one ought to keep open shop to sell ware on the sabbath day till the service of the day is finished. Many of the shops keep open till the bells are rung, to the great dishonour of God. The Maiors of 1613 and 1614 are to be blamed for not executing their orders duly in this matter.

'3. Disobedience to orders is becoming very prevalent in this town, and especially in attending on juries and private Guild. Very few have been holden during last year on account that the members won't attend, to the great discontent of those who come, and can do nothing. Mark Saltonstall is to be fyned for this, for he, being Maior, ought to have punished the offenders, and has not done it.

'4. Foreman of the Jury to be fyned for not giving up the Court Leet to the Jurors last year.

'5. The Constables are presented for not keeping the watchers at their work, making the town pay for nothing.

'6. There is great decay about the walls and fortifications and Rampiers, which grieveth many of the inhabitants to see the walls pulled down to build men's houses; faulty in this we present Mr. Thomas Parkinson for taking down two battries adjoining Megg's Mount, and for taking down a long house beside the churchyard that belonged to the town, which he has converted to his own particular profit; and we also present Mr. Robert Jackson for pulling down the Brick and stones in the Vault at Hunsdon's Mount, being formerly made for the strength of the town. (Parkinson and Jackson are two leading members of the Guild, and are most blameworthy in these matters, leading others to do the same.)

'7. We present John Orde the younger for taking away the dyall that was at the New Gate, which is now standing in his garden, as also the same hath taken away the stone dyall that Thomas Smith sett up on the church wall, which was a benefit to all persons that came that way.

'8. Thomas Parkinson and Michael Sanderson are presented for encroaching a coale yard at the passage into the Maison dew.

'9. We present the Maior, unless he will counsell the Berwick yard to be used, and not the London yard, which has been used in the town.

'10. Firkins and fourth parts for measuring apples, onions, and carretts in the shops should be made just.

'11. The kenings* ought to be tested and sealed with the just kening kept in the Tolbooth.

'12. White fish should not be sold to strangers nor by wholesale to any one, before the toun is served and the poor people.

'13. Reid Fish should be served to the toun first before they are cured, and all coming to toun should be presented in the market; some we find coming from South side of Tweed, sell in Tweedmouth or in Bridge Street, which is a great wrong.

'14. Divers sums of money as well as collections are collected for the poor of this toun. Therefore divers youths fatherless and friendless who are now here should be presented by some Court as

* Kening = kennen, kenning: half a bushel, or two pecks.—Brockett's 'Glossary.'

apprentices, that they may not always be burdensome to the toun. They learn a trade that they may also shun divers damages that idleness or necessitie might drive them to. In which God would be well pleased and the toun greatly eased, which thing we request may be considered of.

' 15. We present the Milner of the Wind milne for grinding corn in time of Divine service,

' 16. And Robert Archibald and Thomas Crispe for keeping Geese in the High Grenes against order.

' 17. The Toun Bridge is in great decay, which must be amended, for if it fall down it will be a great hurt to this poore toun.

' 18. We find that the Bakers of bread, their houses are very dangerous for hurting their neighbours by fyer, by reason when they are heating their ovens they have oftentimes much dry hadder lying beside their oven's mouth ; for preventing of hurt that might ensue it were good their thatched houses were emplastered within with clay adjoyneing the said ovens, or els all the ovens and chandlers' houses were in a place in the toun by themselves, and in the mean tyme it were necessary Mr. Maior and Justices should take a view thereof, that they might give warning to the owners to make their houses defenzible from fyer hereafter.

' 19. For defens of Pfyer all freemen who promised to give two bucketts must implement their engagement at once or els submit to fine, and also that ladders, bucketts, ropes, and hookes should be hung in the Tolebooth or in some convenient place in case of sudden fire. We hear Rogers Dyner's Made was verie careless herein whoe stook upp a candle in the wall, the house being full of hather.

' 20. We present that the Pant at the Pennyless Bench is not sufficient for keping water, and greatly disordered by watering of horses, washing of paunches, and other filthy things there.

' 21. The haven's mouth groweth narrow and shallow as we think, because the gutt at the Pear end where the ffishers boats goeth out is enlarged, and because of rubbish thrown over the walls into the river.

' 22. Divers wells are verie dangerous because they ly unbuilded about ; the well at Thomas Moors' door in Castlegate, the well before Bartie Thompson's door in Soutergate, and before Michael Garth's door in Crossgate.

' 23. The Highway between Castle Hill Dike and Spades Mire is grown narrow and impassable in Winter, which might be amended by clenging the Watercourse in the Calf Hill, which has never been rightly clenged since it was cast. The water is turned down to the Castle Mill, and it is supposed that the Miller has to do with this bringing it through the Horseman's batt.

' 24. Divers places in the fields are troublesome to pass at the fit of the dike at Castle hills, and a little above Colehugh at Grangeburn ; as also the Mole hills needs be spread every spring, if every man wold send his servant some light holyday to do the same.

' 25. Many of our neighbours have no conscience as to what they eat of our lands. They eat up the borders and edges of all the meadows, greatly to our hurt.

' 26. Mr. Maior to receive certain sums of money, as of old time it hath been accustomed, and bestow it as well for the good of the toun, and if any arrears be wanting, then each maior to make good his own year's money.

' 27. Mr. Parkinson is wrong in that he takes one of the best bulls to the Madlin fields, and others drive the bulls to the other fields all about, to the great wrong of the toun cattle. We think that the kyne in the Madlin fields and other fields should as well pay 4d. a piece for the finding the bulls as the toun cattle.

' 28. The Field Greives, Pynders, and Nolthirds should have all their meadow-grounds allotted amongst the higher Cocklaw, by which means the Scots would be debarred from any comoditie there as we think. (Self-defense.)

' 29. The quarter-books should be examined as to what new-comers are in this toun ; and the

names of the brewers should be known, which Wm. Gray can shew, for none ought to brew without licence.

'30. The Pinders and Field Grieves are not so dilligent this year as they ought to be, in allowing other men's horses to depasture in the fields, and Scots people to cutt and carry away the aftermath.

'31. Divers Swine goeth in the streets and rampiers and High Grenes, to the annoyance of the neighbours.

'32. We find that the Scots that bringeth in the straw ought to sell the same att the head of Castlegate, and not to be suffered to goe up and down the streets with the same.

'33. Dung is cast down in various places in the toun, where it ought not, and the maids and others often put great quantities in the streets, to the annoyance of all.

'34. We think Mr. Burrell was at fault in taking down the Stone Tower of the old Bridge before the new bridge was erected. And some think, as we do, that the workmen are not diligent enough at their work, and so Mr. Burrell should look better after them.

'35. We find that a great parte of High Grenes Ramparts and Windmilne Hole in the Somer season groweth so full of thistles, hemlock, henbane, and other noisome weeds as is hurtful to the neeghbour and dangerous to neat cattle, and should be destroyed, else they will multiply much more. Deep holes are likewise dug in the ground very dangerous for cattle. Dunghills are laid down where cattle ought to feed, and swine and geese are allowed to go about and abuse the same.

'36. There are many ale brewers who do not sell a quart for a Penny as they should do according to the statute, and others who brew without licence. The Maior should amend all this. There ought to be 4 or 6 ale tasters for the assise of ale in tipling houses.

'37. Inmates and strangers all come in great numbers into the toun, and take liberties in our comons, and stint our grass for our cattle, and this ought to be examined at once and remedied.

'38. We find that the Bakers of Eatall make the bread so little as that they sell 13 for 12. It is a wrong of the toun to suffer them, for one will buy a loaf that has not money to buy 12. We desire this may be amended. They sell it comonly to Eppy Taylor, Meg Stilly, Kate Burrell, and others. Also the toun bread is very little, which we refer to be amended.

'39. We present that the Butchers often go to Castlegate on a Thursday, and buy the cattle brought in by Scots to kill and the quick sheep and lambes that use to be brought to the markt at the Pennyles Bench, and so forestalls the Market before the toun be served. They are worthy to be fyned.

'40. The Country butchers sell carcasses of catle and sheep without the hides and fells, whereby if any of these goods were stolen the owners might happily find them out, and it is more fitting the said hides were sold to this body Corporate and no place else, seeing the flesh of the said beasts is still heire.

'41. We present James Thompson of this toun for putting in one cale leefe in the call of his Mutton to hold out the Sewett, that it might seem more than there was, which is worthy of punishment, and when he was reproved he said he would do so still.

'42. Thre or four skilfull Butchers ought to view the flesh in the Market every Satterday to see that no 'Misled Pork' or 'Carrion Beef' or 'Blowne flesh' be allowed there. Richard Kiffard would be a fitt man to look after the Markett.

'43. John Horne, a Scotchman, levies 2d. of every sheep and 10d. of every cattle slain in the Scots market, a thing which ought not to be suffered within the liberties of this toun.

'44. The Gainslaw people have a fold into which they pin our Cattle, which is against the order of our Town, for their ought to be one common pinfeld.

'45. Those that brew do great wrong in that they keep in their houses many drinking at unlawful hours, sometimes all the night and on Sabbath dayes, and none ought to drink in tipling houses after

9 o'clock at night nor in tyme of Divine Service. Those that sit and drink and those that sell to be fyned.

'46. Whereas we were charged on our oaths to present any man that had two wyves, or any woman that had two husbands, we know of none, except it be William Edward's daughter Anne.

'47. Persons offend in casting lynt hemp and other carion into the stankes, corrupting the waters, which would be punished.

'48. John Hodgson, who had the revenues last year, is worthy to be fyned for taking 1d. of Scots corne sold to a freman, a custome not granted by a general Guild nor warranted by Statute.

'49. We presented Alex^r. Haliday for not using his wife well, and his wife for a very scold. They doth disquiet their neighbours.

'50. We present Widdo Bastian and her daughter for receiving menservants to drink till they be drunk, trobling her neighbours.

'51. The four porters and their wives come not to Church, and are very unruly, and will be scolding in Ancient Lee's House, very often at unlawful times. The said Porters and Alex^r. Halliday used to play very often at cards, in Catherine Forster's house, in Divine Service.

'52. Many poor pensioners piteously complayne that John Sheel gives poor bread at 2d. a loafe to them, and when they sell it again, as many are forced to do, it will not give them two aichisons,* nor is it wholesome for man's body. We hope your good administration will give contentment to the poor.

'53. John Lawrey, Churchwarden, is guilty in that he will not bring to Court Leet the names of those who absent themselves during Divine Service, nor those of lewd women, nor those guilty of other misdemeanors. He has already brought them to Mr. Maior, and he (the Maior) takes no notice of them, therefore he will not again trouble himself.

'54. Within a few years many lewd women have come to toun who have a bastardy brood behind them, and there are divers women . . . whose names the Churchwardens will shew. There is more beggarly Bastards remaining in this toun than in any toun in England, considering its size, for there is no punishment inflicted on such offenders here, as in other places.

'55. We present, and think itt very fitting, that there should be baskitts sett up on poles att such places where rubbish and ashes ought to be laid; and that such as cast the rubbish in contrary places should be punished for the same.

'56. Mary Sneed, wife of Geo. Mack, is a bad woman and procurer of others, for two women-servants of Sir Wm. Bowyer were received into her house who have misbehaved. If such a bad woman be suffered to live here amongst us, this toun will become odious both to God and Man, and will be a Sinke of Sin.

'57. Townspeople doth buy goods of Ships before they have lain 3 markt days, which is contrary to orders. A man bought muggs in this way. The Maior lets slip these things. We hope he will take care in future.

'58. Thomas Moore discourages shipmen from coming in here, which is very bad; he ought rather to encourage them. A ship with apples and onions he caused to pass on.

'59. We present that one of the wheels of the great bell is in decay, and cannot be rung when any nobleman comes to toun unless it be amended.

'60. We understand that Mr. Maior is rightly informed of those who took down the Search House and that took away the dyalls from the Newgate and from the church dike, as also those that wilfully refuse to contribute to the relief of the poore or to pay bull money, acridge money, and many

* Atcheson, Atchison, a billon coin, or rather copper washed with silver, struck in the reign of James VI. Its value was 8d. Scotch, or $\frac{2}{3}$ of an English penny (Ruddiman). Its name, Atcheson, was from the Master of the Mint (Jameson).

other good orders made for the good of this borough—by whose disobedience and obstinacy many others of better disposition are encouraged to do the like, and therefore we present that the only cause of these misdemeanors and contempt of Government used by many is the lenity of Mr. Maior and Justices not punishing such as wilfully offend, whereby the town is greatly out of order, for seeing God hath put the sword of Justice into the hands of the Maior and Magistrates, they ought to draw it out for protection of vertue and punishment of vice. But being timorous or loath to displeas some that wilfully offend, it doth encourage the wicked to persist in their wickedness and grieveth others that be of a better disposition, whereby God's anger increaseth against us, and therefore we request, in the fear of God, that there may be a reformation, or else this poor toun will come to great misery.

'61. There are such notorious Sins crying to God for Justice committed in this toun going unpunished. It is no wonder, as the Prophet saith, but that the Lord hath a controversie with the inhabitants of this toun, because there is neither truth, mercy, nor Knowledge of God in the Land ; but swearing, lyeing, killing, stealing and whoreing, therefore every one that dwelleth therein shall be cut off, and I will change their glory into shame : Hoseah iv. 1, 2, 3.

'The Sins of Sodom are committed as pride, fullness of bread, and abundance of idleness—Exekiel xvi. 49 ; and also the prophaning of the Lord's day is committed. The Sin of Drunkenness is committed in such a high degree as is strange to be heard of, so that drunken men and drunken boys in this toun will not spare to raile, but beat justices of peace, bailiffs, constables, Serjents, and there is little done to them, except it be putt in prison for a tyme, and they and their companions meet and drink together as freely as if they were at libertie. So that the people are become now as they were in the days when there was no King in Israel. Every man doing as it seemed good in his own eyes : Judges xvii. 6.

'And all these sins increase heir because Mr. Maior and Magistrates sett not themselves to punish sin as they ought to doe, and, therefore, as you have caused us, and as we were charged on our oaths to present faults, so we have done our endeavours to the best of our knowledge, and we request you, the justices and bailiffs, betwixt God and your consciences, that you will also do your best endeavour to putt these our presentments in execution, and to punish such offenders as are worthy of punishment, and that you will do nothing, as Paul said to Timothy, v. 21. Ffavour not the rich because he is rich, nor the poore because he is poor, but punish sin in every one, as of right it ought to be, for there is no respect of persons before God : Job xxxiv. 19, 20.

'It is God's work and God's will that Sin should be punished and vertue cherished : Psalm 15, 4. And therefore delay no time and be not careless nor negligent to do God's will, for cursed be they that doeth the Lord's work negligently : Jeremy xlvi. 10, 11.

'God hath given you power and authoritie in your hands to punish sin, and in so doing will bless you. God grant that he may also put Grace and Courage in your hearts to doe the same rightly as good Josuah did : chap. i. 5, 6, 7.

'Shew yourselves like Godly David : Psalm ci. 1, 2.

'These sins committed in this toun will bring on heavy judgment on them of this toun if speedy repentance come not, and to prevent his judgment is to repent and to punish sinners. To draw to an end, the blessings of God will be with you if you will obey God's will, and sett yourself to punish sin as God hath commanded you to doe : Deut. xxviii. 1, 2, 10-12. And, contrary, the curse of God will be with you if you punish not sin as God hath commanded you to doe, as it is Deut. xviii. 25, 26, 27, 28. For God that cannot lye hath published before the world that he will honor them that honor Him, and they that despise him shall be despised : 1 Sam. chap. ii. 30 ; Titus i. 1, 2, 3.

'And therefore in the name of God stir up yourselves to serve God and to please him in this world, and in so doing he will bless you in this lyfe, and the lyfe to come will give you life ever-

lasting. Which God in his infinite mercy grant to you and to us all, and that for Christ Jesus Sake, to whom be all honour and glory for ever. Amen!

With reference to the drinking which is mentioned in the foregoing presentation, we learn from the Council Book that the Mayor had liberty by the Statute 5th of Edward VI. to put down selling of ale and beer. And he was urged in the year 1574 to use his power to reduce the excessive number of licensed houses, and to see that good order was kept in those licensed, and that no unlawful games were engaged in.

As to the excessive number of such houses the following statement may be of interest :

' In 1594 there were—

10	alehouses	and	3	beerhouses	in	Castlegate	and	Greens
16	"	"	2	"	"	Marigate.		
9	"	"	2	"		and one Inn Keeper	in	Briggate.
5	"	"	1	"		and one Vintner	in	Crossgate.
4	"	"	3	"		in	Hidehill.	
3	"	"	1	"		"	Sandgate.	
6	"					"	Eastern Lane.	
2	"					"	Western Lane.	
5	"	"	2	"		"	Walkergate.	
3	"	"	3	"		"	Ratten Raw.	
9	"	"	2	"		"	Soutergate.	
3	"	"				"	Hidegate.	
4	"	"	3			"	Nesse.	

79 Alehouses 22 beerhouses, one Vintner, and one Innkeeper is the total supply for a town of much fewer inhabitants than the present.'

At the same time there were twenty bakers in the town.

Up to the beginning of this century the town was shut in by four gates—the Scotsgate, Cowgate, Shoregate, and Bridgegate. These were found to be a great hindrance to the trade of the town. In 1799, Fuller very lustily inveighed against them, especially their being shut at night so early as 10 o'clock. In 1815-16 the Scotsgate was removed, and at the same time the main guard, which had formerly stood near that gate and had been brought down to the front of the Black Bull Inn in 1741, was taken to its present position ; and, in the same year, 1816, the Piergate was opened and the road made passable down to the landward end of the New Pier, then in the process of building. The New Road along the river-side was made in the same year, which was a year of great distress: these various works and manifest improvements were undertaken with the object of alleviating the prevalent misery of the people. In 1825 the Bridge Gate was removed, and a yet greater improvement and benefit to the town was carried out in 1837, when the road,

or walk, along the ramparts was made. Within the last twenty-five years much has been done for the beautifying of the town by the planting of trees, especially on Bank Hill and in various parts of the walls and along Gillies Braes.

A most beneficial improvement has been carried out this year (1887), when the cattle market was removed from the public street to a properly fitted market stance, outside the present walls, close by the Scotsgate. Berwick has a chartered right to hold two weekly markets, Wednesday and Saturday, and a fair lasting from Trinity Sunday for eight days. Now, however, only the latter market-day is held, and the fair, which is held on the last Friday in May, has almost vanished.

THE GRANTING OF THE CHARTER BY JAMES I.

We are unfortunately unable to set forth in their completeness the proceedings of the town in procuring their New Charter from James I. of England, as several leaves of the Guild Book of 1603 have been lost. It appears, however, from an order made on September 1st, 1603, that, at a previous Guild, the preliminary steps had been agreed upon, for at that second meeting the Mayor, Hew Grigson, and Thomas Parkinson were ordered to repair immediately to London with the following parcels in their charge: '(1) Four Charters; (2) One Guild Book of Henry VII.'s time; (3) Four Bailiff Books; (4) The Town Seal to confirme the Proxy with all the further town's causes to be drawn by Mr. Recorder; (5) The Letter of King James to the town; (6) The Grant of King Henry VIII.*' On their arrival in London, these deputies presented a petition to his Majesty on behalf of the Mayor, burgesses, and commonalty, which the King referred to the Privy Council. This petition, though unrecoverable, appears to have embraced the following points: 'That certain grounds near Berwick had belonged to the town time out of mind; that the town had always had the use of the same, except that, of late years, some parts had been taken for feeding her Majesty's beeves upon.' The petition craved that these lands might be restored to the town, and not granted to any private person. The Privy Council granted the request, ordering, on September 11th, 1603, that 'a stay and forbearance be made of any suit or suits already, or hereafter, to be made by any private person for any of the said grounds or pastures to the hurt and prejudice of the town.'

In the following month, after the above deputation had returned, the Earl of

* This last was forgotten. It was to be sent with the first letter.

Cumberland and other Commissioners* were sent by his Majesty to Berwick, and, on October 25th, a joint meeting of burgesses and Commissioners was held, when the Mayor—now Michael Sanderson, the Recorder—Christopher Parkinson, the Town Clerk, and Thomas Parkinson, were directed to proceed to London, 'to sollicit His highnes and His Hon. Privy Council on the public and needful occasions of the town.'† We are not told the result of this journey; but the Guild were now pressed for money, and obtained a loan of £50 from Mark Saltonstall, the repayment of which was guaranteed by George Morton and Hew Grigson. Michael Sanderson would not become bond, but gave 20 nobles as a free gift.

In December, 1603, a third deputation was sent to London, composed of Sanderson and Parkinson. They took the following writings with them: Four Charters, ten Guild Books, five Bailiffs' Books (two several and two sewed together), the King's Letter to the town (which was wrapped in the Charter of King Edward VI.). This deputation did not return to Berwick before July 16th, 1604.

Some time previously the King had divided all the possessions in the town and boundaries of Berwick between Sir George Home and the Mayor, Bailiffs and Burgesses, in the proportion of nearly two-thirds to the Corporation and one-third to Sir George. This grant to the Corporation was procured with the Act of Parliament that conferred it, and at the joint expense of the burgesses and the stallingers. The claim first made to the King and his Privy Council, on the part of the burgesses, seems to have been that they were seized of the lands within the burgh in fee simple, or had some exclusive title thereto, and in support of their claim they produced these various charters and grants, and gave evidence of continued usage and possession by prescription, and of many of the burgesses being freeholders and owners of burgages within the borough, and as such entitled to right of common on the lands within the bounds; but the Privy Council decided against the claim, and resolved that the lands belonged to the Crown.

On March 29th, 1604, letters patent under the Great Seal passed in favour of Sir George Home. The lands given to him in the boundaries of Berwick may be described negatively as all the lands in the bounds *not* at that time bestowed upon the burgesses, and which do not at the present time belong to them.

* When the Guild heard of these Commissioners coming to the town, it ordered the Mayor to bestow a supper on the said Erle and other Commissioners for the credit of the town. This supper was paid with £5 obtained from an admission to the freedom, and a confiscated boll of malt and 8s. of a fine taken from a man who had brought malt into the town, foreign bought and sold.

† This deputation went at the town's charges, but Michael Sanderson 'voluntarily and worshipfully offered to bear his own' on this journey.

On April 30th, 1604, James I. granted a Charter to our burgh by letters patent, a translation of which follows :

'James, by the grace of God, King of England, Scotland, France and Ireland, Defender of the Faith, etc. To all to whom, etc., greeting : Whereas our Burgh of Berwick-upon-Tweed is an ancient and populous burgh, and the burgesses of this burgh, sometimes by the name of the Mayor, Bailiffs and Burgesses of the same burgh, sometimes by the name of the Burgesses of the burgh, and sometimes by other names, have had, used and enjoyed and now have, use and enjoy divers liberties, franchises, immunities, customs, pre-eminences, and other hereditaments as well by divers charters and letters patent of divers our progenitors and predecessors, Kings and Queens of England, as also by reason of divers prescriptions and customs used and had in the same burgh. And whereas our beloved subjects the present Mayor, Bailiffs and Burgesses of the Burgh of Berwick-upon-Tweed aforesaid have humbly beseeched us to extend to them our royal grace and bounty, and that we would for the better government, rule, and amelioration of the said burgh, the same mayor, bailiffs and burgesses into one body corporate and politic by the name of the Mayor, Bailiffs and Burgesses of the Burgh of Berwick-upon-Tweed, by our letters patent, make, constitute, and create anew with the augmentation and addition of certain liberties, privileges, immunities and franchises as to us should seem most expedient. We, therefore, willing that from henceforth for ever continually there shall be had one certain and undoubted mode in our said burgh of in and about the keeping of our peace and for the rule and government of the same burgh and of our people there inhabiting and others thither resorting, and that that burgh may be and remain perpetually in future times a burgh of peace and quiet to the fear and terror of the wicked, and the reward and support of the good, and also that our peace and other deeds of justice and good government may the better there be kept and done, and hoping that if the Mayor, Bailiffs and Burgesses of the said burgh and their successors by our royal grant enjoy greater and more ample dignities, privileges, jurisdictions, liberties and franchises than formerly, they will think themselves more especially and strongly bound to perform their best services to us, our heirs and successors, and also at the humble petition and request of our well-beloved and faithful Counsellor Sir George Howme, Knight, Treasurer of our Kingdom of Scotland and Chancellor of our Exchequer, of our especial grace and of our certain Knowledge and mere motion, have willed, ordained, constituted, granted and declared, and by these presents for us, our heirs and successors do will, ordain, constitute, grant and declare,

'That our said Burgh of Berwick-upon-Tweed from henceforth and for ever may and shall be Berwick to be and remain a free burgh of itself, and that the men of the same burgh shall be free a free Burgh. burgesses and have all liberties and free customs to a free burgh belonging for ever. And that the mayor, bailiffs and burgesses of the same burgh and that the burgesses of that burgh whether they have been before this time lawfully incorporated or not shall and may from henceforth for ever, without any question or doubt to be made hereafter, be one body corporate and politic in deed, fact and name, by the name of the Mayor, Bailiffs and Burgesses of the Burgh of Berwick-upon-Tweed, and them by the name of the Mayor, Bailiffs and Burgesses of the Burgh of Berwick-upon-Tweed one body corporate and politic in deed, fact and name fully for us, our heirs and successors we do erect, make, ordain, constitute and declare by these presents, and that by the same name they may have perpetual succession ; And that they by the name of the Mayor, Bailiffs and Burgesses of the Burgh of Berwick-upon-Tweed may and shall be in all future times persons able and in law capable, and as a body corporate and politic in law capable to have, purchase, receive, possess, enjoy and retain, lands, tenements, liberties, privileges, jurisdictions, franchises, and hereditaments whatsoever, and of what kind, nature or quality soever they shall be to them and their successors in fee and perpetuity or for term of a year or years or otherwise howsoever, and also goods and chattels whatsoever ; And also to give, grant, demisc, alien, assign, and dispose of lands, tenements, and

hereditaments, and also goods and chattels whatsoever, and to do and execute all and singular other deeds and things by the name aforesaid ; And that they may and shall by the same name plead and be impleaded, answer and be answered, defend and be defended, in all courts and places before us, our heirs and successors, and before our judges, justices and other persons and officers of us, our heirs and successors and others whomsoever in all and singular actions, pleas, suits, complaints, causes, matters and demands whatsoever of whatsoever kind, nature or quality, they may or shall be in manner and form as any other, our liege people of this our Kingdom of England, being persons having power and in law capable, or any other body corporate and politic within our Kingdom of England can and are able to have, purchase, receive, possess, enjoy, implead and be impleaded, answer and be answered, defend and be defended, do, permit, or execute.

‘And that the aforesaid Mayor, Bailiffs and Burgesses, and their successors, may have for ever a Grant of common seal for transacting the causes and business of them and their successors, and Common Seal that it may and shall be lawful for them and their successors that seal at their pleasures from time to time to break, change and make anew as to them shall seem most expedient.

‘And further, of our more abundant grace we will and by these presents for us, our heirs and successors, do grant to the said Mayor, Bailiffs and Burgesses of the said Burgh and make Bye-laws, their successors, that the Mayor, Bailiffs and Burgesses of the Burgh aforesaid for the time being, or the greater part of them (of whom the Mayor of the Burgh aforesaid for the time being we will to be one) shall and by these presents may have full authority, power and ability to frame, constitute, ordain, make and establish from time to time such laws, statutes, ordinances and constitutions as to them or the greater part of them (of whom the Mayor of the Burgh aforesaid for the time being we will to be one) according to their same discretions shall be seen to be good, useful, wholesome, honest and necessary for the good rule and government of the mayor, bailiffs and burgesses of the burgh aforesaid ; and all and singular other burgesses, officers, ministers, artificers, inhabitants and residents whomsoever within the burgh aforesaid for the time being and for declaring and ordering how the same mayor, bailiffs and burgesses and their successors and all and singular officers and ministers, burgesses, artificers, inhabitants and residents within the burgh aforesaid, shall behave, demean and use themselves in their offices, functions, ministries, trades and businesses within the burgh aforesaid, and the liberties thereof for better promoting the public good, common advantage and good government of the burgh aforesaid, and for victualling the same burgh and for better preserving, governing, disposing of, letting and demising the lands, possessions, reversions and hereditaments to the aforesaid mayor, bailiffs and burgesses and their successors given, granted or assigned, or hereafter to be given, granted or assigned, and all other things and causes whatsoever touching or in anywise concerning the burgh aforesaid or the state, rights and interest of the same burgh. And that the mayor, bailiffs and burgesses of the burgh aforesaid for the time being or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) as often as they shall frame, make, ordain, or establish such laws, institutions, rights, ordinances and constitutions in form aforesaid may and shall have power to make, ordain, limit and provide such pains, punishments and penalties by bodily imprisonment or by fines and amerciaments or by either of them towards and upon all offenders against such laws and institutions, rights, ordinances and constitutions or any of them, as to the same mayor, bailiffs and burgesses for the time being or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) shall be thought necessary, fit and requisite for the observation of those laws, ordinances and constitutions, and the same fines and amerciaments to levy and have for the use and behoof of the aforesaid mayor, bailiffs and burgesses and their successors, without hindrance of us, our heirs and successors or any other officers or ministers of us, our heirs or successors, and without any account to us, our heirs or successors to be therefore rendered ; all and singular which laws, ordinances, rights and constitutions so to be made as aforesaid we will shall be observed under the pains therein to be

contained so always that such laws, ordinances, institutions, constitutions, imprisonments, fines and amerçiements be reasonable and not repugnant or contrary to the laws, statutes, customs or rights of our Kingdom of England, or to the reasonable and laudable prescriptions and customs in the said burgh anciently used and accustomed.

‘And further we will and by these presents for us, our heirs and successors, do ordain that from henceforth for ever there may and shall be elected and constituted in the burgh
 A Mayor and
 Four Bailiffs
 to be elected
 annually. aforesaid one mayor of the burgesses of the burgh aforesaid, in the manner in these letters patent hereinafter specified ; And for the better execution of our will and grant in this behalf, we nominate, constitute, assign and make our beloved Michael Sanderson, now mayor of the burgh aforesaid, to be and remain the present mayor of the burgh aforesaid, willing that he shall be and continue in the office of mayor of the same burgh from the date of these presents until the feast of St. Michael the Archangel next ensuing, if he shall so long live, and from the same day until he or some other burghess of the burgh aforesaid shall be in due manner elected, appointed and sworn to that office according to the ordinances and provisions hereinafter expressed and declared.

‘And further we will, and by these presents for us our heirs and successors ordain, that from henceforth for ever there may and shall be in the burgh aforesaid four bailiffs to be elected and constituted of the burgesses of the burgh aforesaid in the manner in these letters patent specified ; And for the better execution of our will and grant in this behalf we assign, nominate, constitute and make our beloved John Shotten, Edward Haddlesey, Leonard Fairley and Stephen Jackson, now bailiffs of the burgh aforesaid, to be and remain the present bailiffs of the burgh aforesaid, to continue in that office until the feast aforesaid, if they so long live, and from the same feast until they or some other burgesses of the same burgh in that office of bailiff of the burgh aforesaid in due manner shall be elected, appointed and sworn according to the ordinance and provisions in these presents hereinafter specified and declared ; And we will and grant that the mayor, bailiffs and burgesses, or the greater part of them from time to time in all future times may and shall have power and authority yearly at the same feast to assemble and convocate themselves together in the Guildhall or Tolbooth of the same burgh, or in some other convenient place within the same burgh, and that they or the greater part of them before they shall depart from thence may choose and nominate one of themselves to be mayor of the burgh aforesaid for one whole year then next following, and from thence until the same mayor or a burghess of the burgh aforesaid, shall be elected, appointed and sworn to execute that office, which burghess after he shall be elected and nominated as aforesaid to be mayor of the burgh aforesaid before he shall be admitted to execute that office shall take a corporal oath before the last mayor his predecessor, the bailiffs and the rest of the burgesses of that burgh for the time being, or so many of them as shall then be present, rightly well and faithfully to execute all things touching that office. And, moreover, we will and grant that the mayor, bailiffs and burgesses of the burgh aforesaid or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) from time to time and in all future times may and shall have power and authority yearly on the aforesaid feast day in the Guildhall or Tollbooth, or in some other convenient place in the said burgh, to elect and nominate four of themselves to be bailiffs of the burgh aforesaid for one whole year then next ensuing ; And that each of them after they shall be so elected, appointed and nominated as aforesaid to the office of bailiffs of the same burgh before they are admitted to execute the office of bailiffs of the burgh aforesaid shall take a corporal oath before the mayor and the last bailiffs, their predecessors, and the rest of the burgesses of that burgh, or so many of them as shall then be present, rightly well and faithfully to execute all things touching that office ; And that after the oath aforesaid shall be so taken they may execute the office of bailiffs of the burgh aforesaid for one whole year then next ensuing ; And, moreover, we grant that if the mayor of the burgh aforesaid shall at any time within one year after he hath been so elected, appointed and

sworn to the office of mayor of the burgh aforesaid die or be removed from his office it may and shall be lawful for the aforesaid bailiffs and burgesses of the burgh aforesaid for the time being, or the greater part of them, at a convenient time after the death or amotion of such mayor another of themselves to be mayor of the burgh aforesaid to elect and appoint, and that he so, as aforesaid elected and appointed to the office of mayor of the burgh aforesaid, shall have and exercise that office during the residue of the same year, taking first the corporal oath in form aforesaid, and so and from time to time as the case shall so happen ; And, moreover, we grant that if the bailiffs of the said burgh or any one or more of them at any time within one year after they shall have been elected and sworn as aforesaid, to the office of bailiffs of the burgh aforesaid, shall die or be amoved from that office it may and shall be lawful for the aforesaid mayor and the other bailiffs of the burgh aforesaid then surviving and remaining, and the burgesses of the same burgh for the time being, or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one), one, two, three or four others as the case shall require of themselves to be a bailiff or bailiffs of the burgh aforesaid to elect and appoint, and that he or they so elected to the office or offices of a bailiff or bailiffs of the burgh aforesaid shall have and exercise that office during the residue of the same year, their corporal oaths in form aforesaid having been first taken and so as often as the case shall so happen.

We will also and grant that there may and shall be in the said burgh one honest and discreet man, The learned in the laws of England, who shall be, and shall be called, the Recorder of the Recorder. same burgh, and shall faithfully do and execute all and singular those things which belong and ought to belong to the office of Recorder within the same burgh ; And also we have assigned, nominated, declared, ordained, constituted and made, and by these presents do assign, nominate, declare, ordain, constitute and make Christopher Parkinson, of Gray's Inn, in the County of Middlesex, Gentleman, to be the present recorder of the said burgh to have and execute the said office of recorder of the same burgh according to the tenor and effect of the grant of the said office by the mayor, bailiffs and burgesses of the burgh aforesaid to him before this made or hereafter to be made to execute and exercise by himself or his sufficient deputy or deputies upon his oath faithfully to exercise and execute justice and other things which to the office of recorder of the burgh aforesaid belong or ought to belong, and that from time to time and at all times after the death of the aforesaid Christopher Parkinson or his amotion from the office aforesaid the mayor, bailiffs and burgesses of the burgh aforesaid for the time being and their successors or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) may elect, nominate and appoint one other approved and discreet man learned in the laws of England to be recorder of the burgh aforesaid, and that he who shall be so as aforesaid elected, appointed, nominated and sworn to be recorder of the burgh aforesaid after the death or amotion of the said Christopher Parkinson may have, enjoy and exercise that office of recorder of the burgh aforesaid according to the tenor and effect of the grant thereof to him by the mayor, bailiffs and burgesses of the burgh aforesaid for the time being to be made and so *toties quoties* as the case shall so happen.

‘And we will and by these presents for us, our heirs and successors, do grant to the same mayor, Court of bailiffs and burgesses of the burgh aforesaid and their successors that they and their Pleas. successors from henceforth for ever may and shall have and hold within the burgh aforesaid one Court of Pleas every Tuesday in every second week annually to be holden before the mayor, bailiffs and recorder of the burgh aforesaid for the time being or before any three of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) at the Guildhall or Tollbooth of the same burgh, and that in that court they may hold by plaints in the same court to be preferred or otherwise according to the laudable and reasonable customs in the burgh aforesaid heretofore used and accustomed all and all manner of actions, suits, plaints and demands as well real as personal, and mixed of all manner of personal transgressions with force and arms and of all manner of other trespasses within the burgh aforesaid, the suburbs, liberties and precincts of the same, done,

moved, arising, had or committed, or hereafter to be done, moved, had or committed, and of all and all manner of intrinsic tenures, burgages, lands, tenements, goods, chattels, debts, actions upon the case and of deceit, account and debt, detinue of charters, escripts, muniments and chattels, taking and detaining beasts and chattels and other contracts whatsoever arising or hereafter happening to arise out of any causes or things whatsoever within the burgh aforesaid, the suburbs, liberties, and precincts of the same to whatsoever sum or value the same trespass, debts, accounts, covenants, deceits, detinues or other contracts shall amount, and that such pleas, complaints, suits and actions shall be there heard and determined before the said mayor, bailiffs and recorder of the burgh aforesaid for the time being or any three of them (of whom the mayor of the burgh aforesaid for the time being we will to be one), but such and the like processes, ways and means according to the laws and customs of our Kingdom of England or according to the ancient, reasonable and laudable customs of the said burgh heretofore in the same burgh used and approved as shall be consonant to our law or the same customs of the same burgh and in as large manner as in any court of pleas in any city, burgh or town corporate within this our Kingdom of England or in the said burgh of Berwick-upon-Tweed heretofore hath been used and accustomed or ought to be done.

‘And further, we will and by these presents for us, our heirs and successors, do grant to the Cognizance aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors that of Pleas. they and their successors from time to time in all future times may and shall have cognizance of all and all manner of pleas, complaints, actions and demands whatsoever as well real as personal and mixed in all the courts of us our heirs and successors moved and commenced or to be moved and commenced of all causes, things and matters happening, arising or growing within the burgh aforesaid the suburbs, liberties, and precincts of the same as within the same burgh they have been anciently accustomed.

‘And further, that the mayor of the burgh aforesaid for the time being may and shall be from The Mayor to henceforth for ever the escheator of us, our heirs and successors, within the burgh afore- be the King's Escheator in said the liberties and precincts of the same as before in the same burgh hath been used Berwick. so that no escheator or other minister of us, our heirs and successors, shall enter the said burgh the liberties or precincts of the same or intermeddle with anything which to the office of escheator belongs in the same burgh unless in default of the same mayor for the time being.

‘We will also and grant to the aforesaid mayor, bailiffs, and burgesses of the burgh aforesaid and The their successors that from henceforth for ever there may and shall be in the burgh afore- Coroner. said one honest and fit man who shall be called and shall be the coroner of the same burgh to serve in the office of coroner in the burgh aforesaid, the suburbs, liberties and precincts of the same and to perform there whatever to the office of coroner belongs from time to time ; which said coroner shall be appointed, nominated and elected by the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid or by the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one). And which said coroner so as aforesaid to be elected and nominated may and shall be sworn faithfully to execute and exercise his office aforesaid in due manner before the mayor, bailiffs and recorder of the burgh aforesaid or the greater part of them for the time being (of whom the mayor of the burgh aforesaid for the time being we will to be one) and that after such oath so taken he ought, may and shall have power to execute and exercise that office during the pleasure of the mayor, bailiffs and burgesses of the burgh aforesaid or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one).

‘And further, we will and grant to the aforesaid mayor, bailiffs and burgesses of the burgh afore- Serjeants at said and their successors that from henceforth for ever there may and shall be in the Mace. burgh aforesaid officers not exceeding the number of four who shall be and shall be called serjeants at the mace, to serve in the courts of the burgh aforesaid and for the proclamation, arrest and execution of processes, precepts and other business to the office of serjeants at mace in

the burgh aforesaid and the limits, precincts and bounds of the same belonging from time to time to be executed and performed, which said serjeants at mace shall be appointed, nominated and elected by the aforesaid mayor and bailiffs of the burgh aforesaid or by major part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) as often as to them the aforesaid mayor and bailiffs or the major part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one) shall appear to be convenient and necessary, and they shall be attendant from time to time upon the mayor and bailiffs of the burgh aforesaid for the time being ; And which aforesaid serjeants at mace, so as aforesaid to be chosen and nominated for the well and faithful executing and exercising their offices aforesaid in due manner, may and shall be sworn before the mayor, bailiffs and recorder of the burgh aforesaid, or the greater part of them for the time being (of whom the mayor for the time being we will to be one), and that after such oath so taken they may and shall execute and exercise their offices during the pleasure of the mayor and bailiffs of the burgh aforesaid for the time being or the major part of them (of whom the mayor for the time being we will to be one).

‘ And further we grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and Guild of Merchants their successors that they and their successors from henceforth for ever may have within the burgh aforesaid a Guild of Merchants with a Hansa and all other liberties, privileges and free customs to that Guild belonging in as ample manner and form as heretofore they have had, been accustomed to have, or ought to have had, or ought to have the same, so as no one who is not of that guild may make any merchandize in the same burgh, the suburbs, liberties or precincts of the same, but at the will and pleasure of the mayor, bailiffs and burgesses of the same burgh. We will also and by these presents for ourselves, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and to their successors, That whatsoever merchants shall resort to the burgh aforesaid with their merchandize from whatsoever place they may come, whether foreigners or others, who shall be at our peace or shall come into our land, by our licence may come, remain and depart in safe peace conforming themselves to the lawful customs of the same burgh, and that the aforesaid burgesses or merchants shall not be called in question for mistelling in their pleas that if they shall not have narrated all things well, And that no merchant shall go to meet other merchants coming by land or by sea towards the burgh aforesaid to buy or sell merchandizes and provisions until they have arrived at the aforesaid burgh and have exposed their wares there for sale, under the penalty of forfeiting the article bought and upon pain of being sent to prison, from which without grievous punishment the offender shall not be permitted to depart ; And that no foreign merchant who is not a merchant of the aforesaid guild, and of the liberty of the said burgh, shall trade for profit or make any merchandize within the burgh aforesaid or the suburbs, liberties, precincts of the same with another foreign merchant, nor shall any such foreign merchant buy within the burgh aforesaid from another foreign merchant such merchandizes under the penalty of forfeiting the same merchandizes ; And that no merchant who shall be a stranger and who shall not be of the Guild of the Merchants aforesaid shall sell in the burgh aforesaid any wares except in gross. We have granted also and by these presents for us, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors that yearly and from time to time the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors may and shall have power to inquire and make inquisitions within the burgh aforesaid and the suburbs, liberties and precincts of the same if any burgesses of the liberties of the same burgh in his own proper name, or in the name of another burgess of the burgh aforesaid, and as his own proper goods and wares, or as the goods and wares of another burgess of the burgh aforesaid shall sell or expose for sale within the burgh aforesaid any goods, chattels or wares or merchandize of persons who shall not be burgesses of that burgh, nor of the liberty of the same contrary to his oath in that behalf taken, or that if any of the burgesses of the burgh aforesaid shall thereof be found guilty and shall be convicted according to the customs of the guild and burgh

aforesaid, such burghess so offending shall totally lose his liberty in the burgh aforesaid, and shall thereupon be disfranchised for ever. And that no foreign merchant shall sell or buy any goods sold by weight or any other wares which ought to be weighed or troned, except by our balance and trone, upon pain of forfeiting the goods aforesaid so saleable by weight. We will also, and by these presents, for ourselves, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors, that the customer, troner or any other officer whosoever, who in the burgh aforesaid, by us or by our heirs or successors, shall happen to be stationed, shall constantly reside and remain at their offices in the same burgh, so that by their absence or default merchants in the delivery of their merchandizes may not be delayed nor impeded. And that none of the burgesses of the aforesaid burgh shall be arrested or distrained for any debt unless he be the debtor or surety.

‘ Moreover, we will and by these presents for ourselves, our heirs and successors, do grant to the
 Burgesses aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors that the
 exempt from mayor, bailiffs and burgesses of the burgh aforesaid for the time being shall not be put
 serving as Jurors, upon any assizes, juries or attaints, or serve as recognitors by reason of intrinsic tenure
 or against their will beyond the burgh aforesaid.

‘ And that the said burgesses of the burgh aforesaid, and their successors, shall not be distrained
 and as nor compelled by us, our heirs or successors, or by the officers or ministers of us, our
 Soldiers out heirs or successors, to go or be sent to war without the burgh aforesaid, and the suburbs,
 of the Burgh. precincts and liberties thereof, except by the special commandment of us, our heirs or
 successors, as hitherto in the same burgh hath been lawfully used and accustomed.

‘ And that no man shall take lodging within the burgh aforesaid by force or by livery of the
 Marshall of us, our heirs or successors, as in the same burgh hitherto hath been used and accustomed.

‘ We have granted, moreover, and do grant to the aforesaid mayor, bailiffs and burgesses of the
 Return of burgh aforesaid, and their successors, that they may have the return of all writs, processes
 Writs. and mandates of us, our heirs and successors from whatsoever courts of us, our heirs and
 successors, coming and issuing within the burgh aforesaid and the execution of the same so that no
 sheriff or other bailiff or minister of us, our heirs and successors, shall enter that burgh or the
 suburbs, liberties and precincts of the same, to do any office there for anything to that burgh
 belonging, but in default of the mayor and bailiffs of the same burgh.

‘ And further that the mayor, bailiffs and burgesses of the burgh aforesaid, or any of them and
 Burgesses not the customers, troners and officers of us, our heirs and successors, within the burgh
 to be sued for aforesaid for the time being or any of them shall not be impleaded nor compelled to
 intrinsic answer for any intrinsic tenures or trespasses, debts, contracts, accounts or any other
 tenures, etc., elsewhere causes or things within the said burgh, the suburbs, liberties, limits and precincts of the
 than in the same by them done or to be done elsewhere than in the burgh aforesaid before the mayor
 Burgh Courts. and bailiffs of the aforesaid and their successors, or before the justices of us, our heirs and successors,
 assigned for the purpose within the said burgh and not elsewhere.

‘ And also that the said mayor, bailiffs and burgesses of the burgh aforesaid, and their successors
 To be quit through our whole realm and power shall be quit and exonerated for ever of toll,
 of Toll, etc., pontage, passage, murage, pannage, crantage, lastage, carriage, pickage, quayage, vinage,
 throughout and of all their sale, achate and rechate, through our own land and power with sock and
 England and sack, and theol and theam, ward and wardpenny, and all other customs which may be
 Scotland. exacted for their own proper goods and merchandizes.

‘ We have granted also to the same mayor, bailiffs and burgesses of the burgh aforesaid, and their
 Quittance successors by these presents, quittance of murder within the burgh aforesaid, the suburbs,
 of Murder. liberties, limits and precincts thereof.

‘ And further we will and do grant to the aforesaid mayor, bailiffs and burgesses of the burgh

aforesaid, and their successors, that the said mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, shall be free, quit, discharged and exonerated from all payments of Exemption from Subsidies. subsidies, taxes, impositions, tenths, fifteenths and exactions whatsoever to us, our heirs or successors, due or granted, or hereafter to be granted as heretofore in the same burgh hath been used and accustomed, and also from prisage of wines, butlerage of wines, and from all impositions called the impost, butlerage and prisage of wines for any wines by the said mayor, bailiffs and burgesses of the burgh aforesaid, or any or either of them within the port of the burgh aforesaid, or the members or creeks of the same port imported, unladen, or put on land or hereafter to be imported, unladen, or put on land as hitherto in the same burgh hath been used and accustomed.

‘And that the mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, may export and transmit hides, skins, wool and all other their effects and merchandizes from the port of the burgh aforesaid, or from the members or creeks of the same port, to whatsoever place or places, port or ports, they will with the same and similar liberties, Licence to export hides, wool, corn, coals, etc. privileges and immunities, and in as ample and beneficial manner and form as before these times in the same burgh hath been used and accustomed, and as by divers laws, statutes and ordinances of our Kingdom of England heretofore made and provided is decreed and ordained. And further of our more abundant grace, and for the ameliorating of the said burgh, we grant that the said mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, and every of them, may at pleasure transport and transmit corn and grain of every kind and species, being their own proper goods and chattels, from the port of the burgh aforesaid, and from any members and creeks of the same port, wheresoever they will according to the form and effect of certain statutes in such case made and provided, without any other imposition or exaction thereupon imposed or hereafter to be imposed by or for the use of us, our heirs or successors, otherwise than in those statutes, or any of them, is specified or contained. And further of our more abundant special grace, and of our certain knowledge and mere motion, we give and grant full, free and lawful power, faculty and authority to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, to ship, load and embark sea coals, stone coals and pit coals, into any ship or vessel in the port of the said burgh, or in any creeks or places to the same port belonging, and to convey and transport the same into any port, creek or place within this Kingdom of England, or other our dominions, or into any parts beyond the seas without any impositions, taxation, or any sum or sums of money therefore to be paid to us, our heirs or successors, except the ancient customs, sums of money and other duties to us and our predecessors anciently due and payable, any statute, act, ordinance, or provision, or any other thing, cause, or matter whatsoever to the contrary in anywise notwithstanding.

‘And moreover we will and grant that if any burghess of the burgh aforesaid shall at his death leave any orphans begotten in lawful matrimony, the said orphans, with their chattels, Orphans of Burgesses. lands, tenements and possessions by the mayor and bailiffs of the same burgh, shall be put into the custody of some faithful burghess of the burgh aforesaid, next of kin to the said orphans to whom the inheritance of the same orphans cannot descend, who shall give security that he will keep and sustain these orphans, their lands, tenements and houses in a proper state without waste, sale or spoil, and fully answer for and restore all the issues of the lands, tenements and houses of the same orphans which shall accrue during the time of their custody, the reasonable costs and charges for the time of their custody being deducted to the aforesaid orphans when they shall come to lawful years by the view and consideration of the mayor, bailiffs and burgesses of the burgh aforesaid, together with the surpluse of the expense. We will also that the mayor, bailiffs and burgesses of the burgh aforesaid shall have full power every year to see that the said custody be well and faithfully done to the profit of the aforesaid orphans.

‘And we will that all the burgesses of the burgh aforesaid desirous of enjoying the liberties, immunities and free customs of the said burgh shall abide, inhabit, and reside within the burgh

aforesaid and shall be at Guild and scot and lot and be participators in all assessments and burthens with the rest of the burgesses of the burgh aforesaid so often as it shall happen that the said burgh shall be taxed for the good state and maintenance of that burgh and the liberties of the same according to their oaths in that behalf made when they were admitted to the liberties of the burgh aforesaid, and whosoever shall refuse to do so, shall wholly lose their liberties in the burgh aforesaid, the suburbs, liberties, limits and precincts of the same. And also that all the other inhabitants not being burgesses nor of the liberties of the burgh aforesaid and the stallingers in the burgh aforesaid, although they be not of the liberty of the burgh aforesaid, shall be participators in all assessments and burthens in the burgh aforesaid reasonably made or to be made for the state and maintenance of the same burgh as the other inhabitants and the stallingers before this time were accustomed.

And that the mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, or the greater part of them (of whom the mayor of the burgh aforesaid for the time being we will to be one), for the necessity, commodity, and public good of the burgh aforesaid, may amongst themselves with their common assent reasonably tax and may impose a tax and tallage upon the goods and chattels of the burgesses of the burgh aforesaid and of the other persons whomsoever within the said burgh inhabiting, as well upon the rents as upon the other effects of the said burgesses and inhabitants within the burgh aforesaid, the suburbs, liberties and precincts of the same, as shall to them seem best, and the same tallage and tax may levy and cause to be levied as before these times in the same burgh has been used and accustomed without let or hindrance of us, our heirs and successors, or the officers and ministers whomsoever of us, our heirs and successors. And that all sums of money from time to time arising from these tallages shall be for the use of the chamber of the burgh aforesaid for the necessity, profit, and public good of the same burgh, and shall not otherwise be expended.

‘And further, we grant that the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, may for ever have, hold and keep within the burgh aforesaid, the suburbs, liberties, limits and precincts of the same, two weekly markets and whatsoever a yearly fair. pertains or ought to appertain to a market, and also one fair in every year in the same burgh, the suburbs, liberties, limits and precincts of the same, with all things to the same fair belonging, to continue from the feast of the invention of the holy cross [3rd May] to the feast of the nativity of St. John the Baptist [29th June], together with a court of pyepowder and together with all tolls, customs, liberties and free usages to such fair, markets and court of pyepowder belonging or appertaining, together also with toll, tollage, stallage, piccage, fines, amerciaments and all other commodities, profits and emoluments whatsoever from and to such market and fair and court of pyepowder arising, happening, issuing or belonging, and with all other free customs and liberties to such market and fair and court of pyepowder belonging or appertaining. And moreover we have granted and for us, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, that the mayor of the burgh aforesaid for the time being for ever hereafter may and shall be clerk of the market of us, our heirs and successors, within the burgh aforesaid, the suburbs, liberties and precincts thereof, and that the mayor of the burgh aforesaid for the time being shall do and execute and shall and may have power to do and execute for ever, all and whatsoever to the office of clerk of the market there belongs to be done, and shall do and perform all other acts and things which to that office within the same burgh, the suburbs, liberties and precincts of the same ought to be done and executed as in times past within the burgh aforesaid has been accustomed, so that the clerk of the market of the household of us, our heirs or successors, shall not hereafter interfere with the assize of bread, wine and ale or the destroying of weights or measures in the same burgh, the suburbs, liberties and precincts of the same, nor presume to enter the same to do anything which to the office of clerk of the market belongs.

‘Moreover, we grant that the aforesaid mayor, bailiffs and burgesses, and their successors, may have and hold within the burgh aforesaid and the suburbs, liberties, and precincts of the same for ever hereafter a court leet and view of frank pledge of all the burgesses, inhabitants, and residents within the burgh aforesaid and the suburbs, liberties, and precincts of the same twice in the year in the guildhall of the burgh aforesaid, to be holden on the same day and times as are provided by the laws and statutes of this our Kingdom of England and all things whatsoever, which to a view of frank pledge belongs in as ample manner and form as the mayor, bailiffs and burgesses of the burgh aforesaid, or any of them, heretofore have holden or could or ought to have held the same.

The Mayor to have charge of the fortifications. ‘We will also that the mayor of the burgh aforesaid and his successors for the time being shall have the custody and government of the gates, posterns and wickets of the said burgh, and also the custody of the keys of the same gates.

The Gaol. ‘And further, we will and by these presents for us, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, that the same mayor, bailiffs and burgesses and their successors may have within the same burgh or the suburbs, liberties, limits and precincts of the same, one prison or gaol for the safe keeping and custody of all and singular prisoners within the burgh aforesaid, the suburbs, liberties, limits and precincts of the same attached, arrested, taken or apprehended, or to be attached, arrested, taken or apprehended or to the prison or gaol of the burgh aforesaid for any cause or matter adjudged or committed there to remain, and by the mayor and bailiffs of the burgh aforesaid for the time being or their minister or ministers for that purpose by them deputed or to be deputed to be safely kept so long and until they in lawful manner be delivered so that the aforesaid mayor, bailiffs and burgesses and their successors of *Infangtheefe* and *Outfangtheefe* may do judgment in the burgh aforesaid as hitherto hath been used and accustomed.

Justices of the Peace. ‘And further, we will and by these presents for us, our heirs and successors, do grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, that the mayor of the burgh aforesaid for the time being and the recorder of the same burgh for the time being and such burgesses or aldermen of the same burgh as have served or hereafter shall serve the office of the mayoralty of the same burgh, and each of them after they shall have served the said office of the mayoralty, so long as they shall be burgesses and aldermen of the burgh aforesaid, may and shall be for ever hereafter within the burgh aforesaid and within the suburbs, liberties and precincts of the same, the justices of us, our heirs and successors, the peace of us, our heirs and successors, within the same burgh, the suburbs, liberties and precincts of the same, to keep and preserve and cause to be kept and preserved, and also all ordinances and statutes for the good of our peace and for the preservation of the same and for the quiet rule and government of our people made, in all their enactments, within the burgh aforesaid, the suburbs, liberties, and precincts of the same, according to the force, form and effect of the same ordinances and statutes, shall keep and cause to be kept and all and all manner of persons whomsoever and of what estate, degree or condition soever they may be against the form of these ordinances and statutes or any of them within the burgh aforesaid, the suburbs, liberties and precincts of the same offending, to chastise, correct and punish as according to the form of these ordinances and statutes ought to be done. And all these within the burgh aforesaid, the suburbs, liberties, limits and precincts of the same, who shall threaten to assault the bodies of any of our people or to burn their houses, to cause to come before them or any of them to find sufficient security for the peace or for good behaviour towards us and our people : and if they shall refuse to find such security, then to cause them to be safely kept in the gaol or prison of the burgh aforesaid until they find such security.

‘And that the aforesaid mayor, recorder, and such of the aldermen or burgesses aforesaid as have at any time borne or hereafter shall bear the office of mayor, after they have served the said

office of mayor of the burgh aforesaid, and so long as they shall be burgesses or aldermen of that burgh, or any three or more of them (of whom the mayor and recorder of the burgh aforesaid for the time being we will to be two), may have from henceforth for ever full power and authority from time to time of inquiring into, hearing and determining within the burgh aforesaid, the suburbs, liberties or precincts of the same, all and all manner of felonies, murders, homicides, robberies, assaults, riots, routs, forcible entries into lands or tenements, trespasses against the peace of us, our heirs and successors, unlawful assemblies, ambidexter, conspiracies, contempts, concealments and also all other misprisons, offences, misdeeds, defaults, negligences, causes and articles which to the authority or power of a justice or keeper of the peace belong or hereafter shall belong in as ample manner and form as any justices or keepers of the peace of us, our heirs or successors, in any of our counties within this kingdom of England by the laws and statutes of the same kingdom for offences and crimes in the said county committed or perpetrated as justices of the peace may and have power to hear or determine.

Grant of
oyer and
terminer. We will also and by these presents for us, our heirs and successors, do grant to the aforesaid Gaol delivery mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, that the mayor and recorder of the burgh aforesaid for the time being and such burgesses or aldermen of the burgh aforesaid as at any time have borne or hereafter shall serve the office of mayoralty of the same burgh after they have served the same office so long as they shall be burgesses and aldermen of the burgh aforesaid, or any three or more of them (of whom the mayor and recorder of the burgh aforesaid for the time being we will to be two), from time to time hereafter shall be the justices, and each of them shall be from time to time the justice of us, our heirs and successors, from time to time to deliver the gaol of the burgh aforesaid of the prisoners being therein ; And that the coroner of the burgh aforesaid for the time being shall return from time to time all juries, inquisitions, panels, attachments and indentures by him taken and hereafter to be taken before the aforesaid mayor, recorder and the aforesaid burgesses or aldermen of the burgh aforesaid for the time being, or any three or more of them (of whom the mayor and recorder of the burgh aforesaid for the time being we will to be two), when and so often as they shall wish to deliver that gaol of the prisoners in the same gaol being, and shall attend them in all things touching the deliveries of the gaol aforesaid and the precepts of them, the mayor, recorder and burgesses or aldermen aforesaid for the time being, or any three or more of them (of whom the aforesaid mayor and recorder of the burgh aforesaid for the time being we will to be two), shall execute from time to time in the same manner and form as any sheriffs of our Kingdom of England before the justices delivering gaols in any counties of our said Kingdom of England of us, our heirs or successors, are accustomed and bound to do, return, attend or execute in any manner of way by the law and statutes of this our Kingdom of England. And that the same mayor, recorder and aldermen of the burgh aforesaid for the time being, or any three or more of them (of whom the mayor and recorder of the burgh aforesaid for the time being we will to be two), may and shall have and may erect hereafter a gallows within the burgh aforesaid, the suburbs, liberties or precincts of the same, to hang and execute felons, murderers and other malefactors within the burgh aforesaid sentenced to death according to the law of England. And that the aforesaid mayor, recorder and such burgesses or aldermen as aforesaid of the burgh aforesaid as have already served or shall hereafter bear the office of the mayoralty of the same burgh after they have served the said office, so long as they shall be burgesses and aldermen of the burgh aforesaid, or any three or more of them (of whom the mayor and recorder of the burgh aforesaid for the time being we will to be two), all manner of felons, robbers and other malefactors within the burgh aforesaid, the suburbs, liberties and precincts thereof, found or to be found by themselves or by their ministers or deputies in the burgh aforesaid appointed, may take and arrest and carry them to the gaol within the burgh aforesaid, there to be safely kept until by due process of law they shall be thence delivered, any other ordinance, decree or custom to the contrary notwithstanding.

Grant of fines, amerciaments, goods of attainted, felons, etc.

‘ We have granted moreover for us, our heirs and successors, and by these presents of our special grace and by our certain knowledge and mere motion we do grant, to the aforesaid mayor, bailiffs and burgesses, of the burgh aforesaid, and their successors, that they and their successors from henceforth for ever may have, enjoy and receive, and shall have, enjoy, levy and receive to the proper use and behoof of the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, all and all manner of fines, redemptions and amerciaments whatsoever, for all trespasses and other misdeeds or other matters, and causes within the burgh aforesaid, the suburbs, liberties and precincts of the same, committed and to be committed, and all and all manner of fines, amerciaments, forfeitures, profits and perquisites of the courts aforesaid, before the aforesaid mayor, recorder and bailiffs in the court of the burgh aforesaid, and before the aforesaid mayor, bailiffs* and the said aldermen of the burgh aforesaid, or any three or more of them as aforesaid, as justices to preserve the peace or to deliver the gaol within the burgh aforesaid, the liberties and precincts of the same, from whatsoever cause or causes arising, happening, issuing or growing, to be imposed or forfeited as before in the burgh aforesaid hath been used and accustomed, and also all and all manner of waived goods and chattels whatsoever, deodands, chattels of felons and fugitives, of persons outlawed and to be outlawed, waived and to be waived, condemned and to be condemned, adjudged and to be adjudged, attainted and to be attainted, convicted and to be convicted, of fugitives and men put in exigent, from all and singular tenants, inhabitants and residents in the burgh aforesaid, the suburbs, liberties and precincts thereof, from time to time issuing, happening or arising, and that it shall and may be lawful for the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, the same fines, issues, amerciaments, forfeitures and profits from time to time to levy and collect by the proper officers of the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, according to the law and custom of our Kingdom of England or according to the ancient customs in the same burgh hitherto used and approved of.

Licence to purchase lands not exceeding in value £60 per annum, notwithstanding the Statutes of Mortmain.

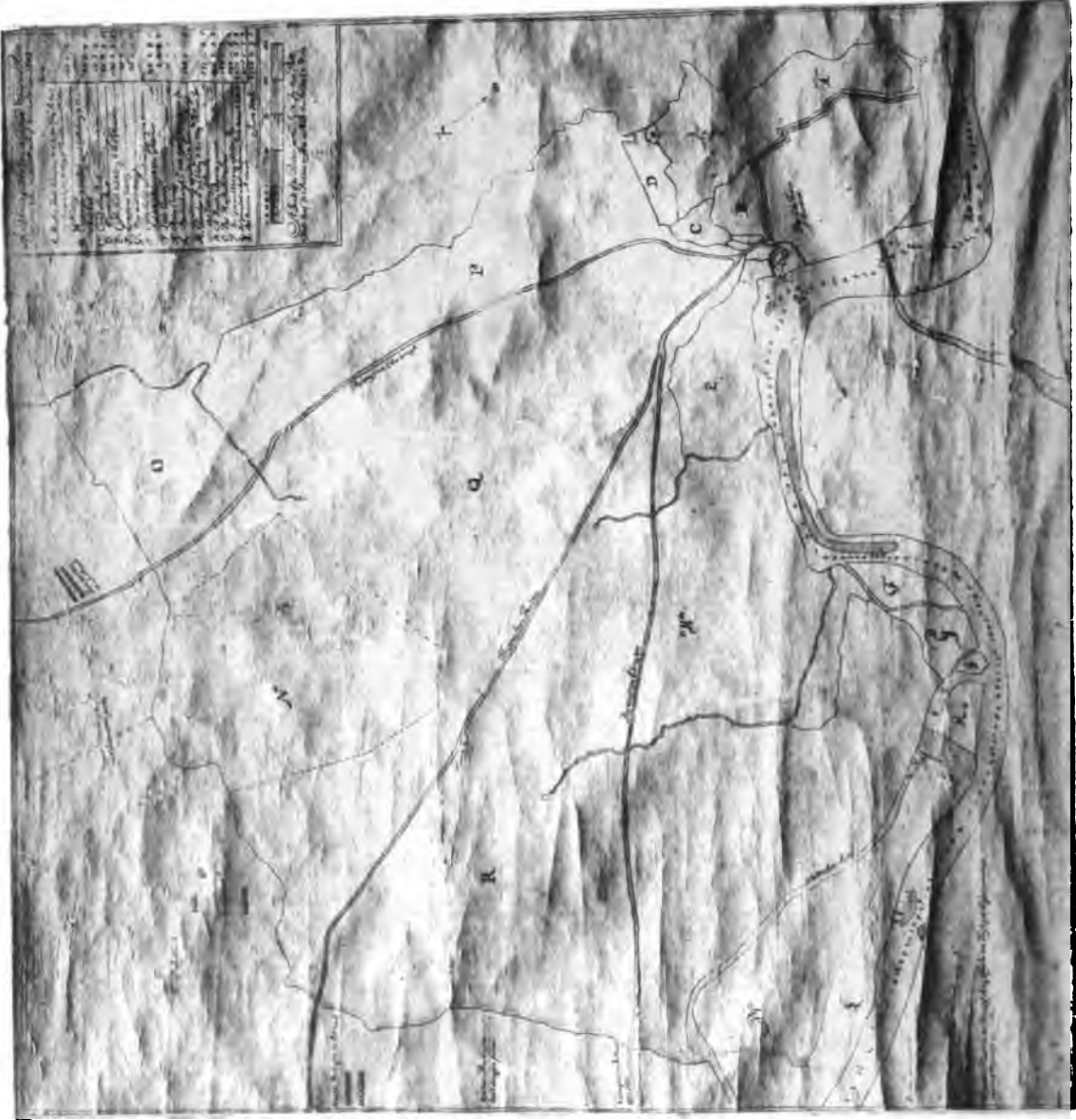
‘ And that the mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, from time to time may, and may be able the better to sustain and support the burthens and expenses of the burgh aforesaid, of our special grace and of our certain knowledge and mere motion we have granted, and by these presents, for us, our heirs and successors as much as in us lies, do grant and special licence, free and lawful faculty, power and authority do give to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors to have, acquire and receive, to them and their successors for ever, as well of us, our heirs and successors, as of our subjects and liege people whomsoever, or of any other person or persons whomsoever, manors, messuages, lands, tenements, rectories, tythes, rents, reversions, services and other possessions and hereditaments whatsoever, which of us, our heirs or successors, are not holden immediately *in capite* or by knight service so that the same manors, messuages, lands, tenements, tythes, rectories, rents, reversions and services or other possessions or hereditaments by the same mayor, bailiffs and burgesses of the burgh aforesaid and their successors, so as aforesaid to be had, acquired and received in the whole do not exceed the value of £60 per annum, the statute that lands and tenements be not given in mortmain or any other statute, act, ordinance, provision, restriction to the contrary heretofore had, made, decreed, ordained or provided, or any other cause or matter whatsoever in anywise notwithstanding. We give also and by these presents for us, our heirs and successors, do grant to all and every subject, and subjects of us, our heirs and successors, power, licence and authority that the manors, messuages, lands, tenements, rectories, tythes, rents, reversions, services and other possessions and hereditaments

* *Sic* in office copy, but the word ‘bailiffs’ is evidently meant for ‘recorder;’ and *sic* in Raine’s ‘North Durham.’

whatsoever, which of us, our heirs or successors, are not held immediately *in capite* or by knight service, to the aforesaid mayor, bailiffs and burgesses and their successors may give, grant, alien or convey, so that the same manors, messuages, lands, tenements, rectories, tythes, rents, reversions, services and other possessions and hereditaments do not exceed the clear yearly value of £60, the statute that lands and tenements be not given in mortmain, or any other statute, act, ordinance, provision or restriction to the contrary thereof heretofore had, made, decreed, ordained or provided notwithstanding.

‘ And further of our more abundant special grace and of our certain knowledge and mere motion we have given and granted, and by these presents for us, our heirs and successors, do give and
 Grant of
 Lands, etc. grant to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, All that our lordship, manor, burgh, town and soc of Berwick-upon-Tweed aforesaid, with all and singular their rights, members and appurtenances whatsoever; And all our houses, edifices, buildings, stables, storehouses, lands, tenements, cottages, wastes, foundations and soil whatsoever within the lordship, manor, burgh, town and soc aforesaid being; And also all those lands and fields to the said burgh adjoining, commonly called the bounds and fields of Berwick; And also all those our lands, tenements, meadows, feedings, pastures and hereditaments whatsoever, with the appurtenances situate, lying and being within the aforesaid lordship, manor, burgh, town and soc, and in and within the bounds and fields of Berwick aforesaid, the suburbs, limits, liberties and precincts of the same, and every of them, as the same lie and are situate by the ancient and accustomed limits, metes and bounds hereinafter written (that is to say) beginning at the Port of the burgh aforesaid and so proceeding or going forward towards the north by the sea shore and the sea banks to a certain path or way commonly called the Bound Road [the division between England and Scotland], and by the bound road aforesaid westward to the river Whitteter and so passing over the said river Whitteter and going and proceeding along the bound road aforesaid to the river Tweed, that is to say from the deep sea to the river Tweed aforesaid, by the bound road aforesaid, or other the metes, limits and bounds used and accustomed, whereby the said lands, fields and bounds of Berwick aforesaid are separated and divided from our Kingdom of Scotland, and so descending and going along the said river Tweed towards the east to the aforesaid port of the aforesaid burgh of Berwick; And also all and singular our messuages, mills, houses, edifices, buildings, barns, stables, dovecots, gardens, orchards, cartilages, shops, cellars, sollars, lands, tenements, meadows, feedings, common pastures, demesne lands, wastes, furze heaths, marshes, moors, fruits, profits, waters, piscaries, fisheries, suit, soc, rents, reversions and services, rent charges, rents sect and rents and services, as well of free as of customary tenants, fee farms, annuities, Knights’ fees, wards marriages, escheats, releases, heriots, fines, amerciements, courts leet, views of frankpledge, perquisites and profits of courts and leets and all things belonging to a court leet and view of frank pledge, waifs, rights, jurisdictions, franchises, privileges, profits, commodities, advantages, emoluments and hereditaments whatsoever, with every of their appurtenances of whatsoever kind, nature or species, or by whatsoever names they are known by, named or called, situate, lying or being, coming, growing or arising, whether within the aforesaid lordship, manor, burgh, town and soc aforesaid, or in or within any one or more of them or within the suburbs, liberties, limits and precincts of the same, or within the metes, limits and bounds above written or any of them to the aforesaid lordship, manor, burgh, town, soc and other the premises lastly hereintofore by these presents given and granted, belonging or appertaining, or as being members, parts or parcels thereof, or parcels of any of them ever heretofore had known, accepted, occupied or reputed; And also the reversion and reversions whatsoever of all and singular the aforesaid lordship, manor, burgh, town, soc and other the premises above, by these presents given and granted and of every parcel thereof. Except always, nevertheless, and out of these our letters patent and grant reserved, all that Castle with the appurtenances situated upon the walls of our aforesaid burgh of Berwick-upon-Tweed, and all that house lately built within the Castle

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J. HERRIOTT, Photographer.]

MAP OF THE LANDS GRANTED BY THE CHARTER.

BERWICK.

aforesaid, and all buildings and edifices to the said Castle and House lately built or to either of them belonging or appertaining ; And all that water mill commonly called The Castle Water Mill, situate and being nigh the walls of the aforesaid burgh of Berwick-upon-Tweed, now or late in the occupation of one Denton, widow, or her assigns ; And all those lands, tenements, closes, and other hereditaments whatsoever, known and called by the several names of The Inner Castle Hills enclosed and The Utter Castle Hills not enclosed, the New Water Haugh and Lunsdanes Anney, Gaynes Lawe, Corke Haugh, The Snuke and The Mawdlen Feild, The Coneygarthes and The Marshalls Meadowe, near Lamerton ; And all that meadow called The Horsemen's Batte, and all those meadows now or lately called or known by the name of the Horsemen's Meadows and all that meadow commonly called The Yellowe Gowland adjoining to or upon the Laytham and extending to the Eastern and Western Mortinton ; And also except and out of these our letters patent entirely reserved also those piscaries and fishing places beginning at Finchawe and extending in and by the river Tweed to the deep sea, and also excepted and out of our letters patent entirely reserved all these lands and meadows commonly called or known by the several names Broadshaughe, Borrey Anney and Ethermouthe Anney existing in or near the aforesaid burgh of Berwick-upon-Tweed ; And also except and out of our present letters patent entirely reserved all these two windmills situate and existing within the limits, bounds, liberties or precincts of the aforesaid burgh of Berwick-upon-Tweed, and also except and out of our letters patent entirely reserved all other lands, tenements, meadows, feedings, pastures, liberties, privileges, franchises, commodities, emoluments and hereditaments whatsoever to our beloved counsellor George Howme Knight, Our Treasurer of Our Kingdom of Scotland and Chancellor of our Exchequer by certain other our letters patent before given and granted, or mentioned to be given and granted, To have, hold and enjoy the aforesaid lordship, manor, burgh, town and soc aforesaid and all and singular the premises above by these presents granted with all their appurtenances except as before excepted to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors, to the only and proper use and behoof of them the mayor, bailiffs and burgesses of the burgh aforesaid and their successors in fee farm for ever ; the said lordship, manor, burgh, town and soc aforesaid and other the premises with the appurtenances to be holden of us, our heirs and successors, in fee and common burgage, yielding and paying yearly to us, our heirs and successors, of and for the aforesaid lordship, manor, burgh, town and soc aforesaid, and for other the premises above by these presents granted with the appurtenances, £20 of lawful money of England at the receipt of the Exchequer at Westminster of us, our heirs and successors, or to the hands of the bailiffs or receivers of the premises for the time being at the feasts of the annunciation of the blessed Virgin Mary and of St. Michael the archangel by equal portions yearly to be paid for ever for all other rents and services, exactions and demands whatsoever therefore to us, our heirs and successors, in any manner to be yielded, paid or performed ; And further of our more ample special grace and of our certain knowledge and mere motion we will and grant by these presents for us, our heirs and successors, to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid and their successors that these our letters patent or the inrolment of the same will be in all and by all valid, good, sufficient and effectual in law, toward and against us, our heirs and successors, as well in all our courts as elsewhere within our Kingdom of England without any confirmation, licence or toleration of us, our heirs and successors, to be procured or obtained afterwards by the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid or their successors, notwithstanding the misnaming, the mis-reciting or non-reciting the aforesaid lordship, manor, burgh, town and soc aforesaid and other premises or any parcel of it ; And notwithstanding the not finding of offices or inquisitions of the premises or of any parcel thereof by which our title ought to be found before the making of these our letters patent ; And notwithstanding there is not full, true and certain mention made of the names of tenants, farmers, or occupiers of the premises or any parcel thereof ; And notwithstanding the omission or non-declaration of the annual value of the premises or any parcel thereof ; And notwithstanding any of

the defects of the certainty of computation or declaration of the true annual value of the premises or any parcel thereof or of the yearly rents reserved of and upon the premises or of and upon any parcel thereof; in these our letters patent expressed and contained; And notwithstanding any other defects in the not naming or wrong naming any tenant, farmer or occupier of the premises or of any parcel thereof; And notwithstanding the Statute in Parliament of King Henry the Sixth, late King of England, our predecessor, made and published in the eighteenth year of his reign; And notwithstanding the statutes of lands and tenements not to be given in mortmain; And notwithstanding any other defects in the not right naming the nature, kind, sort, quantity, quality of the premises or any parcel thereof.

‘And further, of our more ample special grace and of our certain knowledge and mere motion, we grant and confirm for us, our heirs and successors, to the aforesaid mayor, bailiffs and burgesses of the burgh aforesaid, and their successors, all and all manner of lawful liberties, grants, franchises, immunities, privileges, exemptions, quittances, jurisdictions, customs and free usages, as well by land as by water, as well within as without the burgh aforesaid, the suburbs, limits, liberties, and the precincts of the same, through our whole land and power in these our present charters or in any other charters of our progenitors or predecessors, kings and queens of England, expressed or not expressed; And also all and singular the same and such lands, tenements, hereditaments, customs, liberties, privileges, franchises, immunities, quittances and exemptions and jurisdictions as the mayor, bailiffs and burgesses of the burgh aforesaid or any or either of them, by what names or name soever or by what incorporation soever or pretence of any incorporation they heretofore have had or enjoyed or ought to have, hold, use or enjoy, to them or their successors for ever of estate of inheritance by reason or virtue of any charters or letters patent or of any usage, prescription or custom or by any other manner, right or title heretofore had, used or accustomed; notwithstanding that any charter aforesaid by Robert de Brus, King of Scotland, our progenitor, was carried away and removed, and notwithstanding that the said burgh of Berwick came to the hands of our progenitors, kings of Scotland, after the said grant of our said progenitors, kings of Scotland, and although the said mayor, bailiffs and burgesses of the burgh aforesaid or their predecessors or the burgesses of the said burgh, or any one or more of them, by whatsoever names or name or by whatsoever incorporation or pretext of any incorporation heretofore known, and whether incorporated or not incorporated, have used or enjoyed or have not used or enjoyed the said liberties, grants, franchises, immunities, privileges, customs and free usages; And we of our special grace all and singular the things above granted and recited for us, our heirs and successors, to the same mayor, bailiffs and burgesses of the burgh aforesaid, do grant and confirm and for ever corroborate by these presents wherefore we will, and firmly enjoining command for us, our heirs and successors, that the aforesaid mayor, bailiffs and burgesses, and their successors, shall have, hold, use and enjoy for ever all the liberties, authorities, jurisdictions, franchises and quittances aforesaid, according to the tenor and effect of these our letters patent without let or hindrance of us, our heirs and successors, or our justices, sheriffs or other our bailiffs or ministers whomsoever, or of any or either of them; We being unwilling that the same mayor, bailiffs and burgesses and the men of the burgh aforesaid, by reason of the premises or of any of them by us or by our heirs or the justices, sheriffs, escheators or other bailiffs or ministers whomsoever of us, our heirs or successors, be therein hindered, molested or aggrieved or in any thing disturbed; Being willing and by these presents we order and command as well our treasurer, chancellor and the baron of our exchequer at Westminster, and all the justices of us, our heirs and successors, as also our attorney and solicitor-general for the time being, and each of them and all other our officers and ministers whomsoever, that neither they nor any of them any writ or summons of quo warranto or any other, our writ, writs or processes whatsoever against the mayor, bailiffs and burgesses or the men and inhabitants of the burgh aforesaid or any of them for any causes, things, matters, offences, claims or usurpations or any of them by them

or any of them due, claimed, attempted, used, had or usurped before the day of the making of these presents, prosecute or continue or make or cause to be prosecuted or continued ; Being willing also that the mayor, bailiffs and burgesses and men of that burgh or any of them by any of the justices, officers, ministers aforesaid in or for the debt, use, claim or abuse of any liberties, franchises, or jurisdictions within the burgh aforesaid, the suburbs and precincts thereof, before the day of the making of these our letters patent shall not be molested or hindered, or for these things or any of them be compelled to answer ; We will also, etc., without fine in hanaper, etc, because no express mention, etc. In Witness, etc., T.R. at Westminster, 30 April, by Writ of Privy Seal, etc.'

During the Session of Parliament which commenced on the 19th March, 1603-4, and ended on 7th July, 1604, two private Acts were passed ; the one to naturalize Sir George Home, his wife and children ; and the other to confirm letters patent to him above mentioned and other letters patent containing grants to him of lands, etc., in Tweedmouth and elsewhere in the County Palatine of Durham. In the same Session the Mayor, Bailiffs and burgesses presented a petition to his Majesty that he would, 'of his abundant grace and bounty and his especial favour and gracious disposition and inclination towards the advancement and establishment of the estate and public good of the borough, pass an Act of Parliament for the confirmation of the Charter.'

A Bill was accordingly brought into the House of Commons and read the first time on 11th May, 1604. After some amendment by the House of Lords to which the Commons assented, the Royal consent was given in the following month. This Act recites the petition of the Mayor, Bailiffs and burgesses, and enacts that the Charter from and after the end of that Session of Parliament (July 7, 1604) shall stand, remain, continue and be and from henceforth for ever be taken, reputed, deemed, adjudged good, sure, perfect, effectual and available in the law to all intents, constitutions and purposes against the King, his heirs, and successors, that the Mayor, Bailiffs, and their successors, shall and may from henceforth for ever have, hold, use and enjoy the franchises, etc., the Seignior, Manor, Burgh, Town and Soke and other hereditaments by the Charter granted to them under the tenures, rents, reservations and services therein contained against his Majesty, his heirs and successors, and also shall and may from henceforth for ever have, hold, use and enjoy all franchises, customs, etc., which now are or at any time heretofore were to the burgh belonging and granted and confirmed by the said Charter.

On July 16th, 1604, the King's Privy Council sent a written order to Captain William Bowyer, Captain of the newly-established garrison at Berwick, intimating that his Majesty's pleasure was that the Mayor, Bailiffs and burgesses should enjoy the benefit of the grant of certain houses and buildings within and about the town, and other things in his Charter to them contained in all respects with favour, and requiring him to assist in giving them possession of all these things. On the same

day, the Privy Council, in a letter to the Mayor, Bailiffs and burgesses, signified his Majesty's pleasure that such of the late garrison as had been put on pension and as the Corporation thought fit to admit to be burgesses, might accept their freedom without loss of their pensions.

While these Acts, confirmatory of the Charters to Sir George Home and the Corporation respectively, were being passed, mutual releases, dated May 1, 1604, were executed between Sir George and the Corporation, on either part, for the lands that each had received from the King, the Corporation granting to Sir George 'all that great new granary or storehouse builded of stone situate within the Palace in Berwick.'

'Shortly after the last deputation arrived from London, July 31, 1604, Michael Sanderson, Maior, Thomas Parkinson, John Ord, Matthew Johnson, Mark Saltonstall, and Hugh Gregson, Aldermen, and the Bailiffs and other burgesses of the burgh of Berwick, in the name and for the use of the Maior, Bailiffs and burgesses of this burgh of Berwick and their successors, did peaceably take reall and actuall possession of the Pallace in Berwick with the houses, buildings and appurtenances thereunto belonging, and also of a great house called the Lord Governor's House ; of the Contrroller's House ; of Burrell's Tower ; of the Maison Dieu and the house and forge there ; of one storehouse called Ravendale Chapel ; of the King's stables and the yard thereto belonging ; of the storehouse-yard late for munition, with the houses thereto belonging ; of the Chamber on the wall and the waste within the said burgh, in name and seisin and possession of all other the King's Majesty's Houses, Buildings, Lands, Tenements, and Hereditaments whatsoever in Berwick to them the said Mayor, Bailiffs and burgesses, and their successors, granted by his Majesty's Charter, and letters patent dated 30th day of April last past ; and William Bowyer, Esq., Captain of her Majesty's new-Established Garrison of Berwick, with many others of the said Garrison, was present and assisting at the time of the said possession and seisin, so had and taken according to the tenor of certain letters to him, the said Captain Bowyer, from the Lords of his Majesty's most honourable Privy Council directed in that behalf.'

In like manner, on August 2, 1604, the Mayor, Bailiffs and burgesses took formal possession of all the meadows and lands granted by the Charter, and noted the number of 'horse, kyne, sheep and other cattle pasturing in the said meadows and the owners thereof.'

Next day a meeting of Guild was held to consider how they were to meet all the expenditure that had been incurred. It was determined to lay a tax upon all horses, cows and sheep pasturing in the fields ; 10s. for every horse, 5s. for every

cow, and two young cattle to count as one cow ; old sheep 10s. a score, and two hoggs of last year's lambs to count as one old sheep. This taxation was not to hold as a precedent, nor to be laid on next year. But in three days' time, it was reduced to the following: every horse 6s. 8d., every cow 3s. 4d.; the sheep remained the same, but every truss of hay was to be taxed 2d. Robert Jackson, Collector of Customs, John Shotten, Leonard Fairley and Stephen Jackson, Bailiffs, were appointed Collectors.

On September 29, 1604, the Mayor, Bailiffs, burgesses and *all the commoners of the burgh* of Berwick met together to elect new officers for the town. Before proceeding with the business on hand, the labours of Michael Sanderson and Thomas Parkinson, in obtaining the Charter, were recounted, after which the said Michael Sanderson 'delivered to the towne as the fruit of our labour and travell, our dear Sovereigne Lord, King James, His most gracious and bountiful charter, consisting of four skinnes of large vellum under the great seal of England, bearing date at Westminster the 30th day of Aprill last.'

There were likewise exhibited at this great meeting, 'a statute and act made at the Parliament begun and holden at Westminster the 19th day of March ;' also the two letters from the Lords of the Privy Council, already mentioned ; also the deeds of indenture between the town and Lord Home for delivery of the great storehouse, and the lease and release between the town and Lord Home. These were all handed over to the custody of the town.

This large meeting confirmed the work of the deputation thus: 'All the burgesses and *commoners* of the borough and corporation do willingly and cheerfully acknowledge the great merit and desert of this deputation in so faithfully, discreetly, diligently and constantly attending and prosecuting the affairs of the town committed to their care, and that with so happy a success.' It also acknowledged 'the manifold favour' done to the town by Lord Home (a mark of which was the gift of the great storehouse to him).

The meeting then proceeded to elect officers for the town. Thomas Parkinson was elected Mayor, Leonard Fairley, Alderman *pro anno*, Laurence Harker, Town Clerk and Coroner, etc.

Still the Corporation had difficulty in meeting the expense of the Charter. Michael Sanderson, as Mayor, disbursed the larger part of the money as it was needed, and on February 6, 1606, the town was due him £252 14s., which it undertook to pay in four years, 'and £10 extra for delaying the payment so long, and he is to have £12 14s. at present from shepe's grass money.' Seventeen burgesses became bond to see him paid £50 by the year and £60 on the last day of the year 1610.



Ecclesiastical History.



pre-Reformation times there were in Berwick four churches—the Church of St. Lawrence, the Church of the Blessed Mary, the Church of the Holy Trinity, and the Church of St. Nicholas. Four or five orders of monks had houses in the town: the Dominican, Black, or Preaching Friars; the Franciscan, Grey, or Minors; the Carmelites or White Friars; the Trinitarians or Red Friars; the Augustine or Austin Friars, or Friars Eremites of the Order of St. Austin. A difficulty arises about this last as to whether it was not one of the above orders. There were three hospitals in Berwick, the Hospital of St. Mary Magdalene, the Domus Dei, and the Domus Pontis, or Brighous. The Austin Friars of Segden were attached to the first. There were at least two nunneries—the Cistercian Nuns of South Berwick, and the Cistercian Nuns of Halidon Hill, called also Halystan; and probably the Convent of St. Leonard. If the Halidon Hill convent was not called St. Leonard, then there was a third called by that name. There were besides several chantries founded in the different churches. Each of these churches, friaries, nunneries, and hospitals we shall now present in order. This is a subject of great difficulty, for their history is somewhat obscure, and details are altogether wanting. Only remnants and hints are left, so far as I have been able to discover, of the ecclesiastical history of ancient Berwick.

THE CHURCH OF ST. LAWRENCE.

Outside of Berwick, and extending from the old Scotchgate, at the top of Castle-gate, along by the houses of Castle Terrace, stretched in olden times the village of Bondington. In this village this church was placed. It was within the Diocese

of St. Andrews, and the Deanery of the Merse.* It will be remembered that a few years ago, when Cheviot House, in Castle Terrace, was built, that the foundations of a church were laid bare, and the remains of a churchyard (several graves in which I saw opened). The foundations of the church showed a building 90 feet in length, with a square tower at the west end, 25 feet square; this is, undoubtedly, all that remains to us of the Church of St. Lawrence. Of its history otherwise we learn that Roger Fitz William, probably the founder, gave it to the monks of Kelso.† This grant was confirmed by the Bishop of St. Andrews,‡ and again by Malcolm IV. About 1174 this church was given by the Kelso monks to the Durham monks,§ and this gift was confirmed in a full Synod in St. Cuthbert's Church in Edinburgh, by Richard of St. Andrews, who confirmed to the church at Durham and the monks there, the Church of St. Lawrence in Berwick, in perpetual alms, according to the agreement between them and the monks of Kelso. This was witnessed by the Archdeacon of Lothian, etc. The agreement between the Church of Durham and the monks of Kelso included the Church of St. Lawrence, with all its appurtenances, and, in augmentation, the tithes of a carucate of land, so that they should not retain any tithes in their hands which they had in the same town, except the tithes of one-half of the fishery called Berwick Stream, which should remain to them for ever.|| Between 1188 and 1202, Bertram, Prior of the Convent of Durham, gave and confirmed to Walter Fitz-Robert, late parson of Edinham, that half a carucate of land in Bondington which belonged to our church in Berwick, to hold to him in fee, subject to the yearly payment to our said church, four shillings, payable half-yearly; Roger, Bishop of St. Andrews, with Earl Patrick, and Eda, a chaplain of Berwick, were witnesses.¶

THE CHURCH OF THE VIRGIN MARY.

Of the Church of the Virgin Mary, which Chalmers says was a consecrated church of the village and parish of Bondington, we know that it was placed almost on the site of the present walls on the east side of the street at the present Scotchgate. This we learn from a petition presented to the King, when the burgesses were prosecuting the building of the parish church in 1648; for they give as a reason for its necessity that they have now only one church, which is in a ruinous state; and the other, St. Mary's, was removed when the walls were built. Remains of a churchyard were found at the building of the water-cistern, a little further north

* Chalmers' 'Caledonia,' vol. ii.

† 'Chartulary of Kelso' (1128-1158).

‡ *Ibid.* (1156-1163).

§ 'Chartulary of Coldingham.'

|| Stevenson's 'Transcripts from the Treasury of Durham.'

¶ *Ibid.*

than the gateway mentioned. This church must have existed from very early times, quite as early as its neighbour church, St. Lawrence, for David I. gave the Church of St. Mary to St. Cuthbert and his monks, in exchange for the church at 'Mailros.' He also gave it lands and tithes. This was confirmed by several Bishops of St. Andrews, and by Henry, Earl of Northumberland.

THE CHURCH OF ST. NICHOLAS.

The site of this church is more difficult to name than that of either of the two previous churches. The only clue left is the name St. Nicholas, given to the last mount of the old walls, which corresponds to the King's mount on the modern walls. It was so called in the Survey of King Henry VIII. 'St. Nicholas' occurs now and again as a name in that part of the town. There are remains of a churchyard, or burying-ground, where the present coast-guard houses are built above the Pier Road. This burying-ground stretches back towards the old walls as far as the present cricket-ground extends. Taking the fact of this burying-ground along with the fact that St. Nicholas's Mount was in close proximity, we are led to suggest that the church of this name may have stood in the neighbourhood. Nearer than this it would not be safe to locate the building. Wherever it was, its early existence is undoubted. It is named in the Laws of the Guild as the place where some of the later orders of that code were framed in 1281. 'Also a statut maid in the Church of Sent Nycollas.' From Stevenson's 'Transcripts' we learn that David, Bishop of St. Andrews, dedicated the Chapel of St. Nicholas of Berwick to the mother-church of Holy Trinity of that place, which the monks of Durham held, with the appurtenances thereunto belonging by a full right, their right being preserved to them, so that they might not be prejudiced by their own dedication. It would appear from an endorsement that the term 'Monks of Durham' means the 'House of Coldingham.' There was an altar dedicated to St. Eleme in this Church of St. Nicholas. Edward III. (20th October, 1335,) granted to Henry de Balmburgh a messuage in Briggate, under the annual rent of 6s. 8d. to the Crown, and seven marks to John de Wakefield, chaplain, and his successors celebrating Divine Service at this altar.* From the fact that it was called a chapel in the above dedication, and also that the seven marks were left to a chaplain, we may conclude that this church was smaller, and of less importance than the others, which are never so named.

* 1 'Rot. Scot.,' p. 97.

THE CHURCH OF THE HOLY TRINITY.

This is, in all probability, the oldest foundation in Berwick, since it has always been, as far as we can trace, the parish church of Berwick-upon-Tweed. It seems uncertain whether the Church of the Holy Trinity belonged to Durham or not in early times. It belonged to Kelso Abbey in the twelfth century. Then, again, the Church of Berwick (Trinity?) belonged to Durham in 1156, and the Prior of Coldingham was bound to pay to the perpetual vicar five marks annually. W., the perpetual vicar, complained that the Prior of Coldingham withheld the pension from him, and on that account was not able to reside in his cure, if it was not paid. A letter was sent from Durham insisting on the payment.* In a general form the following occurs: 'Richard, Bishop of St. Andrews (inter 1163-1178) grants and confirms to the Church of St. Cuthbert of Durham, and the monks serving God there, the churches of Berwick, with the lands and waters and tithes and all other their appurtenances.'† Again, 'Roger, Bishop of St. Andrews (inter 1189-1202), for the soul of William, King of Scotland, granted and confirmed to God and St. Cuthbert, and Bertram the prior, and the monks of Durham, all the churches with their chapels, and all the appurtenances of the same churches, which they have in the Bishoprick of St. Andrews, viz., the church of Coldingham and the churches of Berwick.'‡ The only question here is, Did these gifts and grants include the Church of the Trinity? Hodgson (*Hist.*, vol. ii., pt. 3, p. 145) publishes a deed from which it appears that this church was annexed to the cell of Coldingham. The prior was called the rector, and John de Insula Sacra was called perpetual vicar (1360). There are other early notices of this church. About 1233, 'David, Bishop of St. Andrews, to all, etc.,—in the parish church of the Holy Trinity of Berwick certain violence was occasioned to the effusion of blood in our time by a certain secular clerk of Berwick.'§ In 1279, in the Kelso chartulary, we are informed of a controversy between Walter, perpetual vicar of the Church of Robertdeston of Glasgow Diocese, and the sub-prior and sacristan of Coldingham, being settled in the Church of the Holy Trinity of Berwick. Lawrence, the Vicar of Berwick, is mentioned in the Kelso chartulary as witness to the donation of lands by Adam Uddin in Uddingate, and he is likewise witness of a grant of confirmation of the above along with William Brune, Master of the Nunnery, Simon Maunsel, and others, in the year 1227. William de Angerham, vicar of this church, swore fealty to Edward I. in 1296,|| and received letters of protection from him.¶ In

* V. 7, 1 Faustina, A. V. 1, 12^b.† *Ibid.* § Coldingham Charters.

† Stevenson's 'Transcripts from Durham Charters.'

|| Prynn, vol. ii. 659.

¶ 'Foedera,' vol. ii. 724.

the church are two altars, one dedicated to St. Mary and another to St. John the Baptist, to each of which was appropriated a messuage in Marygate.* In 1267, Roger, Prior of Coldingham, of the Benedictine Order in the Diocese of St. Andrews and the convent of the same place, granted to the Friars de Penetentia Christi that they might build and have edifices and an oratory in the town of Berwick and within our parish church of the Holy Trinity of South Berwick if they cared, and there under their rule serve God, of which grant they accepted. And they promised, that out of the townes lands, etc., bestowed upon them or given them by the devotion of the faithful, they would satisfy the said church yearly for such portion of money to the rector and vicar as shall be estimated by faithful men, except those areas only ordered before the execution of those presents. They were allowed a burial-ground.† It is proved by this agreement that the Church of the Holy Trinity belonged to Coldingham. In the Dryburgh chartulary the cemetery of this church was said to be the boundary of a property on the northern part. In 1301, Anthony Beck is said to have built a large church at Berwick,‡ but there is nothing in the reference to connect this building with any of the churches. In 1325, William, Prior of the Church of Durham, and the convent there, to Adam, Prior of the Church at Coldingham, was to report for the appointment of a parson to the vacancy ad vicariam ecclesie parochialis de Berewyk-Super-Twedam. In 1330 there are public instruments over the re-formation of peace between the monks at Durham and the Abbot of Kelso about the tenths of lands which the Lord Abbot held within the parish church of the Trinity in Berwick.§ In 1335 the King gave the rector for purchasing a cloth of gold for a pall to place over the body of Ralph Molyns, his Scutifer, buried in this church, 13s. 4d. at Berwick by his own proper hands.|| ‘On the 24th May, 1368, there was a meeting between the Prior and Sub-prior of Durham, and other monks of the cell of Durham on the one part, and John de Insula Sacra, perpetual vicar of this Church of the Holy Trinity in Berwick, united and annexed, as he asserts, to the said cell of Coldingham, of the other part, at which they treated *De Portione* of the vicar and vicarage aforesaid, and the Prior of Coldingham said that the vicar and his successor should receive annually from Coldingham £20 sterling by quarterly parts. The vicar was to support and bear all burdens, except the building and repair of the chancel, which was to be done at the expense of the Prior and Convent of Coldingham. The Prior and Convent of Durham consented to this, and the vicar also consented.’¶ In 1358,

* ‘Rot. Scot.,’ A.D. 1337.

† Kennet’s ‘Par. Antiq.,’ p. 347.

|| MSS. Cott., Nero C. viii., f. 2076.

† Stevenson’s ‘Transcripts.’

§ Coldingham Charters.

¶ Stevenson’s ‘Transcripts.’

receipt for eleven marks eleven shillings and tenpence by the authority of Robert de Gamelton, chaplain or perpetual vicar of the Church of the Holy Trinity of Berwick, from John Nynepenny, chaplain, and John de Greystanes, burgess of Berwick, agents of the prior and convent of the Priory of Coldingham in full of twenty marks, which the said prior and convent owed the vicar by their bond.*

The early vicars of Berwick are as follows, taken from the Randall MSS., in the Appendix to some copies of Hutchinson's 'History of Northumberland.' I have supplemented the list from various sources :

Lawrence, the first mentioned, about 1227, in Coldingham Charters. John de Soules was vicar in 1291. William de Angerham, from Fishwick, was appointed Vicar of the Trinity instead of John de Bamborough, who was presented before he was in orders. Bamborough, after ordination, was sent to Fishwick and afterwards succeeded Angerham on his death in 1299. John de Tarent became vicar January 6, 1330. This name I do not find in documents. In 1330 John de London, Mayor of Berwick, and the community, requested the consent of the prior and convent of Durham to the appointment of John de Ederam, chaplain, to the vicarage now vacant. Tarent had been appointed, notwithstanding the above request. Robert de Gamelton, or Galmston, succeeded in 1340 ; then on his resignation, September 23, 1356, Robert de Willes, Wielmsthorp, or Wollestorpe,† was appointed. When he resigned, Thomas de Kellaw, chaplain, became vicar, April 19, 1358. John de Insula Sacra was presented on Kellaw's resignation. John died in 1374, and was succeeded by William de Sherborne. This vicar had not held his place long, for William de Blaktoft, Vicar of the Church of Holy Trinity, resigned in 1384. It is probable that Blaktoft preceded Sherborne, for his name is omitted altogether by Randall. John Pays, in 1396, is said to have succeeded Sherborne. Then William de Werdale, 1398, was presented on Pays' death. The next, William de Durham, can scarcely be correctly dated. He stands in Randall's MSS. as succeeding in 1401. But 'Ex Originale Carta in Thesaurario Ecclesiæ Cathedralis Dunelmensis' we read : 'Orator William Wardale perpetuus vicarius parochialis ecclesie de Berewyke dioc Sancti Andreæ monet seu monere intendit contra et adversus priorem et conventuum de Colyngham, et William Barber de Berewyk (1408). William could not be *mort* in 1401 and *orator* in 1408. William Castell succeeded Durham in 1446 ; then Alan Hyndmerse in 1484.‡ William Marshall was appointed in 1507. Thomas Thompson, May 2, 1536, *pro mort.* Marshall.

It will be noticed that up to the beginning of the fifteenth century the changes were very frequent ; after that the incumbencies are remarkable for the length of their duration. The remainder of the vicars I shall name in detailing the post-Reformation history.

* Stevenson's 'Transcripts.'

† Stevenson writes the first two forms in his MSS., Randall the third.

‡ 'John, Prior of Durham, constituted John Danby, Prior of Holy Island, and Alan Hyndmerse, Vicar of Berwick, his officials, etc., in his appropriate churches and chapels within the shires of Norham, Island and Northumberland.'—Raine's 'North Durham,' p. 123.

THE FRIARIES AND NUNNERIES.

THE RED OR TRINITY FRIARS.

William the Lion founded a convent of this order in Berwick, which, we have seen, built an oratory in the Church of the Trinity.* The head of the order was called a Minister, and their object was to relieve captives.† Cardonel says their object was to redeem captives from Turkish slavery. Spottiswoode says that ‘Tertia vero pars reservetur ad redemptionem captivorum qui sunt incarcerati pro fide Christi a paganis.’ Frere Adam, minister of this order, swore fealty to Edward I., and had a writ of restitution of the possessions of the house.‡ In the *Border Magazine*, p. 199, it is said, ‘that the Red Friars followed the rule of St. Augustine. They had a church in Berwick, called the Chapel of Ravensdale. The brethren in the house were banished in the reign of Edward III.’ It is almost certain that this chapel was connected with the Red Friars. The locality of their friary is generally understood to have been in the same part of the town as the House of Ravensdale, which was certainly *prope portam ad Pontem § Berewici*.

Reference to this chapel frequently occurs in the Guild Books. In the time of Elizabeth it was used as a storehouse for arms, armour, and lumber; and was situated where the house and granaries now are, between West Street and Bank Hill, on the north side of Love Lane. In the first Inrolment Book (in Berwick archives) it is said, ‘that in Briggate North is Ravensdale, late a chappell and now a storehouse, containing in length 30 yardes and in bredth 26 yardes. It is in the Queenes Majesty’s possession, and occupied as a storehouse for her Majesty’s provisions, and not rented.’ On October 18th, 1647, ‘the old chapel of Ravensdale, and the ground on the back of it, and a waste tenement near the shore-gate, was demised for £20 to Wm. Anderson, jun., for 99 years, and an acknowledgment of 13^d per annum. On the following January he relinquished his bargain as very bad, and gave £8 to be quit of it. It was then let for £12 to Thos. Watson for 99 years, and a like sum of 13^d per annum. In 1651 a piece of additional ground was added to this, because of the custom of the inhabitants throwing dust and ashes and waste on to it; and it was conveyed to Watson, who is now Maior.’ In 1740 the lease of the ground was continued to the grandson of Watson, then ‘Thomas’ as well. In 1811, old men were examined as to this property, and it was found to be the general belief that a chapel had existed here. One of them asserted that he stepped on a broad flat stone, which went down with him, as he con-

* Chalmers’ ‘Caledonia,’ vol. ii.

† *Ibid.*

‡ ‘Foedera,’ vol. ii., p. 724.

§ The previous bridge, not the present structure.

|| Hutchinson’s ‘Northumberland,’ vol. ii.

ceived, into a cell or burying-ground belonging to this chapel, and that the ground belonged to Watson as a waste; and that the ground had been built upon by Ralph Forster as at present, with granaries and house. One lady averred she played in the timber-yard as a child, and her father, a servant to Forster, had told her not to go to a certain place where a chapel had been, lest she should see skulls.

THE HOUSE OF THE DOMINICANS.

This order, called Preaching, Black, Jacobin, or Dominican Friars, came first into England in 1221. According to their rules, they renounced all worldly possessions and abstained from eating flesh from September to Easter. They lay neither on feather-beds nor in sheets, but on a mattress. Their habit was a white gown with a scapulary, which they pretended was prescribed by the Virgin Mary.* Alexander II. founded in Berwick a convent of his favourite Dominican or Black Friars in 1230. He endowed them with a revenue of 40 marks out of the ferm of the town, and this endowment was confirmed by Robert Brus, who added an additional rent of a mill at Berwick. In 1296 Edward I. granted letters of protection to William de Hoden, the provincial Prior of the Order of Fratres Predicadores of England, Scotland, and Ireland, and to Robert de Wynethorp, Vicar of Scotland, and Philip de Redman, 'gerens vices prioris in conventu Berewyci,' and other English Friars of this order destined to go to Scotland, directed to Warenne the Custos. And then Edward ordered the rolls of accounts of Alexander III. and John to be examined in various towns, to ascertain the allowance of the monks of this order, and directed his officers to allow as much for alms as had been done.† They had a grant from John de Baliol, King of Scotland, *de firma Ville*: this grant was to be continued for one year. On July 1st, 1301, Edward gave the friars of Berwick 6s. by the hands of William de Wrotham, at Berwick, for their maintenance for three days. On the 16th he gave them 2s. 8d., and on the 19th 2s., for one day, by the hands of Mr. Benedict de Richmond.‡ In the previous December the same King gave these friars 4s. for their maintenance for three days during his stay there, by the hands of Thomas Cook, one of the brethren; and, in the same month, he gave them 4s. for two days' maintenance, viz., the vigil and the feast of Christmas, by the hands of Walter de Wyhterborne.§ On August 13th, 1291, in the Dominican Chapel, close by the Castle, one of the meetings was held in which Edward I. and the magnates of both kingdoms debated the claims of the rivals to the throne of Scotland. Next

* Cardonel's 'Antiquities of Scotland.'

† 1 'Rot. Scot.,' 1296.

‡ Additional MSS. 7966, in British Museum.

§ Topham's 'Wardrobe Accounts.'

year (1292) several persons swore fealty to Edward I. in this church, which is called 'Deserta'* throughout these negotiations.

Under Edward III. frequent mention is made of this convent. The friars had letters of safe-conduct in 1333. Then, on the 10th of August of that year, the Scottish monks were turned out and dispersed through England, and their places filled with English monks. The same action was taken with respect to all the orders in Berwick. On March 2nd, 1334, the King ordered his Receiver of Victuals to deliver them victuals to the value of 20 marks. This was likewise a general order to all the religious houses in the town. We learn further, concerning the Black Friars, that the 40 marks annually out of the ferm of Berwick, with which the kings of Scotland had endowed their convent, were continued to them by Edward III.; and the Chamberlain was ordered to pay this sum annually to the prior and his brethren. This was not always carefully done; for we find 100s. in 1336 paid as being money in arrears, and, in 1340, 40s. were paid to them, and all arrears. Frequent alms were given to this house directly from the King. On September 25th, 1335, he gave 6s. 8d. to John de Rodiard, the companion of Nicholas Herle, coming from Berwick to Perth, to remain in company of the friars. On October 12th of the same year he gave the fifteen friars 5s. by the hands of William Aylmer; and on January 20th, 1336, he gave 5s. to those who met him in procession on his arrival at Berwick, for their maintenance for one day. On December 16th, 1336, he gave 6s. 8d. to twenty friars on his arrival at Berwick, for the same purpose, by the hands of Thomas Deyncourt, who was prior of this house in the year 1337.† The last mention of this house in the Scotch Rolls is July 10th, 1343.

THE PRIOR AND BRETHREN OF THE ORDER OF ST. MARY DE MOUNT
CARMEL OF BERWICK.

The Carmelite Friars are the last of the four Mendicant orders in the Church of Rome, and are in all general processions forced to give place to the Dominicans, Franciscans, and Austins. When they first came into England, about A.D. 1240, they were said to have despised learning, but afterwards applied themselves to it. There was a house of White Friars, or Carmelites, founded in 1297 in Berwick by Sir John Gray, whose duty it was to officiate in the Chapel Royal within the Castle.‡ Again, the friars officiated in the King's Chapel belonging to the Castle, for which they had the usual salary given by the Crown.§ In August, 1296, the

* Deserta is 'decayed' in Hutchinson, and 'deserted' in Chalmers.

† Pipe Rolls of Edward III. for this year.

‡ Wallis' 'Northumberland,' ii. 95.

§ Tanner's 'Notitia,' 396.

prior and friars of this order submitted to Edward I., and obtained his protection; and on September 25th, 1296, the King granted them for ever four pieces of land in Berwick contiguous to their area on the south, and containing in length $19\frac{1}{2}$ perticates, and in breadth 5 perticates, one of which places was rented by John the Plumber from the Prioress and Convent of South Berwick, and for which the prior was to pay 8s. by the year. Also another piece adjoining their said area on the east, containing 13 perticates in length and 3 in breadth, for the enlargement of their area. Edward I. gave them pittances—4s. by the hands of his Almoner, Henry de Bountesdon; 2s. 8d. by Hugh de Riseburgh, a friar of this house. These alms were given in December, 1300; and, in January, 1301, the King gave them 40s. in recompense of the damages suffered by them in their houses and other effects during the stay of the King there in the month of December, by the hands of Alexander de Richemond. The monks received in the same year, on the 7th of July, 6s., on the 16th of July 3s. 4d., and on the 19th 2s. 8d., all from the hands of the same person.

By Edward III.'s order the Scottish monks were replaced by English, and he granted them victuals as to the Dominicans. In 1337 we learn from the Pipe Rolls that Simon de Karl was prior of this house, and that an annuity of £8 had been settled upon it from antiquity, and that this year 20s. of this sum was allowed them out of the Exchequer accounts. In 1338 the house received 40s. of this sum, and in 1341 the £8 was paid in full. The Countess of Buchan was allowed to go to this house in 1310, from her imprisonment in the Cage, after she had found security for her return to confinement when the King demanded.

The Chapel of the Castle of Berwick was closely connected with this convent: *Capella juxta Cameram Domini regis*. Several Scots swore fealty in it to Edward I.* On December 15th, 1299, the chapel in the King's Chamber in the Castle was repaired preparatory to the King's arrival at Berwick this month.† There was a Chaplain of the Castle, who received 4d. a day from the King.‡ On December 24th, 1300, the King gave 20s. into the hands of Master Roger de Hertlepol, the chaplain residing in Berwick Castle, to buy himself a robe; and on December 25th, being Christmas, 8s. 10d. was distributed in oblations at three masses celebrated in the King's presence in his chapel at Berwick; and, on December 29th, 7s. in oblation offered by the King at the *altar* in his chapel *within* the Castle of Berwick, in honour of St. Thomas the Martyr. In January, 1301, to the clerk of this chapel, for assisting at the celebrating of Divine Service in the same chapel, the King gave 6s. 8d. to buy himself a robe. These alms were over and above the extraordinary

* Rymer's 'Foedera,' vol. ii. 567. † Harleian MSS. 626. ‡ Additional MSS. 7966.

alms of the King's son, which his chaplain distributed—viz., id. every day in oblation.*

THE FRANCISCANS, OR GREY FRIARS OF THE ORDER OF THE
MINORITES.

The Franciscans received this rule from St. Francis in Italy, in 1182. They were also called Grey or Minor Friars—the one, from their grey clothing, and the other, from their pretended humility. They girded themselves with cords, and went barefoot. They came into Scotland in 1231.† Fordun à Goodall mentions this order in Berwick. The Franciscans were the second order of Mendicants, the Black Friars being the first. The superiors of the house were called wardens or guardians. In 1300 Edward I. granted alms—on December 26th and 27th, 3s. 6d. each day, by the hands of Walter de Wynterburne (Wynterburne) and John de Richmond.‡ This writ recites that this order had been customary. Edward III. ordered victuals to be given as in above orders, and then he commanded his Chamberlain in 1333 to continue the pension given by the Scottish kings—viz., 20 marks annually. This pension is accounted for as paid up to 1367, when it is no longer noticed in the 'Rotulæ Scotiæ.' In 1337 and 1338, from the Pipe Rolls we learn that Thomas de Lammesleye, or Lamsley, was Guardian of the Minors in these years. Their pension, like that of the other houses, was not regularly paid. In 1340 the monks complained that they would be obliged to leave the town through extreme poverty unless the yearly pension was paid. The Chamberlain did not know what arrears there were. The King ordered an inquisition, and ascertained that De Burgh had paid on his account for 10 Edward III., £1 6s. 8d. ; for 11 Edward III., £7 4s. The Chamberlain was then ordered to pay the balance, that the monks need not leave the town on this account. The story of Adam Newton belongs to this order. The location of this monastery is unknown. There certainly was a friary on the Ness, but which it was, there is no means of determining.

THE AUSTIN FRIARS, GREY FRIARS, OR FRIARS EREMITES.

There is considerable difficulty about this house, whether it was not one of the four already mentioned. Mr. Robert Weddell was in doubt on this point. Scarcely any notice of it occurs. It seems, however, that Edward I. gave 4s. to it on his arrival in 1301, by the hands of William de Goseford.¶ Again, victuals are ordered to be given them as to the others. Probably in 1301 he gave them 6s. by

* Topham's 'Wardrobe Accounts.'

† Topham's 'Wardrobe Accounts.'

‡ 'Chronicon de Mailros.'

¶ Additional MSS. 7966, 2b a.

his Almoner, and 2s. 8d. by the hands of William de Goseford, a prior of this house.* Raine says that the Holy Island Priory borrowed 26s. 8d. from the Austins in 1406-7. Their habit was a white garment and scapulary when they were in the house; but in the choir, and when they went abroad, they had over the former a sort of cowl and a large hood, both which were girt with a black leather thong.

Over and above all these gifts to the different houses Edward III. granted sixty friars of different Mendicant orders and secular chaplains of the town of Berwick celebrating Divine Service for the soul of Edward II. at the feast of St. Matthew the Apostle, by the hands of Robert Tong, to each of them 4d.—2os. in all; and to the church daily he gave by the hands of Matthew his chaplain for oblation for 141 days (viz. 3d. a day) 35s. 3d. The King, at this time, seemed anxious to keep on good terms with the priesthood.

THE NUNNERY OF ST. LEONARD, NEAR HALIDON HILL.

This was a convent of Cistercian nuns founded by David I. Confirmatory of this is the fact that the Scotch Rolls on November 24, 1335, say positively that £8 was to be paid annually to these nuns, which sum was granted by David I. So that the nunnery was as old as David's reign. Chalmers says a convent was founded within Berwick Bounds, at Halystan, near Halidon Hill. It was dedicated to St. Leonard. The traditional site of this nunnery was on the southern slope of Halidon Hill, in the Nunslees, on the opposite side of the road from Meadow House, which is said to be built of the stones remaining from the ruins of that nunnery. The name Nunslees lends an air of certainty to the tradition. Of this nunnery it was said 'that there was founded of old within Berwick Bounds at Halystan, near Halidon Hill, a convent dedicated to St. Leonard, for Cistercian nuns.' In August, 1296, Marjorie, the prioress of Halystan, 'de l'counte of Berwick,' swore fealty to Edward I., who thereupon granted protection to her and her convent. The Battle of Halidon Hill was fought near Halystan, 28th July, 1333. Edward III. then showed his gratitude to the prioress and nuns, who had been ruined by the war, and who no doubt contributed to his victory. He ordered the convent to be rebuilt at his own expense, directed an altar to be erected in the church in honour of St. Margaret, on the eve of whose festival he had gained so decisive a victory, and appointed services to be performed annually on the eve and festival of St. Margaret at his own charges.† He granted £20 per annum of the issues of the town and county of Berwick to be paid annually by the sheriff of Berwick

* Topham's 'Wardrobe Accounts.'

† 1 'Rot. Scot,' A.D. 1333.

for the time being for ever, until he provided them with £20 per annum of lands and rents ; so that the nuns shall cause to be performed solemn services aforesaid, and shall venerate the saint with votive praises, and shall, when the altar is constructed, keep it in competent repair. From a vow of Edward III. at the Battle of Hali-don Hill and from a deed conferring the advowson of the Church of Symondeburn on the Bishop of Durham, the patronage of which was afterwards appropriated to the Chapel of St. George, Windsor, we learn that the King wished the Durham monks to found a house for twelve monks and a prior of their chapter in the place of the prior and convent of Durham in the suburbs of Oxford, for study in the University, and to celebrate divine offices and other pious works in honour of God and St. Margaret the Virgin, on whose *vigilia* God gave him the victory over his enemies. The offices were for the safety of the King's soul and Philippa, Queen of England, his consort, 'of our souls and also of the foresaid bishop, of the souls of our progenitors, of our heirs and successors and the successors of the said bishop, and of all who fell in the said conflict.*' In 1335, on the King's arrival in Berwick, he gave this house of the prioress and nuns of St. Leonard, 5s.† The £8 with which David I. endowed this nunnery were ordered to be continued to them out of the Ferm of Berwick.‡ We have a notice of this house§ having lands in Liddisdale in the following petition :

The Master and brethren of the Hospital of St. Leonard at Berwick laid claim to certain lands which they stated their predecessors had been seized of, viz., a carucate of land, with the appurtenances, in Val de Lydel. They presented a petition to Edward I., stating that the charter had been confirmed by each King of Scotland successively until the time of Master William Feugers, the then master, at which period thieves from Scotland had killed their brethren and the people that were there, and burnt their houses and destroyed all. They also affirmed that the lords of Soulis, in their time, and others who had been put in possession of the lordship by the King since the Conquest, had kept them out of their land until Sir John de St. John, Guardian of Scotland, by command of the King, had verbally put them in possession of the land ; but the Lady de Wake, Sir John Butetourte and Sir William Soulis had afterwards ejected them, and had kept them dispossessed, for which they prayed grace and remedy.||

* Hodgson's 'Northumberland,' vol. ii., part 3, pp. 103, 104. Date of deed at Walton, June 25, 1338.

† Cott. MSS. New C. viii., f. 207b *et seq.*

‡ 1 'Rot. Scot.,' A.D. 1335.

§ Either of this house or of allied place, of which no other notice occurs.

|| Stevenson's 'Documents of Scotland,' quoted in Armstrong's 'History of Liddisdale,' p. 88.

THE CONVENT OF CISTERCIAN NUNS OF SOUTH BERWICK.

Evidently David I. founded this nunnery, and granted 40 marks yearly out of the issues of the town, which they enjoyed from the foundation of their house.* This grant was confirmed by Edward III. in consideration of the losses sustained by this house, and ordered to be paid for ever without impediment. On June 6th, 1291, Agnes de Bernham, the prioress, swore fealty to Edward I. in the chapel of Berwick Castle. On August 8th, 1296, Anneys, prioress, swore fealty to the same King. In 1301, the King gave the nuns of South Berwick 6s. 8d. by the hands of Lady Isabella de la Chambre to buy them a Pittance, that is, pittance bread,† which nuns usually had on Fridays, when bread and water was their only fare. In 1296, by an inquest its revenues were found to be £47 per annum. The prioress made a composition with the Prior of Coldingham for the tithes of three culturas of land in the neighbouring parish of Bondington; she also made a composition with the Church of Golyn in Haddingtonshire. The prioress and *Master* resigned their rights in this church to the monks of Dryburgh. Gregorius was Master and Frelina prioress.‡ There were four cells attached to this nunnery, viz.: (1) St. Bathoms or St. Bathans in Lammermore, founded by Christian, Countess of March.§ (2) Elbottle on the Firth, near Dirlton; this cell is severely censured by Father Hay in his 'Scotia Sacra.' (3) Golyn in Lothian, founded by David I. (4) Three Fountains or Three Wells, on the borders of Lothian or in Lammermore. Ada, Prioress of St. Bathans, swore fealty to Edward I. Robert III. at his accession suppressed this convent, and gave their possessions to the Canons of Dryburgh, which grant was confirmed by the Bishop of St. Andrews, May 8, 1410, and by James I., May 30, 1424.|| No trace of this convent's position or existence remains even in tradition.

THE HOSPITAL OF ST. MARY MAGDALENE.

During the Scoto-Saxon period there was a hospital founded in Berwick which was dedicated to Mary Magdalene, but the name of the founder is forgotten. The position of this hospital is indicated so far by the name of the Maudlin (Magdalene) fields, which lie on the north-east side of the town. The traditional site of the hospital is where the farm-house in these fields now stands. No

* 1 'Rot. Scot.'

† A finer kind of bread.

‡ Stevenson's 'Transcripts.'

§ Father Hay calls her Christian; Cardonel, Euphania.

|| Chalmers' 'Caledonia,' vol. ii.

likelier place can be pointed out, nor is there any further indication from any remaining buildings or otherwise. The master of this hospital swore fealty to Edward I., who restored to him the property of this pious establishment. Edward II. granted the keeping of this house, in 1319,* to John de Cervé, then being vacant, and in the donation of the King, with all its rights. The date here scarcely agrees with history. Berwick, in 1319, was in the hands of Bruce, and it is not probable that he would allow Edward II. to present anyone to the mastership. Then De Bamburgh† was master and keeper immediately after the Conquest in 1333, and continued in possession till 1340. Probably the Scotch Magister at the Conquest was Gilbert de Sprouston, who had letters of protection for the property of the hospital. Under Bamburgh's mastership an inquest as to the property was made, when the following was returned: 'The hospital was seized from time immemorial of one half of the Fishing of Totyngford quit of tythe, and of the tythe of the other half, of one-third of the Fishing of De la Lawe and Calet,' and of 25s. received annually of the Ferm of the town, until the town was surrendered to the King. Edward III. ordered all these to be restored to the hospital. The order to pay the 25s. was repeated to each new Chamberlain on his appointment. On Bamburgh's death the King appointed Robert de Burton. From this appointment we learn that certain of the chief officers at Berwick exercised the right of filling up vacancies in offices there. Hence a confusion frequently arose. At Burton's collation the King found that Thomas de Gotham had been previously presented to the office by his Chancellor of Berwick, by letters under the King's seal used in that town. The King was forced to revoke this collation and confirm that of Burton. The latter continued master till 1361. On his appointment the Chamberlain had seized the hospital into the King's hands with an annuity. Then follows the *amove*, as usual in such cases:

'The King to John de Boulton, Chamberlain. Robert de Burton in a petition sets forth that the Hospital and the lands, tenements and fishings, beyond the town to the same belonging which were so destroyed and laid waste by the Scots, the Kings enemies and rebels, that they were not sufficient

* Rymer's 'Foedera,' vol. iii., p. 786.

† Of Bamburgh, Raine tells the following story. Bishop Beck arbitrarily and illegally deposed Richard de Hoton, Prior of Durham, and compelled Henry de Luceby, Prior of Holy Island, to take his place, and ejected him from the Island. The Bishop's officers took violent possession of Holy Island and committed much damage. The ejected prior obtained a mandate from the Crown for his restitution, which, of necessity, was to be published in Holy Island. Thomas de Bamburgh was the person appointed for the purpose, but scarcely had he begun his task when two of the Bishop's men, one of whom was Reginald, the Schoolmaster of Norham, gave him an unmerciful beating, tore the seal from the deed of restitution which he was reading, and literally dragged him by his feet out of the church.—Raine's 'North Durham,' p. 80.

for the ancient and the eleemosinary burthens incumbent upon the Hospital from antiquity, were worth only 48s. 6d. per year; and he prays for a writ of "Amoveas Manus." The Hospital's possessions had been seized after the late conquest of the town by Edward from his enemies, who invaded it suddenly and took it. The King for this that Burton promises faithfully to pay every year to the paupers in the town 20s., or the value thereof, for the souls of the founders of the Hospital, orders the same and the lands, etc., to be restored.'

During Burton's time some difficulty in regard to his mastership seems to have occurred. Burton's deputy, William de Emeldon, received the annual sum given by the King for several years, and then, in 1354, John de Boulton was commanded to restore the hospital to Burton's keeping. Burton was succeeded on June 15, 1361, by Roger Bromeleye, Clerk, for life, and in five days the King made the like grant to Richard de Metford, Clerk, for life. Here again we have the King's officers and the King in collision; Bromeleye retained the custody in this instance. In 1395, the King granted the custody to Richard de Clifford, to hold with all its rights and appurtenances. whatsoever. This is the last notice of the hospital in the public records:

'The Property of the Maudlin fields was after the dissolution of the Monasteries and Hospitals used for feeding the Cattle belonging to the Garrison; and this use was continued till 1603, when the property, along with much more in the bounds, was given to George Home, Earl of Dunbar, by James I. This part of his property was heired by Hume of Cowden Knowes, who married one of the daughters of the Earl. He sold it to James Douglas, afterwards Lord Mordington. From the Mordington family it passed to the Watsons by purchase in 1660. Thomas Watson, one of the leading merchants of Berwick, and several times Mayor of the Burgh, paid £2,000 for the Snock and Magdalen Fields, the Conygarth, Horseman's and Constable's Bat, 143 acres, 20 acres, and 12 acres respectively, 175 acres in all; and paying an additional fee of 4d. per acre of Fee farm rent to the crown for ever. Watson had before this, 1658, bought for £2,000 New-Water-Haugh, Inner Castle Hills and Lumsden's Anney, 158 acres. Both of these allotments were purchased from the Right Hon. Lord Mordington, the son of the gentleman who so long and perseveringly annoyed the Berwick burgesses. Thomas Watson, Mayor and Alderman of Berwick, and owner of Goswick, married Elizabeth Smith, sister of Wm. Smith, burgess of Berwick. He left, in 1677, his property in these two separate allotments to his second and third sons. His eldest son Thomas died unmarried. George, his second son, heired the 2nd lot above named. He married Bridget, daughter of — Forster, and died 1690. His son George Watson, of Goswick, married Bridget, daughter of John Aglionby, of Carlisle, died 1740. Thomas Watson's fourth son, John Watson, Merchant, of Newcastle, married Elizabeth Craster, daughter of John Craster, of Craster. The issue of this marriage was a daughter, Bridget Watson, who heired the property above-named. She married John Askew, of Pallinsburn, youngest son of Dr. Adam Askew, of Newcastle, and died 1823, aged 81. George Adam Askew their son heired the property, and married Anne Elizabeth, daughter of Dr. Anthony Askew, of London. From this marriage was descended the late Hugh Bertram Askew. The present proprietor is a nephew of Hugh.

'Thomas Watson's third son, Robert, married Elizabeth, daughter of Wm. Webb, first Grammar Schoolmaster of Berwick, and burgess, died 1787. Thomas Watson, their second son, married Margaret Clerk, whose son Thomas, of Grindon, married Barbara, and had no issue; their daughter Elizabeth married William, third Viscount Fethers and Baron Lisburne. She died 1766, having heired

the first-mentioned property, in which was the Magdalene Fields. The estate thus became the property of Wilmot, then the fourth Viscount Lisburne and first Earl, died 1800. Wilmot, second Earl, succeeded and died unmarried in 1820, and was succeeded by his half-brother, John, by whom the estate was broken up and sold. The Magdalene Fields were sold in 1829 to the Duke of Northumberland, who still remains owner of the property.'

The Hermitage of Segden, or Seggeden, belonged to this hospital.* The master of the House of St. Augustin de Seggeden had letters of protection from, and did fealty to, Edward I.† The monks had a tenement in Narogate,‡ and another in St. Marygate.§ No further reference to this obscure hospital is obtainable. Tradition says that Segden was the name of the dean or valley running from the farm called 'the Folly' seawards, where a quarry of late years has been extensively worked. If this is so, then the hermitage would be situated in some part of that dean or den.

THE HOSPITAL OF THE DOMUS DEI.

On an inquest being made in 1333-4 by King Edward III., it was found that Philip de Rydale was the founder of this house, in the time of Alexander III., and that he endowed it with 20 solidatas rent, issuing out of a messuage in Uddyngate. On the forfeiture of Ferinus Gley, the last tenant, it came into the King's hands. James de Colonia and his ancestors were seized of a rent of 13s. 4d. in St. Marigate in the time of Alexander III., which rent came to divers hands, and lastly to Thomas Rydale, who gave it to the master and brethren, who were seized of it until the messuage came to the King's hands, through forfeiture of said James. Philip de Rydale was also seized of 20s. rent of a messuage in St. Marigate. The King ordered all these rents to be restored.|| Hodgson, quoting 'Placitorum Abbreviatio,' 19 Ed. I., says it appears that the master of the Domus Dei, and William, son of Euphania, had common of pasture in 100 acres of land in Bollesdon. In 1333 we have a petition to the King and Council by the master, poor brethren, and sisters, of the Maison Dieu of Berwick, showing how their church and houses were utterly cast down by the engines during the siege, and the master had spent so much in repairing that he had pledged his chalices and vestments; but the

* Wallis's 'Northumberland.'

† Rymer's 'Foedera,' vol. ii., p. 724; Prynne, vol. iii., p. 660.

‡ Ranulph de Holme had three tenements in Narogate which he had as a gift from Edward I. One he had acquired from the friars of Seggeden.—Bain's 'Calendar of Early Scotch Documents,' vol. ii., 1333 A.D.

§ All these notices are in 1 'Rot. Scot.,' 1333.

|| Inquis. Post Mortem, Ed. III., No. 39.

work was so unfinished that they could not endure the winter without being utterly perished. The master was labouring daily to his poor ability, but could not get means to finish the work without great help, and prayed the King for his gracious aid in his sore extremity.* This energetic master, who had letters of protection from Edward III. in the same year, was called William de Rokesburgh. Two years later he is styled *late* master. He was then confined in Newcastle, but petitioned the King for his liberty. The King ordered the Mayor and Bailiffs of Newcastle to discharge him, on his finding security not to depart from the kingdom of England, nor to go to Scotland, nor communicate with the Scots. His particular crime is not further stated; but it is evident his loyalty to Scotland had brought him into difficulties. In 1335 Peter de Grenslade, custos, William's successor, had letters of protection for one year. In 1337 the master had in possession 'le vetus Gild;' but it was then waste, and in the same condition he had one tenement in Waldegate and another in Narogate. Robert de Tughale gave 6 marcatas rent in Berwick, which he had purchased from Robert de Stretfield, to a certain English chaplain celebrating Divine Service in the Hospital of the Domus Dei. This house seems to have owned a croft, a part of the snook in the Magdalene fields. There was a croft lying between the road leading from the 'Kougat to the Snoke' on the north, and the *Mesondew Croft* on the south.† In 1347 the King lately, under his letters patent used at Berwick, gave to William Emeldon, clerk, master of the Domus Dei—he was deputy-master of St. Mary Magdalene—the town of Wedderburn, then in the King's hands, by forfeiture of Andrew de Moravia, the King's enemy and rebel, which town was burdened by William de Moravia, son and heir of Walter de Moravia, former owner of the same town, with an annuity of 20 marks to the Domus Dei, to hold to Emeldon during pleasure, so that he received 20 marks for the use of that hospital, and answered to the King at the Berwick exchequer, for the balance of profits, if any. The King now confirmed the grant under the same conditions, and he ordered the Sheriff in another writ to permit Emeldon to hold the town accordingly. In 1350 the custody of the moiety of the mill in Heatherslaw was committed to John de Ashborne, Master of God's House, in Berwick-upon-Tweed.‡ There is no further history of this hospital in the olden times. It is supposed to have been a hospital for lepers. In 1603 it became the property of the Corporation, and was let shortly afterwards to Michael Sander-son, a leading member of Guild at the time; thus, 'The Mason due, now in possession of Henry Reveley, its lofts and cellars, its yard and forge, and the bullet-yard,

* Bain's 'Calendar of Early Scotch Documents,' vol. iii., 1333.

† *Ibid.*

‡ No. 58 of evidences in Ford Tithe Case.

is letten to Mr. Michael Sanderson for 21 years, he paying 40s. yearly, and to keep it all in good repair, and leave it in the same state.' He obtained a life-rent of the same premises in order that by the rent due he might be able to recoup himself for money lent to the Corporation. This house was undoubtedly situated at the corner of the present bridge, where the National Bank now stands, of which Mr. Stephen Sanderson, a lineal descendant of the tenant in 1610, is agent, and where he occupies premises as a Solicitor and the Clerk of the Peace for Berwick and Northumberland. The quay in front of the building long continued to be called the 'Mason due,' and everyone on becoming free was bound to pay 3s. 4d. for repair of this quay. This money was at length merged in the sum payable (£1 or £1 10s.) on every freeman taking up his freedom, which sum was eventually paid to the Grammar School of the town.

DOMUS PONTIS.

There was a house dedicated to the Holy Trinity at Berwick Bridge, whose duty it was to pray for the passengers and to profit from their safety. These praying-fathers were placed in such situations to take possession of the moment of the traveller's gratitude for his easy and safe passage over great rivers. On February 20, 1338-9, Edward III. ordered an inquest into their lands and tenements. Being desirous to know for what cause the land and tenements of the Domus Pontis of Berwick, situated in this town, were seized into his hands by Bolton, late Chamberlain, the King ordered Tughale to certify the reason unto the King's Chancery. Tughale says they were taken into the King's hands because of the late reconquest of the town, and for no other reason. The King, noticing that this house was founded to maintain certain chantries for the souls of his progenitors, ordered all the lands and tenements and issues from them to be restored to the keeper of the house, that he may the better maintain the chantries as he was accustomed.* This is clearly a different foundation from the Domus Dei, but it is not quite so clear that it is different from the house of the Trinity Friars, previously treated of in these pages. The chapel was situated close by the end of the older bridge, while the Domus Dei was eastwards of that spot. These obscure points must remain meanwhile without elucidation, but, as historical records of the country are being published so rapidly, it is possible that much that is now obscure may be yet made plain.

Until post-Reformation times we have nothing further to add to the ecclesiastical history of the town. When light once more breaks upon its religious life, all the nunneries and hospitals have disappeared. St. Lawrence Church and St.

* 'Rot. Scot.,' p. 836, February 20th, 1359.

Nicholas are no longer in existence in any form whatever. St. Mary's is mentioned only to be destroyed; and the Church of the Holy Trinity alone remains to represent the cumbrous machinery of the religious life of Berwick which existed in the centuries preceding the Reformation.

The first vicar after the Reformation of whom we have special notice is (Sir) Robert Selby. Thompson, his predecessor, seems to have resigned in 1541. It is not till 1560, in the 'State Papers' of Queen Elizabeth, that we become acquainted with this peculiar vicar. Sir Francis Leek gives us some information concerning him. He wrote to Cecil:

'Has already signified that the Curate is a very simple man, and has only £7 a year from the Vicar, who is more ignorant than the Curate. I doubt whether he can say his Paternoster truly either in Latin or in English. The Dean of Durham, who is patron of the Church of Berwick and Norham, and who is presently in London, can declare the inaptness of the Vicar of Berwick and Norham, called Sir Robert Selby, to take any care of Christian people.* The Vicar is paid yearly of the Dean of Durham £20 for Berwick and £20 for Norham, in money without any other profits; and thereof the Vicar gives the Curate £7 by the year. William Morton has the parsonage† to farm, and pays the Dean and Chapter of Durham £11 by the year. There belongs to the Parsonage only the Pasche Book, wool, lamb, and of every person that is allowed to have ordinary hay, either soldier or freeman, twopence. "Corn here groweth none." There are no ministers, clerks, or sexton that could be presently placed, there be good pupils in this town who if there may be such a Schoolmaster sent hither shortly, as Mr. Sampson or Mr. Dean of Durham, will prove good scholars and meet to be ministers. But if ye delay sending a preacher shortly I doubt they will return to their old vomit and become too much oblivious. One here is called Cuthbert Dickenson, an honest, poor man, and as he seemeth meet to be a Sexton or assistant for the burial, the Dean commended him unto me.'

Leek again adds of the curate: 'He is a very simple man, void of all learning.' Of the church-going habits he says, 'The assembly is not so great but that a less church than this will easily hold them, and yet it will not hold half the extraordinary garrison.' The same writer tells us what he thinks proper provision for the service should be—'a Vicar at £80; a Curate at £40; coadjutor at £33 16s. 8d.; two singing men for the administration, £13 6s. 8d.; Clerk, £13 6s. 8d.; a Sexton at £10; Assistant for the Burials, £7 16s. Total, £211 2s. 8d.' There is more substance in this estimation than what the curate and vicar were actually in receipt of. The above was written in the September after which Sampson and the Dean of Durham had visited Berwick, and on October 1, 1560, the wonderful change took place already adverted to in this volume. Lord Grey wrote, on November 26, 'Desires a virtuous minister may be sent, and order may be given to the

* It will be remembered that it was during Selby's incumbency that Knox was located in Berwick. The contrast between Selby and the great Reformer would be ludicrously painful.

† The tithes.

Surveyor for enlarging the church, which is not sufficient. The people are very well inclined. He has service three times a week, and sees it well done.' The influence of Mr. Sampson and the Dean was still felt here to some effect. On February 1, 1561, Lord Grey received the Queen's letters to place Mr. Stephenson here as preacher, and William Sanderson as coadjutor, which he did, and he 'has shown them the rates of their entertainment, wherewith they seem well pleased. Now that they have seen the church and the order which is kept for Divine Service, he doubts not but they will make better report of their religion.' Stephenson had reason in the end of the year to repair South, and he was recommended to Cecil by Lord Grey as having been diligent here in setting forth God's Word according to his vocation. Sanderson was in worse straits. He was compelled to give his curacy into Cecil's hands.

'Although he put away his servant has not so much as a bag to carry his books ; it (his salary) will not provide himself, wife and children, with either meat, drink or house-rent ; Has spent £10 going and coming, and is £10 in debt, and can neither beg nor borrow any more. Is bound to my Lord of Ely in £100 either to give over or to keep residence next Michaelmas, at a benefice, which the writer has in Cambridgeshire, which, with having corn for his horse, he can make more shift with that alone, than he can at Berwick by living at the former only by the Penny. He was borne in hand by the Bishop of London and Winchester to have the vicarage of Berwick, or else a prebend of Durham, at next vacation ; but the prebend has been bestowed on another, and the vicarage is not yet vacant, and when it is, there is an advowson out of it. Had he not looked for one of these he never would have taken the Curacy. Finds by experience that he is not able to do anything as he thought he should when he went thither, and cannot stand up in the pulpit and speak against a man's doing, and go to the same cap in hand to interest for a loan until his wages come, in this case he has found more friendship than he can complain of. I know our saying be small esteemed and me less. They will not stick to say the mass was never half so dear in times past as God's free gospel is now. Went there to preach and not to serve the Cure (another man having the Vicarage), and Lord Gray said they looked to the writer as the Curate.'

Such is a very curious and interesting insight into the state of the vicarage and curacy in Robert Selby's time. The real vicar did not trouble the town much, and the Governor seems to have employed preachers at his will, and paid their salaries out of royal revenues.

Of John Blackhall, the next vicar in Randall's List, I have no notice whatever, probably because the later 'State Papers' of Queen Elizabeth's reign are not yet published. He is said to have succeeded Selby in 1585. This date may be doubted. Thomas Clerke, the next vicar mentioned, was a preacher in Berwick as early as 1565. He was then called the minister of this place, and Cuthbert Strother was called preacher. And again, in 1581, Thomas Clerke is still spoken of in the same terms, and in 1585 he was entrusted with the Communion-plate from the hands of the Alderman for the year, who was to give it to Clerke every quarter

of the year, taking his hand for receipt thereof. Thomas Clerke succeeded to the Vicarage, according to Randall, 1589, and was succeeded by William Selbye, A.M., 22nd July, 1607, on Clerke's death. If this is the same Clerke all the time, he must have been a minister for forty-six years. But such cannot well be the case; for, in 1604, the Guild Book distinctly states that the two preachers were Mr. William Clerk and Mr. William Selbie. I would suggest, as a possible solution, that Thomas Clerke succeeded Richard Selby about 1565, and that he was succeeded by John Blackhall in 1585, and then another Clerk, viz., William, succeeded Blackhall, who was again followed by Mr. William Selbie. After 1603 Government money was no longer available for the preachers. The Guild, for some years, were obliged to assess themselves to enable them to pay the preachers. In 1604-5, for instance, while Clerk and Selbie were preachers, a heavy assessment was levied on the Burgesses—20s. from those who had been Mayors, 15s. from the Aldermen, 10s. from the Bailiffs, and 5s. from every Free Burgess. Any refusing to pay were to be committed to ward. The sessment, most vigorously collected, produced £30 1s. 8d. In 1607 the Guild had discovered that his Majesty's coronation had taken place on a Tuesday, and that the preachers had service on Wednesdays and Fridays of each week. The Guild were asked to make Tuesday a service day, and they forthwith determined that sermon should begin that day at eight o'clock a.m., so that after it was over those who required to attend the Court might do so.

In July, 1608, the Mayor and four Aldermen lent Mr. Clerk, preacher, £8, to help him in his need, and Selbie, who had been preaching here since the dissolution of the Garrison, was paid as follows:—

	£	s.	d.	£	s.	d.
In the first 3 years he was allowed £16 - - - - -	48	0	0			
And in the next two years £12 10s. - - - - -	25	0	0			
	<hr/>			73	0	0
He was paid in money at various times - - - - -	37	18	1			
Paid by Jackson for wares to Mr. Selbie - - - - -	3	12	0			
Paid by Morton to Brearley, to whom Selbie was due - - - - -	4	16	9			
Brearley stayed from Selbie due to him - - - - -	0	6	0			
For mowing his hay for 3 years - - - - -	1	2	0			
	<hr/>			47	14	10
Still due to Mr. Wm. Selbie at the end of 5 years - - - - -	£25	5	2			

Leo Rountree became Vicar on Selbie's resignation. Of this Vicar there is no record in the Berwick archives. Richard Smith succeeded in 1610, on the resignation of Rountree. On the 19th of July, 1609, Richard Smith, Bachelor of Divinity, preacher of God's Word within this town, was admitted a free burgess of

this Corporation, and, on the same date, £20 due to Selbie, the preacher, was paid to his creditors out of the Sheep's Grass by the farmer thereof. Gilbert Dury, or Durie, was mentioned as receiving a salary of £6 from the Guild as early as 1608. He became vicar after Smith in 1613, and was more or less vicar till his death in 1662.

The parish clerk was, during this period, paid by the Corporation. John Morton, clerk in 1609, was paid by an assessment of 4d. levied on every house 'that raiseth reek.' The churchwardens were requested to see him redressed if any refused to pay. On January 19th, 1610, the Alderman *pro anno*, who was principal churchwarden as long as the appointment was allowed to remain in the hands of the Guild, was ordered to pay out of his own purse the wages of the preachers of God's Word, and he to be paid again out of the voluntary contributions of the inhabitants. The Alderman had that privilege because he was the chief churchwarden. In 1616 the Lord Bishop of Durham expostulated with them about paying so small a salary, when they increased the salary by £10 to John Jackson, who was now the assistant preacher. As the Puritan feeling became developed in these times, the church was found too small. 'Whereas February 8th, 1618, there is a great necessitie of seats within the body of the Church, the dore and stayres are to be altered, with other reparations needful to be done.' All these repairs were ordered and paid for by the Guild. The scholars of the several schools had been accustomed to disperse themselves in various corners of the church, and disturb the quiet of the congregation. They were then all gathered into one convenient place that all might sit in uniformity, and a sufficient man appointed to keep them in order. John Jackson died in 1627, and Gilbert Dury continued vicar and performed all the duties for a while. On January 23rd, 1629, the Guild ordered that, since £20 was paid formerly out of the Exchequer to each of the preachers, that £20 be paid to Dury and the other £20 to a successor to Jackson. The difficulty was to obtain a suitable man to minister to the strongly developed Puritanism that now prevailed in Berwick. Sir Robert Jackson and Edward Lively, M.P., were appointed to search out a minister for the town.

Another matter was now beginning to engage the attention of the authorities. There was a hope, at this early period, of obtaining a Lectureship in Berwick, and Messrs. Drummond and Thompson, ministers, were in town waiting till the arrangements were completed, evidently in anticipation of an appointment. But this was not settled for a year or two, and they got leave to go. Drummond was paid £8 6s. 8d. for his pains, and was entreated to stay if he could. But Thompson got notice to quit: as they did not desire his stay, they gave him £6 13s. 4d. as a

gift, 'wishing him health and happiness, and ourselves good success in God's gracious and merciful providence.' Drummond waited on for the lectureship, but after a while he was paid £5 extra by the Guild, and then he had to depart; if he stayed, he could get no more from the Guild.

On July 16th, 1629, the first mention of the Fishborne Lectureship occurs in the Guild Books. The intention of the founder of this lectureship is thus set forth: Richard Fishborne, mercer, London, by his will dated March 30th, 1625, bequeathed to the wardens and commonalty of the Mystery of Mercers of the City of London the sum of £2,800, to be laid out in the purchase of two or more parsonages, rectories, or Church livings anciently appropriated to some religious house, and commonly called impropriations, in one of the northern counties where the Company of Mercers should find the greatest need for preaching; and that the said Church livings and impropriations, when so purchased, should be from time to time for ever by the said wardens and commonalty, after their wonted custom of election by most votes at their general courts, conferred and bestowed upon two or more ministers respectively, upon condition that if any of them should prove NON-RESIDENT, OR HAVE ANY OTHER BENEFICE OR CHURCH LIVING WITH CURE OF SOULS, he should be removed, and another elected in his place. The will closes with this sentence: 'I heartily entreat the said wardens or commonalty, for God's sake, that they will be very careful from time to time to make choice of such as be well known to be honest, discreet, and learned men, fearing God and faithfull in their ministry, that by their life and doctrine they may win souls to Christ Jesus.'

In 1631 the Mercers' Company, who had previously bought other tithes, purchased the great tithes of Chollerton and Barrasford and elsewhere, in the county of Northumberland, and with part thereof, not including the tithes of Chollerton and Barrasford, founded a lectureship in that county at Hexham. In 1629 the Guild were apprised of the nature of the bequest, and entertained some expectation that part of the legacy would be obtained for purchasing land or an impropriation for the maintenance of an assistant minister within the burgh, of the annual value of £100 in perpetuity. The Guild, therefore, determined to procure one of the Lectureships. In April, 1630, the Corporation authorized four of their body by proxy (or power of attorney) to complete the negotiations then pending with the Mercers of London. We cannot trace the negotiations further, but the result was favourable to the Guild, for, in 1637, it is stated that the Mercers' Company had appointed 'Mr. John Jymmett Preacher and Lecturer for this Burgh, in the place of Mr. Eusebius Hunt, late Lecturer here.' Mr. Hunt, the first Lecturer, was probably appointed not long before the month of April, 1636,

and then, by an order of the Private Guild, in which he is merely styled 'Minister in this Town,' it was stipulated that he should, during his continuance in that capacity, receive from the Corporation, beside the Tithes aforesaid, to which he was entitled under the distribution made by the Mercers' Company, the following yearly salary and other benefits: £4 in money, payable on September 20th annually, forth of the Town Chamber; a dwelling-house, rent free; a meadow and pasture for cattle, to which a pasture for a horse was afterwards added, all which was estimated at £10 per annum. The Treasurer was told to repay him the expenses he had incurred in putting his dwelling in repair, and he was to have forty sheep's grass in the town fields, rent free, to enable him to keep it in repair in future. On the appointment of his successor, the Guild ordered that the same salary and perquisites should be continued to him to hold during the time he should continue Lecturer, for his better encouragement and maintenance. Mr. 'Jymmitt'* was succeeded, in 1641, by Mr. Harrison, to whom the Guild gave an annual salary of £14, besides the other benefits conferred upon his two predecessors, and he, in 1643, undertook to perform Divine Service in church during absence of the Vicar.† Towards the latter end of the year Mr. Harrison was offered a living elsewhere, worth £300 a year, but consented to remain in Berwick if they raised his salary to £100. The Tithes of Choller-ton and Barrasford were only worth £50, his dwelling-house and meadow £6, and the Treasurer was ordered to pay him the balance of £44 a-year in money. But Harrison resigned, and accepted the living worth £300. He afterwards applied to the Corporation for payment of a balance of £22, which he alleged was due to him. The Guild denied that they owed him anything, but yet ordered that £7 be paid in full of all his demands, although he never preached nor took any pains for his stipend. He was succeeded by Mr. William Strother, a Burgess of Berwick, who, in addition to the £50 of the Mercers, got £10 out of the Town Chamber, and £20 raised by an assessment on the inhabitants. While the Scots had a Garrison in Berwick Strother officiated as Chaplain, and they agreed to pay him a salary. Mr. Strother died in February, 1648, and, in the following month, the Guild asked the Mercers' Company to appoint another Lecturer in his stead. In 1649, the £50 of Tithes being paid the Corporation, they gave £25 to Mr. Strother's mother in part of the stipend they owed him, and determined that the remainder should be employed about

* He was a son of William Jemmat or Gemote, M.A., a native of Reading, in which town his father had been twice mayor in the reign of Elizabeth. John, after leaving Berwick, became Vicar of St. Giles, London. Another son, named Samuel, lived and died Rector of Eastling, in Kent.

† Dury had strong High Church tendencies, and could not endure the strong Puritanic air of Berwick—hence the Vicar's absence.

the expenses incurred in procuring a successor. After a vacancy of two years, in February, 1650, the Guild appointed Mr. Thomas Hibbert, Lecturer. His salary was £50 from the Tithes, £20 out of the Town Chamber, and a dwelling-house, a meadow, cow's and sheep's grass, as his predecessors had ; and £10 towards the expense of bringing his wife and family from London. After a year's residence, Nicholas Wrissel was appointed his successor. He was promised a salary of £80 and a dwelling-house, if necessary, and pasture for his horse and cows, and meadow-ground in proportion for hay. In 1653 the Guild granted him a gratuity of £30 for his extra services. Mr. Wrissel having officiated as Vicar for some time in Durie's absence, the Guild raised (January, 1656-7) his salary to £100. The Guild, likewise, gave £10 for the rent of his house. Upon the Restoration Wrissel was deprived of his Lectureship for Nonconformity. In July, 1661, Mr. Smithson became Lecturer. He seems only to have had £50, the sum which the Tithes yielded. He afterwards became Vicar. In November, 1665, the Guild engaged Mr. Davison, and guaranteed him £50 for his salary. For this he was required only to preach on Sunday afternoons. The Bishop was asked at this time to allow a weekly Lecture in Berwick, and the Corporation promised £30 extra stipend. This application was successful. Davison was now paid £80, and £8 a year instead of house rent. The Tithes were then very badly paid by the lessee. A quarrel having arisen about the salary, Davison either resigned or was dismissed. Mr. Roger Young succeeded in 1673, and got a salary of £50 guaranteed to him, and £20 from the Town, and £5 4s. 10d. granted by the Crown, which had formerly been paid the Vicar. £20 was added to the Vicar's salary. The two Preachers undertook to preach the Sunday afternoon sermon alternately. The Tithes continued badly paid, and the Town's Accounts show that, though the town only got £35 a year, it regularly paid £50 for the salary, besides its own voluntary augmentation. In December, 1685, the Common Council, then in power, ordered the Lecturer £18 a year additional salary if he would read prayers three times a week—forenoon and afternoon—instead of the weekly sermon, and a sermon would only be demanded on holidays.

The Mercers' Company then took the appointment into their own hands, to whom it rightly belonged ; and on Roger Young's death, in 1711, they appointed Mr. Leonard Darant to the vacant office. He had the salary derived from the tithes alone, the Corporation consenting to pay the taxes connected therewith. Darant, receiving no salary from the Guild, discontinued the Sunday afternoon sermon. Eventually they paid £20 to him for three years, but ceased the payment in 1717, for Darant did not suit their tastes. The company consented to dismiss

him, and appointed Mr. Charles Tough, who enjoyed the entire confidence of the Guild. Tough again readily received the £30 for his weekly sermon. On his death, in 1728, the Guild transferred the £30 to Mr. Cooper, then Vicar of the Parish, who was an especial favourite of those in authority. George Greenaway succeeded Tough as Lecturer, and was followed on his death, in 1745, by Rev. W. Wolfall. Wolfall* seems to have employed Rev. Thomas Wrangham as a substitute, for, in the Guild Book, Wrangham 'succeeded the Rev. Thomas Cooper as Lecturer to the Guild, to deliver the afternoon sermon for £30 per annum.' On Wolfall's death the Rev. David Lloyd was chosen in September 24th, 1777, who was again succeeded by Rev. William Rumney, M.A., on 5th June, 1789, who held the office till his death, in 1820. Rev. William Proctor was then chosen to the office, and held it till his death, in 1877, when the Rev. Herbert Clementi-Smith, M.A., of St. John's College, Cambridge, the present Lecturer, was elected to fill the vacancy.

To return to the story of the Vicarage, Mr. Durie in his earlier years was badly paid for his work, and he got into difficulties over £40 of poor money, which was given him by Mr. Sutton, late Master of the Ordnance. He had promised to pay it by halves, but now, (1637,) he admitted that he could not pay it, but would give the Guild the rent of his house in the churchyard for it, which was £4 by the year. At this time he, along with Sir James Douglas, owner of the Magdalene Fields, attempted to disturb the religious life of the Guild. Douglas took the leading part in this transaction. He sent in 1637 what he calls a 'true relation, by Gilbert Durie, Vicar, of the distracted state of the Church in Berwick,' to Secretary Windebank :

'For 40 years there had been in Berwick a sect of Puritans. A main support of the new platform of these 'Novellists' has always been the different judgments of the two ministers, being men of equal credit among the people, the Vicar having the only odds of a bare title, without any other means to keep the other in compass. These two ministers were formerly maintained by an equal exhibition of the soldiers of the garrison, and since, by equal pensions of the King and contributions of the people ; but, of late, there has been provided for the assistant Lecturer by the Company of Mercers at London £50 per ann., besides well nigh £10 from the town, the Vicar having no other means save a stipend of scarce 20 marks from the Dean and Chapter, the impropiators, and a pension of £40 from his Majesty, which is uncertainly paid and with large defalcations. Now, the assistant being called to a benefice of better value, is about to quit, whereupon Robert Fenwick, who is the prime mover of that faction, went purposely to London for procuring from the Mercers' Company such another to succeed as might serve to keep their faction on foot, and had procured one Mr. Jemmet to be sent down within this month. The readiest way to reform these disorders would be for the Archbishop by his own authority, or by his Majesty, to deal with the Mercers that the £50

* He was perpetual curate of Tweedmouth and Ancroft. Wrangham was sub-curate of Tweedmouth and Ancroft, and preached a Thursday's lecture as deputy to Dr. Wolfall.—Sheldon's 'History of Berwick,' p. 315.

per ann. might be conferred upon the Vicar, a man not altogether unknown to his Grace, and one of the late King's chaplains in extraordinary. And he shall be bound to entertain a sufficient curate for his own assistance, such as the Bishop of Durham or the Mercers shall assign to that place, paying the Curate yearly £30.*

We see here a fine scheme to advance the credit of the High Church Vicar. Douglas really wanted to thwart the Guild; but in this effort, as in so many of his endeavours, he was completely baffled, and Durie withdrew from lending countenance to this attempt of his, because it was offensive to the town. He now left it for a number of years, but before going he gave the £40 of poor money which he was due, to the Mayor, who sealed it up in a bag, and was to be answerable for it. The Lecturer did Durie's work, and now an assistant to the Lecturer was engaged for the extra work. Mr. O'Neill remained for some time Mr. Harrison's assistant. Mr. Stephen Marshall and Mr. Strong are mentioned in 1645 as ministers. Next year Mr. White was here for a while and was paid £5 for his trouble. Then Robert Balsome appeared on the scene, to disappear as quickly, to the great grief of the town. His letters, which exist, are very rich specimens of gushing Puritanism. The Guild earnestly urged him to return. He said in answer:

'Sir, I beseech you be not discontented; the Lord, I doubt not, will provide for you. I speak it not to flatter you, your affections deserve a tender-hearted minister. The Lord hath little ones among you, and he will not leave them. My God knows how much I long for you all in the bowells of Jesus Christ.' Again—'my Dear Friends, I much long for you in the Lord. . . . I can hardly write without danger of blotting out with my eyes what I write with my pen.'

All these solicitations to this tender-hearted man were fruitless. He went to Shepton Mallet, in Somersetshire, and remained there till his death. After wasting a considerable time in trying to wile Balsome back, Rev. Thomas Wolf came and stayed only a very short time. They then obtained Mr. John Oxenbridge, another noted Puritan, after much correspondence† and delay. He came from Hull, where

* State Papers of Charles I., 1637.

† Over thirty letters of this correspondence have been preserved. Many of his letters begin thus: 'Grace, Mercy and Peace from the rich fountain.' Oxenbridge was a native of Northamptonshire. He left Berwick for Edinburgh, whence he went to the West Indies, and continued at Syrenham for a time in preaching and praying. At length, having received a call, he went to New England, where he finished his course. 'This person was composed of a strange hodge-podge of opinions, not easy to be described; was of a roving and rambling head, and spent much, and, I think, died but in a mean condition. And though he was a great pretender to saintship, and had vowed an eternal love to his wife, who died in 1655, yet before he had remained a widower a year he married a religious virgin, the only daughter of Hezekiah Woodward, the schismatical Vicar of Bray, near Windsor. He died at Boston, in New England, in 1674. In the church or chapel belonging to Eton College was a monument with a large canting inscription set up by him for his first wife, where it is said that while he preached abroad she would preach and hold forth in the house. But the said

he was Chaplain to Colonel Overton's regiment. After all that they expended in bringing Oxenbridge to the town, he did not remain more than a year in Berwick, when he went to Edinburgh, and would not return at their earnest solicitations. It was late in the year 1649 when Oxenbridge came here, and he left in 1650. At this time the building of a new church engaged the earnest attention of the Guild. The first steps were taken early in the century; but it was not till the 9th July, 1641, that the first real advance was made towards this object. Thus 'the Mayor, Bailiffs and burgesses presented a petition to Charles I., setting forth, as the King afterwards admitted the fact to be, that a very fair and spacious church (St. Mary's) was in Queen Mary's reign pulled down and utterly demolished, and the stones and other materials were used for erecting a new wall and fortification in or near the place where the said church then stood, with an intention to have another church instead thereof in a more convenient place, but that the times being very troublesome, and no settled peace betwixt the two kingdoms, the inhabitants were necessitated to make use of a very little church (Trinity) meanly built, and not room enough for half the inhabitants; that King James I. purposed and resolved after finishing the bridge to build a new church in Berwick, but died before the bridge was finished; they, therefore, petition for letters patent of collection enabling them to collect donations towards the erection.' The petition was granted on application of Mr. John Sleigh, on the 31st of the same month, authorizing donations throughout England for so good, necessary, and pious a work. The writ likewise contained directions to clergymen to publish the tenor of the brief in their churches, on the Lord's day, and to churchwardens to pay over the sums collected to the bearer of the brief. Prior to this the castle had been purchased for the express purpose of demolishing it, and using its materials in the erection of the church. The purchase-money, which amounted to £320, was paid by borrowing £380, £60 of which was given to Mr. Sleigh for his trouble in obtaining this brief, and in concluding the purchase of the castle. He had spent 291 days in London on these labours. The sum collected on the brief in the northern counties was £382 6s. 3d., out of which 5s. for every £1 collected was paid to those who had gone round the country on this expedition. In the southern counties, or simply in London, £635 14s. 6d. had been collected. Yet all this money was thought insufficient for building a new church, and the architect was directed in 1645 to consider if part of the castle could not be made more cheaply into a church. Next year a surveyor was sent for from Edinburgh to come and help to choose a site for the church.

inscription or epitaph giving great offence to the royalists, at the Restoration they caused it to be daubed or covered over with paint.'—Anthony à Wood.

Several sites were examined and fixed upon, and then departed from. The site of the old Vicarage was looked upon with considerable favour. Stones were ordered to be led from the castle and put down there. Again, on the south side of the churchyard a site was chosen, and leave asked from the officers in the barracks and granted. Finally the present site was taken, that is, by the side of the old church, which was on the south side of the present building, and parallel to it. In January, 1649-50, the Guild agreed that the causeways from the castle to the site of the new church should be repaired forthwith, for the better leading of the stones, and that the expense of this should be defrayed out of the moneys received for building the church. On March 22nd of this year the Guild entered into contract with a London mason, John Young, of Blackfriars, to complete the mason-work before November 11th, 1651, for £1,460: he being at liberty to take down and lead such a quantity of stones of the castle as should be necessary and useful for the building; and engaging to find all other materials at his own cost. The churchwardens and all other persons who had any church money in their hands were ordered to pay it to the Mayor and the Bailiffs, and the power formerly given to the churchwardens to act on the premises was revoked, and intrusted to the Mayor and Bailiffs. By April 26th, 1650, the foundation stone was laid, for the Treasurer on that day was ordered, out of the town's revenues, to pay the Mayor the sum of 40s. which he had given to the workmen on the occasion. Colonel Fenwick, the Governor of the Garrison, procured £514 towards the erection of the church, but including that sum the Corporation had only collected £900 for the work; and the estimates for completing it amounted to £2,500, without any provision being made for pews. They therefore wrote circular letters to many of their friends in London soliciting pecuniary aid, without which they declared they could not meet their engagements with the workmen. Another means of raising funds was adopted. There having been some apprehension of an invasion in April of this year, and the frontier town of Berwick being a likely place to be attacked, if such an invasion should occur, the Governor recommended 'that the inhabitants should be furnished with provisions to last them for at least three months; but as many of them were too poor to lay out in purchasing sufficient to supply them so long in such dear times, he further recommended that the £1,200 or thereabouts due to the town for billet-money for quartering soldiers should be spent in purchasing corn for their ease.' The Guild agreed to both suggestions, and ordered that the money should be laid out accordingly; that the corn should be distributed if occasion required among the poorer classes who were not able to provide for themselves for three months; and that if such distribution was unnecessary, the

corn should be afterwards disposed of for the benefit of the parties to whom the billet-money was due. The Governor at the same time assured the Guild that, during his command and residence in town, the Garrison should pay for all its provisions. The provision was accordingly purchased, and in January following all apprehension of an invasion being allayed, the Guild ordered, pursuant to the Governor's recommendation, as the collections and donations received were quite inadequate for the purpose, and as the corn due to the inhabitants for the billet-money aforesaid would be a charitable gift towards erecting the church, they never having got their proportions into their hands, that the same corn be sold and disposed of, and the money, thereby raised, applied towards the erecting and finishing the said church. The masons now went on with their work, breaking up the old castle, taking all the stones necessary for erecting the walls from it; but as those were being built and almost finished, two burgesses of Berwick reported to the Guild as to the condition of the building. 'The walls were not well built, the ashlar work was not well laid, one stone being almost over another, and that too much lime was used with badly squared stones, thus weakening the whole structure.' Two Scotchmen, John Marr and Henry Porteous, were sent by Colonel Fenwick to view the church, and they reported in similar terms, with additional fault-finding, 'that the windows were not so completely and richly done as by the draught and model thereof was required.' Young, the contractor, like a wise man, told the Mayor and others to wait till the whole was finished, and he would then stand the censure of any six men, three to be chosen by him and three by the Guild. He proceeded on these terms, and then six were appointed—three Scotchmen and three Englishmen—who reported in these words: 'And in a word we can find in no part of the work anything that doth not answer all he is bound to by his indenture conforme to his modell or draught, which we cannot say, but deserves commendation besides full satisfaction.' The carpenters were engaged to do the work of the church 'day taile ways,' and an Overseer and Clerk were appointed over them,—the master carpenter to get 2s. 6d. per day, and after calling all the carpenters together, a number of them were told off in rotation to serve at the new church. Wood was difficult to obtain. Fenwick wrote to them to spare if possible the long gallery in the castle. They answered: 'We would be most willing if he could show where the wood was to come from;' for they didn't see anything like the quantity required unless they took that from the castle.

The Guild now sold the old church to Mr. Ralph Salkeld for £120, all except the 'Lead, bell, pulpitt, flaggs, coats-of-arnes, three doors, and the door-cases.' Salkeld was to have possession within fourteen days after removal of the

pulpit, and the town's intention to leave the church and go to the other. The lead to cover the church was obtained at Standich, near Raby Castle, from Mr. Ambrose Myen. The church is 90 feet long and 22 feet wide, and this will take 10 fother of lead; the two 'Iles' are each 90 feet long and 15 feet wide, and will take 14 fother of lead, which, with casting, will cost 40s. per fother. On May 7th, 1652, the following order was made: 'That the pulpit shall be removed the 1st day of June next, or within a fortnight after, at furthest; and that the new church shall be made use of until seats and other necessaries be made.' On July 1st, 1652, the old church was ordered to be taken down between this and Michaelmas next, and the foundations to be taken out by Lammas, 1653; and £10 of the price to be abated to Salkeld. The church, though opened in 1652, was not finished for at least another year. On October 15th, 1652, the Guild ordered 'that there shall be portal doors for the church, seats on the North Isle, round about the walls; and that the floor be laid with wood, and the Iles with flaggs.' On the 13th of May, 1653, the carpenters cannot finish the work for want of timber; only two boys are working in the place on the visit of the Mayor this day. On the 7th of October timber was ordered to be provided for finishing the new church, and the rubbish in the churchyard to be taken away, and 'Gate-heads' belonging to the old church to be speedily set up at the entrance into the churchyard. On November 11th of the same year the Mayor heard of six pieces of wainscot at Chillingham which could be had for £7, and which would be very useful for the church. Mr. Mayor and Henry Morton were to ride over and see it, and buy it as cheap as they could; and on the 16th of January, 1654, the churchyard was to be levelled, and the rest of the carpenters' work finished as soon as possible. No sooner were the seats in the church comfortably finished than the Guild determined upon having a gallery erected. An estimate was taken for the same on October 7th, 1654. The carpenters agreed to put it in for £40, and there were five dormants at the Castle from which wood enough might be got to finish the church. On February 4th, 1656, another gallery was ordered to be put up opposite the pulpit,—Mr. Henry Morton to draw a model and give estimates for the same. The estimate amounted to £60, £20 of which was paid by John Rushworth, and £40 by Captain Tweedy. This gallery was finished on the 2nd of July. A third gallery, in the east end of the church, was arranged for on April 17th, 1657, and timber to make this gallery was obtained from a wreck which had taken place on Spital coast. The Earl of Suffolk sent a letter to the Guild to give them permission to take from this to the value of £10 towards the erection of a gallery in Berwick Church. The pulpit was on the south side of the

church, and now it was galleried right round on the other three sides in true Presbyterian form. It was built in Puritan times, with little regard to beauty or ornament. It has no steeple, and the bells for the church are the same as those used on the town's occasions, and are hung in the steeple of the Town Hall. All that the Guild really wished was a commodious church to hold a sufficient number of people. Thus the church was built, and thus it remained till July 6th, 1662, when an order was received from the Bishop of Durham to pull down the galleries. This was resisted by the Mayor till a more imperative order came on August 29th, when it was commanded that the east gallery be pulled down, in order that 'a communion-table and chauncell' might be made at the east end of the church, and a font made as in other churches. The font was set up at the west door at the town's charges and paid for by an assessment, which included the expense of a Book of Prayer and a Bible.* The church, thus remodelled, was consecrated by the Bishop of Durham, who took it ill that he was so badly received by the town. The church was now restored to the form in which it remained, with some very slight alterations, till recent years, when a proper chancel was erected and the interior renovated as it now exists.

We now return to the curates, vicars, and ministers. We saw that Dury had left the town, and we find that he remained absent for some years. When he returned he taught the Grammar School in Webb's temporary absence, but he never regained his position as Vicar, for he died as the church was being remodelled after the Restoration. After Oxenbridge departed, Mr. Davison came as preacher, and was removed, after a residence of two years, to Sandwich; but he promised to advise, with Dr. Goodwyn and Dr. Owen,† about ministers coming to this town. In 1655 Luke Ogle was called as an able man to succeed Davison, and an extra gratuity was given to Mr. Wrissel for his pains during these changes. To Ogle was given £120 for house and salary. This money was paid for a few years from the inappropriate Rectory of Berwick, which had lately come into their possession. There was no further change of ministers till after the Restoration.

A very thoughtful order was now (1657) inserted in the Guild books. 'Mrs.

* The old pulpit out of the parish church was sold on July 10th, 1657. This old pulpit was in all probability the pulpit in which Knox preached when in Berwick in 1548.

† Dr. John Owen is reported very commonly to have preached at the opening of the present church; but this does not seem to be the fact. He preached in Berwick on July 21st, 1650, three months after the foundation stone was laid and two years before the church was opened. Cromwell was in Berwick on that 21st July, on his way to Scotland, and no doubt heard Dr. Owen preach the sermon published in his collected works from the text, 'For my house shall be called an house of prayer for all people.'



[BERWICK.]

TRINITY CHURCH.

J. HERRIOTT, Photographer.]

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Fisher wants the "pue" on the south side of Lady Selby's seat* nigh the pillar for the conveniency of women to be churched, and that a lock and key be got for it, and the midwives to have the key in keeping, and thus the women will not be thronged.' Likewise five seats in the gallery are reserved for those that have borne office and for ancient burgesses, and the order is that doors be put on these, and that the seat and desk-board be covered with green cloth.

Ralph Crawforth, the parish clerk, was very uncivil in his behaviour, and therefore he was dismissed. Luke Ogle was anxious for a Scotsman, but Wilson, of Remmington, was appointed, and to have a 'tryall' for three months. It will be noticed that the Guild present and appoint all the church officers at the present time, and have always done so from the beginning of the Guild books.

On the Restoration, Ogle at once got into difficulties. He was very pronounced in his nonconformity, and rumours were at once abroad about his removal. He was not allowed to preach even till the Act of Uniformity was passed; but was asked to desist at once, unless he would read the Book of Common Prayer. The Guild suggested that they would get some one to read the 'Book' if they would allow Ogle to preach. But this would not do, and very soon both he and Wrissel were removed for nonconformity.† William Coxe was appointed Vicar on July 29th, 1662, and was succeeded in two years by Smithson, who was transferred from the Lectureship. He continued to be vicar for eight years, when the following alarming notice occurs: 'On May 2nd, 1672, this day the Maior acquainted the Guild that Lisly Forside, burgess, being summoned to watch Mr. Smithson, now a prisoner in gaol for the murdering of his wife, as other inhabitants were, refused to go, and when Mr. Maior came in person to him and commanded him to go he would not, but gave him saucy words.' Forside was summoned to next Guild to answer for his conduct. 'On October 2nd, 1672, whereas, by the horrid murder which Mr. John Smithson, late Vicar, committed upon his own late wife, Sarah Rosden

* Lady Selby had, shortly before this, got leave to bury her husband anywhere in the church, save under the seats.

† Ogle remained in Berwick till the Five Mile Act was put on the Statute Book, when he retired to Bowsden, where he had a small estate. He started a Presbyterian Church in Lowick, which still continues. He returned to Berwick in 1690, and preached in the Grammar School at times when he could not disturb or interfere with the teaching. He lived for some time in the School House. He died in 1696. Mr. William Forster succeeded Ogle, and lived in the School House for some years. Ogle's son became Recorder of Berwick and M.P. during several Parliaments.

Nicholas Wrissel remained in the town preaching and teaching till 1685, when he withdrew finally from Berwick and went to London, spent some time there, and afterwards taught a school at Stockwell, where he died in 1695 or 1696.

(sister of Rosden, lessee of the Rectory), of which inhuman murder he was found guilty, condemned, and executed for the same according to law, all his tenements, lands, goods, and chattels whatsoever at the time of the felony committed are, by his Majesty's charter granted to this Burgh, forfeit to this town.'

William Mitford succeeded Smithson on January 2nd, 1673, and in one year exactly he told the Guild that he was going to another place to be nearer his aged father and friends, and not out of any disrespect to the place. Thomas Bourne or Burn was the next Vicar, and remained for six years, when he was succeeded by John Harper.

On the death of the parish clerk in 1680 a difficulty arose about the appointment of another. The Vicar claimed the right, and the town held that the right was theirs. Burn was observed to ride out of town as if to go to Durham, and William Fenwick was ordered to take post and watch his proceedings. He came up to him at Alnwick, and rode on to Durham before the Vicar. This matter ended here ; for Burn left the town at this crisis, and John Harper succeeded. The new clerk, Andrew Veagleman, was appointed in the vacancy, and Harper did not interfere. In 1686, Patrick Robertson obtained the appointment as Vicar, and held the office till his death in 1720 (?). This is a doubtful date. Randall has 1700, which is wrong, for Robertson is mentioned in the Guild Books as Vicar in 1716. His successor, Robert Blakiston, is not named till 1721. In Robertson's time (1718) the lecturer Darant became very unpopular. He was anxious to appoint the churchwardens, and the Guild became very wroth at his presumption. They petitioned the Mercers' Company to remove him and send some one of such a Christian temper and practice as might heal the breaches which had been made for want of such a man amongst them. In 1719 the appointment of churchwardens became a serious quarrel with the Vicar. He appointed his, and the town theirs. They consulted the Recorder, and he answered 'that they may and ought to appoint them according to their custom.' But the quarrel continued, and Mr. Cunningham, curate, assaulted one of the churchwardens, George Simpson, by wresting the cup out of his hand wherewith he was collecting the offering. The town in this instance was successful, and the Dean and Chapter did not wish any further trouble in this matter. Robert Blakiston, the Vicar, submitted to the Guild in the appointment of the parish clerk. In 1726 he formally renounced in favour of the Guild all interest in such appointments, and declared that the filling up of both offices rested in the Guild alone. In March, 1731, the Guild, still Puritan in its tendency, petitioned in favour of the repeal of the Test and Corporation Acts. This petition was signed by the Mayor and the Protestant dissenters in the town.

Next year the Right Reverend Bishop was coming to town, and they decided to give him a treat along with General Wade, and to entertain them as cheaply as possible in the poor circumstances of the town. In 1726, Blakiston was followed in the Vicarage by Thomas Cooper, the Guild's favourite Vicar, upon whom they conferred the £30 previously part of the Lecturer's salary. The promise was made to Cooper that this benevolence would be continued if the Mercers did not make their next appointment contingent on their Lecturer receiving the bonus. Cooper died in 1747, and was succeeded by Thomas Thorpe. After the latter had been two years in office a new Vicarage was built with £200 from the Bishop of Durham and £100 from the Dean and Chapter, on condition that the Corporation gave a piece of convenient ground for the house. The Guild granted the garden of the old Correction House for the purpose, and the Vicarage, built in this year, after serving for a Vicar's residence for nearly 100 years, is now used as the Girls' National School. Some seats were in this year (1749) erected over the portal to the church for William Stow Lundie and Mr. Edmeston, Alderman, and their families. In 1756 the collections, which, up to this time, had always gone to the churchwardens, were now divided, one half to them and the other half to the Vicar. Thorpe died in 1767 at the age of 71, and was succeeded by Joseph Rumney, who was Grammar School Master. The Sunday afternoon Lectureship was continued to the Vicar, for which he received the usual fee, £30. These offices he held till his death in 1805. He was succeeded in them all by Joseph Barnes, and the £30 continued to be paid him as usual. This sum had been paid the Sunday afternoon Lecturer since 1728, and was continued till 1886, when, on the lease of the tithes passing out of the hands of the Corporation, it ceased altogether. Before 1728, from the Commonwealth period, it had varied from £10 to £20. It will be found that all this time the Guild considered the church their own. They appointed the officials, they paid for all repairs, and all necessary expenses, such as

'£1 for washing the surplice ; £1 15s. for velvet buttons for the cushion in the pulpit ; 10s. for two books, one for the cess, the other the register of the dead ; £2 9s. 11d. for the church dial. In 1680, £1 11s. 9d. for a table-cloth and two napkins for the church ; £72 for repairing the church windows ; £4 3s. 6d. for exchanging the Communion cup into two silver cups for the church. In 1681 for new surplices for the church £2 13s. 5d. ; 2s. 6d. for mending the surplices, etc.'

In 1751 the Easter offerings were transferred to the churchwardens, and thereout they paid for the elements used in the church and other expenses. The Guild, who still paid an annual sum of 30s. for washing the church linen, directed this to be paid out of the same amount. On renewing the lease of the Rectory in 1830, it was agreed that £100 be reserved for the Vicar's salary ; and the Corporation, on the 29th of May, 1832, granted an additional £50 to the stipend, on

condition that the Dean and Chapter added £50. The successive Vicars since Rumney, who died in 1853, have been the Rev. George Hans Hamilton, Canon of Durham, who succeeded to the office in February, 1854; the Rev. John George Rowe, who entered on his duties in 1866, and was succeeded in 1880 by the Rev. Charles Baldwin, Honorary Canon of Newcastle.

It is a curious circumstance in connection with the history of the church in Berwick that the Guild continued till quite a recent period to appoint the churchwardens of the parish. This right of the Guild had often been questioned by the Vicars. It was not, however, till 1829 that the question was taken up in real earnest. The churchwardens of that year determined, on the 23rd of July, to take counsel's opinion upon this right. Undoubtedly the opinion, though not given, would be in favour of the practice which now obtains. The Guild determined to oppose the churchwardens and defend their right. The case was taken to the Court of King's Bench and decided against the Guild on the 27th of January, 1832. This plea cost the Corporation from £1,200 to £1,500. Since this date the election of the churchwardens has been made by the parish and the Vicar, according to the usage of the Church in England. The Guild, being defeated in this plea, gave up voluntarily the right of electing the parish clerk. William Rowland, who had been parish clerk for a considerable period, died in 1832, and on the 27th of March, 1833, the parishioners for the first time exercised their right of election, and chose William Allison as Rowland's successor.

There had been some additions to the old churchyard in the early years of this century, but many writers remark upon its being excessively crowded with gravestones, and certainly it was full time that the churchyard ought to have been closed against further burial. A law was passed which ordered it to be closed in 1854. The churchwardens and vestry immediately determined on securing a site for a cemetery outside the walls of the town. After considerable delay, 11 acres 22 perches of ground at Graingeburn Mill were exchanged for 5 acres 1 rood in the Inner Cowclose, on the Edinburgh Road, which were formed into a burying-ground. In it were built two mortuary chapels, and a set of prices were framed for all burials, etc. This cemetery was opened on September 1st, 1856. It cost the parishioners about £3,800 to fit it properly and prepare it for burial. Its area has since been enlarged by a considerable addition on the west side of the former cemetery. The old churchyard was closed in 1856 for all burials, save for the survivor in any case where a husband or a wife had been already buried in the churchyard.

There is one other Episcopal church in Berwick, in Castlegate. This church

was built in 1858. The building was erected at the expense of Captain Charles W. Gordon, who presented £3,000 for this purpose. It is called St. Mary's, after the old church demolished in 1558. The living is a vicarage of the value of £380, in the gift of the Dean and Chapter of Durham. Its vicars have been: Rev. John Irwin, M.A., Rev. Baptist James Holmes, M.A.; and the present incumbent is Rev. James King, M.A.

We have seen that the leading men of Berwick were strongly Puritan and Nonconformist in their tastes. When the Restoration came, and the different Acts by which Dissenting ministers were prevented even from living in the town, the Guild connived as much as they dared at these Acts, and it would have been possible to have found in Berwick some one or other of the nonconforming ministers at any time during these repressive years. It was not till 1685 that Wrissel was obliged finally to leave Berwick. Ogle returned from his exile in 1690, if not in 1688. Ogle was succeeded by William Forster in maintaining nonconformity in the town; and shortly after this, during the time that Darant the Lecturer was so unpopular, and the patronage of the Mercers' Lectureship was taken out of the hands of the Guild, the leading merchants and inhabitants revolted altogether from the Episcopal form of worship, and introduced Scotch Presbyterianism into Berwick. A congregation was started in 1719, and the church, long known as the Low Meeting, was erected on the east side of Hide Hill, a considerable distance back from the main street. The Rev. John Turner was the first of its ministers. This form of worship must have become very popular in the town, for in 1724 the High Meeting-House was erected on the east side of High Street, and again situated considerably back from the main street. In fact, all the nonconforming churches built until about fifty years ago were in concealment; so that any person passing through the town might have traversed every public street and not discovered a church or chapel in it. There was not at that time a single spire in the town but that of the Town Hall. These two meeting-houses were seated to hold more than 2,000 persons; the first was calculated to seat 600, the second 1,500, and for many years they were both well-filled churches. The following is a complete list of the ministers of the High Meeting:

- | | | |
|---------------------------------|-------|------------|
| 1. John Somerville or Somervail | - | 1729—1754. |
| 2. John Goldie | - - - | 1754—1761. |
| 3. Dr. Robert Henry* | - - - | 1760—1768. |

* Dr. Henry came from Carlisle to Berwick, and was appointed assistant and successor to Goldie. He was afterwards translated to New Grey Friars, Edinburgh. He is known as the author of a 'History of England.'

4. James Williamson*	-	-	-	1768—1776.
5. John Kelloch	-	-	-	1776—1801.
6. George Tough†	-	-	-	1802—1812.
7. William Johnstone‡	-	-	-	1812—1823.
8. James Reid Brown§	-	-	-	1824—1831.
9. Robert Cowe	-	-	-	1832—1839.
10. George Crichton¶	-	-	-	1839—1844.
11. James Miller	-	-	-	1845—1874.
12. Robert Smith	-	-	-	1875 ; left 1877.

After Smith's retirement the church was kept open for a short time by two young men who successively acted as *locum tenens*, but the attendance became so small that the remanent members were merged into those of the Low Meeting in 1879. The church was then closed, after an existence of 154 years.

With the list of ministers of the Low Meeting I have not been quite so fortunate. This is their order as far as I can learn :

John Turner	-	-	-	1719—1734.
Adam Murray Campbell**	-	-	-	left in 1760.
John Gardner	-	-	-	1766.
James Aitchison	-	-	-	1782.
James Smith††	-	-	-	1797.
John Brown	-	-	-	1806.
Thomas Johnstone‡‡	-	-	-	1815.
James Henderson	-	-	-	1822.
John Crambe	-	-	-	1824.
Alexander Murdoch §§	-	-	-	1836.
William Gray	-	-	-	1854-
James P. Edgar	-	-	-	1859.

* In his time cups and flagons were bought : '4 cupps £7 12s. 2d., 4 Flagons £1. Engraving 6s. 6d. The Tabel Linning £1 10s. 8½d. To pay these items collected among the *princepsell* hearers £10 13s. 9d.'

† Translated to Ayton parish church.

‡ He died on August 3rd, 1823, and was buried at Wooler on August 8th.

§ Was translated to Swallow Street, London.

|| Cowe of Whitsome translated to parish of Whitsome, of which he was a native.

¶ Retired in ill-health, and was maintained by an annuity from the church for many years.

** Campbell went to Lilliesleaf.

†† Smith was translated to Eyemouth.

‡‡ Historian of Berwick. He published a small octavo of 230 pages on Berwick.

§§ Murdoch in 1843 cast in his lot with the Free Church of Scotland. He was anxious to have taken the church building over as well. In this he was opposed, and a tedious lawsuit ensuing, it was decided against him. He left the church in 1846, and started another meeting in town in accordance with his views. The list up to this time is not complete. We learn in the law plea that Murdoch was the thirteenth minister from Turner, and we have found only eleven names.

||| From 1846 till 1854 the pulpit was supplied with occasional preachers.

James Forbes - - - - 1863.
 James Kean, M.A., B.D. - - 1874, present minister.

The Middle Meeting, as Chapel Street Church was at first called, was begun in 1756. Mr. Thomas Menteith, who had been for some time usher in the Grammar School, and who had for a year conducted a private school, seems to have got this meeting-house erected in the same connexion as the other meeting-houses already in town. He continued to conduct its services till 1767, when he left, on being called to Dunse to a Relief congregation there.

He was succeeded by the Rev. William Crookshank, M.A., a minister in connexion with the Church of Scotland; but he, failing to give satisfaction, was removed to Swallow Street Church, London. No doubt this dissatisfaction arose from the fact that the congregation had strong Relief tendencies as well as its first minister. After Crookshank retired, it became connected with the Relief Synod. The church is seated for 780. The first minister in this connexion was Rev. Andrew Thomson, settled in 1788. The following ministers succeeded:

2. Robert Hall, from Dundee - - - - - 1814—1834.
3. William Ritchie, from Auchtergaven - - - - - 1835—1859.
4. David Paterson, from Newcastle, colleague to Mr. Ritchie - 1857—1858.
5. James McLeish, from Dunning - - - - - 1859.
6. Robert Charles Inglis - - - - - 1875, present minister.

WALLACE GREEN CHURCH.

This congregation was the first in Berwick that originated, not only in dissent from the Episcopal Church of England, but also from the Presbyterian Church of Scotland, as represented in Berwick by the High, Low, and Middle Meetings. Some of the members of these churches were 'desirous of a purer dispensation of the Gospel and a stricter exercise of discipline than were afforded in the connexion to which they had previously belonged.*' They applied for and obtained supply of sermons from the Associate (Burgher) Presbytery of Edinburgh, in 1770. A church was built in Golden Square in 1771, and the building was enlarged in 1796. It was capable of holding 1,000 people.

A new church was built in Wallace Green, whose foundation-stone was laid by Dr. Cairns, the pastor of the church, on June 2, 1858. This modern Gothic building was completed in the following year, and opened on the third Sabbath of June, 1859. The site cost £705, and the church-building £5,000.

* Mackelvie's 'Annals and Statistics of the U.P. Church,' p. 100.

An additional gallery was added in 1865, costing £194 1s. 11d. The sittings at first accommodated 970, now 1,031.

The first minister was Alexander Dickson, from Blackfriars, Jedburgh; ordained April 22nd, 1772; died September 12th, 1780.

Second, John Blackhall, from Selkirk, called to Dundee and Berwick; ordained January 3rd, 1782; died March 3rd, 1813, after a ministry of thirty-two years.

Third, Robert Balmer, D.D., from Blackfriars, Jedburgh. He was called to Lochwinnoch, Ecclefechan, Leslie, and Berwick, and, choosing Berwick, he was settled here on March 23rd, 1814; appointed Professor of Theology in 1834. The University of St. Andrews conferred on him the degree of D.D. in 1840. He died July 1st, 1844, after a ministry of thirty-one years. He published several volumes of memoirs and sermons. A memoir of his life was written by Dr. Henderson, of Galashiels.

Fourth, John Cairns, D.D., LL.D., Principal of the Theological Hall of the U.P. Church of Scotland. He came from Stockbridge, Berwickshire; ordained 1845. While he remained in Berwick he received several calls to other churches, all of which he steadily refused. Appointed Professor of Apologetics to the U.P. Church in 1867, and in the remodelling of the Theological Hall of that church in 1876 he resigned his ministry in Berwick, after a pastorate of thirty-one years. He is author of several philosophical and religious treatises.

Fifth, John Smith, M.A., from Forres. He was ordained on June 17th, 1878; removed to Broughton Place, Edinburgh, as assistant and successor to Dr. Andrew Thomson in 1885.

Sixth, William Ainslie Walton, M.A., B.D., from Edinburgh. Removed from Sunderland; inducted February 18th, 1886.

CHURCH STREET CHURCH.

This congregation began as an Anti-Burgher place of worship, in 1812. The church was built in the same year, and accommodates 600 worshippers.

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|---------------|----------------------------|-------------------------------|
| 1st minister, | William Young, A.M., | ordained April 3rd, 1816. |
| 2nd | John Peden, | admitted February 22nd, 1842. |
| 3rd | James Grierson Scott, | ordained November 15th, 1859. |
| 4th | John Crombie Brown, LL.D., | inducted March 2nd, 1867. |
| 5th | James Stephens, M.A., | ordained January 24th, 1871. |
| 6th | John Orr, M.A., | ordained February 23rd, 1877. |
| 7th | Joseph Rorke, | ordained June 21st, 1883. |

BANKHILL CHURCH OR ZION CHAPEL.

This congregation originated in a 'split' from Chapel Street, in 1835, and the church was built and opened for worship in 1836. It accommodates 530 hearers.

First minister, Alexander McColl, ordained July 16th, 1835.

Second minister, Hugh Dunlop, August 2nd, 1848.

It called, after Dunlop's resignation in 1851, a number of probationers in succession, who all refused to enter upon duty in that place. Dispirited in this way, the members of the congregation dispersed among the other churches, and the place of worship was sold on February 15th, 1853, to the Presbyterian Church of England.

The first minister under the new connexion was Alexander Murdoch, who was forced to leave the Low Meeting as related under that church.

Second, Peter Thomson, ordained 1858.

Third, Robert Scott, ordained 1862.

BAPTIST CHAPEL.

This chapel had its first meeting-place in Walkergate Lane, in 1810, and was afterwards transferred, in 1858, to its present situation in Castlegate. This place of worship was built (1848) in connection with the Independent body, which ceased to exist in Berwick shortly after that date.

Its present minister is the Rev. James Mursell, ordained to the charge in 1886.

WESLEYAN METHODIST CHURCH.

Its chapel was built in 1797, partly by subscription and partly by funds belonging to the connexion. Long before this period Wesleyanism may be said to have been known in Berwick. John Wesley's first visit to the town occurred as early as 1748. His own account of this visit is as follows:

'We took horse between eight and nine o'clock, July 20th, and a little before two we came to Berwick. I sent to the commander of the garrison to desire the use of a green place near his house, which he readily granted. I preached at seven to 2,000 people (it was judged). I found the generality of them just such as I expected, serious and decent, but not easy to be convinced of anything.

'Next day we walked round the walls, which they were repairing. Every one was now reverent and quiet, so different from yesterday, when we were halloed along the street. Children were even silent now; grown people pulled off their hats everywhere.

'Monday, 24th, preached on the bowling green. Wind was very sharp; several showers, but none went away save five or six.'

In 1759, when he came, the Mayor gave the Town Hall, where he always preached afterwards. This time he preached to a 'very drowsy congregation.'

'Wednesday, 18th May, 1768. I came to Poor Dead Berwick. However, I found a few living souls there.'

'In 1779, Tuesday, 25th May. In Town Hall again. Many officers, as well as soldiers, there; and the whole congregation much affected. Shall we see fruit at Berwick also?'

In 1788 was his last visit. Several of his hearers attended, to whom he spoke plainly.

The Wesleyans obtained the Town Hall as their first place of worship, where they continued until 1797, when the chapel in Walkergate Lane was built. In 1878 it was rebuilt, on the same site, and much improved.

The Primitive Methodist Chapel was erected, in 1829, in College Place, and possesses accommodation for 400 hearers.

The Roman Catholic Chapel is in Ravensdowne. The present building was opened in 1829. The sermon was preached by Rev. Thomas Gillard, of North Shields. Previously the Holy Sacrifice was offered in a small chapel in Church Street. This building was afterwards used as a school.

The Chapel in Ravensdowne was restored in 1886. The exterior part of the building was repaired by a new stone entrance, surmounted by a stone cross, in 1887. The church is dedicated to Our Lady and St. Cuthbert, and accommodates 300 persons. The Catholic population may be reckoned at 800.

A new school was built, in Walkergate Lane, in 1883, at a cost of £600. The attendance is about 160.





Tithes.

THE great and small tithes of the burgh belonged to the Dean and Chapter of Durham, who were in the habit of letting them on lease for a term of twenty-one years, renewable at the end of every seven years for a term of twenty-one years from that time. William Rosden was the tenant at the time of his death, in 1648, when, in consequence of an inquisition returned to a jury before the Coroner of the Burgh finding him *felo de se*, the lease with his other effects became forfeited to the Corporation. This lease did not include the tithes of salmon caught on the north side of the Tweed, the only part of the river which was within the limits of the burgh; but these, with the tithes of certain of the fisheries on the south side, were let by the Dean and Chapter of Durham to other tenants. In the following spring the four bailiffs were authorized to collect the Easter offerings and all other profits to the Rectory belonging, as tithes of hay, corn, lambs, wool, lint, hemp, pigs, geese, and other perquisites whatsoever. A portion of these tithes was sublet for £60. The petty tithes for the year 1650 were let at £46, next year at £80. In 1652 both great and petty tithes were ordered to be gathered in kind. In the month of May following the Corporation received the lease of the tithes; and in October the great and petty tithes were let to farm with the other revenues of the Corporation. In May, 1655, the Corporation, by their agent, took a lease of the tithes for six years, at an annual rent of £100. A portion of the petty tithes was let for the following year at £20 10s.; for the next year at £23 10s.; for 1658, at £25 10s.; for 1659, at £25; and in 1660 they were let for the same rent. In 1661 the Corporation took a new lease of the tithes in the names of trustees. The fine for renewal of the lease was £65,

and the petty tithes continued to be let for about £20 a year. That this was a profitable speculation is abundantly evident. Thus the renewal of the lease in 1795 cost £628, and in the same year the tithes of the estates within the burgh which did not belong to them were let for £630 per annum. The annual rent at this time payable to the Dean and Chapter and Vicar of Berwick was only £90. With the exception of this small sum the Corporation held all the meadows and stint lands and treasurer's farms *tithe free*. These would have brought in about £1,260 of tithes, so the Corporation were presenting themselves every year with more than £1,000. The renewal of the lease in 1803 for twenty-one years cost £1,704 4s. 9d.

I present here a copy of the lease, drawn out in 1735, which may further elucidate the nature of the tithes.

On March 2, 1735, Indenture between the Mayor and Bailiffs and burgesses of the one part and Joseph Forster the younger, of Berwick, burgh and butcher, of the other part. It is witnessed that the said Mayor, Bailiffs and burgesses did demise, grant, set, and to farm let, unto the said Joseph Forster, his executors, administrators and assigns, All the grand and petty tithes within the parish of Berwick, in the several villages and places and the lands thereof and thereafter mentioned, that is to say, Inner Castle Hills, Letham, New Water Haugh, Sanson Seal, Fairney Flat, Yellow Gowland, Baits Cross, Baits Strand, Crawforth's Closes, Marshall Meadows, Gainslaw Hill and Magdalene Fields, that is to say, the tenth sheaf of all corn and grain, the tenth fleece of wool, except the tithes of Broadshough, and Gainslawhill, 2s. for every score of lambs, 3d. for every milk cow, the tenth part of the lint, hemp, eggs, hens and other petty tithes except the tithes of hay; to hold unto the said Joseph Forster, his executors, etc., for 7 years next ensuing, yielding and paying thereupon yearly the rent of £51 at Martinmas, 1735.

'Covenant of Lessee for payment of the rent, covenant by the Mayor, Bailiffs and burgesses for quiet enjoyment in payment of the rent and performance of the covenants.'

Nothing new occurs in the letting or management of the tithes until we come to more recent times. The management of the Corporate revenues in 1803 was extremely improvident. The Corporation was running daily more and more into debt. It was quite evident that burgesses and widows of burgesses divided among themselves, in the shape of meadows and stints, much more than the expenses to which these lands were subject, warranted; but the large profits derived from the tithes of the parish enabled them to persist in this ruinous course for at least six or seven years after each renewal of the lease. When the septennial term of renewal, however, came round, it was generally found the Guild had nothing wherewith to pay for the renewal, and there was no alternative but to borrow money to pay the fine and fees exacted by the Dean and Chapter. What has led to these remarks is the fact that the leasing of the tithes was the chief cause of the enormous debt that now loads the property of the Corporation. In the way indicated the chief part of the debt was incurred. On the renewal of the lease every seven

years, borrowing was always resorted to, till the debt very soon assumed not only large but even alarming proportions. In 1809 the Guild seem to have been convinced of their folly, and they determined in future to follow a wiser course. It was therefore agreed, at an adjourned meeting of the Midsummer Head Guild, held on July 26th, that the tithes should be vested in Trustees for the term of nine years to enable them to borrow money for renewal of the lease, for which purpose, by the deed to be executed by them, they might be enabled to receive all the rents for which the tithes should be let during that term, and to pay thereout the interest of the money which they should so borrow; and that they should invest the surplus from time to time in the public funds to accumulate, and to be applied in paying off each loan, or towards the fine on the following renewal of the lease. It was also ordered that the deed should be so framed that the Guild should not have it in their power to take away what was thus invested in the Trustees until the expiration of the term. The Guild also ordered that the sum of £2,000 should be forthwith borrowed and paid over to the trustees, and that they should apply the same towards obtaining a renewal of the lease. At the same Guild they let by auction the following grand and petty tithes of the lands within the bounds of the Burgh (as aforesaid in the above lease): to wit, the tenth sheaf of all corn and grain; the tenth fleece of wool; the tithe of hay, potatoes, and turnips; 2s. for every score of lambs (except the lambs and wool of Gainslaw Hill); 1½d. for every milch cow; the tenth part of lint, hemp, pigs, hens; and other petty tithes of places aforesaid, with the stackgarth and barn usually demised with the said tithes for the next seven years from Lady Day preceding, at an annual rent of £535. This, of course, does not include the 'Treasurer's Farms,' nor 'meadows nor stints.' All these were let tithe-free, as usual. In December, 1815, the Guild ordered that the sum of £3,000 be borrowed for the purpose of renewing the lease, the cost of which was £3,739 7s. 6d. The term was for twenty-one years, the yearly rent to be £10 and £80 to the Vicar. The tithes of the lands not belonging to the Corporation were let in 1817 for £603 15s. 6d., and in 1818 and 1819 they were let for nearly the same sum.

The Trustees of the tithes in 1817 presented a report to the Guild desiring reappointment for the term of eleven years. They stated in this report that since the previous renewal they had received three years' rent of the tithes, which had enabled them to invest £1,734 6s. 2d. Navy 5 per cent stock, and that they had a balance of £10 in hand, making about £1,831 at the present price of stock. The trust-deed was renewed accordingly, and another deed executed on the same terms

as the first. This deed was executed in 1822. The fine and fees on renewal in 1823 were £3,741 17s. 3d., and in 1825 the usual tithes were let for £604 annual rent. In 1830 the fine for renewal was £3,577 13s. ; but at the expiration of fourteen years from that time, in 1844, an additional yearly rent of £100 was to be reserved and paid to the Vicar, and in consideration £100 less would be demanded by the lessors.

On May 9th, 1837, the Council ordered the Trustees of the tithes to take into consideration what was expedient to be done in relation to the tithe lease. They afterwards reported that ' they possessed ample funds for the accustomed septennial renewal, and recommended the Council to procure a new lease, as the property was of a very beneficial nature, independently of the great advantage derived by the Corporation from being enabled, by holding it, to let their lands tithe-free.' The Council authorised them to correspond with the Dean and Chapter as to the renewal and report. The fines and fees were fixed at £3,572 15s. 6d., and the Trustees were ordered to sell out stock sufficient to pay that sum, and to complete the renewal of the lease. If this plan had been adopted at first, the debt on the Corporation would have been of a very trifling character. The Treasurer in November, 1839, reported to the Council that the tithe trust-deed expired on March 25th preceding ; that in the following October he had invested £314, the balance in his hands, in the purchase of 3½ per cent. reduced annuities, and that the stock then standing in the tithe Trustees' names amounted to £2,718 15s. 4d., at 3½ per cent., stock selling at 97½ per cent. On December 3rd the Council ordered that a release should be given to the tithe Trustees, and that the tithe funds should be invested in the names of the Mayor, Aldermen, and Burgesses. The lease continued to be renewed every seven years, until the year 1886, when it was allowed to lapse. The Tithe Commissioners, who have now the management of the collection of the tithes, demanded that the Corporation should either purchase the tithes at such a value as they put upon them, or they should resume the lease into their own hands and collect the tithes themselves. The latter alternative has been adopted, and the spring of 1887 has seen, for the first time for at least 240 years, the tithe gathered in this fashion from the freemen's property. In 1851 the tithes were commuted into a rent-charge, and could no longer be demanded in kind, and, on the 22nd June, 1886, the lease of the tithes, which the Corporation had so long held, lapsed into the hands of the Commissioners.





Charities.

HOUSE OF CORRECTION, GRAINGEBURN MILL, AND BURRS.



THE idea of a House of Correction started with Sir Robert Jackson, who left £50 to aid in erecting such a house for causing stubborn and idle people to be set on work, and for the better help of poor orphans and other people who were not able to maintain themselves, but by such work. Unless the house was started within three years the money was to be put to some other pious use. It will be noticed that on the founding of the Grammar School, if there was an overplus from the subscriptions, it was to be paid over to the same purpose as the £50 which Sir Robert had left. He died in 1646, and about two years afterwards, the Guild applied for the £50 to dispose of it to some poor people in town, for they (the Guild) were too poor to begin a Correction House. Shortly after this two Burgesses offered £10 each, and another £5, towards this purpose. On 21st December, a committee was appointed to consider the propriety of erecting such a building, and to collect all the poor-money in the hands of any one, so that the intended work should not be delayed. On October 15th, 1650, the Head Guild appointed a committee of seven Burgesses for the settling of a House of Correction for the relief of poor people, with full powers, as in the previous committee.

As the Claywalls and the Graingeburn Mill, which had been mortgaged, would soon be redeemable, it was further ordered that the money to be collected should be employed for the redemption thereof, and that the rents, issues, and profits of these premises should be established for that end: and the committee were fully authorized to settle the same by deed accordingly. The churchwardens were called upon to assist them in thus arranging for the help of the poor. On May 24th, 1652, a vestry was held in the church, at which the Mayor, and other Justices of the

Peace, the bailiffs, churchwardens, overseers of the poor, and other neighbours were present, when it was found that the Corporation were justly indebted unto the poor of the parish in the sum of £350; and it was agreed upon, in full satisfaction of that debt, that the moiety of Graingeburn Mill, with the several parcels of ground called the Claywalls, and Burrs, *alias* Allerbush, should be conveyed to the churchwardens and overseers of the poor and their successors for the time being, to and for the upholding, maintaining, ordering, and disposing of a House of Correction within the Burgh. The other moiety of Graingeburn Mill was to be conveyed to the same parties for the £50 given by Sir R. Jackson. Accordingly the following deeds were duly executed, and livery and seizin delivered to the grantees:

‘May 28, 1653. Indentures between the Mayor, Bailiffs and Burgesses of the one part, and Andrew Crispe, Alderman of Berwick, of the other part. Reciting that the late Sir R. Jackson by his will dated January 15, 1646, did bequeath the sum of £50 for and towards the erecting and maintaining of a House of Correction within the burgh, and that the said Andrew Crispe, at the instance and by the appointment of George Paylor, Esq., executor of the said Sir Robert, had paid and satisfied unto the said Mayor and Corporation the said sum of £50, the receipt whereof was truly acknowledged. It is witnessed that the said Mayor, Bailiffs and Burgesses, for and in consideration of that sum and for divers good lawful causes and considerations therein moving, did fully and absolutely give, grant, bargain, sell, alien, enfeoff and confirm unto the said Andrew Crispe: All that moiety of the Water Corn Mill with the appurtenances within the precincts of Berwick called the Graingeburn Mill, together with grounds and lands thereunto belonging, To hold unto the said Andrew Crispe and his assigns during the term of his natural life with remainder, To such person or persons as Mr. Mayor and the General Guild of the said town should think fit to appoint from time to time to and for the following uses, intents and purposes, viz.: To and for the erecting, etc., of a House of Correction within the burgh, and for the better maintenance, ordering, providing and disposing of the poor therein for ever, and all other sturdy and idle persons coming and being therein, and for the setting of them and every of them to work, and to no other use, intent or purpose whatsoever.

‘Livery and seizin were delivered by an attorney duly appointed by the Corporation to the feoffee on June 1st following, and the tenant attorned tenant to him.

‘May 28, 1653. Indenture between the Mayor and Corporation of the one part, and Robert Trumble, Nicholas Lowe, Thomas Lindsay, John Forster, churchwardens, and Thomas Dickenson, Richard Winloc, John Turner and William Rogers, overseers of the poor, within the burgh of Berwick, of the other part: Reciting the above conveyance and the said order and agreement made at the said vestry meeting. It is witnessed that the Mayor, etc., for and in consideration of the sum of £350 so by them owing to the poor of the parish of the burgh of Berwick, did fully give, etc., unto the above named churchwardens and overseers of the poor, All that moiety in full, part of the Graingeburn Mill, together with the several parcels of ground situate within the bounds and liberties of the said burgh called the Claywalls and Burrs, *alias* Allerbush, with all the appurtenances, To hold unto the above named churchwardens and overseers of the poor, their successors and assigns to the following uses, intents and purposes, that is to say: To and for the erecting, etc., of a House of Correction within the burgh of Berwick aforesaid, and exactly as in the preceding deed.’

The necessity of having a House of Correction for putting idle persons to work was again brought before the Guild held in January, 1654, when it was

suggested that the 'Queen's Stables,' which had been granted to the Corporation by James I., but were then in possession of the garrison, should be used for the purpose, and that the consent of the Governor be applied for.

In January, 1657, in answer to an inquiry from General Monck, who was then in Berwick, how the revenues arising from the sequestered estates of Lord Mordington had been disposed of, the Guild replied that they had applied part of them in setting a House of Correction on foot. With this explanation the General seemed well satisfied. They applied to Cromwell, through Lord Widdrington and others, for permission to use £300 of the balance of Lord Mordington's money in setting forward the house—£100 to erect the building, and £200 to purchase stock for it. The Guild also determined that some able man should be sought out to take the future management thereof. The house was put in proper repair for £50, and after extensive inquiries as to the conduct of such a house, and as to the master's duties, and so on, they appointed Samuel Taylor to that responsible post. A bond of £100 was taken from Taylor that all the stock of spinning-wheels, etc., should be delivered by him at the end of his time in good and sound condition. This stock cost £109, which was taken out of the estate as arranged. The object of this house was to teach poor children to work. For instance, the vestry were desired 'to procure boys for the House of Correction.' The Queen's Stables were thus converted into the Correction House. All this trouble of erecting and settling a Correction House amounts to the ridiculous! After Taylor had been engaged a year he got notice to quit, to leave house and materials as had been agreed upon. He petitioned to stay a little longer, but his petition was refused. Thus ended all the Correction House the burgesses ever had. They began immediately to dispose of it and its materials. In 1661 the Guild met to bring the disposal to an issue, when it was recommended to use the timber of it in repairing the bridge. It was allowed to lie as it was till 1667, and when the Guild were removing the slates and timber from the roof they were interrupted by the garrison, who threatened to shoot them if they did not desist. Without following further details, we may note that the Guild tried to sell the house, but failed. In 1681 it was taken down, and the materials used for repair of the bridge. On its site, which was granted by the Guild free of expense, in the next century the Vicarage was built, in which the Vicars resided till the present residence was provided for them.

But in regard to the Graingeburn Mill and the Burrs and Claywalls, a change perfectly unaccountable came over the Guild. It was determined to retain them in their own hands and use them as their own, notwithstanding the deeds before

recited, and which could not have been entirely forgotten in less than nineteen years. There was no rent of these premises entered in the Treasurer's account for several years after the arrangements were made. They had been, in fact, paid to the churchwardens, who, of course, assumed the management of their own property. The Corporation, however, soon considered this as a usurpation of their privileges, and insisted that they had a right to manage them in the same manner as their own possessions. In 1672 they accordingly relet the Graingeburn Mill to their tenant for a year at the old rent. The former lease of the Burrs was also continued by the Corporation to the present tenant upon conditions laid down in Guild. In 1681 the same ground was let for £4 5s., and the Guild ordered 50s. of this to be given to the poor, and the remainder to be disposed of as the Guild should think fit. The Corporation during this time disposed of the profits of the Claywalls, which, of course, was included in the above deeds. The Burrs continued to be let as above for a certain rent, varying from £4 5s. to £8 6s., 50s. of such rent being paid to the churchwardens for the poor, from 1672 to 1698. In this latter year it was appropriated entirely to themselves by taking it as pasture-lands for the town's bulls. Part of it, previous to this time, had been divided into meadows for burgesses, and now they were to get these meadows elsewhere, and the whole taken as pasture-land. Thus they continued to manage the Burrs and Claywalls, and appropriate all the profits of them; and thus they managed the Graingeburn Mill property, but generally paying over its rent to the churchwardens till the year 1819, when the treasurer retained it in his own hands. In 1821 a demand was made for it in the Guild. He mentioned then, for the first time, that he had £120 of the rent in his hands. The Town Clerk and he suggested that the Recorder's opinion should be asked before it was paid over. After Mr. Hopper Williamson's opinion was read, along with that of Sergeant Hullock, the Treasurer was ordered to pay the money over to the churchwardens.

In the meantime the solicitors for the parish, who, during their investigations in the above case, had their suspicions excited that other lands belonged to the parish, took opinion of counsel upon the subject; and the churchwardens and overseers of the poor called a meeting of ratepayers, to take their opinion upon the propriety of commencing legal proceedings for the recovery of their property. This meeting was held on February 20th, 1823, and authorized the churchwardens to make a written application for the restoration. The Guild, previous to this, had appointed a committee to investigate the Guild books to ascertain the facts. The labours of that committee resulted in this extraordinary report: 'That the ground now called the Burrs formed no part of the lands conveyed to the parish by the deed of

May 28th, 1653 ; but that, on the contrary, the parish had for a long period received the rents of lands belonging to the Corporation beyond what they were legally entitled to by that deed, and were indebted to the Corporation in a considerable sum.' This committee laid a case before Mr. Sugden, and the Guild, in 1824, ordered that, in consequence of his opinion, the rents of Graingeburn Mill should not be retained. But the Guild still retained the rent of the Burrs. In 1825 an information was filed by the Attorney-General, at the instance of John Langhorn and John Clay, of Berwick, against the Corporation in the Court of Chancery, for the purpose of having the deeds of May 28th, 1653, declared valid conveyances. The suit was entered upon, but it was not till 1828 that a decree was given in favour of the pursuers. In 1831 a subpoena for payment of costs amounting to £379 19s. 3d. was laid before the Guild and ordered to be paid ; and an order for £175 6s. 6d. to be paid as eight years' rent of the Burrs. In 1833 £216 13s. 6d. was paid to the parish solicitors as the balance due ; and, by general agreement, 12 acres were allowed to be the proper quantity of land attached to the Burrs, and an extent of 12 acres was accordingly set off in the Lowhaughs as an equivalent to the parish authorities. The part of the land called the 'Claywalls' neither appears in the suit nor in the settlement. 11 acres 22 perches of Graingeburn Mill were given in 1856 to the Corporation in exchange for 5 acres 1 rood of land which was taken to form the new cemetery on the Edinburgh Road.

MORTOFT'S CHARITY.

In or about the year 1629, Valentine Mortoft, of London, Esq., offered to give £100 to the Corporation upon condition that they divided a perpetual annuity of £8 among the poor of the Burgh. This sum was afterwards augmented to £120, and the annuity to £10 a year. Sir William Muschamp was appointed by him to complete the bargain, and get proper security for performance of the engagement on the part of the Corporation. The security was at length arranged to be as follows :

'To secure the punctual payment of £10 to ten poor people for ever, by granting an annuity of that amount chargeable upon the estate called Cocklaw.'

Mr. Mortoft accordingly caused deeds to be prepared and engrossed to that effect at his own expense, and forwarded them to Berwick. The Private Guild, on June 15th, 1631, ordered that they should be forthwith executed, and the Corporate seal affixed thereto, and that the £8 at first (£10 afterwards) per annum should afterwards yearly issue and be paid forth of the rent of the pasture called Cocklaw ; and, also, that a power of attorney should be given to the Town

Clerk in order to give the Trustees possession of the premises. The deeds were accordingly executed on the following day. The indenture was drawn between the Corporation, of the one part, and Valentine Mortoft, of London, Esq., Sir William Muschamp, Bart., Barmoor, Sir Robert Jackson, Knight, Henry Shaftoe, Andrew Moor, William Gregson, Stephen Jackson, Edward Moor, William Fenwick, and John Saltonstall, of Berwick, of the other part. It determined that the amount of £8 (afterwards £10) should be paid out of the rent-charge of Cocklaw, bounding upon a parcel of land called the Ewebriggs, on the north, upon Nether Mordington and Edrington, both in the kingdom of Scotland, on the west, and the river Whiteadder on the south, and the grounds commonly called Baldersbury on the east. The ground consisted of 60 acres, and its rent was £25.

In another indenture between Valentine Mortoft and the Trustees appointed for carrying out his intentions, the proper recipients of his bounty were defined to be: Poor aged natives of the Burgh of Berwick, and not elsewhere, ten poor men or women, *or ten poor people of both sexes*, of the age of 60 (or 55 in a second deed) and upwards, and such as then should be, or have been, labourers or poor tradesmen, and decayed in trade through losses and casualties and bad debtors; or such as had become poor, lame, infirm, and impotent, or that they could not work, having been, and then being, of honest and pious conversation, not addicted to swearing, blaspheming, profaning of the Lord's Day, or any other great or notorious crimes. Each of the ten persons so chosen to be paid 4s. (5s. latterly) quarterly by the Trustees as long as none of the ten misbehave, or become dissolute, or of evil government and disorder; if any misbehaviour occurs, then another to be chosen in the place of the one removed and displaced. It was further provided that if any kindred of the said Mortoft are at any time qualified for this charity, they are to be preferred; but not more than four of such kindred to be upon the roll at one time. When the Trustees should, at any time, be reduced to four, the survivors should convey the said rent-charge to six other persons, as co-trustees with themselves. Trustees continued for a number of years to be appointed in terms of the trust-deeds, but latterly this has fallen into disuse, and the Mayor for the time being chooses the persons now qualified for such charity. The £10 annuity has been regularly paid and distributed for 256 years; that is, the Corporation has paid £2,560 for the £120 given by Mortoft, and spent at the time in paying off some petty debt!

TWEEDY'S CHARITY.

From the will of Roger Tweedy, of Stepney, in the county of Middlesex, dated June 25th, 1652, we learn that he gave and bequeathed unto the town of Berwick, to and for the use of the poor of that parish, in honour of God and for His sake, so much money as would purchase lands and tenements for ever, of the yearly value of £5 4s.—that is to say, 2s. every Lord's day throughout the year—to be invested in bread to be distributed amongst twelve of the poorest people of the same town, in the church after morning sermon, by the care and good discretion of the churchwardens or overseers of the poor of the same parish for the time being. He directed that the minister and churchwardens, with the whole vestry and overseers for the poor, should, from time to time, be feoffees in trust to see the same performed. Accordingly they gave security to his executors that the rent of the said lands and tenements should be employed for no other use than as aforesaid. He further directed that his children's children from age to age should make inquiry, either by themselves or their assigns, once every year whether the said sum of £5 4s. was distributed according to his last will and testament, and finding it either to cease or to be misemployed, that then his will was that the said sum of £5 4s. should come into the hands of two of the nearest of his blood, to be distributed by them according to his last will and testament. Captain Tweedy died soon after this, and his executors paid £100 to the Corporation, on the same kind of security as Mortoft, on the rent-charge, originally, of Nunslees; but by statute 6 and 7 Vic., c. 23, sec. 19, 20, the charge was transferred to all the Corporation's lands.

Tweedy's Charity of £5 4s., expended in the manner prescribed, continued to be doled out for many years; but at some uncertain period the sum was increased to £6 1s. 4d., thus giving fourteen loaves instead of twelve for every Sunday; and thus it continues to this day to be distributed by the churchwardens.

SHORT'S CHARITY.

On April 20th, 1600, Thomas Short, of Berwick, gentleman, for the purpose of carrying into effect the wishes of his late son, Augustus Short, as expressed in his last will, by indenture of that date, made between himself, of the one part, and the Corporation and the two preachers of the Word of God there, of the other part, conveyed unto the said Corporation and preachers and their successors for ever his burgage and garden in Berwick, to hold unto them and their successors for the time being for ever, to the only use, behoof, and free dwelling of the four poor widows who then occupied the burgage during their lives, and after their decease

to the use of other four poor widows of Berwick from time to time, to be chosen so often as death should make vacant one place as best should stand with the godly consideration of the said Mayor, etc.

On the 2nd of June this conveyance, along with three other deeds relating to the property (all of which are extant), was deposited in the town chest, and in the entry in the Guild Book the charity is described as an 'hospital' made from Thomas Short to the town. These houses were repaired at the expense of the Corporation after this time. In 1602, 6s. was paid for timber for the widows' houses. In 1609, the repairs cost 8s. 2d., which sum was paid by the Corporation. No further account of this charity occurs till 1658, when John Watson and Mary Park petitioned to have the almshouse, in which Widow Brown lived, for the terms of their natural lives. In 1668 and 1670 the Treasurer received 10s. for the almshouse yard, and from 1677 to 1686 he received 6s. 8d. each year. William Dawson, in 1679, offered to purchase the almshouses situate near the Palace, but his offer was not accepted. It is probable that they were sold in 1687, for the Treasurer no longer received any rent for them. Their very site is forgotten ; everything about them has passed into oblivion.

CHARITY SCHOOL, RAVENSDOWNE.

By deed-poll bearing date September 10th, 1756, executed by James Bolton, reciting that by indenture, enrolled in the Parchment Records of Berwick, bearing date April 24th, 1725, John Bolton, in consideration of £105, granted to the said James Bolton, his heirs, and assigns, a burgage or tenement, stable, and garden, with appurtenances, on the west side of a street in Berwick called Rotten Row ; and that by indentures of lease and re-lease, bearing date 9th and 10th of February, 1736, Ann Unthank and Thomas Bowring, for the consideration therein mentioned, conveyed to the use of the said James Bolton, his heirs, etc., another messuage, burgage, or tenement and garden, with appurtenances, in the same street ; the said James Bolton declared that the moneys, in the said recited indentures mentioned, were the proper moneys of the Trustees of the Charity School in Berwick, and were advanced by them, the rents and profits thereof to be applied in clothing and educating such poor children as they thought proper—such children to be brought up in the communion of the Church of England ; and the said James Bolton covenanted, for himself and his heirs, to convey the said premises according to the direction of the said Trustees, and reciting that he had the securities therein particularly described for several sums of money, amounting on the whole to £310. He further declared that the several sums so secured to him were the proper moneys

of the Trustees of the said Charity School. The following are the legacies which have been given towards the endowment of this school:

'John Brown, on March 20, 1758, left £100 to the Trustees of the Charity School, to place the same and apply the interest towards the educating and clothing of poor children in the said Charity School.

'James Bolton, May 31, 1758, left to the Trustees of the Charity School £800 for the purposes of that school as above recited. Provided that when the Trustees should be reduced to three, the survivors should within two months elect others to make up the number to seven (the Vicar of Berwick always to be one).

'Richard Cowle, who died at Dantzick, left May 21, 1819, to the Charity School of his native place, £1,000 three per cent. consols, which, after expenses were paid, amounted to £880 13s. 5d.

'Nicholas Brown, in 1766, left £91 2s. 3d., two-tenths of his personal estate, to this school. In 1794 there were £1,600, and in the following year £1,500 three per cent. consols purchased, and £500 three per cent. reduced annuities and £400 four per cent. annuities. To these sums additions have been made. In 1816, £600 four per cent. annuities were purchased with £482 5s., of which sum £450 was received in respect of a legacy of £500 left by Ralph Patterson, surgeon.

'In 1823, £1,000 three per cent. consols were transferred to the Trustees in respect of Cowle's legacy, £119 6s. 7d. being added to make up £1,000.

'William Grieve, in 1828, gave a legacy of £100, of which £90 came to the Trustees, after legacy duty, etc., had been paid.'

The income of the charity after this time was £154 10s. per annum, derived principally from the dividends of the stock above mentioned, and a small sum raised by annual subscriptions, amounting in 1828 to £10.

'The scholars in 1828 were taught reading, writing, and accounts. The national system is not used, but the Trustees have frequently urged the expediency of adopting it in order to extend the benefit of education to a greater number of children; but in that case it would be necessary to enlarge the school, and it has been thought that the £90 derived from Mr. Grieve's legacy might be well applied to that purpose.

'The following is a summary of the disbursements for three years:

	1826-7.	1827-8.	1828-9.
	£ s. d.	£ s. d.	£ s. d.
Clothing - - - -	87 17 9	90 7 6½	88 0 8½
Master's salary - - -	50 0 0	50 0 0	50 0 0
Books and stationery - -	17 9 8	16 3 10	15 15 1
Repairs - - - -	3 11 4½	1 7 6	1 14 6
Sundries - - - -	4 19 5½	2 10 0½	3 7 5
	£163 18 3	£160 8 11	£158 17 8½
Balance from last year - - -	-	35 1 5½	8 19 10
Mr. Grieve's legacy in bank - - -	-	90 0 0	0 0 0
Total* - - - -	-	£285 10 4½	£167 17 6½'

The National system has since been adopted. The school is now conducted

* The whole of above statement is from the Report of the Charity Commissioners in 1829.

as an ordinary National day-school for boys. The following are the Trustees for the year 1887: Rev. Canon Baldwin (Chairman), Stephen Sanderson, David Logan, Captain Forbes, R.N., A. R. Lowrey, W. L. Miller, A. Tower Robertson, Colonel Forster.

BROWN'S CHARITY.

John Brown, March 20, 1758, left to Trustees £1,000, to be placed out on Government or other securities, and to dispose of the interest to and amongst ten poor men and ten poor women, inhabitants of Berwick, and Protestants, in equal proportions, share and share alike, the said poor men and women to be appointed by the said Trustees and their successors within one month after any vacancy should occur by death, and the said payments to be made quarterly. Trustees were required to be five in number, and their places to be filled up as vacancies occurred through death, by the survivors. The Trustees, in 1830, were Rev. Joseph Barnes, William Riddle, John Wilson, Vaughan Forster, James Forster.

In the year 1792 the sum of £1,000 was invested in the security of the Tolls of the turnpike road from Cornhill and Milfield at 5 per cent. interest. £50 was thus distributed annually among twenty, giving each 12s. 6d. quarterly. No one receiving parochial relief can be a recipient of this charity. When the Tolls were abolished, the Charity only realized £43 12s. per cent., the total amount being but £436. Sarah Foreman's Charity was similarly invested, and was equally reduced on realization. £560 sold out at £43 12s., and amounted to £244 3s. 2d. These two Charities are now amalgamated under a new Scheme, dated 1858. The new Trustees are Edward Willoby, A. R. Lowrey, Alexander Robertson, David Logan, Thomas Darling. The only clause of interest in the new Scheme relates 'that the Trustees shall be at liberty when, and as vacancies shall occur amongst the recipients, to reduce the total number of recipients from 15 of each sex to 10 of each sex.' This is very necessary, for in the Schedule of the new Scheme the income, instead of being as it was at first, above £75, is now stated to be derived from £430 1s. 9d. in the consolidated three per cent. annuities, and £240 16s. 11d. in the same funds, giving a total of £20 3s. 6d. to be distributed among 20 poor people.

SARAH FOREMAN'S CHARITY.

Sarah Foreman, by will, dated November 3, 1803, gave to Burnett Roger Grieve, the Rev. Wm. Rumney, and three others, £400, then secured by the Mayor and Corporation of Berwick, upon trust to call in the same, and to invest

it in the public funds, if they should think fit so to dispose of it, and to dispose of the interest accruing therefrom to five poor men and five poor women, Protestants, and inhabitants of Berwick, at their discretion, in equal proportions ; such poor persons to be nominated by the Trustees or the major part of them. If a vacancy occurred, the Trustees were to name another recipient within a month, and none receiving Brown's Charity were to be partakers of this. The Trustees were to be five in number, and when reduced to three, the survivors to choose and make up the number. The money in 1824 amounted to £560, which was lent in three bonds to the Trustees of the Ford and Lowick turnpike roads—one for £400, one for £100, and a third for £60—at 5 per cent. The bonds are stated to have been (1835) in the hands of William Greive, Esq. The interest amounted to £28, which was divided as the will directed, and any one receiving parochial relief was disqualified.—See Brown's Charity for its future history.

COWLE'S CHARITY.

Richard Cowle, of Dantzick, left by his will, dated May 21, 1819, £17,000 in the three per cent. consols. Of this he bequeathed £1,000 to the Charity School and £1,000 to the Poor House, in the same place. As stated previously, £1,000 only realized £880 13s. 5d., which sum was transferred into the names of Walter Rowland, Thomas Lough, John Langhorn, and John Wilson, who were the churchwardens at the time. It was agreed that the stock should be sold and invested in the turnpike security at 5 per cent., and it was sold in April, 1824, for £844 os. 9d. The interest was regularly paid to the overseers, and carried to their account. For the regulation of this charity a new scheme was issued by authority of the Charity Commissioners in 1869 :

'The Trustees, in future, to be the vicar and the churchwardens for the time being of the parish of Berwick, the Mayor and Sheriff of Berwick, all in right and during the tenure of their respective offices.

'The funds shall be realized as soon as possible, and in the best terms that can be obtained, and the proceeds shall be paid to the consolidated three per cent. annuities in trust for the charity. The income of the charity shall be applied to the benefit of the most deserving and necessitous inhabitants of the parish of Berwick-upon-Tweed. The recipients shall be elected by the Trustees, who shall provide them with such clothes, bedding, fuel, medical or other aid in sickness, food or other articles in kind, or with pecuniary aid in special cases, as shall be considered by the Trustees to be most advantageous to them, and that directly, only aiding the funds of any provident or friendly associations to which they shall belong, or any public institutions of which respectively it shall be the object to provide them with like benefits. Or the Trustees may at their discretion apply a reasonable portion of the income in aiding the poor of the said parish and chapelry to educate their children by contributing to the maintenance of any school or schools adapted for the education of such children, in which there shall be no rule or practice to exclude children on account of their religious tenets.'

The income derivable from £801 in the three per cents. gives £24. This Charity has escaped the ruin that has overtaken Brown's and Foreman's.

WATSON'S CHARITY.

By indentures of lease and re-lease, bearing date 9 and 10 March, 1729, between Joseph Watson and Sarah, his wife, of the first part; John Scott and James Neelson of the second part; John Somerville and John Turner of the third part, and George Redpath and Thomas Balderston of the fourth part, certain lands within the bounds of Berwick-upon-Tweed, called New Waterhaugh and Fairney Flat, except a house thereon lately built and an orchard and garden thereto belonging, were settled to the use of the said Joseph Watson for life, with remainder to his first and other sons in entail, provided that the yearly rent of £10 should, after the decease of the said Joseph Watson, be paid by half-yearly payments at the feasts of Pentecost and Martinmas out of the said premises to the said George Redpath and Thomas Balderston and their heirs in trust, to be by them divided equally between the two dissenting ministers of the two Presbyterian congregations in Berwick for the time being, and that the like yearly rent of £10 should be paid to the same parties and their heirs on Lammas Day, upon trust that they should yearly, on the first of August, distribute the same among twenty poor widows being housekeepers and inhabitants of Berwick, to be named by the two Presbyterian ministers aforesaid for the time being.* A power of distress was given in case of non-payment. In 1824, the sum of £10 was paid by Mr. Clement Pattison, on account of the purchaser of the estate above mentioned to the Rev. James Reed Brown, minister of the Scotch Church, commonly called the High Meeting House, and the like sum to the Rev. John Crambe in the Low Meeting House. The sum of £5 was retained by each of the ministers, and £5 was distributed among ten poor widows, whom they selected out of their own congregations.

There is only one church representing these two at the present time, so that the whole of the above sum will be due to the one church and the one minister.

ASKEW'S CHARITY.

Hugh Bertram Askew, of Palinsburn, on April 15, 1868, bequeathed £500 in the name of the Vicar of Berwick as Trustee, to be invested in consols, and the

* The preceding is taken from an abstract of title submitted to counsel on behalf of Ralph Gilroy, of Gainslaw House, who had entered into an agreement for the purchase of the said estate, August 21, 1824.

dividends to be used in purchasing bread for poor people attending the church. Ten poor men and ten poor women are recipients of this charity.

WEATHERBURN'S CHARITY.

William Weatherburn, who died February 5, 1870, by will bequeathed £1,000 to the Vicar, Mayor, Sheriff, and Treasurer of Berwick, for the time being, as Trustees, to invest in Government stock or other perpetual annuity. The interest or annuity was to be divided among fifteen aged, sober, poor, respectable widows of Freemen of the Corporation of Berwick, and resident in the town of Berwick. The Trustees had to pay £100 of legacy duty, which left them £900, which was invested in the 3 per cent. consols. This charity produces about £28 a year, giving each recipient about £2.





Grammar School.



THE materials for showing in what state education was in Berwick in ancient times, are extremely scanty. That, however, schools were kept in its monasteries at a very early period, is attested by the Kelso Chartulary. In the year 1279, in a controversy about the corn tithes, the Sub-Prior and Sacristan of Coldingham was conjoined with the 'Rector Scolarum' of South Berwyc. The fact that schools existed at an early period here is likewise shown from the Lanercost 'Chronicle,' in which we read of the vision the scholars saw when they were hastening with their books to the schools in Berwick. About the middle of the thirteenth century the result of the education of the citizens is shown in the ability displayed in drawing up the 'Statutæ Gildæ,' the original of which is as good Latinity as was then written. During the succeeding century various Latin and Norman French letters, petitions and other documents, which were sent from the inhabitants to the Kings of England and their principal officers of State, are equally creditable to these writers; and when we come down to the reigns of Henry VII., Henry VIII. and Elizabeth, we find the composition of the orders of Guild a much nearer approach to the pure English of that day than probably could be elsewhere met with in the North of England. Scotticisms and examples of the provincial words then used in the adjoining county of Northumberland are seldom met with.* Nor is it unworthy of remark that the handwriting of the Guild Books throughout the period adverted to, and during some time afterward, is almost invariably neat and legible, sometimes elegant.†

The idea of starting a Grammar School belonged to Sir William Selby, Knight

* Weddell's MSS.

† *Ibid.*

burgess of Berwick. There was a talk of such a school being needed in Elizabeth's time, but beyond a few stray notices of schools and schoolmasters already referred to, nothing definite occurs in that century. From the Visitation Books at Durham, it appears that in 1577 there were three schools in Berwick; but at the accession of James I. of England there were only two, and their masters were Aristotle Knowsley and John Parke. The premises of the first Grammar School grounds and master's dwelling-house (which is now part of the property connected with the Corporation Academy) were situated on the south of St. Mary Gate, and extended from the front street to the Bank Hill. In the early part of Henry VIII.'s reign it belonged to Ralph Colvill, of Tweedmouth, who disposed of it to John Pearson, of Berwick, clerk. By Pearson it was sold in 1549 to Robert Story, a soldier in the garrison, and in 1562, in Elizabeth's survey, Story was still in possession; but Thomas Pearson, a son of John's, assuming to be the real owner, sold and conveyed it to John Selby in 1564. Story still maintained his right, and in November, 1566, another deed from Pearson to Selby was executed to give Selby possession; but by a jury Story and his wife were found entitled to hold the premises during their joint lives, and the life of the survivor. Selby was then to enter into possession upon paying £10 to Story's heirs or assigns. Whether Selby ever got possession does not appear, but the property descended on his death, in 1595, to his younger brother, Sir William Selby, Knight, usually designated 'the elder,' to distinguish him from his nephew, Sir William Selby, 'the younger.' Both were burgesses of Berwick, and served respectively as Members of Parliament for the Burgh. Sir William Selby, the elder, died in January, 1611-12, at the advanced age of 80 years. By his will dated 19th May, 1610, and in which he describes himself as 'Sir William Selby, the elder, of the Moat, in the parish of Igtham, in the county of Kent,' he bequeathed to the Mayor and bailiffs of Berwick, 'all that my messuage, or tenement with garden, orchards, backsides, and other appurtenances situated in Mary Gate, to be used as a Free School for ever.*' Although thus devised, this tenement was not given to the Corporation for fifty years at least, but for what reason, there is no account. Soon after the death of Sir William Selby many of the burgesses entered into securities for payment of subscriptions promised to assist in starting a Free School. We hear no more of the above; for, about three years afterwards (1620), the burgesses, as a Corporation, determined in a very liberal manner (!) to appropriate annually £30 out of the corporate funds towards the erection of a Free School, a resolution which was not fully carried into effect. The

* The will was proved in the Prerogative Court of Canterbury by his executors, February 5th, 1611-12.

Guild contemplated at this time to devise so much of the farm of Cocklaw on lease for forty years as would bring a revenue of £30 for the establishing of a Grammar School. But this scheme failed. In the meantime, so far had this resolution gone, that the Common Council of thirty had prematurely engaged an usher and brought him to Berwick, where he remained for some time. The funds were not forthcoming to maintain him, and the Guild were reluctantly obliged to dismiss him. Francis Turner had been thus engaged, but on leaving they presented him with £20. A few months after this the burgesses appeared to have nearly despaired of carrying into effect their long-cherished project. Several subscribers had paid in their moneys to the treasurer, which money (£159 10s.) was again lent out at interest to burgesses, but in the Head Guild, held after Michaelmas, it was ordered that the sums be paid back to the contributors within a month, with a proviso that these moneys should be forthcoming if the school was started within five years. The school was not begun in time, and all these subscriptions were forfeited. During the next fifteen years no mention is made of the school in the Guild Books; but in a deed executed by George Morton, of Morton, in the county of Durham, there was bequeathed a burgage for the erection of a Free School if it was begun within five years; this legacy was again forfeited from the same cause. Thomas Parkinson bequeathed by his will, dated 13th December, 1619, £20 for the erecting of a Free School or the purchase of a Parsonage for the town, provided the rest of the Guild do concur in such a good work. A liberal offer of £100 was made by a gentleman in London, if they would start a Grammar School, and the Guild offered £120 to aid in the undertaking. This latter sum had been given by Valentine Mortoft towards founding a charity in Berwick. Whether the £100 was ever paid does not appear, but Mortoft's money began to be squandered; £20 was applied towards payment of a debt due by the Corporation. The school was not yet started, but a temporary arrangement was come to, by which the education of children in the Latin language should be given gratis. This was done by a Guild at the Christmas of 1633. Upon the petition of Mr. John Jackson * that he shall have liberty to keep a Latin School in this place, and to teach children, and for that he proffers to teach the children of burgesses gratis, therefore, the Guild is content he shall have yearly paid him £10, by 50s. a quarter, forth of the Town Chamber. He seems to have begun his work on the 6th day of February, 1634. The next year Sir Robert Jackson and others went to London to procure licence for a Free School. On his return he brought promises from various individuals of

* This was a member of the Jackson family, a cousin of Sir Robert's, a burghess, who died in 1645.

subscriptions to aid in starting the said school. But no further notice of the intention to found a Grammar School occurs for eleven years. The only indication during this long period that the Guild were not altogether asleep in school matters was a petition to his Majesty to use the Store-house in the Palace as a place for the school and the schoolmaster's house. The Guild were again opposed in this scheme by Gilbert Durie, the vicar, and by Douglas (Lord Mordington). These gentlemen thought if the Store-house was sold by them for the Government, since the Guild would not repair it, money enough would be obtained to buy the lease of the tithes from Rosden, and the income from the tithes might be given to increase Durie's salary, so as to make it equal to that of the Mercers' Lecturer in the town; the scheme was abortive on both sides. It was not till 1645 that the Guild entered upon the prosecution of the scheme with zeal and perseverance. On the 3rd October, 1645, several leading members of Guild promised large sums to bring the scheme into operation at once. John Jackson had died in the previous month, and now the total want of a school may have caused the Guild to have become more active than ever they had been; they immediately set on foot a subscription paper. The following is a list of the principal donors:

Sir Robert Jackson promised £10 a year for ever towards a Free School.

				£	s.	d.					£	s.	d.
John Sleigh	-	-	-	20	0	0	Stephen Jackson	-	-	-	5	0	0
William Fenwick	-	-	-	20	0	0	John Ingram	-	-	-	6	13	4
William Orde	-	-	-	50	0	0	Robert Dodsworth	-	-	-	10	0	0
Robert Morton	-	-	-	6	0	0	John Greenhead	-	-	-	5	0	0
Luke Orde	-	-	-	20	0	0	George Smith	-	-	-	5	0	0
Benjamin Clarke	-	-	-	6	0	0	Andrew Moore	-	-	-	10	0	0
William Rosden	-	-	-	10	0	0	George Forster	-	-	-	6	0	0
Thomas Temple	-	-	-	6	0	0	J. Foxton	-	-	-	5	0	0
George Temple	-	-	-	5	0	0	Ralph Salkeld	-	-	-	10	0	0
Richard Selby	-	-	-	5	0	0	Four others each	-	-	-	4	0	0
Thomas Foxton	-	-	-	10	0	0	One gave	-	-	-	3	10	0
William Smith	-	-	-	5	0	0	Fourteen others each	-	-	-	3	0	0
John Forside	-	-	-	5	0	0	Twenty-four gave each	-	-	-	2	0	0
Robert Balsome	-	-	-	5	0	0	Two gave each	-	-	-	2	10	0
Andrew Crispe	-	-	-	10	0	0	One gave	-	-	-	2	6	8
Robert Turvin	-	-	-	8	0	0	Nine contributed	-	-	-	1	10	0
Elias Pratt	-	-	-	6	13	4	Eighty-three gave each	-	-	-	1	0	0

Sir William Selby gave £10 per annum 'as long as it please God I live.'

This shows a total of £473 3s. 4d., exclusive of annuities, and the contributions extended over a period from 1646 to 1652. The total number of contributors was 187, of whom 178 were burgesses and 9 non-burgesses; so that taking into account the total number who had been on the roll, 105 did not

contribute anything, but a number of these were non-resident. The total amount of subscriptions, inclusive of the annuities, would be about £800; and as money was at 8 per cent. interest, here was a clear income of over £60 at the command of the Corporation. This is, of course, without reckoning the subscriptions that were given in subsequent years, or without the value of the subscriptions received in London and elsewhere. On the 15th January, 1646, Sir R. Jackson, to redeem his pledge to give a donation of £10 for ever,

'Bequeathed towards the payment of the master and usher of the said school one-third part of that, my moiety of the tithe corn of Cheswick, in the County Palatine of Durham, with all profits and advantages whatsoever to the same belonging to the Master, Governor and Treasurer of the said school for the time being and their successors for ever to receive and take the profits of the said third part of the moiety of the said tithe to the uses aforesaid.'

Sir Robert* died shortly after making his will, and was buried at Berwick,

* The Jackson family were old residents in Berwick, and had become wealthy by trading. Thomas Jackson, the first mentioned, was treasurer of Berwick in 1545, and Mayor in 1548, 1552, 1563, 1567. He was owner of several houses in the town. He died about 1575.—Sir Robert's father was Robert, a son or nephew of Thomas. He was made free in 1564, but not of the staple until he paid a fine of 40s. In addition to his trade as a staple merchant, he was largely concerned in salmon fisheries and dealt extensively in corn. In 1576 he was Mayor of the town, and was largely engaged after this in Corporation affairs at London and elsewhere. Disfranchised in 1597 for bringing a cargo of corn from Leith which was infested with the plague, he was re-admitted at the intercession of the Governor and Council during the next year. He died about 1603.—Sir Robert, his son, was admitted in 1595 to his freedom on paying five marks, and next year was made Bailiff. He was knighted by King James in 1615 or 1616. He was much employed in the town's affairs at London, especially in negotiating for money to build the bridge. In Elizabeth's reign he was Collector of Customs in Berwick for some time. He was Mayor five times and was M.P. in five successive Parliaments. Sir Robert had an only child, Mary, who married 1st Sir Pelham Carey and 2nd George Paylor, Esq., by neither of whom did she leave any issue. Upon Sir Pelham he conferred his estates of Broomhouse and Holborn by will, and on George Paylor his estates of Fenham and Morton, all in Northumberland or County Palatine of Durham. His corn tithes of Beal and Lowlinn, both in the latter county, he bequeathed to Thomas Bradforth, his nephew, on condition he paid £500 for them. One third part of his Cheswick tithes he gave to John Sleigh, who married a niece, and the remaining third part to his sister, Mrs. Jane Davenport, widow, for life, with remainder to John Sleigh. He gave legacies of £5 each to the sons of his brother Stephen, of Hazzelridge, to two daughters and two sons of his brother Thomas, to the four children of his sister Anne Turvin, to the six children of his brother John Jackson, preacher, and to five children of his cousin John Jackson, late schoolmaster. He also gave £40 to his niece Margaret Salkeld, of Bassenden. Among other legacies he gave a piece of silver plate with his initials engraven thereon to his beloved friend Robert Balsome, preacher of the Word in Berwick, and another piece of silver plate of the value of four marks to Mr. William Strother, then preacher in Berwick, and his scarlet gown to Stephen Jackson, of Berwick. He likewise left £50 towards erecting a House of Correction in Berwick if done in three years, if not then to some other pious use at the discretion of his executors. Lady Mary died in 1645. Sir Pelham Carey was third son of Henry Baron Hunsdon, son of Henry Carey, Lord Hunsdon, Queen Elizabeth's cousin. Sir Pelham was called after his mother, who was a daughter of Sir Thomas Pelham, Bart. Pelham died about 1642.

January 29th, 1646. The Corporation now pursued the matter with great assiduity. The annual salary for a master was fixed at £60, out of which he was to pay for an usher approved of by the town. He was to be allowed, in addition, 'the benefit of country gentlemen's children, and of such as are not burgesses in this town, and had not contributed.' This order seems to imply that all children of those who had contributed, whether freemen or not, were to be taught gratis. No house had yet been obtained for a school, but an uninhabited house in the churchyard, which was then in dispute as to ownership, was considered convenient, and forthwith it was repaired at the town's expense, the right owner to allow for the charges what was thought reasonable. Means were then taken to procure a teacher, and while this was being done, they set about collecting all subscriptions possible; and so sure were the authorities at this time that the money would be more than amply sufficient for their purpose, they desired that the overplus should be devoted to the erecting of a House of Correction, towards which Jackson had left £50. One Paterson had applied for the office of master, but his offer was refused until they had heard from their friends in London, and, in addition to the salary, they now offered such accommodation in the fields as private burgesses had. The negotiations about the house in the churchyard failed, for Thomas Morton and others were appointed 'to select the convenientest places in the town for the Free School intended for the burgh.'

A new order about the teacher's appointment was now made:

'1. That the master shall only teach the principles of religion, and humane learning in Latin, Greek and Hebrew. 2. That he shall have the choice of his own usher. 3. That there shall be a convenient house provided for himself and family, and that the outer aisle of the church shall for the present be made use of for a school, and Jemima Rotherham's house at the churchyard is thought fit for a house for the master. 4. His salary shall be half-yearly, and secured to him under the town seal.'

At the same Guild it was ordered that a master should be procured to teach English, Reading, Writing, and Arithmetic to the children of burgesses, at a salary of £10 a year. Within a few weeks after this, on the 30th of September, William Webb, the first master of the Grammar School, arrived in Berwick, and began his work on October 5th. He was a stern Puritan, which suited the tastes of the majority of the burgesses at that time. John Jemmat stated his character very sententiously in a letter to the Guild, dated August 19th, 1646:

'Trulie might I have had the libertie to have chosen out of all the Schollers that I know, a schoolmaster for my beloved Berwick, this whom God now sendeth, Mr. William Webb, is the man I should have chosen. Of small stature indeed, but of great worth in my experience. He is very skilful both in the Latine, Greeke and Hebrue, very diligent and painfull about them. He andertaketh to teach, sober, single hearted, humble, godly, prayersome.'

The Guild were very thankful for so able a man, and thus acknowledged the efforts of one of their friends in obtaining him :

‘Truly we must needs take it as an argument of God’s extraordinary love to this place in providing us with such an able man ; we shall endeavour to give him all the encouragement and accommodation may be. Sir, we are not able to express our loves unto you, and cannot but return hearty thanks for your affection to us in this place.’

On Webb arriving in Berwick, the Private Guild, taking into consideration the great pains he had taken in coming to Berwick as their schoolmaster, as likewise the charges he had been at since his coming from London, ordered that his salary should commence as from August 1st preceding, and should be paid to him quarterly after this time. He engaged, as an usher, Francis Crowe. There was considerable reluctance on the part of many of the burgesses to pay their promised subscriptions, for they thought it was an English school that was to be started ; but those refusing to pay were forthwith to be committed to prison until they had paid the same without excuse or delay. Burgesses, after this, on taking up the freedom, were bound to pay £1 to the Grammar School. This was raised, in 1776, to 30s., which was the sum long paid. It is, perhaps, not quite correct to say that the subscription was raised to this amount. It will be remembered that each burges on admission gave two leather buckets, to be kept in the Tolbooth, for the purpose of extinguishing fire. These buckets, at first delivered in kind, were afterwards paid for at a fixed price—3s. 4d., or 6s. 8d. for two ; 3s. 4d. was likewise taken from every burges towards repairing the Quay at the Maison Dieu. These two sums make up 10s., which, added to £1, made up the 30s. afterwards exacted. Fire-engines were now provided for the town’s use, and the Quay was repaired from other sources of income.

It seems £127 was paid in subscriptions in 1647, and burgesses were still pressed for payment. Then John Sleigh obtained £200 of school money on loan, on mortgaging to the Corporation his share of the Cheswick tithes, left to him by Jackson’s will. From this two-thirds of the moiety, or one-third of the tithes, they derived 8 per cent. for their money ; still Webb’s salary at first was very irregularly paid ; three months after his second half year’s salary was due it was ordered to be paid. Then he secured the town’s seal to be affixed to a deed as guarantee of punctual payment, and at the same time, the Church being found very cold in winter-time, he was accommodated with the ‘convenientest rooms in the Governor’s House’ for a Free School and Master’s House. After this he thanked the Guild for their loves towards him, and promised to stay as long in town as he could, and added nothing would remove him if a godly minister such as Mr.

Balsome were stationed here. Mr. Webb very strangely left Berwick soon after this, and did not return for some length of time. Crowe, the usher, was asked to continue the work amongst them. But Crowe soon left for a more lucrative position ; and, as there were no signs of Webb's returning, the Guild engaged Gilbert Durie, the High Church Vicar, who had meanwhile returned to town. The Scotch Royalist Garrison was then in town, and may have induced Durie to come back. After two years' absence, Webb returned to his duties in 1649. What had caused his departure had evidently been the want of a minister of his particular persuasion. He left on Jemmat's departure, and returned when Oxenbridge was about to come here. On his return great difficulty was still experienced in the payment of his salary. The rent of Cheswick tithes this year was £9, and £16 was the rent from Mr. Sleight's part. These sums, together with £14 9s. 6d., were paid to Webb for his half-year's salary. Eight pounds were expended in making a partition in Mr. Webb's part of the Governor's House, for making up the Usher's Chamber, and 'for lime, hair, nails and plasterers, glaziers and carpenters work for that and for making a house or office in the Garden.' Webb, on settling down at this time in Berwick, began to be engaged in public business to a large extent as well as in teaching. He drew up various petitions to individuals on behalf of the Guild, wrote many of their letters, became a member of the Private Guild, which he frequently attended, and was sent many times on business to London, etc. In fact, he became a very important and useful member of the Guild. Oxenbridge and he were both enfranchised in 1651. During this year, if not previously, the Grammar School was removed to the premises bequeathed by Sir William Selby. There was a movement set on foot in 1655 by Oxenbridge, who had left Berwick some time before this, to remove Webb to another situation. But Mr. Webb quieted their fears by saying that 'to the glory of God he had much comfort in the increase of his labours here, and being much pressed by the Guild to stay, he declared freely he would stay, and hoped to lay his bones amongst them, to the great comfort of the Guild, who returned him most hearty thanks.' It would be difficult to say how many pupils were in attendance during the early years of the school. The burgesses only numbered at this time about 180 altogether ; but that the scholars were numerous, there is no reason to doubt. On the 17th December, 1657, application was made for an enlarged schoolroom in these terms :

'This day Mr. Webb declared that by reason of the multitude of his scholars and the closeness of his present school-house, which wanted air, the same would be very unhealthful to the scholars, for that in the summer time he was forced to teach sometimes at the door ; he, therefore, desired that a larger school-house should be built at the lower end of the garden.'

Again he says: 'There are so many boys, they are like to be stifled.' The Private Guild determined upon building, and ordered an erection to be put up suitable to the necessities of the case. The walls were ready for the roof in eight months, and it was ordered to be covered with slates. A Bailiff was ordered to proceed to Dundee to buy 'Sclaytes' for the School-house. £25 was allowed for covering the house, and it was ready at the stipulated time. The whole erection was paid out of the forfeitures of this period. Till 1660, Webb's salary was punctually paid, but, on the Restoration the forfeited lands being returned to their owners, the town again experienced difficulty in meeting the payment of Webb's salary. The tenant of the Corporation's 'New Farm' was ordered to pay the rent of £40 to Webb, and one of their other tenants was ordered to pay £20.

In 1666 the Corporation gained undisturbed possession of the house devised by Sir William Selby. Webb had occupied the house for some time, but under protest and considerable difficulty. What the difficulty was may be partly seen in the following digest of the case. Shortly after Selby's will was proved, a suit was entered in the law court of Berwick, the plaintiffs being the Mayor and Corporation, the defendant Sir Ralph Selby, heir of Sir William Selby the younger. The *judges* in the Court were identical with the *plaintiffs*, who pleaded the bequest as set forth in Sir William's will. The defendant pleaded the insufficiency of their title, or if that is complete, then he pleaded that his mother heired it and sold it to him under proper title-deeds. But Sir Ralph never produced the conveyance. The title of the Corporation, on the other hand, was not quite unimpeachable, for no conveyance from Sir John Selby to his son Sir William had been found. Judgment was given in 1645, that the defendant had no right or title to the property and must be dispossessed. But there was no action taken on this judgment; for, in two years, this Sir Ralph's widow, Lady Selby, was to be spoken to about the tenement in dispute. She refused to give possession. The opinion of the Recorder was then asked, but this has not been preserved. A letter was then written to William Strother, of Kirknewton and Grindon Rigg, touching this message. Strother was a lineal descendant from Sir R. Selby, and was supposed to have had influence with her, but this letter had no effect. The Guild now commenced a suit in Chancery for recovery, and got possession before 1648, and kept a tenant in it for retaining the town's right. Thirteen years afterwards, when Lady Selby was dead, her daughter Mary renewed the claim, and was assisted in this by Lord Widdrington, Governor of the Garrison, and Captain Edward Widdrington and Colonel William Strother, of Kirknewton. She married, shortly after this, Captain Walters of the Garrison, which may explain why the

garrison took an interest in her success. The garrison tried to eject the possessors, but the legal result of this suit is not known. The Guild met on July 16th, 1662, to inquire into a great riot that had taken place on the previous Sabbath in Webb's house for his ejection by Mrs. Mary Selby and soldiers of the garrison. Letters were sent to the members of Parliament, the Recorder, Rushworth, and Collingwood. The riotous crew were ejected, by what means or when is not known. William Strother, of Grindon Rigg, and Arthur Grey, entered a suit in the Law Court of Berwick for recovery, but this was cast out, for there was no fair plea of possession put forward. Then Mr. Strother alone entered the Court against the Guild, and the whole was ended by the Guild paying £80 to the heir male;* and Webb remained after this in possession. Affairs passed quietly on for a few years, till in 1669, when Webb was getting old, and 'loved a peaceable life,' he resigned his situation, for he had been insulted by one of the garrison. Mr. Young, now usher, drew up a statement of the case, and the Guild ordered a letter to be sent to Widdrington, the Governor; but, before it was despatched, an apology was sent to Webb from the garrison, and the affair quashed. Webb continued to fill the office till his death, which took place very early in October, 1673, after 27 years' faithful service. It is said he served the office with credit to himself, and to the perfect satisfaction of the town, who loved to call him their 'ever honoured Schoolmaster.'† He was married twice; by his first wife he had one daughter, and it is supposed his only child, who was married to Robert Watson. His second wife was Anne, widow of Thomas Foxton, of Berwick. He owned the estate of Swinhoe, and left it to his daughter subject to a rent-charge of £40 to his widow, who lived till 1686. This estate passed to the Earl of Lisburne through the Watsons.

On October 6th, 1673, the Guild appointed Nicholas Wrissel, the Non-conformist Lecturer, to succeed Mr. Webb. Wrissel had been deprived of his Lectureship on the Restoration, and he remained in obscurity for eleven years. He was then appointed as above; but the Dean and Chapter of Durham, led on by Dr. Cartwright, insisted upon his removal from teaching, as his holding office was contrary to law, and he laid down the rod in January, 1674. The Guild made an attempt to obtain another master, but for some inexplicable reason Wrissel was again appointed, and held the office as long as Charles II. reigned. This is not mentioned in the Guild's transactions, but only inferred from the accounts. Wrissel was paid £60 in 1677; and a receipt for a quarter's salary in 1683, in his

* The money was really paid to Captain Walters.

† A number of students from Berwick are registered as entering Magdalen College, Cambridge, in 1654, shortly after Webb entered on his duties.—'Fifth Report of the Royal Commission on Historical Manuscripts.'

own handwriting, is still in existence. On James's accession to the throne a new appointment was made.

Sometime before this, in 1678, the Guild had come into possession of the Coldmartin Estate, bequeathed to them as follows. The Strothers of Kirknewton were from an early period also possessors of Langton, or Lanton. This estate descended to a junior branch of the family, and prior to the year 1619 belonged to Clement Strother, grandfather of William Strother, the Fishborne Lecturer. He then resided there; and by deed dated the 14th of August in that year, in which he describes himself as of Langton, in the county of Northumberland, gentleman, 'in consideration of a marriage then about to be celebrated between William Strother, his eldest son, by his wife Ann (that is, the William who was Town Clerk), and Judith Palmer, daughter-in-law of William Morton, Berwick, burgess, and for the natural love and affection which he bore to him, and for a jointure to his said intended wife, conveyed to the said William Morton and Edward Turner as Trustees his messuage or farmhold, situate in Coldmartin, to the use of the said William Strother and Judith Palmer and the longer liver of them and the heirs of their two bodies, and, on failure of such issue, to the use of his own right heirs.' William Strother, the Lecturer, succeeded his father as the owner of Coldmartin. He conveyed to his widowed mother the whole of his estate of Coldmartin, and afterwards gave her a moiety of it in fee-simple. By his will he confirmed both these gifts, and then proceeded: 'I do hereby bequeath for and towards the maintenance of the Grammar School now in Berwick, from and after my said mother's decease, one full fourth part of that my said messuage, tenement, and lands, lying and being within the town and fields of Coldmartin, in the County of Northumberland, to the Mayor, Bailiffs and burgesses of Berwick-upon-Tweed, and their assigns and successors, for ever.' His mother afterwards married John Sleigh, of Berwick, but survived him. She devised her moiety of Coldmartin to Joseph Rosden, and, when she died in 1678, the trustees of the Grammar School succeeded to the full fourth part of Coldmartin as devised by her son. Early in the next year the estate was put into their hands, and thenceforward they drew the rent of it. This addition to the resources of the Grammar School added little at first, but after a century's occupation the rent realized about £100.

In 1680, the Corporation was due the Mayor, Mr. John Sleigh, £100. To pay this off, they mortgaged the Cheswick tithes to him for seven years, which amounted to £148, thus paying interest as well as capital out of purely Grammar School revenue. On Wrissel's second dismissal he was now forced to leave the town, for he, along with Gilbert Rule and Ogle, was sought for by the authorities. No

very diligent search would be made for him, however, as John Luck was Mayor, a gentleman of strongly Puritan tendencies, and who had helped one minister, at least, before this, to escape. Hearing that the Governor was in search of William Veitch, and that an application would be made to two Justices of the Peace for a warrant, the Mayor artfully contrived to get the only other justice who was then within the burgh to leave the town; when the Governor and officers came to him for a warrant, 'Oh,' says he, 'by all means,' and calling his boy, 'Run,' says he, 'for these two justices, and bring them hither quickly.' The boy, after a space returning, told the Governor they were both out of town, and would not be in till to-morrow. 'Well,' says the Mayor to the Governor, 'you know I can give you no warrant till they come, and you, having doubled the guards, can secure them till then.' Luck, in the course of the night, assisted Veitch to escape from the town by water. Veitch fled to Luke Ogle's house in Bowsden, the ousted minister of Berwick, who laughed heartily at the story.* William Salkeld succeeded to the office of teacher, and the following item appears in the accounts of this year: '2s. 4d. spent with the schoolmaster the night he came to town.' The Free School and School House were made air-tight and water-tight, and the water emptied out of the cellar at a cost of £30. Coldmartin was let for five years at the small rent of £5 a year. The first year's rent was spent in repairs. Salkeld, appointed by the Common Council, who ruled the town after the death of Charles II. in 1685, was continued till 1689, when the Guild got rid of him; and not being able at once to obtain a suitable successor, they appointed temporarily Mr. Andrew Jackson, a burgess, to carry on the work. Jackson, at a salary of £30 a year, carried on the work till his death in the early part of the year 1690, when he was succeeded by two burgesses—viz., John Scott and James Nealson, and the salary of each was fixed at £20 per annum. This salary, in 1696, was raised to the usual amount of £60, which was £30 to each. At this time it was not an unusual thing for the Guild to grant liberty to non-burgesses' children to be taught gratis. In 1693, Mr. Fair, the apothecary, got this liberty for his family 'for the good he was to the town,' and the children of Patrick Robertson, the Vicar, were taught on the same terms. In 1698, Wrissel's widow, who had married James Burnett, of Stockwell, gentleman, applied to the Guild for payment of £10 still due to Wrissel for his salary. His daughter, Dorothy, was living in Berwick now and in great poverty, and the Guild determined, at Mrs. Burnett's request, to dole out this £10 to Dorothy at the rate of 1s. per week, thus spreading the payment over four years. About 1708, the Grammar School required again to be

* McCrie's 'Life of Veitch,' pp. 126-130.

enlarged, and the town, having no means to effect the same, the members of the Guild, led by Mr. Robert Watson, determined to do this themselves. After some hesitation and examination, this was done. Scott* and Nealson both continued in office till 1714, when they were threatened with prosecution, if they did not cease the work. Evidently the old rule of licence was to be enforced by the Bishop of Durham, for both teachers were Protestant dissenters. In 1715—whether Nealson had before this time complied with the Bishop's request is uncertain—he was appointed sole master of the Grammar School at a salary of £60 per annum. What caused Scott's retirement is not known. He did not dissatisfy the town, for he was frequently employed afterwards on important public occasions. Nealson now taught by himself for thirteen years, when, in 1727, he took his son Ephraim to help him, a youth of eighteen years of age. He was examined, and found fully qualified for the work.

Besides money paid to the Grammar School, the Guild were paying to Mr. Jackson, writing-master, £20; to Mr. Cockburn, mathematical master, £25; and to Mr. Willit, for teaching singing, £10; so that altogether the money paid by the Corporation for education was £115, about one-tenth part of the total income of the town.

James Nealson continued master for the long period of 57 years. He died in 1748 at the age of 77, and was succeeded by his son Ephraim as sole master, after he had assisted his father for 21 years. He held the head office for only two years, and on his resignation the Guild advertised for a successor in the Newcastle, Glasgow, and Edinburgh papers, and asked a number of ministers and others to examine the candidates; and he, who had a majority of votes of the examiners, was to be appointed master. Mr. Joseph Rumney was chosen, to receive a salary of £60 a year for teaching freemen's children, and 10s. per quarter for non-freemen's. He was to provide an usher out of his salary at not less than £20 per annum. Mr. Ephraim Nealson's books were left in the Grammar School, and were now delivered to Mr. Rumney to be kept for the use of the school. They consisted of 12 vols. (10 folio, 2 quarto) of classical works. These have long since

* He was son of Mark Scott, Town Clerk. Mark was owner, by purchase from William, Lord Mordington, of Sanson Seal (Sonce and Seal) and Yellow Gowland, to which properties John Scott succeeded at his father's death. In 1732 he mortgaged it for £250, and in 1740 for £300 more. He died in 1742. One of his daughters and co-heiresses married Robert Menteith, of Longformacus, a clergyman, whose son became, if I am not mistaken, first clergyman of Chapel Street Church, and got stints in the fields in 1756, along with Goldie and Murray, two other Dissenting ministers. The estates were afterwards sold to James Burnett, of Gray's Inn, London, and afterwards of Berwick.

disappeared, although a deal floor was laid in the 'stody' of the Latin School, and proper shelves with folding doors, to keep them.

The Guild had attempted to repair the Grammar School house, but found it so much out of repair that they determined to build a new one, 'in the cheapest and best manner possible.' This house was finished in 1754, when it was examined and certified by the Guild as properly built according to plan and estimate.

After a good deal of trouble, the law plea over the Coldmartin estate was brought to a termination favourable to the Corporation, in 1783. Since they entered into possession, the whole of the estate was farmed as one large farm, and the one-fourth of the moiety of the rent was given to the Guild, but at this time the Corporation's part was settled and separated by decision of the Court of Chancery, and the Guild had now 47a. 1r. 34p. set off as their own proper share, which was let separately. Before it was let, it was enclosed with dykes, which were considered preferable to hedges, and cost £15 more. Rumney continued in office during the rest of the century, and was Vicar as well for many years. The double duty did not seem well performed; the result was disastrous to the school, for, after the determination to build an Academy in 1798, we are told that 'the Guild will build it on the Grammar School grounds, for it can do little harm, the scholars are so few.' In 1801, Rumney resigned, after a term of fifty-one years. He was succeeded by Joseph Barnes, at a salary of £60 and a dwelling-house. Barnes was examined before admission by Rumney, Joseph Walker, William Stow Lundie, John Kelloch, and James Smith, the two latter being ministers of the High and Low Meeting Houses, by all of whom he was cordially recommended. After being in office for four years, Barnes was taken to task for officiating as Vicar and afternoon Lecturer, and was compelled to resign his charge, which he did at Lammas, 1806. The Guild, thereupon, appointed a committee to advise what salary should be allowed to his successor. They found that the income of the school then consisted of Coldmartin, let at the annual rent of £100, and the Cheswick Tithes,* now let at £49, so that, when necessary deductions were made, a surplus of £130 per annum would remain, which must be applied to the use and support of the school, and to no other use or purpose whatsoever. They also recommended that the salary should, at least, be £60, if not £80, and the remainder of the revenue should be allowed to accumulate to form a fund for repairs or for the rebuilding of the premises. As these revenues were only vested in the Corporation in trust for the school, it was necessary that a separate account should be kept for the receipts and application

* The two-thirds mortgaged for the debt of £200 in 1647 came permanently into the town's possession in 1663.

thereof. The new master was not to be allowed to officiate as a clergyman, and he was to teach non-freemen's children for a fee, and freemen's were to be admitted gratis. The Guild fixed the salary at £80, and appointed Guy Gardiner to the office on May 7th, 1806. In 1815 the dwelling-house was put in proper repair, a new front of ashlar stone was added, and other repairs were executed at a cost of £250. Then a new Grammar School began to be thought of, and, eventually, a new building was begun in 1819 and finished in 1820, at a cost of £400. This was the building used by the Grammar School till 1866, when the school was removed to its present premises. The old Grammar School is now used for an Infant School attached to the Academy. A question arose about 1820 concerning the Guild's liberty to build their Academy on the ground of another trust without compensation. To clear themselves of this odium, the Guild bought George Oswald's premises on the west of the Grammar School, and conveyed to that trust as much land as they had taken for the building of the Academy. In 1837 it was settled by valuation that a rent of £1 10s. for each of the thirty-one years they had occupied the ground should be paid, and £49 10s. was accordingly handed over to the treasurer of the funds of the Grammar School.

In September, 1829, the Parliamentary Commissioners for inquiry into the public charities visited Berwick and made inquiries into this charity. The treasurer informed them very meagrely about the state of the whole charity, and excused himself by saying (which was true enough) that the books of the Corporation were then in Chancery in the Burrs' suit. In their report they stated that the accounts had never been kept separate till 1805, that part of the premises had been taken by the Corporation, that the yearly income was £158 10s., and the outlay £110 10s., leaving £48 for paying off the debt incurred in rebuilding.

Mr. Gardiner continued to hold office till 1848,* after a service of forty-two years, and the Council were arranging to make a new appointment when they discovered they had no longer any power. The management of the school under the Municipal Corporation Act passed entirely into the hands of Trustees, appointed under a scheme drawn up by one of the masters of the Court of Chancery, and put in force in 1852, which was acted upon till the year 1863, when the Charity Commissioners obtained the power over all such trusts, and drew up another scheme, which continued in force until 1880, when the same commissioners framed a third scheme, under which it is now governed. Burgesses' sons

* Thus, with a brief interval of four years, three teachers had covered the period from 1691 to 1848—a term of 157 years. Since Gardiner's time to the present—thirty-nine years—there have been eight successive masters.

were taught gratis as long as the management remained in the power of the Guild ; under this last scheme they pay two-thirds of the fee of non-freemen's children.

I append an abstract of the account for the last year, 1886 :

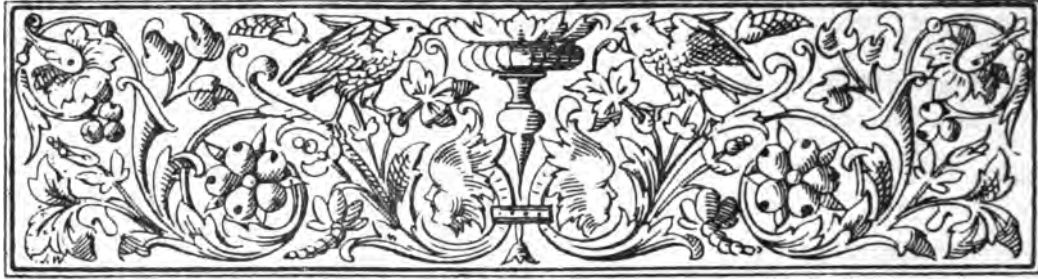
INCOME.			EXPENDITURE.		
	£	s. d.		£	s. d.
Rent from Coldmartin - - -	65	0 0	Clerk's Fee, Rates and Taxes -	38	0 6
Share of Corn Tithes - - -	55	9 5	Instalment of Debt and Property		
From Freemen - - - - -	9	0 0	Tax - - - - -	33	11 7
From Fees - - - - -	197	5 7	Interest on account current -	6	1 6
			Salaries - - - - -	274	5 0
			Incidental Expenses - - -	15	1 9
Balance against the Fund -	£326	15 0			
	40	5 4			
	£367	0 4		£367	0 4

THE CORPORATION'S ACADEMY.

The history of the Academy is simple enough. When the Grammar School was founded, a number of those who contributed to its support grumbled that only classics were taught in it. Very soon afterwards, a writing-school was started, at which children could be taught writing for a small fee, while the master was paid £10 or £20 at the town's charges. This writing-school continued till it was merged into the Academy. As time went on, other schools were begun, to supply the necessities of the town ; Reading, Mathematical, English, and English grammar schools. Five different schools were in existence when the Academy was built. Previous to this being done, these schools were located in different parts of the town, in low and dingy rooms. In 1798 the Guild determined to build an Academy on part of the ground belonging to the Grammar School, because there were so few scholars at this school, and because they thought that the ground would be better occupied as a school than as a mere recreation and pleasure ground. The Academy was built in these years, and finished in 1800. It has continued since in the same premises. Each master at first was subordinated to the Guild alone ; but, about forty years ago, a rector, or head-master, was appointed with the same functions as in other schools ; and this form of government has been continued to the present day.

In addition to several private schools, the following are the public schools in Berwick :

- The Boys' National School, Ravensdowne.
- The Girls' National School, Parade.
- The Infants' National School, Parade.
- British Schools for Boys and Girls, Palace Green.
- Berwick Infant School, College Place.
- St. Mary's National School, Castle Gate.



History of the Bridges.



IN the year 1199 there happened, in England and on its borders, an extraordinary inundation of waters, which carried away bridges, mills, and houses; among the rest, the Bridge of Berwick. Earl Patrick, a Governor of the town, having, in obedience to the King's orders, set about rebuilding it, was forbidden by Philip, Bishop of Durham, to make it terminate on his land. But no bridge could be built unless it terminated on land belonging to the Bishop, as it had formerly done. At last, by the advice of William de Stuteville, the Bishop suffered the work to be carried on. No further notice of the bridge occurs for eighty years. Burton, in his 'History of Scotland,' says there is notice of a bridge across the Tweed at Berwick so early as the year 1271 (if what is written above be true, he must have overlooked that reference). He continues, in a foot-note: * In that year, Adam de Bedford was beheaded in England, for having associated with pirates in Scotland, at the north end of the Bridge of Berwick; † and adds that the 'Scala Chronica' mentions, about ten years (twenty?) later, the destruction of the bridge from the swelling of the river. But from the 'Chronicon de Lanercost' we learn that this inundation happened in 1294. After the Feast of St. Peter de Vincula (August 1st) there happened a sudden but monstrous inundation of waters (a Lammas Flood) of the Scottish river called Teviot. For suddenly, without great rains, the waters, coming from the Teviot, increased so as to rise above the bridges and overhanging rocks, carrying away the mill under the Castle of Roxburgh and other obstacles. The Berwick bridge was broken, and the tower thrown down. The piers of stone

* Burton's 'History of Scotland,' vol. ii., p. 95.

† He was captured in the company of sea robbers in Berwick, on the north part of the bridge, in the kingdom of Scotland, and beheaded as a robber. He was son of Richard and Isabella of Bedford.—Bain's 'Calendar of Documents relating to Scotland,' 1272 A.D.



J. HERRIOTT, Photographer.]

THE OLD BRIDGE.

[BERWICK.

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were also prostrated, and many people crossing at the time were carried away into the sea. It is rather remarkable that piers of stone are mentioned in this bridge at so early a date. Where the bridge fell at this time, there it lay for many years. The only method of crossing was by ferry-boats, worked, as we shall see, from both sides of the river; while the ferry, in times of danger, was defended by soldiers. Thus, in Sir Robert Heron's (the Controller) 'Book of Bills' for 1310, there is allowed one half-quarter of pease to each of six crossbowmen (one of them being John Sharp Arewe) guarding the ferry of the Tweed at Berwick.* More of this ferry we learn from a little history found in the Scotch Rolls for the year 1334:

'The King to the Chancellor, June 15, 1334.—In the time of the Kings Alexander and John of Scotland the bridge over the Tweed was entire, and there was no other passage; but in the latter part of John's reign† the said Bridge was destroyed and broken, and the only means of crossing was by a boat. When the town came into the hands of Edward I., Anthony, the Bishop of Durham, caused a certain boat to be made for the passage from Tweedmouth to Berwick; and Edward I. caused another boat to be made to cross from Berwick to Tweedmouth, and from that time obtained and possessed that passage. In the vacancy of the Bishopric, caused by Anthony's death, Edward I. gave the profits of the crossing both ways to John Hayward. But when Edward II. restored the temporalities of the See, then Bishop Kellaw got the north-going passage, and was succeeded in the possession by Bishop Lewes, until Robert de Bruce dispossessed him, and now the present bishop, Richard de Bury, claims the passage. We (Edward III.) command you restore the passage and all profits since Sept. 7th‡ last past to the same bishop without delay.'

Hayward continued to hold the south-going passage during his life.

From a lengthened order in the Scotch Rolls for 1337, it appears that many of the inhabitants had demised entire rents of some houses, and partial rents of others, and the rents of some fisheries, for the maintenance of the bridge. When there was no bridge, the King ordered that the rents and fisheries given for this purpose, and taken into his hand, be restored to the Mayor and community of Berwick, that they may be preserved for the construction of a new bridge. The order was directed to Thomas de Burgh, Chancellor of Berwick, in these words: 'Because we have received by inquisition by our beloved and faithful Anthony de Lucy, Keeper of our Town, and Justiciary of Laudonia, that Elias de Wales, formerly burgess of the town, gave in fee, for the sustentation of the bridge at Berwick, 17s. 9d. of annual rent, arising from a certain tenement in Soutergate, which is in our hands by forfeiture of Ferinus Gley; and that the same Elias gave, for the maintenance of the bridge, 8s. 9d. of annual rent arising from another certain tenement in the same street, which is in our hands through forfeiture of

* Bain's 'Calendar of Scotch Documents,' January 19th, 1310. † 1294 A.D., *ut supra*.

‡ Date when the temporalities were conferred upon the Bishop.

Robert Nesbyt.'—and so on the order proceeds through sixty-three such details, enumerating fourteen streets and sixty-one houses in these streets. It names two fisheries whose rents have been gifted for this purpose. The rents, arising from the whole, amount to £28 16s. per annum (this is correspondingly a much larger sum than is now allowed for the present bridge). After these particulars are given, the order declares that the Mayor and community of Berwick have received all these rents from the falling of the bridge until 1333; but from that year they have been paid into the exchequer at Berwick. The Chamberlain was now requested to repay all these rents to the Mayor, etc., and to take security from them for these moneys, and to place the security in the exchequer. This order was fully carried out. In 1338 the Chamberlain was ordered to renew the security, and to do so annually from successive Mayors. In 1340 the Mayor and his friends were allowed to trade with the money, that they may account for both interest and principal; but under the same security as before. In 1347 the King learned that the Mayor and community were at last determined to begin the construction of the bridge. He then ordered the rents to be collected by the Mayor, and then, he hints, he will be altogether relieved of the burden. At the same time, the King granted the Mayor, etc., the sum of 6d. on every ship entering the harbour, to help to raise money for the construction of the bridge. Still the bridge was not constructed for another eight years. In 1355 the King 'understands that the Mayor and bailiffs of said town, who have dwelt in it from the 20th year of his reign, have raised and received divers sums of money for rents belonging to Berwick bridge, and that they have detained such money among themselves. We wish to be informed what sums of money the Mayor and bailiffs have raised and received for such rents, and in whose hands that money now is; and we order you to examine the said Mayor, etc., and discover what sums of money they have so raised. These moneys you must keep till we further demand an account of them. You must now certify us under whose seal you now place the moneys.'

The ferry from Berwick to Tweedmouth remained in the hands of the King until 1337, when, in consequence of a petition to Edward III., Richard Bernard had the ferry granted to him, as the heir to his uncle Hayward; and the Chancellor was commanded to do what was necessary to assure the profits of the ferry to Bernard. This grant was repeated several times, and especially after the conquest of Berwick by the Scots in 1355-56, and re-conquest by Edward III. Bernard was very anxious to prove that the whole ferry had been granted to Hayward, his uncle, and that the Bishops had nothing to do with it. But it does not appear that Bernard was successful in this; and the last item of intelligence we hear of

the bridge in this century is that a suit was entered upon on November 13th, 1376, between Thomas de Hatfield, then Bishop of Durham, and Walter Tyrel, who succeeded Bernard as possessor of the ferry. We have not been able to ascertain the result of this suit. The whole matter passes out of sight. We hear no more of bridges till the beginning of the sixteenth century.

We do not know when that bridge was built. We know that no bridge existed from 1294 to 1376; but eventually a wooden one must have been erected across the Tweed. The fact of there being a decayed bridge in 1513 shows that it must have been built about the end of the fifteenth century. During Henry VIII.'s reign, and the remainder of the century, large sums were required to keep it in repair.

From the history of the bridge previous to the reign of James I., it would appear that it was then the property of the Crown, and that the whole of it, except the abutments on the Tweedmouth bank of the river, was within the burgh of Berwick;* although this is not in accordance with the maxim of the law both of England and Scotland, that the 'filum aquæ' is the boundary between the two kingdoms. Whether the bridge did or did not pass under the grant of James I. to the Corporation, certain it is that for a considerable period prior to, and for a few years after, his accession to the English throne, the cost of keeping it in repair was defrayed out of the Treasury of England.

On February 16th, 1607-8, James Burrell, Surveyor of his Majesty's works in Berwick, wrote to the Earl of Salisbury, giving an account of the fall of part of the bridge on the preceding day:

'Yesternight, between 6 and 7 of the clock, the spate rose here and brought the ice so fast vpon the Bridge as tenn pillars and eleven bayes thereof being in the strength of the river was then thrust down and caryed away, of which I had ever a doubt and feare, as in my letter to your Lordship you may perceave. The rest of the bridge is in manie places so shaken as I expect no other but still the falls of some of them. All possible means I used to have prevented this. But the ice was with the furious and faste currant of the spate so forcibly caste against the bridge. And if it had bene new and strong as ever it was it had sure bene broken. In the fall their were three hundred volluntary men on the bridge more than hired workmen ready to have given their labores for the good of it, yett, blessed be God, not one person is loste or bodilly hurt.'

He likewise informed him that he had prepared a lighter to serve as a ferry-boat until the bridge was repaired, but suggested that it would be best to erect a stone bridge, as wooden bridges in such rivers were subject to rapid decay, and to liability to be thrown down, and as the expense of keeping them was enormous;

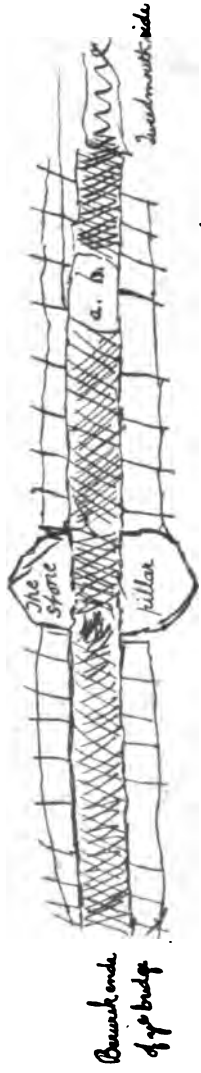
* The Weddell MSS. It was not so with the present bridge. The large recess in the middle of the bridge was the boundary between the burgh of Berwick and the County Palatine of Durham. Sods lay on the parapet of this recess to mark the division.

in proof of which he sent him a note of charges which had, in recent years, been laid out in repairing it. From the accompanying account it appears that during the six years ending in 1574 the amount was £4,004 15s. 9½d., thence till Elizabeth's death £958 9s. 8d., and during the first three years of the reign of James I., £404 9s. 9d. ; total, £5,372 15s. 2½d.

At this period the only remaining church within the burgh was in a ruinous state. A few days after the fall of the bridge, the Mayor of Berwick communicated the misfortune to the Earl of Dunbar, who was then at the court of James I., and solicited his aid. His lordship in reply, dated Whitehall, February, 1607-8, informed the Mayor that he would cheerfully apply to the Privy Council for a grant of money towards building a new bridge, which he trusted would be of stone, and with respect to the proposed new church, he had already collected £1,000 towards its erection, and that he had also obtained briefs authorizing the agents of the Corporation to solicit donations throughout certain counties of England towards the relief of the poor people in Berwick who had recently suffered considerable losses by fire. His lordship accordingly applied for money to rebuild the bridge, and the result was that the King, by an indenture under the Great Seal, dated May 23rd, 1608, granted to James Bailey, burgess of Berwick, for new building a stone bridge there, the sum of £10,000 of debts due to the Crown between 1485 and 1600; and a moiety of £18,000 of other Crown debts due between 1485 and 1588, to hold unto and to the sole use of the said James Bailey and his assigns for and towards the building of the said stone bridge. In a subsequent writ under the privy seal, the King declared that, although the said grant had passed in the name of the said James Bailey, it was nevertheless granted upon the petition of the Earl of Dunbar, and that the moneys thereupon received for the most part were paid for the use of the said Earl for building the said bridge. On February 6th, 1610, the Guild sent a burgess to London to inquire respecting the balance of the Crown debts, and undertook that the expenses of the journey should be paid out of the Corporate purse; and that the said burgess was the bearer of a letter from William Bowyer, who was a justice of the peace for the said burgh, to the Earl of Salisbury, Lord Treasurer of England, dated February 6th, 1610, in which letter it was stated that the bridge had, with labour and cost, been defended that winter from ruin. Early next spring, George Nicholson, assistant surveyor to Burrell, sent to Salisbury an account of another fall in the bridge:

'Right honourable and very good lord, this night between 7 and 8 of ye clock a little after ye full tide, the 5 and 6 bayes, with the breach of the middle supporter (through rottenness) in the top of the 5th pillar made the planks and dormons slide and fall for the hindrance of passage with

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Down end
of bridge

North side

a and b is up fall on
bridge.

Inward side

The stone
pillar

J. HERRIOTT, Photographer.

[BERWICK.

NICHOLSON'S SKETCH OF THE FALL IN THE BRIDGE.

horses, but not of foot,* the rails on both sides still standing. It is the 5th pillar from the stone pillar, or platform, from Berrick wards, towards Tweedmouth, and 26 yards from the stone pillar, and some 40 yards from low water mark, so easy to be amended as I hope it shall be by Mr. Mayor here with little charge made fit for passage against to-morrow night, that my Lord Chancellor may on Wednesday pass over it with his train.'

Nicholson adds a sketch of the bridge, a facsimile of which is reproduced as exactly as possible. It is thus apologised for: 'I presume to give yor L. a shaddow of ye fall in ye bridge, which I beseech you L. accept in good part, being don at night in haste. A and B is ye fall in ye bridge.'

To continue the history of the new stone bridge. It was arranged that James Bailey should surrender the grant from the Crown to be cancelled, and the Treasurer of the Exchequer ordered the Mayor, Bailiffs and burgesses to confer with the best workmen, and to return an estimate for construction of a new stone bridge. This estimate, which amounted to £8,462 8s. 4d., exclusive of the preparations already made and the moneys yet unpaid for provisions and workmanship, was sent to the Treasury accordingly. The Mayor and Corporation agreed that this money should be used without waste or deceit, and a just account rendered of it all. On May 21st, 1611, the King issued a writ under the privy seal to the Treasurer and Under-Treasurer of his Exchequer, that although he thought the estimate to be overmuch, and more than the expense of the work could rise to if it were circumspectly and warily guided and overseen, he ordered the Treasurer out of the Royal Treasury, on the receipt of his exchequer, to pay to the Mayor, etc., and their assigns for building the bridge according to the models produced, and timber out of the Royal Forest at Chopwell, the sum of £8,000 by instalments,—£2,000 for the works to be done that year, including £774 6s. 9d. already due for work done, and £1,000 yearly thereafter or more at the discretion of the Treasurer, until the whole £8,000 should be expended, and they were to be careful that the sum should not in any wise be exceeded.

Salisbury, on May 27th, 1611, established the following orders for the Mayor, Bailiffs and burgesses to be observed in dealing with the money advanced. They were to appoint at their own charge two burgesses to oversee the workmen and take charge of the working materials; to pay the workmen weekly in the presence of the Mayor and six other burgesses, and the King's paymaster at Berwick (all of whom were to sign the weekly books of payments); to allow 2s. 6d. a day to James Burrell, the master mason, for overseeing the work, and 16d. a day to a clerk to keep the books of payments. To comply with the above orders the Guild ordered that every burges, who had been Mayor, should contribute 4s., every

* The foot could hang on to the rails and get over with a scramble.

Alderman 3s., every Bailiff 2s., and every common burghess 1s. per year towards the payment of such clerks as should be appointed for the bridge work. From the duplicate book of accounts we learn that in 1611 the Corporation received £2,000 from the Exchequer, and expended in that year £562 5s. 3½d., in addition to paying £774 11s. 9d., the balance due at the death of the Earl of Dunbar, which left a balance for the year 1612 of £663 2s. 11¾d. Regularly in the beginning of the year, from 1615 to 1620, the Guild sent one of their body to London at the Corporate expense to procure money at the Treasury to carry on the work. In the year 1618 the Guild obtained 100 tons of timber from the royal forest of Chopwell for building the bridge. The pillars of the bridge rest on oak piles obtained from this forest.

A grant of £4,000, in addition to the £8,000 formerly granted, was expressed in the King's writ of July 31st, 1618, to be for the full and absolute perfecting of the bridge in the said town of Berwick. The whole of the £4,000 was paid before the end of the year 1620. During the course of this year, after a report by the Bishop of Durham on the state and progress of the bridge, a contract was entered into between the King's commissioner and two workmen,* who undertook to finish the bridge for £1,750, besides an additional grant of wood from Chopwell Forest. At this period the old wooden bridge was in a passable state, but required considerable repairs; and the Guild ordered that a general assessment should be levied for the purpose of raising funds for repairing it, as it concerned the common good. About 300 of the inhabitants assembled and subscribed, in sums varying from 6d. to 10s., the amount required for repair, viz., £26. During the following winter part of this old bridge was swept away, and it was repaired by money raised as before, but the assessment was only to be a moiety of the previous year. In the autumn of 1621 the contract work of the new bridge was nearly finished; all the arches were thrown, and the 'fittings' otherwise well advanced, when, in October of this year,

'There came an extraordinary time of abundance of raine and stormes that made such floudes all through the north partes as the like thereof hath not been knowne in any man's memory, and the River of Tweed bringinge down with it a strange abundance of stacks of hay, corne, and timber bore down a great parte of the old timber bridge there; which, together with the violence of the waters and abundance of stuffe that came therewith falling upon the stone bridge, being yett greene and the lime not dried and knitt, and the centres of some of the arches beinge not stricken, but standing, overthrew all the workes done this year.'

This disaster paralyzed the work exceedingly, and dragged it out to a much longer period than it would otherwise have been. Prior to this, £12,000 had been received, and, on the 29th June following, the King granted £3,000 for re-edifying

* James Burrell, Surveyor, and Lancelot Branxton, master mason.

and finishing the same, and directed that the surplus should be used for the building of a church at Berwick. The money was paid by instalments, the last instalment being paid in 1624. The Guild now ordered that those who had not paid their assessments for the old bridge should be distrained to compel payment. In 1623 they repaired the bridge by the same general assessment. In 1624 the Corporation petitioned the King to give them the old wooden bridge, after the new bridge was erected, for the purpose of disposing of the materials and applying the purchase-money in repair of the harbour and wharf. After the year 1624 the moneys paid for the bridge building were very trifling; from March 26 to December 29, 1626, only £85 were expended, and from that date to April 25, 1628, £130. In 1629, £47; 1630, £37; 1631, nothing at all; 1632, £67; 1633, £13; and in 1634, £12. From all the above considerations it may be conclusively determined that the bridge was ready for traffic in 1624; the moneys expended after that date being merely sufficient to finish the parapet, or the approaches, or even for trifling necessary repairs. It is to be regretted that no account of its opening has been preserved.

The Archbishop of York, who, when Bishop of Durham, had been chiefly instrumental in procuring such large sums of money for the erection of the bridge, volunteered in 1633 to use his influence at Court to obtain an annual grant of money from the Crown to keep it in repair. The Corporation thereupon petitioned the King to allow them £50 a year for this purpose out of the pensions granted to the dissolved garrison of Berwick, when, by the death of the pensioners, the sums, no longer needed for their original purpose, should amount to this. This petition was presented to the King when in Berwick, and in the following year the prayer of it was granted. The Guild, in February, 1635, ordered Sir Robert Jackson as their surety, to proceed to London at the town's charges to pass the accounts for building the bridge. In 1636, Sir Robert passed his account in Guild, when it was admitted that he had received the sum of £45 2s. 9d. of bridge money, and had expended it all but £18 10s. 4½d., which it was ordered should be expended on the brandreths of the bridge. In the following year he was again sent to London to pass the bridge accounts, and solicit a grant of an annual allowance from the Crown to keep it in repair.

The building of the stone bridge, as before-mentioned, was commenced by the Corporation (some work had previously been done by the Earl of Dunbar) on June 20, 1611; it was opened about 1624, that is in thirteen years, and the accounts were settled up to October 24, 1634. On July 20, 1637, Sir Robert Jackson passed the accounts for the intervening twenty-three years and four months and

four days before the Lord High Treasurer and the Exchequer at Westminster. The account stands thus :

	£	s.	d.	£	s.	d.
Amount of the grant - - - - -				15,000	0	0
Debts due at the death of the late Earl of Dunbar - - - - -	774	11	9			
Wages and materials paid by the Corporation - - - - -	13,622	1	9			
Five years' Salary to Sir W. Bowyer for overseeing the bridge while Mayor - - - - -	100	0	0			
Allowed travelling expenses to London and back upwards of 23 years, for procuring the money, etc., and for office fees, by order of his Majesty - - - - -	399	10	10			
Cost of repairs from 1634 to 1638 - - - - -	63	17	2	14,960	1	6
				<hr/>		
Balance to be applied to church building - - - - -				£39	18	6

During the winter of 1645-6 a breach was made in the bridge, and an application was made to the Crown for money to repair it and the fortifications. In the following year the House of Commons granted the sum of £500 to the Corporation for this purpose, payable out of the fines levied upon Ogle and Swinhoe, the delinquents. The greater part of the £500 they never obtained, and the part recovered was not sufficient. They had received no benefit from the £50 grant from Charles I., on account of the disturbed state of the country, and hence they renewed their application for further assistance. In 1653 they petitioned successfully for the sequestered estates of Lord Mordington, and thus obtained money enough to enable them to put the bridge in proper repair; £120 a year was granted to keep it in the same state. This grant was regularly paid till the restoration of Charles II., when it entirely ceased. They had no resource left but to petition Charles II. for a grant to the bridge, such as his father had given, and they accordingly prepared the following petition :

'James I. had, out of his zeal for the public welfare of his people inhabiting on the borders of England and Scotland, that there might be at all times a safe passage from the former to the latter across the river Tweed, ordered that a stately and magnificent bridge of freestone should be built over that river at Berwick, which was not finished till the beginning of the reign of Charles I.; that this bridge, from its proximity to the German Ocean, was subject to rapid decay from the violent surges of the main sea beating it, and the furious course of the river during great floods; that for several years after the commencement of the Commonwealth the Corporation received nothing from the national revenue for repairing the bridge; and that they were too poor to keep it in repair, and hence it got into a very ruinous condition. To prevent its utter overthrow they were enforced to make application to the then ruling power for a supply of money for its repair, and procured a grant of £120 a year, out of the Estates of the late James Douglas, Lord Mordington, which had been sequestered in consequence of his adhering to Charles II., and which grant the Corporation restored to William, Lord Mordington, so that they were wholly destitute of any help for the repair of the bridge. They therefore prayed the King to grant such annual allowance for the repair thereof out of the customs of Berwick or some other public receipt as to his Majesty should seem meet.'

The petition on August 25 was referred to the Attorney and Solicitor Generals, who were directed to examine the facts and report what was fit to be done. They shortly afterwards inquired how the Corporation had spent the rents of the Magdalene fields, and they sent up an account of all the transactions, which were so far satisfactory. But they asked for confirmation of this account from some persons outside the town. The Justices of Northumberland were appealed to, and they confirmed the statement of the Guild, and added 'that the bridge had been greatly damaged by sea-storms and land-floods and stood in need of repair, which, if neglected, would cost great sums of money, and that the town of Berwick and the county adjacent were not able to repair the same.' Five years after this petition, letters were sent to the effect that Charles II. had granted an annuity to the Corporation of a sum of £100 out of the Customs of Berwick or Newcastle, or some other English port, if the two failed. This was granted to the Mayor and Corporation on security of the royalties of Tweedmouth and Spital, which had become of late years the property of the Corporation by purchase from the Earl of Suffolk. On the 17th September, the messenger who had been sent to London to negotiate this matter produced, at a General Guild, the King's letters patent and the conveyance, required by the Lord Treasurer, of the manor and lordship of Tweedmouth and Spital, to secure that his Majesty would be at no further charge about the repair of the bridge, and it was ordered that the common seal of the town should be affixed thereto, and that the deed should be delivered to the feoffees in trust for his Majesty's use ;* that £20 should be given to the messenger as a

* Copy of the Deed. 'Reciting that he (the King), considering the usefulness and nobleness of the structure of Berwick Bridge, which had been built by his grandfather, James I., and being informed how much it was out of repair and in danger ; and being desirous that the same should be truly and substantially forthwith repaired and so constantly kept ; did settle upon the Mayor, Bailiffs, and burgesses a constant revenue of £100 by the year, to commence from Lady Day last past, payable half-yearly out of the customs of his Majesty, his heirs and successors, arising in the port, town, or burgh of Berwick ; and if at any time the customs should fail to make good the annual payment, that it should be paid out of the rest of his Majesty's customs in any part of his kingdom of England.

'Proviso, That the said Mayor, Bailiffs, and burgesses, and their successors should with all convenient speed, at their own proper costs and charges, well and sufficiently support and repair the said bridge and make good the then defects thereof, according to a survey thereof, as his Majesty, his heirs and successors had given, or should give commission to be had and taken within 12 months thereafter, and should from time to time for ever thereafter maintain, support, and keep the same in good and sufficient repair, and be and stand chargeable and charged therewith, without making any addresses or pretences whatsoever to his said Majesty, his heirs or successors, for any future repair thereof ; and that all the money by such pension or annuity should be expended in or about the support and repair of the said bridge, and to no other use or purpose whatsoever, and that after the said Mayor, etc., should be reimbursed all moneys they should expend in a gross sum in the repair

reward for his trouble, and that a silver flaggon of the value of £20, with the burgh arms engraved thereon, should be presented to Mr. Collingwood, who had been the great instrument in procuring the grant. The obtaining of the letters patent cost £160, besides £20 for the silver can. Very little money up to the year 1671 was expended on the bridge. The announcement that the Earl of Ogle, the recently-appointed Governor of the garrison, intended to pay his first visit to Berwick in the spring of 1676, seemed to have spurred on the Corporation, as the Guild ordered that what was most needful in the repairs of the bridge should be done before his lordship's arrival. The annuity was, at first, paid by the Collector of Customs at the port of Berwick; but in 1684 it was charged upon the Customs of Newcastle. In the following year an application was made to the Crown for a new grant under the privy seal of James II., but whether successful or not is nowhere made evident. Shortly afterwards the Corporation received £600 from the Crown for six years' arrears up to Lady Day, 1684. The £600 was partly applied by the Common Council in payment of a debt due from the Corporation to their former treasurer, partly in procuring a new Charter from James II. The sum of £36 11s. was also to be abstracted from the trust-fund for the purchase of a

of the present then defects and ruins of the said bridge out of the said annuity, they and their successors should use all frugal ways and means to save and preserve the money from time to time arising by the said annuity, to be kept by them in bank as a stock, to be employed wholly in repair of future breaches and casualties that should or might happen or befall the same bridge, that so no casualty might be unsupplied or the bridge unrepaired at any time for want of money. And that they would within three months after the date thereof give further security to his Majesty, or such persons as should be by his Majesty or his High Treasurer of England on that behalf, nominated for the real performance of the premises both at the present and for the future by the Manor of Tweedmouth and Spital, which was affirmed to be of the yearly value of £100, by such conveyance and assurance thereof and in such manner as his Majesty's Attorney-General for the time being should direct or approve of.'

In pursuance of these letters patent Thomas, Earl of Southampton, Lord High Treasurer of England, nominated Charles, Earl of Carlisle, Sir William Forster, of Balmburgh, Knight, Daniel Collingwood, of Brunton, and William Strother, of Newton, all in the county of Northumberland, Esquires, to be trustees in that behalf, and his Majesty's Attorney-General directed the conveyance to be made to them of the said manor and premises, to the intent that they should reconvey the same by another deed as a security for the real performance of his Majesty's pleasure in the said letters declared.

The conveyance from the Corporation was to the following effect :

' 15 and 16 August, 1666.—Indentures of lease and release between the said Mayor, Bailiffs, and burgesses, and Samuel Hartlipp, of the one part, and the said Charles, Earl of Carlisle, etc., *ut supra*. It is witnessed that the said Mayor, etc., and Samuel Hartlipp, for the consideration therein expressed, Did grant, release, and confirm unto the said Earl of Carlisle, etc., All the manor of Tweedmouth and Spital, with the appurtenances,' etc., etc. (This conveyance of lease and release continues in the usual formal language.)

new silver mace, to be carried before the Mayor of Berwick. The Council likewise determined that the overplus of the £200 due for the repair of the bridge should be expended in paying off debt. The General Guild in 1689, after the restoration of the Charter of James I., also ordered that the £100 then due should be applied in a similar manner.

In 1700, William III., by writ of Privy Seal, ordered that henceforth the annuity of £100 for the bridge should be payable at the Exchequer; and in the following year this was confirmed by his Majesty's letters patent. The Guild ordered that the £100 then due should be expended for the town's credit. The same order was repeated in the two following years. The Lord Treasurer of England, in December, 1713, having required to know from the Corporation to what uses the £100 yearly allowed for the reparation of the stone bridge had been appropriated, and how much there was in the bank, the Guild appointed a committee to inspect the treasurer's accounts relating to the bridge, and to lay the result of their examination before the Guild; and ordered that, in future, a particular account should be kept of the moneys to be thenceforth received on the account of the bridge and of the expense of repairs. The Guild books contain no answer to this inquiry; but the treasurer's accounts, as far as they have been preserved, show that they had been examined. From that period to the present the Corporation have received the £100 of yearly income, and have kept the bridge in repair. In 1855 the account of the bridge stood thus:

INCOME.			EXPENDITURE.				
£	s.	d.	£	s.	d.		
One years' allowance	100	0	0	To balance from last year	1,164	19	9
Less for stamps, etc.	9	11	0	„ One year's interest of £1,000	40	0	0
			90	„ Frances Lough, carpenter, for			
By balance	-	-	-	repairs	106	3	9
			1,346	„ George Back, mason	120	12	0
				„ „ „ forcement	4	13	10
			£1,436		£1,436	9	4
			9			4	

In 1886 the debt amounted to £1,382, but in 1887 this has been written off, and there is now a small balance in favour of the account.

The old bridge consists of fifteen arches, and measures 1,164 feet in length 'including the land stalls.' Its width is 17 feet between the parapet walls. At each of the fourteen pillars there is an outlet of the parapet on both sides. The sixth pillar divided Berwick from the county palatine of Durham.

ROYAL BORDER BRIDGE.

The Royal Border Bridge, which connects the railway from the South with the North British system, which terminates at the north end of the bridge, is an imposing structure of twenty-eight arches. Its length is 2,152 feet, and its extreme height, from the foundation to the roadway, is 138 feet 8 inches. The cost of the bridge and approaches amounted to £253,000. The foundation was laid on May 15, 1847, by Mrs. Bruce, wife of the resident engineer, G. B. Bruce, R.E. The first passenger train passed over the wooden viaduct erected temporarily to connect the line of rail from York and Edinburgh on October 15, 1848. The last arch of the stone bridge was keyed on March 26, 1850, and the bridge was opened for traffic by the Queen, on August 29, 1850. Hence it has been called the Royal Border Bridge. The bridge was designed by Robert Stephenson, son of the celebrated George Stephenson, the pioneer of railway enterprise.

The number of workmen, wages, etc., of the old and new bridges are shown from the following tabulated statement :

	OLD BRIDGE (1620).	ROYAL BORDER BRIDGE (1850).
Workmen - - - - -	300	2,000
Master masons, per day - - - - -	1s. 9d.	5s.
Masons - - - - -	1s. 4d.	4s. to 5s.
Master carpenters - - - - -	1s. 8d.	4s. 6d. to 5s.
Smiths - - - - -	8d. to 1s.	3s. 6d. to 4s. 6d.
Labourers - - - - -	4d. to 7d.	3s. to 4s.
„ per tide - - - - -	2d.	3s. to 4s.
Shipwrights, sawyers, and boatwrights - - - - -	8d. to 2s. 6d.	2s. 6d. to 4s. 6d.





[BERWICK.]

THE ROYAL BORDER BRIDGE.

J. HERRIOTT, Photographer.]

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TILDEN FOUNDATION



History of the Tolls.



WE do not get much information about the nature of the small customs of early times. We may hastily sketch what slight notice there is in the Scotch Rolls, the only source of information. On March 14, 1376-7, Edward III. demised for ten years to William de le Bothe, of Norham, John de Werk and William Haldmarket, three of the burgesses of the burgh, subject to the annual rent of £8, amongst other things divers customs in the same town called half-penny toll, another called the small custom of ships in the river Tweed, viz., payments for segage, measurage, and other profits exigible from foreign vessels entering the Port of Berwick, with corn, salt, coals, and other merchandise; and the third called stallage. Richard II. with the assent of his Council in the 8th year of his reign (March 2, 1384-5), as well for the relief of the town as that his faithful subjects the commons of the same town might the better and more easily support their common concerns during the Scotch wars, granted his small custom of the town then not worth £8, and his horse-mill with its profits, which had hitherto produced nothing to himself, for four years, if the war should continue so long, rent-free. Henry IV. on August 17, 1403, as recompense for the services of Alex. Franche, granted him by letters patent the small toll of Berwick, which was sometimes worth 10 marks per annum and sometimes more. Franche afterwards surrendered this patent into Chancery to be cancelled, and the same king granted him the small custom of the river Tweed and the toll of the same town with all commodities and profits to the same custom and toll belonging, to hold from the date of the first grant during the king's pleasure. Franche soon afterwards forfeited the gift by 'disobedience,' whereupon Henry IV., on November 13, 1408, granted the same custom and toll to Lawrence Everard for life.

On the 7th March, 1451-2, Henry VI. granted to Henry Percy in aid of the payment of his salary of £2,566 13s. 4d. for the custody of Berwick, among other things the Burgh Mail of Berwick, and the rent of the Magdalene field which had formerly belonged to an hospital there, the toll called the half-penny toll, the customs of ships called segage, measurage, bollage, and of the customs of other merchandise brought into Berwick by ships, and of the stallage of the market, and of the custom of salmon barrels, and also divers royal customs and subsidies payable at the port of Berwick and at the ports and places thereunto adjoining.

During the reigns of Henry VIII. and Elizabeth, the Corporation collected harbour dues, market and fair tolls, etc. Part of these were the perquisite of the Mayor, but in 1599, Johnson, who then filled the office, voluntarily relinquished these perquisites. The Guild increased or decreased tolls and harbour dues, and imposed new exactions without having any authority but its own necessities for doing so.

Until the year 1616, the tolls were let together with the yearly revenues. In that year they were let separately, and for the future at various rents. In 1617 they were let at £32. In 1622 we learn what were comprised under the term tolls: harbour dues on importation of merchandise, namely, bollage, anchorage, beaconage, barellage of corn, duties on goods brought into and carried out of the burgh by land, viz., package or tolls for packs, toll of the pedlars in the market, toll of corn carried from Berwick, toll of horses and cattle, toll of all manner of horse-loads and all other accustomed petty tolls. In 1623 the dish-toll and penny-toll were let separately for £5 6s. 8d. 26s. 8d. of this was directed to be paid to the parish clerk.

In 1632, and the two following years, the dish-toll and penny-toll of all corn brought to the market for sale, were let to the parish clerk for a year for £5 6s. 8d. Part of which, £4 6s. 8d., 'were freely given him by the town,' but for this salary he was required to clean the market and the street adjoining it. In 1636 the same tolls were let to him and a burghess for £6 13s. 4d., and on the letting of the other ancient revenues for that year, new tolls were ordered on certain kinds of merchandise. In 1640 the petty tolls were let for £8 for four years, and a pension of £1 6s. 8d. was settled upon the parish clerk payable out of the corporate revenues. The Guild had offered him the tolls previously at £6 13s. 4d., but he refused the offer, and could now give him the pension without loss of revenue.

In 1685 the Common Council let the market and other petty tolls for one year for £31 5s. After this, until the passing of the Berwick Pier and Harbour Act in 1808, these tolls were usually let with the harbour duties, etc. It is said

that the claim of the Corporation to the harbour dues collected by them was disputed by the committee of the House of Lords when the Bill for the building of the pier was before them, and that this influenced the Corporation to abandon their claims to them.* However this may be, it is certain that they were entirely taken out of their hands at the passing of the Act. After the passing of this Act, the tolls by land, on articles going out and coming in, were now let separately from the harbour dues, which had been taken away. These tolls were now collected at the Bridge-gate and the Castle-gate. In 1809 the Bridge-gate tolls were let for £172, and at the Castle-gate for £96. On the 3rd October, 1821, the Corporation assigned these tolls, together with the market dues, to trustees upon trust, to receive the rents thereof and apply the proceeds towards the repairs and new pavements of the streets within the modern fortifications of the town, and in the suburb of Castle-gate. It is curious to observe that the Corporation admitted the liability to repair the streets of the town, and that the tolls were taken for this purpose. As much as to say that their right of levying tolls obliged them to repair the streets with the money. In the first place, it may be noticed that no charter of Berwick confers any such right as that of levying tolls indiscriminately upon all kinds of merchandise coming in and issuing at the gates of Berwick. The charter of James VI. and other charters gave right of fair and market tolls on fair and market days, but on no other, and there was no obligation at all resting upon the Guild to repair the streets, but their own conveniency. They exacted tolls by usurpation, and they repaired the streets at their own free will with the proceeds of their usurpation.

In the beginning of the present century, in certain local Turnpike Acts, the Corporation procured the insertion of the following proviso in their favour. 'Provided that nothing herein contained shall extend, or be construed to extend or lessen, prejudice, or take away the rights of the Corporation, or their successors to the present Mayor, etc., or their lessees, to the tolls or duties paid or payable for cattle, goods, or any other thing passing or carried over Berwick Bridge, or through the gates of the said town, but that the Corporation shall have the same right and power to take and enjoy the said tolls as effectually as if this Act had not been made.' Of course no toll has ever been levied for goods passing over Berwick Bridge, that is to say as pontage, and no charge has ever been made for *cattle* passing in or out of the gates of the town. Tolls for cattle on market days, as market dues, have been and are exacted to this day, and for levying such tolls the Corporation has clearly authority from the charter. After the council came

* Weddell MSS.

into power, the tolls continued to be let year by year, but always at lessening rates, through the difficulty of levying toll from some goods which were taxed at a very high rate. In 1837 the tolls, with market dues, were let for £92 only, and in 1839 for £86. In the year 1859, from this cause and from the idea that the exaction of tolls on every class of goods hindered trade to a large extent, they were abolished altogether. Market dues are still exacted for eggs, butter and cattle. The egg and butter market is situated under the east end of the Town Hall. The cattle market, long held on Hide Hill in the open street, has been recently removed to a new and commodious cattle market stance, immediately above the Scotch gate on the east side of Castle-gate, and bounded on the south-east by the line of fortification which still encloses the town.





The Fisheries in the Tweed.



THE history of the fisheries is difficult, both as to their origin and as to their proprietary. An immense amount of information, rude and undigested, exists concerning them. To treat of the subject properly would take a volume in itself. In the space at our command we can only indicate its outlines. In earliest times the King of Scotland was, at least, lord of the soil, and from the year 1028 A.D. the soil on the north part of the river Tweed, belonged to the Scottish King, and the fisheries in the Tweed were part of this property. The fisheries on the same side of the Tweed were all royal property, and were called 'the King's Fishings,' or 'the Royal Waters.' On the south side lay the two comitatual districts, Norhamshire and Islandshire, forming the county palatine of Durham, the soil of which was the property of the Bishop of Durham, and over which he exercised kingly rights. In the same manner the fishings on that side of the river were called 'the Bishop's Fishings.' On both sides some of the fishings had been alienated from their owners by grants from the King, or from the Bishop. The Bishop's fishings in the time of the Edwards, or about 1300, were the following, viz., Hallawellstell, Tweedmouth Stell, Gardo, Blackwell, Blayston or Witherings, Garford or Yardford, New-water, Waltham, Wilford, Greenhill and Pedwell. Those that did not belong to the Bishop were Woodhorn or Pool, South Yarrow, Hugh Shiel, Wen and Walton, Elstell and Start. These latter two, along with Outwaterstell, on the north side, belonged to Alnwick Abbey until the dissolution of the monasteries, when they came into royal hands. To Kelso Abbey belonged the half part of a fishery which was called Berwickstreme. This gift was confirmed by William the Lion; from the gift of John de Huntendon, the Abbey possessed a certain fishery called Folstreme. David I. confirmed to the

Abbey the gift of Bernard de Baliol of a certain fishery which belonged to 'Woodhorn,' and was called Woodhorn Stell on the river of Tweed. Richard de Marisco confirmed to the Abbey 'Redhous' along with Woodhorn, along with three acres of land which were upon the bank of the river towards Tweedmouth. This fishery of Woodhorn, Redhow and Pool, seems to be parts of the same fishery, and extended westwards from Blakewell, Blayston or Witherings. This Abbey possessed besides these, two marks out of Northarium and £20 annually out of Berwickstreme.

To Melrose Abbey belonged one net in Berwickstreme, given by William the Lion, and another net given by Robert de Bernham.

Jedburgh Abbey owned a fishery thus described by Bruce in a confirmatory Charter as, 'unam aquam liberas solutas et quietas et Edwardesley sicut eam pater meus perambulari et divisas monstravit, and as a water which is against the island called Tunsundhope Edwardesle.'

Dunfermline Abbey owned Aldstell and all that justly belongs to it. The church of the Holy Cross of Edinburgh owned a toft in Berwick and 'tractum duorum retium in Scypwell.'

The monks of Holy Island possessed Hallowstell. The hospital of St. Mary Magdalene owned half of Totyngford quit of tythe and the tythe of the other half, and one-third of the fishery de la Lawe and Calet.

During the reigns of the English and Scotch Kings, while one or other held Berwick, we have frequent notice of the fisheries, only some of which can be quoted. A long and interesting notice occurs under Edward II., December 23rd, 1315: Inquisition made at Berwick-upon-Tweed in the King's ninth year before John de Weston, Chamberlain of Scotland, present Sheriff of said town in *propria persona*, by John Spark, John of Burton, Henry of Skremerston, Elyas of Newcastle, Thomas Harcars, Richard Cutlersagh, Henry of the Castle, Richard of Coldynham, Henry of Cnapton, Adam of Glasgow, Hugh Steward, Nicholas of Hunttyngdone, Robert of Huntlawe, John Bulle, William Ruffus, Philip Vulpus, Henry Colle, Adam, son of Stobbs, Robert Grey, Hugh Curry, William, son of Henry, Robert Schandy, William Palmer, Robert Alde, jurors, who say that Alexander de Badely has no lands in Paxton, or fishings in Tweed; that John de Chesholm had in the vill of Paxton a chief messuage worth in time of peace with cartilage, etc., 6s. 8d., now waste and ruined; also four acres of arable land, each worth, with common pasture 12d., now waste; also five bondages, each of fifteen acres and worth 7s. each, now waste and ruined; also two 'Gresmannii' holding common pasture in the vill each worth, 3s. 6d., now waste; also two

cottages each worth 2s. 6d., now waste. Anabella Ayre held of him in heritage five acres in fee farm, paying 3d. yearly. He also held in Tweed a net in the fishing called Brade, a pertinent of Paxton, worth yearly £6 13s. 4d., but now only worth £4 by hindrance of the enemy; another in the fishing called 'Orrede,' worth 53s. 4d. yearly, now 26s. 8d.; another in the fishing of 'Streme' worth 66s. 8d., now only 20s.; also one in the fishing called 'Bulshote' worth 13s. 4d., now nothing; all this depreciation from the same cause. Total rents in time of peace £6 13s. 11d., and of the fishings £13 6s. 8d., now the latter are worth £6 6s. 8d., whereof Mariota Franceys has the one-third as dower, now or in time of peace. Robert de Paxton held similar lands in Paxton, as John de Chesholm held them and at the same price, and held similar fishings in the Tweed. Adam de Kyrkely and Lucia, his wife, held half a net of his heritage in the Brade fishing, worth 66s. 8d., now worth nothing. They held it in Frank marriage by gift of the late William de Paxton, Robert's grandfather, and are at the king's peace in England. On Lucia's death this net will descend to Robert and his heirs.* Robert de Wyndegates holds half a net of Robert in Brade fishing, paying 8d. yearly.

This inquisition shows us that the subdivision of the fisheries must have begun at a very early period. This fishery of Brade is next to Paxton, in Scotland, the first fishery beyond the Berwick bounds. On May 20th, 1321, Bruce ordered William Ridel, and the other guardians of the late truce with the Scots, to receive from the burgesses of Berwick the rent of £40 agreed to be paid by them during the truce for the fishing of Tweed between 'le Yarford and the sea and the land of Tweedmouth between le Semyngeside and Tweed, and between le Orede and the sea, and apportion the same among the several owners.'† Bruce likewise granted to John de Roos and John Lyon, New Water, Hundwater, and Cole, and de Abstell, and one net in the fishery of Totyngford. By an inquisition taken on December 20th, 1333, before William de Bevercotes, Chancellor, it was found that Ranulph de Holm (*nunc* Ralph Holmes), father of Robert de Holm, burgess of Berwick, was seized before the taking of that town by the King's gift of all Robert de Paxton's lands in the villis of Paxton and Aldencrawe in the county; viz., one-third of the fishings of the water called 'Brade,' 'Orrette,' 'Streme,' and 'Bulshote,' and half of a carucate of land in Paxton, all worth 20 marks. Ranulph de Holm held considerable property in Berwick; viz., three tenements in Narugate, between the late Hugh Snowe's land on the south and John Todde's on the north.‡

* Bain's 'Calendar of Scotch Documents.'

† *Ibid.*

‡ Narogate, or Narugate, was the only street in which salmon were allowed to be sold at that time in Berwick. The salmon merchants in town were, Ranulph de Holm, who sold £9 5s. 8d. worth of salmon to the King in the year 1310-11; Thomas, son of Gilbert, Gilbert Grey, John

He held two by the gift of the King's grandfather, and acquired one from the friars of Seggesdene; another in Waldevegat; one in Butcher Street, acquired from Clement of Leicester and Margery Pult his wife, lying between Simon Turnbull's on the west and Richard Rughpot's on the east, worth 40s. yearly. In the same year, the town of Berwick was taken from the Scots, and the lands, tenements, and fisheries were all forfeited to the King of England; and immediately after the conquest, the King granted to Thomas de Bamburgh and Robert de Tughale, two of his officers in Berwick, the royal fisheries in the water of Tweed; viz., Edermouth, Totyngford, Folstreme, North Yarewyk, Hundwatre, or Hand—or Hume—water, Abstel, Lawe, and Tyt, pertaining to our town of Berwick, and the fishery of Brade, pertaining to our town of Paxton, at an annual rent of 100 marks, and less if any disturbance of the enemy prevented the fishing being prosecuted.

Notwithstanding this grant, the King gave to William de Pressen, as part of his reward for capturing the Earl of Moray, the fishery of Edermouth, which was not put into his hands until 1337. On January 28th, 1336, the two fisheries of Crabwater and Holdeman (Meadow Haven) were given to Robert de Tughale for 5 marks a year. These fisheries were to return to the King's hands on Robert's death.

It will be remembered that, when Bruce farmed the town to the Berwick burgesses, he reserved to himself the two fisheries Cole and New-water. These belonged to the King, and were appurtenances of the Keeper of the Castle, and were in possession of the Keeper in Bruce's reign. When Edward III. gained possession of the town, he seems to have reserved them in his hands, and let them to certain persons for an annual rent, when, in 1364, a great riot took place, and some fifteen men, led on by the sheriffs of the Castle of Berwick, seized violently upon these fisheries. This was done, in all probability, at the instance of Percy, the Governor, for we find the fisheries of Cole and New-water immediately afterwards adjudged, as a perquisite, to the Keeper of the Castle, as in Bruce's time. William de la Vale, Chamberlain for the King in Berwick, overzealous for his master, had taken this fishery into the King's hands; and on May 20th, 1366, after inquisition held, it was restored to Henry de Percy, and confirmed as his right on October 16th of that year, as well as parts of Hexstall and Hoxstall, Cadmon and Start.

In 1368, the fishery of Auldstell was given to Robert de Hull, one of the

Marchand, Ewyne of Thiklege, Nicholas Belle, Hugh Snoghe, John Meyr, Gilbert Tollere, Hugh of Leighton, Adam of Orde, Nicholas Gley, and William of Werkorthe.

King's mariners, for good service rendered and to be rendered, in as ample a manner as it had been given to Reginald de Ferrariis, lately serving the King in arms.

In 1412 William Thorp and Robert Tanfield, two of his officers in Berwick, were granted two manors and fisheries in the Tweed. The fisheries were Edermouth, North Yairwe, and Hundwater.

In 1501 Robert Musgrave got a grant of all the royal fisheries in the Tweed save the one that was always held by the Captain of the Castle. These royal fisheries were continually changing hands during all these years. I have given sufficient details to show this. Nothing further of interest occurs until we come to the survey of 1562, which we have appended to the survey of the town, a survey of the royal fisheries then in the Queen's hands. The monasteries by this time had been dissolved and no longer held any fishing waters in the Tweed.

'The names and contents of sundry waters and several Fishings within the liberties and bounds of the said town, beginning at the uttermost boundes towards Scotland upon and in the river of Twede.

'Broade Water Fishing, in the same river of Twede, being the next several fishing extending to the uttermost boundes towards Scotland, containing in length down the said river towards the said town of Berwick 128 polls, is of 4 cobles. It is in the tenure and occupation of Cutberde Strother, Oliver Selby, and Thomas Burrell.

'Edermouth, a several fishing in said river, containing in length 76 polls, is of 2 cobles, in the tenure and occupation of Jennet Pawpert, George Morton, and John Shotton.

'New-water Fishing, a several fishing, containing in length 52 polls, is of 1 coble, in the tenure and occupation of Thomas Carlisle.

'Annosyde, a several water in the Queen's Majesty's hands, containing in length 100 polls. This is a good fishing, and not occupied of twelve years last past.

'Yarrowstell, a several fishing, containing in length 60 polls, is of 2 cobles, in the tenure and occupation of Thomas Thompson and George Morton.

'Abstell, a several fishing, containing in length 40 polls, is of 2 cobles, in the tenure and occupation of George Morton, Jennet Pawpert, John Shotton, William Wallis.

'Several waters of the Queen's Majesty's, containing in length 136 polls by the high-water mark, extending down the said river unto the said Castle wall, is esteemed no fishing water; and between the Castle wall and the bridge there is a hole for a standing net, which the constable of the Castle hath used as appurtenant to his office.

'WATERS BENEATH THE BRIDGE.

'Callet, a several fishing beginning against the New Tower, near the Palace Brewhouse, extending to the stone rock in the stream, containing in length . . . polls, is of 3 cobles, in the occupation of Thomas Bradforth, John Barrow, Thomas Thompson, and the Alderman of Berwick, for the use of the kirk.

'Adstell, a several fishing, beginning at Callet aforesaid, and extending to the other rock, then containing in length . . . polls, is of 2 cobles, and in the occupation of George Morton, John Shotton, Thomas Thompson, Ralph Ferror, and Richard Cook.

'Outwaterstell, another several fishing, beginning at Adstell, and extending the length of a net to Crabwater. It is of 1 coble, and in the occupation of Thomas Carlisle.

‘Crabwater Stell, another several fishing, then beginning at Outwater, and extending the length of a net, containing . . . polls of 1 coble. It is in the occupation of Jennet Selby and Thomas Thompson.

‘Item, there is another several water called the Walback, not used to be fished of late time. . . (This is now the fishing of Meadow Haven, at that time called Walback, from being behind the Holdmanwall).’

In 1604, George Home, Earl of Dunbar, received a grant of all these Royal Fishings in the water of Tweed along with the grant of land previously mentioned. ‘These fishings were to be held by fealty only in free and common socage, not in capite nor by knight’s service, subject to the payment of the annual rent to the Crown of £10 for the King’s water of Twede, and £8 for the fisheries called Broad and Orret.’ On April 10th, 1604, the Bishop’s fishings, conveyed to the Crown on the accession of James I. to the throne, were likewise granted to Sir George Home in fee, so that Home possessed nearly all the fishings on both sides of the water as far up as Norham. The exceptions were Elstell, Start and Outwaterstell, which were granted by Charles I., in the twelfth year of his reign, to Francis Braddock and Christopher Kingscote in fee (these fishings had previously been in possession of Sir John Selby and Sir Edmund Sawyer) and Pool, South Yarrow, Hugh Shiel, Wen and Walton, which were at this time in private hands, but the grant has not been found.

All the Bishop’s and King’s fishings came to the Earl of Suffolk by marriage with a daughter of Sir George Home. By the Earl of Suffolk, the Bishop’s fishings were sold, in 1635, to Edward Moore and Andrew Moore, of Berwick, merchants, and William Broad, citizen and apothecary of London, for the consideration of £3,900; and on December 1, 1635, the Earl of Suffolk sold to the said Edward Moore and Andrew Moore all the King’s waters in Tweed along with Broad and Orret for the consideration of £2,900. The same parties bought from Braddock and Kingscote, Start, Elstell and Outwaterstell. (The price in this case is not stated.) The same Moores bought up all the separate shares in Tweedmouthstell and Blackwell from Sir William Selby, of Twisell, and Sir Ralph Selby, of Berwick-upon-Tweed, and Ralph Selby, of Twisell, and from Edmund Reavely, of Humbleton, from Gilbert Selby, of Berwick, from Ralph, burgess of Berwick, and Mabella, his wife, and Dorothy Scott, daughter of said Mabella, all of whom held shares in these two fisheries. The Moores thus seem to have possessed nearly every fishing-water on the Tweed. From these owners the fisheries have passed to various proprietors. We cannot follow the subject any further so minutely. But we present a tabulated statement of some interest, to show the extreme subdivision of some of the properties. All the fisheries on the south side of the Tweed are here presented, and show the proprietors about fifty years ago.

FISHERIES FROM THE SEA TO THE CHAIN BRIDGE ON SOUTH SIDE OF THE RIVER.

NAME OF FISHERIES.	PROPRIETORS.	TENANTS.
Hudshead - - -	Greenwich Hospital - - -	Berwick Shipping Company.
Cocklawburn - - -	" " " " - - -	" " "
Sandstell - - -	Sir John Majoribanks - - -	" " "
	Wm. Berry - - -	John Wilson and Wm. Berry.
	John Wilson - - -	
Hallowstell - - -	Messrs. Shuttleworth - - -	Berwick Shipping Company.
	George Carr - - -	John Steavenson.
	Miss Tanner - - -	Miss Tanner.
	Mrs. Baker and Mrs. Fosberry - - -	Berwick Shipping Company.
	Messrs. Compton's - - -	" " "
Elstell and Middle Seas - - -	Messrs. Shuttleworth - - -	" " "
Carr Rock and Far Seas - - -	Lord Crewe's Trustees - - -	" " "
Tweedmouth Stell and Gardo - - -	Messrs. Shuttleworth - - -	" " "
	John Smith and J. S. Donaldson - - -	John Smith.
Davies' Bat - - -	Lord Crewe's Trustees - - -	Berwick Shipping Company.
Bailiff's Bat - - -	Corporation of Berwick - - -	Bonner's Executors.
Blakewell - - -	Smith and Donaldson - - -	Thomas and J. Gilchrist.
	Messrs. Shuttleworth - - -	Berwick Shipping Company.
	J. S. Donaldson - - -	Fettarshall.
	James Paxton - - -	James Paxton.
Pool - - -	Matthew Bell - - -	Berwick Shipping Company.
	Executors of J. Blake - - -	" " "
	J. Matthews and Mrs. Hubberty - - -	" " "
	Rev. J. Gouldie - - -	Thomas and J. Gilchrist.
	Colonel Hume - - -	John Newcombe.
Yarrow and Hugh Shiel - - -	Lord Lisburne - - -	Berwick Shipping Company.
	John Steavenson - - -	John Steavenson.
	Rev. J. Gouldie - - -	Thomas and J. Gilchrist.
	Colonel Hume - - -	John Newcombe.
Toddles - - -	Mrs. Mills, Wilmington - - -	Wm. Berry.
Clay Hole - - -	John Pratt - - -	John Dumble.
Needle Eyre - - -	R. G. Waugh - - -	R. G. Waugh.
Canny - - -	John Steavenson - - -	John Steavenson.
South Bells - - -	Wm. Berry - - -	Wm. Berry.
	R. G. Waugh - - -	R. G. Waugh.
	John Grey - - -	Berwick Shipping Company.
Yard Ford - - -	Messrs. Shuttleworth - - -	" " "
	Miss Tanner - - -	Miss Tanner.
	James White - - -	James White.
Start - - -	Lord Crewe's Trustees - - -	Berwick Shipping Company.
	Messrs. Shuttleworth - - -	" " "
Watham, or Walton, up to Chain Bridge - - -	" " " " - - -	" " "
Cheswick Sea Fishings - - -	Donaldson, Wilkie, etc. - - -	" " "
Goswick - - -	G. A. Askew, Esq. - - -	" " "

It will be seen from the above statement that the Corporation owned Bailiff's Bat. This fishing came to the Corporation, in 1657, along with the Manor of Tweedmouth and Spital. At the same time, the Corporation started a new fishing at the Coroner's Meadow, whose possession had been obtained by the grant of

James I. This fishing was called the North Bells. It is curious to note how the lettings of these fishings varied. At first Bailiff's Bat, let for £58, and the North Bells £140. I shall state the rent derived from these fishings every tenth year till the present century begins:

In 1660	North Bells,	£171	o	Bailiff's Bat,	£54	o
In 1670	"	"	81	o	"	"
In 1680	"	"	37	o	"	"
In 1690	"	"	7	o	"	"
In 1700	"	"	7	5	"	"
In 1710	"	"	23	o	"	"
In 1720	"	"	45	o	"	"
In 1730	"	"	98	o	"	"
In 1740	"	"	129	o	"	"
In 1750	"	"	152	o	"	"
In 1760	"	"	155	o	"	"
In 1770	"	"	165	o	"	"
In 1780	"	"	167	o	"	"
In 1794	"	"	125	o	"	"
In 1801	"	"	82	o	"	"

There were three modes of fishing in the olden times. They are described by Mr. Weddel as 'wear-shot,' 'stell-nets,' and 'ring or bob-nets.' 'Stake-nets are of recent origin. The wear-shot net is rowed by means of a boat into the river in a circular form, and is immediately drawn to the shore. The "stell" is a net of a similar shape, and is likewise rowed into the river, but in a semicircular form. A rope, attached to the one end of it, is held by the fishermen on shore, and to the other extremity is attached an anchor, which is fastened in the bed of the river. The fishermen in the boat then go to the centre of the net on the outside of it and take hold of it, and when they either feel fish strike against the net or see them approach within its reach, they give notice to the men on shore, and, while the latter haul in their end of the net, the men in the boat hoist the anchor and row with it on shore. The ring or bob-net is a long net without any bosom (which the other nets have), and is fixed in the river, in a straight line perpendicular to the shore, by a stone or anchor at one extremity in the river and to a post or ring on the shore. This description of net does not, like the others, require the constant attendance of workmen. The meshes of the bob-net are sufficiently large to allow the head only of the salmon to go through them, and when they find they cannot proceed, they attempt to turn, and are caught by the gills, and the workmen, at their leisure, remove them from the net.'

The wear-shot net is the only one now allowed. The others, being fixed nets, were abolished by the Tweed Fisheries Act, August 17th, 1857.



Topography.



IN the earliest times of Berwick's History we learn the nomenclature of the streets from the different grants by charter to the numerous Scottish Abbeys of that period, and, reading from them, the streets and places named are as follows: Ravensden,* Cowgate,* Briggate,† Saint Marygate,† Crossgate,† Uddingate,† Narougate,† Waldefgate,‡ Butcher Street,‡ Super le Nesse,‡ the Land of Dodyn and of Walef,‡ the Village of Bondington,‡ Soutergate.§ Considering the names, we conclude that the streets were almost in the same position as now. Taking Ravensden, which reminds us of the time when the ravens must have bred in the trees that clustered near the lower end of the street, and Briggate and Saint Marygate, which still exist, along with Uddingate|| and Crossgate, for Church Street and Woolmarket, we at once see that the form of the town has remained the same, and that the streets, which the inhabitants of the nineteenth century tread upon, are the very same as were trod upon by those of the twelfth century. Superle-Nesse was not a street, but a district, comprising all the town, from the present Ness Street and Silver Street by Sandgate, the Quay Walls and Wellington Terrace, round again to the Nessgate. The streets of the Ness are not named separately in early times. Of the position of the Land of Dodyn and of Walef no record remains. The village of Bondington, already referred to under the Ecclesiastical History, must have lain in the same position as Castle Terrace now does, and must have included within its bounds all the land to the river in front. The parish of Bondington, I presume, was co-extensive with the Bounds of Berwick, for we have Letham distinctly stated as within the parish of Bondington. From the

* Coldstream Chartulary. † Melrose do. ‡ Kelso do. § Dunfermline do.

|| Adam Uddin left his lands in Uddingate to the Church of St. Mary in Kelso.

Melrose Charters we learn that there were ten acres of land left to the House at Melrose, which were called 'Hiddesland in tenemento de Bondington juxta Berewicum-super-Twedum cum libero introitu et exitu ad eadem sicut jacent per suas rectas et antiquas divisas inter terras monialium de Berewico et domus Sancti Marie Magdalene versus orientem et terram abbatis et conventus de Kelcou et monialium antedictarum versus boream et altum stratum regiam qui ducet de dictu domo beati Marie Magdalene usque villam de Bondington versus austram sine aliquo retinemento.' Another piece of land is described as yielding 'xii. denarios dictis monachis prefati domus de Melros terram illam apud berewic que est juxta stagnum vivarii sicut fossa castelli descendit in stagnum usque ad stratum regiam.' This stagnum is evidently the loch called the Tapee, which was in the position in which the Railway engine-sheds now are, and which was drained entirely away when the Railway was made right through its bed, and through the site of the Castle. Another locality is mentioned in the same chartulary as between Hangcester et siccum qui venet de Fuleford. This latter name is still the title of a street in the part of Berwick which was, at that time, called le Nesse. An interesting notice occurs in Bain's 'Calendar of Scots Documents,' which I obtained too late to insert in its proper place; but, as some names of streets occur in it which I have not noticed elsewhere, it is here inserted in full:

'July 30, 1313. Inquisition in virtue of a writ, dated Westminster, the 4th of the same month, directing the Chancellor and the Warden to inquire by what services a burgage and four places are held by Nicholas of Carlisle, the King's serjeant in Berwick-on-Tweed, and whether forty acres between the said town and its fosse, extending from the old place, formerly of the Friars Preachers of Berwick, outside the streets of Burghgate, Suter gate and Sissergate, towards held by many men of the King at will, as in the time of the late Alexander, King of Scotland, might be granted without damage to Nicholas to hold of the King, held at Berwick-on-Tweed, on Monday next, after the Feast of St. James the Apostle in the thirtieth year before Sir Walter de Agmodesham, Chancellor in Scotland, Sir Edmund de Hastinges, Warden of Berwick, and John Burdone, Sheriff thereof, by Philip de Ridale, John de Baddeby, William de Orford, Simon de Dirlton, John Bandewyn, Peter le Cros, John of Corbridge, William of Roxburgh, Robert of Helensleic, John of the Hall, Ralph of Blechings, Hugh of Grendone, John of Hawburn, William of Knaftone, Thomas Son of Ivetta, and John of Bastone; who say on oath that the said Nicholas holds that burgage which was Ralph Philipes in Briggate Street, of Berwick, by extent made by the English Burgesses of said town, viz., four marks per annum. Also a vacant place on le Nesse, which was the Bishop of Moray's by same extent, 3s. per annum; another vacant place on le Nesse which was William the Scriptor's by the same extent, 4s. per annum. Also a burgage which was Henry de Stirling's on le Nesse extended ut supra at two marks per annum, and know of no more held by him. They say these forty acres between the town and the fosse were held in the late King Alexander's time by divers burgesses of Berwick freely without any reddendum, as pertinent of their burgages, and, when said burgh was founded, they were given to the burgesses to build, if any wished to do so, and there are streets arranged in said ground for this. But they are now held by divers burgesses of the King of England for yearly payment of 2s. an acre, under extent made by his bailiff, whereby each

acre was extended at 12d., and other services. These are Robert of Holande, William of Thorpe, John of Bastone, William of Brun, John of Appleby, Richard of Len, Richard of Foxholes, Walter of Agmodesham, Ferinnus of Pontefract, Robert Herion, John of St. Botulph, John of Westone, Thomas del Bed, William Torald, Robert Pulter, Robert of Hecham, Ranulph de Holme, Peter le Cros, William le Clerk, John Spark, John Bandewyn, Reginald l'Enginour, John of Corbridge, Thomas Michel, Hugh of Grendon, Michael of Markham le Orfeure, Alex le Carpenter, John Packer, and Robert of Newcastle. That this ground cannot, without the greatest injury to the King and destruction of the town, be held "integre" by Nicholas or any other; and the burgesses have no other place within or without their town where they can have a handful of grass or pasture or any other easement except these forty acres, whereon all the burgesses both great and small have common pasture in open time by use and wont, and they are divided into small divisions, as in the time of King Alexander, among the burgesses. And if the King's pleasure is that they should not be pertinents to the burgesses and their burgages, he may, if he will, increase his said town by 160 burgesses.'

Where these forty acres could be, it is difficult to say, unless in that part of the town that the Greens and contiguous streets now occupy. If so, the population of the town in these early times must never have been so great as the old chroniclers would have us believe.

We pass on to Edward III.'s reign, when, in the Scotch rolls in 1336, we have the names of fourteen streets given, as follows, omitting those already named: Quarelgate, Kergate, Fishergate, Segate, Walkergate, King's Gerner, near the Muckgate (*i.e.*, the Cowgate). The Land of Dodyn and of Walef, and the village of Bondington, in which these lands were situated, are no longer referred to. This village has been so completely obliterated that tradition has no record of it. Additional streets and places are named in the Pipe Rolls of Edward III.: Frouthoroughgang, Bradthroughgang, Scyruenlane, Waleysgate, Watergate, and a part of Berwick called the Barony of Lindesije (Lindsey). Waleysgate was a gate in the old walls somewhere about the upper end of Wallace Green, to the contiguity of which that street may owe its name. The Barony of Lindsey is said to be part of the manor of Lamberton, which Edward had conferred on William de Coucy, and which was in his hands by forfeiture of Laurence de Abernethy.* The Barony

* To explain how the names Lindsey and Abernethy occur here we append this note: Sir Walter de Lindsay, of the Lamberton family, was Sheriff of Berwick in reign of William the Lion; Lamberton fell to him from his father, William of Ercildun and Luffness. He died in 1221 or 1222. His son, Sir William, got with his wife great estates in Westmoreland, Yorkshire and Lancashire. His son, Walter de Lindsay, was succeeded by his son, Sir William, who married Ada, eldest surviving sister of King John Baliol, who was ultimately eldest co-heir of Edward Baliol 'the claimant. William was killed in battle against Llewellyn, Prince of Wales, November 6th, 1283. His daughter and heiress, Christina de Lindsay, was married by her cousin, Alexander III., before 1285, to Ingelram de Guignes (his brother-in-law), second son of Arnold III., Count of Guignes and Namur, and Sire de Couci. In his wife's right he sat as a Scottish Magnate at Scone, February 5th,

of Lindsey in Berwick is said to include Narougate and Waldegate. These streets are both unknown, so that it is impossible to locate this district.

After this we gain no more knowledge of the town, its size or population or names of streets, till the survey of 1562, when we have not only the nomenclature complete, but the names of all the owners of property in the town (see Appendix V.). Several names of streets have disappeared—Quarelgate, Fishergate, Segate, Waldegate and Waldevegate, Frouthoroughgang, Uddingate, Fleshergate, Narougate, and Barony of Lindsey; and, added to the old number that have stood the test of time—Hidegate and Hidehill, Rotten Rowe for Ravensdown, Grenes, Wester Laine or Wildeslaine, Easter Laine or Gambslaine, Windemilhoole, Sandegate, Walkergate—without-the-Rampire or Shaftoes Laine, Castlegate, South and North. Soutergate was then the name of Church Street, and Shaw's Lane of Chapel Street, and sometimes Walkergate was called Shaw's Lane. Paxhole occurs as a name, which is now known as Packs Hole. In the names that the streets bore in the survey of 1562 very little alteration has taken place till the present day. Crossgate has entirely passed away for Woolmarket, Hidegate for Silver Street. The Ness is now confined to one small street, and 'Palace' has usurped its place. Palace Street, East and West, and Palace Green, cover the whole area formerly denominated Super-le-Nesse. Soutergate has gradually been displaced by Church Street. Windmilhoole is modernized into Tweed Street. With these few exceptions the Berwick of 1562 is the Berwick of 1887.

The 'Catwell' has disappeared from Hide Hill. Till recent years it could be seen a little south of the entrance to the King's Arms yard, and nearly at the outer edge of the pavement. The three jails of 1600 A.D. were the 'Haddock's Hole,' the 'House in the Wall,' and the 'Tolbooth,' or Town Hall. The first is an unknown site; the second was situated not far from the Drum Flagstaff, on the south-east corner of the wall on the water-side. The Guild Book of 1608 speaks of a Pant near the 'Pennyless Bench,' which was near the top of Hide Hill. The 'Contrell Pallice' in Sandgate is mentioned, and the Rock Lands in the Nesse. The Rampier is mentioned as very noysome from the 'Alley Snich' to the 'Starre Lane.'

1283-4, and at Birgham, March 17th, 1290, etc., etc. He was greatly devoted to Edward I. ('Scottish Nation,' vol. ii., pp. 667, 668). After Bruce recovered Berwick, De Couci forfeited his right to this estate, and Bruce conferred De Couci's lands upon Lawrence De Abernethy one of his devoted followers. But when Edward III. came to power and took Berwick, all the lands were again forfeited, and he now conferred the lands of Lamberton and Barony de Lindsey upon the heir, William de Couci.

Passing to the Bounds, or lands belonging to the freemen, we have Baldersbury, Nunslees, White Dam Head, High and Low Cocklaw, New Mills, West Edge, Stonymuir Riggs (Three-Steads-behind-the-Hill), Brow-of-the-Hill, Number One or Camphill, The Hope (Dunse Road), The Hope (North Road), Conundrum Steps of Grace, Loughend, The Folly, New East Farm, Bogend, Redpath's Fields. The following names have passed out of use: Pethcar, Petticar or Pittakote Lough, Thistle Anney, Ewebriggs, Cattcrag, Chapman Chesters, Hawked Cowe, The Burr Anney, Dowde Well, Drythrople, Porterhaugh, Burrs.

The question of population is a very difficult one. At no time before 1565 is the matter even hinted at. It is only by casual remarks that we discover that sometimes the fact was apparent that the population was less than it had been. The number slaughtered in any of the conquests of Berwick is of no use in determining the question, because of the number of soldiers necessarily present on such occasions. In the year above named, in the State Papers of Queen Elizabeth, June 8th, the inhabitants of Berwick are said to be:

Garrison soldiers, officers, etc.	-	-	-	-	1,202
Workmen, artificers, etc.	-	-	-	-	845
Freemen and their servants	-	-	-	-	228
Stallengers and their servants	-	-	-	-	203
Women servants and widows	-	-	-	-	275
Children under 14	-	-	-	-	251
Men's wives of all sorts	-	-	-	-	507
Total	-	-	-	-	3,511

When the garrison was dissolved in 1603, and all workmen who had worked on the walls, abstracted from the town, the population to whom the charter was granted must have been very small indeed. The map inserted at p. 172 shows a very limited number of houses. The population is not again mentioned till we reach the present century. In 1811 it was 7,746; 1821, 8,723; 1831, 8,920; 1841, 8,484; 1851, 10,294; 1861, 8,560; 1871, 8,718; 1881, 9,155. The population estimated by Dr. Fuller about 1736 amounted to 3,816, and 1799 to 10,000; but these numbers are clearly erroneous when we take into account the *real* number in 1811. At present the population is decreasing. This part of the subject we conclude with the following extract:* 'The women of Berwick are, without the exception of even Edinburgh and Inverness, the most beautiful to be found north of the Tweed. They are not only beautiful in so far as bloom of complexion and regularity of features are concerned, but they possess the utmost

* Chambers's 'Picture of Scotland,' 1828, vol. i., p. 24.

elegance of form, and dress with taste equal to their native graces. The art of the toilette has here been carried to a height rare in this quarter of the island, or, indeed, out of the metropolis, on account, it is said, of the facility with which the belles of the last age procured the *fashions* from London by means of the smacks'—that is, vessels that traded between Berwick and London before the days of steam and of locomotives.





Berwick Castle.



F the castle little can be said ; there is no account of its erection, and of its repairs and history frequent mention has been made in the text. It must have been completely built in the time of Edward I. It continued to be garrisoned till 1603, when the garrison was dissolved. After the present walls were built it became of less consequence, for it was then outside the defences of the town. In the time of the building of the walls, it was determined to demolish the castle ; and a quantity of stones were actually taken from it to assist in erecting the new fortifications. In 1603 it was parcel of the grant given to the Earl of Dunbar from the Crown, from whom it came into the hands of the Earl of Suffolk. James, Earl of Suffolk, sold it in 1641 to the Corporation for £320, who bought it for the express purpose of making it a quarry to aid in the erection of a new church. After they had obtained all they wanted from it, of stones, wood and lead, it was sold in 1652 to Stephen Jackson, an alderman of Berwick, for £100. From Jackson, the castle and site of the same passed to the hands of Thomas Watson, an alderman and merchant of the Burgh. From the family of the Watsons it passed, about 1770, to the possession of John Askew, of Palinsburn. In the hands of the Askews it remained until the North British Railway purchased it in 1843, when what little was left of its remains was blown up with gunpowder and cleared out. The western flanking wall still stands with the base of the Water Tower on the river side (the White Wall of early times). The remains of two other towers still stand a few feet above ground, one octagonal in the garden of Castle Vale House, the other in the field on the west side of the site of the castle, and adjoining the western wall before it begins to descend to the river. These are all that remain of this once important fortress.

The making of the railway through its very site has defaced all traces of a ground plan. It is, however, supposed with great approximation to the truth that the Great Hall in which Edward I. declared his decision in favour of Baliol, corresponds as nearly as possible to the site of the platform of the station.

While the castle thus early became a ruin, the walls remained fortified and supplied with artillery till this present century. The different mounts as now known are, from the westward round by the north and east, Meg's Mount, Cumberland Bastion, Brass Mount, then Windmill Mount on which are guns for militia practice, and lastly the King's Mount. Following on the line of the walls, there is Fishers Fort or Six Gun Battery, defending the river to the eastwards, and the Saluting Battery, which mounted twenty-two guns, looking south and west over the river. The walls and bastions mounted in all fifty-four pieces of ordnance, which were kept in position until 1819, when they were removed and sent to Edinburgh Castle to prevent them falling at that time into the hands of the radical rioters. In the walls there are four gateways, Scotsgate, Cowgate, Shoregate, which are contemporaneous with the walls themselves, and a Piergate opened in 1816. Another gate existed at the end of the old bridge till 1825, when it was removed.

We append to this note an inventory of the warlike stores of the castle in the time of Henry VIII.*

There is an Indenture among the deeds in her Majesty's Office of Ordnance, dated 20th January, 1539, for the delivery of the Castle of Berwick, together with all its military stores, by Sir Thomas Clifford to Sir William Ewers, who thereby, among other things, received the following:

'The towne, castell and towre, with all the ordinaunces and municyons artillarye and habyllyments off warre thereto belonginge as by particular parcelles hereafter ensuyth besydes the implements whych ar conteyned in a cedull unto thys present indenture annexed; that is to saye:

'Fyrste, at the Hall Door within the said Castell, a double cannon of brasse unmountyd, with seven score and two shotte of iron for the same, two bombardilles † of iron unmountyd, and a chambar ‡ of iron for either of the same with 39 shotte of stonee; for the same bombardilles four score and five shotte of iron; for a demy cannon 31 stonee shotte and no pece for them.

* Inventory of Stores there in 1539, extracted by Mr. Robert Yelloly from Meyrick's *Ancient Armour* in 'City of London Library,' vol. ii., p. 242.

† The smaller kinds of bombards.

‡ The chamber held the charge, and was put into a place made to receive it in the cannon. Thirty or forty were often kept ready charged. Some of these ancient chambers may be seen at Alnwick Castle.

'Item, in the Bownkell towre, three serpentynes stokkyd and bound with iron with forlookks and two chambars of iron for every of the same ; two sledges of iron, a fowler* of iron stokkyd and bounde with iron, with forlok and syxe chambars for the same ; and upon the hed of the same towre a saker † of brasse of the fyer brande of Homfrey's makinge mountyd upon shod whelys with ladell and sponge ; a fawcon ‡ of brasse called the porteculles of Homfrey's makinge mountyd upon shod whelys with laddell and sponge.

'Item, in Clayton's towre, three serpentynes stokked and bounde with iron ; a payre of old saker whelys bounde with iron, and uppon the same towre hed a saker of brasse of Scottyshe makinge mounty'd upon shod whelys with laddell and sponge.

'Item, upon the walles at the bakehouse ende, a saker of brasse of Scottyshe makinge called the Thysell, mounty'd upon shod whelys with ladell and sponge ; a faucon of brasse of Homfrey's makinge, mounty'd with shod whelys with ladell and sponge.

'Item, a fawcon of brasse of the fier brande, with oon olde stokke upon shod whelys with ladell and sponge.

'Item, upon the olde towre hed a fawcon of brasse of the fyre brande mounty'd upon shod whelys.

'Item, in the littel house in the walle beside Bownkill towre, 22 straks of iron for saker whelys ; 22 shotte of lead for a fawcon ; two bolts of iron with ram-paires and three houpes of iron ; a payre of olde saker whelys bounde with iron.

'Item, in the Hawke House, halfe a laste of gunpowder ; 41 black bylls helvyd ; § 44 byll heeds unhelvyd ; 24 shotte of iron for a saker ; four shott of iron for a demy culveryn ; ¶ a great brasse mortar, with a pestell of iron for making of powder.

'Item, in the gonner's chambar, 28 hagbushes of brasse ; ¶¶ 11 chambars for Serpentyne ; a chambar of iron without a hawll ; a stamp of iron for hagbushes, wyth a worme at the ende.

* Mr. Lodge's book says 'Fowlers with their apparell with two chambers.'

† Sir W. Monson's Naval Tracts state 'Sacar was a piece of ordnance of three inches and a half bore, weight of shot five pounds and a half.'

‡ From last authority we learn that the falcon was of two inches and a half bore ; weight of shot two pounds.

§ With handles fitted into them.

¶ The bore of the demi-culverin, according to Monson, was four inches ; weight of the shot, nine and a half pounds.

¶¶ The same as haquebut or hagbut, with barrel of brass.

'Item, in the ordenaunce house in the dungeon, 53 bowes of yough wraiks ; 26 dosyn bowestrings ; 27 hoole banelles, and fifty and 7 half barrelles of gonne powder ; 15 pece of lether calterooes ;* 14 payr of dowlays for whelys ; 23 bolts of iron for ordenaunce ; 5 boundes of iron for gonne stokks ; a barre of iron for oon axletree ; 5 lynspynnes of iron ; two forlokks for stokk to ordenaunce ; a mould of iron for a serpentyne ; thre chaynes of iron ; a barre of iron ; 23 stracks of iron for saker and fawcon whelys ; six hondreth shotte of leade for a serpentyne ; thre hundreth shotte of lead for a fawcon ; four-score shotte of lead for a slang ; 16 shotte of lead for a saker ; 2 hundreth shotte of leade for hagbushes.

'Item, in the armery above the hall, 9 old sallets, foure payr almane ryvetts † good ; 15 payr almaine ryvetts, rusty and broken ; syxe stele gorgets ; 5 payre of splents ; ‡ a barrell and a hawlk § for a gynn.

'Item, in the ordenaunce house above the armery, 13 score and 5 sheves of arroes ; 13 headstalles ; 51 horse collers ; 51 old horse tracys ; 5 score and 13 morys pikes ; three sheves of brasse ; 11 cressetts of iron ; two chests for arrows.

'Item, in the towre at the end of Whyte Walle, 8 double hagbushes.

'Item, in the towre of the bridge, upon the hed of the same, a serpentyne of brasse mountyd upon oon old stok with shod whelys, with ladell and spounge ; 12 shotte of lead for the same.

'Item, benethe in the same towre, ten hagbushes of iron, with thre score shotte of lead for the same ; a sledge of iron ; 30 shotte of lead for a fawcon ; thre trestelles || for hagbushes ; a ledder bag with powder, etc.'

* The calthrop or cheval-trap was a little instrument of iron made with four spikes, about an inch long each, and so placed that whenever thrown upon the ground one spike is sure to stand upwards. These were scattered in numbers to lame the horses. The above-mentioned are leather calthropes.

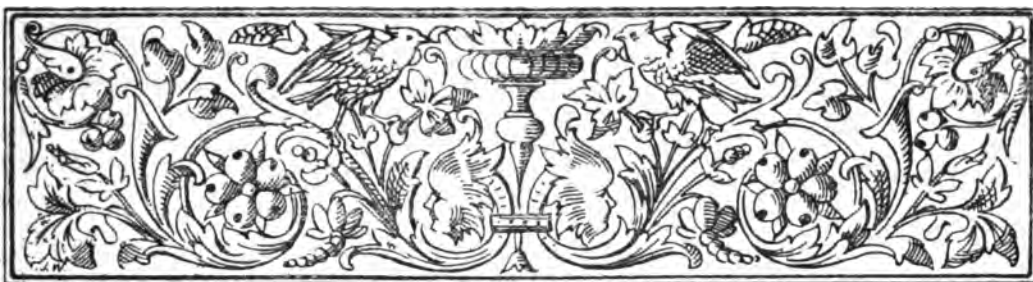
† Movable rivets, first made in Germany.

‡ Composed of several little plates that run over each other and defend the inside of the arm.

§ Or hague—the hacked butt, so called from being curved like a hook.

|| Trestles on which were placed one above another the hagbutts.





The Jubilee Rejoicings of June 21, 1887.

BERWICK determined not to be behind its neighbours in worthily celebrating the fiftieth anniversary of the ascent to the throne of her Majesty Queen Victoria. For weeks previous to the event great preparations were made, that everything on the appointed day might pass smoothly over. The chief anxiety—and one which in all open-air proceedings must ever remain—was the state of the weather. As the day approached the symptoms seemed favourable, but the realization was beyond all expectation. The sun shone brilliantly forth, while the heat was tempered with refreshing sea-breezes.

When the morning dawned, the principal streets of the town were found gaily hung with flags of every description, and all the public buildings were decorated ; while it was evident that dwellers in private houses had striven to excel their neighbours in the manifestation of their loyalty. The rejoicings began as usual with the music of the bells. At eleven o'clock the Deputy Mayor,* W. Alder, Esq., with the municipality and many of the inhabitants, marched from the Town Hall in procession to the Parish Church, where a Jubilee service was held, after which the company returned to the Town Hall and partook of refreshments. A joint service of Nonconformists was held in Wallace Green Church, when Principal Cairns, of Edinburgh, delivered an admirable address on the occasion. The chief feature of the day's proceedings then took place. The children of all the schools in the town—in short, all children between the ages of five and fifteen—were marshalled under distinctive banners, and under the supervision of the teachers of the Day and Sabbath Schools, in the Parade, when they marched in procession, headed by the Corporation's Academy as the oldest representative of education in Berwick,

* The Mayor (James Allan, Esq.) was unable to be present, through illness. This was the only drawback of the day.

through Walkergate Lane, High Street, Hide Hill, Silver Street, Ness Street, and along the Pier Road to the Pier Field. The procession, after being formed with military precision by Commander Norman, Sheriff of Berwick, and a staff of able assistants, began to move off, with a band of music in front, along Walkergate Lane into High Street, where a short halt was made in front of the Town Hall. On its steps the Committee of Management assembled with the Deputy Mayor and the other officials of the town, and a short ceremony was performed. The Hundredth Psalm was sung by the great congregation, after which prayer was offered by the Vicar of Berwick. Then Deputy Mayor Alder and the Rev. W. Ainslie Walton, B.D., addressed the children, after which the National Anthem was chorussed by the thousands of young voices that thronged the street. Three ringing cheers were given for the Queen; and that some local memento of the great day might be preserved, the company was photographed by Mr. W. Green, Berwick. The sight of the High Street from the steps of the Town Hall will never be forgotten by those who were privileged to witness it, from the deep interest of the sea of faces, and the perfect order and harmony of the whole proceedings. The procession then moved on by the line indicated, and drew up in the Pier Field. When the trumpet sounded, the ranks were broken, and the whole multitude engaged with zest in the sports and amusements which had been planned and provided. Tea was served in the course of the afternoon. After hearty and pleasant enjoyment, the company broke up about seven o'clock. In the evening the Town Hall was very brilliantly illuminated, as well as were many of the private houses. A huge bonfire blazed on Halidon Hill, and was answered on the neighbouring heights as in the days of yore, but with far different purpose. Then it was to tell of some imminent danger, that called the warrior to buckle on his armour for the fray—that sent a thrill of sickening fear through the heart of the timid. But now it told the joy of a united country that rejoiced with its Queen over the completion of fifty of the most prosperous years of the reign of any British Sovereign.





Appendix I.

LIST OF BURGERS AND COMMUNITY WHO TOOK OATH OF FEALTY TO
EDWARD I. IN 1291 A.D.

Phillipus de Rydale, Mayor.	Nicolaus Champion.	Ralph Taket.
Ranulphus de Whitby.	James Aurifaber.	Adam Grossteste.
Ingeramus de Colton.	Roger Philip.	John de Aberdeen.
Henricus Fraunceys.	Robert de Breghin.	Stephen le Mercer.
Thomas de Venour.	John de Knapton.	Reginald de Venour.
Richardus Tannator.	Thomas de Selghkirk.	Ralph Philip.
Petrus de Coventre.	Henricus Aurifaber.	Robert de Lamberton.
Robertus de Eborum.	Thomas Mousy.	Henry Tonsor.
Matthæus de Coteler.	Johannes Clericus de Berewico.	Richard Gilbe.
Willielmus de Mersington.	Johannes de Howe.	Walter de Gosewyk.
Willielmus de Grendon.	Johannes de Routhlyrn.	Wm. Clericus.
Master Roger Bartholomew.	Eustachius L'espicer.	John de Strivelin.
Wm. Chalcorun.	Willielmus May.	Roger le Espicer.
Dd. de Keinsworth.	Gregorius de Coldingham.	John Oter.
Alan de Langeton.	Johannes de Wainfet.	Adam de Barton.
John de Mareschal.	Alexander le Tallour.	Adam Moigne.
Nicholas de Beverley.	Thomas de Beverlaco.	Wm. Gretheved.
John de Whitby.	John de Cornbyr.	Warinus le Violer.
Warinus de Pebles.	Henry Spring.	Wm. de Hereford.
Robert de Barton.	Adam de Mar.	Richard Dod.
Laurentius Clericus.	Adam de Seleby.	Adam de Strivelyn.
Martin Lespicer.	Robert Russell.	John Mareschal.
Wm. Clericus de Berwick.	Johannes Monachus.	Robert Oliver.
Adam de Dunbar.	Wm. de Holthall.	Richard de Newton.
Thomas Tod.	Alexr. Pelliparius.	Thos. de Tannour.
Robert de Whitby.	Nicholaus de Whitby.	Wm. Brokour.
Simon de Tridelton.	Robert de Dunbar.	Thos. Bataile.

Appendix II.

LIST OF BURGESSES AND OTHERS WHO TOOK OATH OF FEALTY IN 1333 TO
EDWARD III., AND GOT LETTERS OF PROTECTION FROM THE KING
25TH JULY.

Adam de Bodyngton.	Hugh de Upsetelyngton.	John de Langeton.
John de Raynton.	Wm. de Norham.	Simon de Blithe.
Thomas de Camera.	Thomas de la Bedde.	Henry Marshall.
David de Kymbergeham.	John Taillour.	John le Barker.

Henry Bataille.	Master Gilbert de Sprouston,	John Normand.
Wm. Armstrong.	Master of the House of Mary	Wm. de Edenham.
Richard Slengesby.	Magdalen.	John Skayl.
Adam Sadeler.	John de Molendino.	Patrick Mazon.
John Palmer.	John de Ancroft.	Robert Loter.
Thomas de Paxton.	Adam de Listeter.	Robert de Cornall.
Warinus de Beverlaco.	Simon Shandy.	Wm., son of Simon Alde.
Wm. de Paxton.	Egidius de Myndrom.	John Etal.
Wm. de Rokesburgh, Master of	Bridnius Candelan.	Henry Lesseman.
the Domus Dei.	Adam Shanks.	Thomas de Heton.
Roger Oliver.	Ralph de Hadyton.	Wm. Stubbe.
Eda uxor Petri filii Johannis.	Hugh de Eßatu of Berwick.	Wm. de Lithe.
Thomas le Hattere.	Ada, who was wife of Robert	John Moigne.
Thomas de Blekkele.	Blakeburn, of Paxton.	Adam de Slengesby.
Agnes de Morthyng.	Wm. Mazoun.	John le Gros.
John de Dorchester.	Elias de Paxton.	Nicholas Lanark.
Robert de Lamberton.	Clemens Todde.	John Lang.
John de Harden.	Edward de Eyton.	Adam Moigne.
Thomas Hatter.	John de Blekkele.	Richard Rokkepot.
Thomas de Rydale.	Robert Bet.	John de Cornale.
Simon de Saltoun.	Christopher de Coloigne.	Richard Paxton.
Agnes de Morthyngton	Robert le Sotherum.	Thomas Ughtred.

Appendix III.

The following taxes were granted to be levied for one year for the repairing of the Pavement of Berwick ('Scot. Rot.,' ii. 87—1337 A.D.):

Of every cart-load of wheat or of malt coming into town - - - - -	1d.
Of every horse-load of wheat or of malt, or other merchandise - - - - -	½d.
Of every horse and mare, ox and heifer - - - - -	½d.
Of every 10 sheep - - - - -	1d.
Of every pig - - - - -	¼d.
Of every carcass of an ox - - - - -	¼d.
Of 3 sheeps' carcasses - - - - -	¼d.
Of every horse-load of sea fish - - - - -	½d.
Of every barrel of onions - - - - -	½d.
Of every measure of red onions - - - - -	½d.
Of every quarter of salt - - - - -	1d.
Of every cart-load of iron - - - - -	1d.
Of every horse-load of cloth - - - - -	1d.
Of every hundred yards of web of Irish canvas cloth, Galloway worsted, and Kendale - - - - -	1d.
Of every hogshead of wine - - - - -	2d.
Of every barrel of fish - - - - -	½d.
Of every hide of horse, mare, ox, and cow, fresh salted or tanned - - - - -	¼d.
Of every hundred of steel (gaddoz aceris) - - - - -	½d.
Of every hundred horseshoes and cart-nails - - - - -	½d.
Of every hundred pelts of goats, stags, bears, deer - - - - -	½d.
Of every hundred pelts of lambs, kids, hares, rabbits, foxes, cats, squirrels - - - - -	½d.
Of every wey of cheese or butter, - - - - -	½d.
Of every hundred of tin, brass, and copper - - - - -	1d.

Of every horse-load of soap or grease	- - - - -	½d.
Of every hundred pound of 'averio'	- - - - -	4d.
Of every 10 gallons of oil	- - - - -	½d.
Of every package of any merchandise exceeding the value of 2s.	- - - - -	½d.
Of all other kinds of merchandise coming to town, passing out by load of horse or cart, to the value of 5 shillings, not named or specified	- - - - -	½d.

Appendix IV.

THE AUNTIENT STATUTES* OF THE TOWNE AND CASTLE OF BARWICK,

SIGNED BY THE QUEEN'S MAJESTIE THE FIRST DAY OF OCTOBER 1560 AND YE 2ND YEARE OF
HER HIGHNES RAIGNE.

First yf there be any soldiers in the Garrison that have not taken their oaths to be true to the Queen our Souveraigne Ladie and to the Captain of the towne for the time being and to all the rules, directions and ordinaunces made and to be made by the Captain, Marshall, Treasurer, and Mr. Porter, chancellors within the same towne for the preservacon and good rule and ordinaunce within the same, he or they that so are not sworn to come into the Captain and take their oath and he or they that doe otherwise to forfeyt for their presumptions their wages before served and further to be punished at the pleasure of the Captain.

Also yf there be any person of this garrison having any retinue under the Queene Our Souveraigne and the Captain and kepeth not the full nombre of his said retinue dailie resorting and abiding within the towne according to his oath and chardge so taken except he be otherwise licensed by the said captain and that the said Captain for a moneth he to forfeite and loose for every man so absent and vacant the double value whatsoever wages he be retained unto and further to be punished in example of others at the pleasure of said Captain.

Also if there be any person of this garrison that comytteth annie manner treason against the Queen our Souveraigne Ladie's most noble person or that any manner of confederacies or conspiricie, conventicles, common murthers or any imaginacons within the towne or boundes of Barwicke he or they so doing to be taken as traitors.

Also if there be any person of this towne that stealeth, porloyneth, withdraweth, or receaveth any of the Queen's Majestie's Ordinaunce artillerie or other things concerning the buylding or any manner of weapon or harnes belonging to any manner of person or persons of the said retinue he so doing or therein found defective to suffer death.

Also if there be any person of this garrison that intercomuneth with Scots borne other aliancis or any other rebells or traytors to the Queen our Souveraigne Ladie without especial license or by the comandment of the said Captain or ells under that intercomuning or license do they porloyn, steale or withdraw any Englishman through goodes he or they to be taken as traytors.

Also if there be any person of this towne that standeth indicted either of felonie or treason and hath not sued or purchased for himself the Queen our Souveraigne Ladie's Charter or ells if there be any person or persons within the same towne that have been abiured the Queen's Landes and re-enter it again without license of our souveraigne Ladie or the Captain, he or they so found defective to be put into bale and there to remain untill the Queen's most honorable pleasure be known therein.

* MSS. Lands, 155, p. 265.

Also if there be anie manner person or persons of this town or any other that cometh within the precinct of the same that troubleth, hurteth or annoyeth any Scotts person or any other aliants having the Queen's Our Souveraigne Ladie's safe-conduct or breaketh the Captain's assurance or doth any inurie or wrong to any victualls belonging to this town either by water or by lande otherwise than the law will, he or they so offending to be comytted unto warde and there to remayne untill such tyme and season as restitucon be made unto to the partie plaintiff to the double the value of the trespasse and futher to be punished at the pleasure of the said Captain.

Also if there be any person that maketh any affraie at any of the gates of the said towne or at the watch hill at such tyme or season as the watch bell is ringing or the watch is setting or afterwards that night untill the watch bell be discharged in the morninge or ells slayeth or murdereth any person within this towne or within the *Scrie* of the watch upon the walles of the same towne he or they so found culpable to die therefore or if any of the Scout watch, or stand watch or serch watch affraie one with another and yf there be any person of them slayne by another and yf there be any persons that take any partie in any of the said causes in this article comprised with any such offenders he or they to suffer persecution of death as is aforesaid.

The Penaltie in going from the wall after the watchword is given. Also yf there be any man that cometh to the watch hill and is by the officers to watch and thereupon hath the watchword given him and then goeth from the wall or the watch bell be rung in the morning that person to suffer death.

Also yf there be any person of the stand watch that suffereth at any time the soldiers and Of Searchers passing between the stand-watch and the battlements of the wall. searchers for to come between him and the battlements of the wall or ells suffer the said watch to come to the stand watch except the search speak the watchword first, said watch that are so found falitive and everie of them to be imprisoned dayes and loose a checke of xvij. for the first time and for the second defaulte to have double punishment and pay such check aforesaid and never be suffered to watch more upon the walls, and yf any of the searchers presume to do the contrarie except it be upon a due consideration he or they so doing to have like punishment and paye the check and further to be at the pleasure of the Captain.

Also yf there be any soldier of this towne that taketh upon him to go out of this towne without license of the Captain and in his absence of the Marshall and tarrieth the space of one night or above or ells if he have license given him and have a sufficient person for Scrie and alarum and then tarrieth over that license at his own pleasure he so offending to lose for so many days double wage that he is retained unto.

Also yf any soldiers of the garrison be appointed to keep scourage or any such semblables as their course shall come about and yf they do not their duties as well in scourage of the dangerfull places within the boundes every man in his quarter as in keeping the horses of the garrison which shall be delivered unto them by a tale at the gates or ells before sufficient record and if they bringe not all these horses at a due hower in the evening within the said gates those persons searchers for to make good and paic unto the partie plaintiff the verie value of every such horse or horses by them losste ; and thereupon have an action in the Marshall's Court and further to be punished at the pleasure of the Captain.

Also yf the Marshall and Clerke of the watch check any soldier of this garrison at the watch hill or at any other place to their office apperteyninge and then hire not one able Clark of the watch to see the watch of the walls truly guarded. watch for him or them so checked but suffereth the Queen's walles to be unwatched and such other charge to them comytted not truelie ministered contrarie to the suretie of this town he or they so offending to be put in sure warde and there to remayne untill the Queen's Majestie's pleasure be known.

Also yf the Clarkes of the watch do not call everie soldier by his owne name when his night is
Clerks to ap-
point soldiers
to watch and
warde indiffer-
ently without
affectation. or shalbe to watch upon the day harriages or keeping of scourage or any such like
commandements by the Captain but spare ther kinsmen or friends or any other persons
for lucre or gaine whereby the other soldiers are or shalbe put to more busines, paine,
and labour in that behalfe, that Clarke so doing to be comytted unto warde and forfete
xxs. to the Queen's Bridge of this towne; and if annie offende two tymes in any of these
points to loose his office and be punished at the Captain's pleasure.

Also yf the Clarke of the Watch or other person that is assyned to the captain for to attack and
Withdrawing
of pleas to the
Queen's
hindrance. present all manner of pleas or attachments concerning the office of the Marshall's
Courte and so withdrawe the benefit from the Queen and Captain in this behalfe, he
or they so offending or doing for to have like punishment as is expressed or in the next
act aforesaid.

Also yf any soldier or soldiers of garrison or other person within this towne or boundes of the
Obeying the
Tippstave. same withstand the arrest or attachment of the Clarke of the watche or any other
having the tipped staffe in the offices doing, he or they so offending to be comyted to
warde by the space of viij dayes and to loose his roome what wages soever he be abled and further
to be punished at the Captain's pleasure.

Also yf the yeomen porters at any of the gates of this towne be not dailie and hourelie present
The yeomen
porters to geve
diligent
attendance at
the gates. everie man abyding at such gate as he is charged with and keep the said gates cleanlie
and honestlie so that the Queen's people be not noyed therby, that porter so found
culpable for the first faulte to be imprisoned three dayes and the Captain to finde at the
cost of that porter one able man for three days; and yf anie of them be founde faulte
the second tyme for to have such like punishment and double, an yf he do it the thirde tyme he to
loose his roome.

Also yf the said Porter do not duelic, dailie and nightlie shutt and sparre the gates and the
A Penaltie for
shutting of the
gates and safe
deleverie of
the Keyes. wicketts of the town everie man within his charge and bring all and everie Keye and
Keyes thereof and deliver them unto the Captain thereof at due tymes and accustomed;
and in the morning if they fetch not the said Keyes from the said Captain, the said
porter or porters to suffer death and the Master Porter to be comytted unto warde
and there abide untill the Queen's Majestie's pleasure be known.

Also yf anie of the said Porters take upon them for to license or suffer any Scottish borne person
Scotts and
other aliant
not to enter
the town with-
out license. or other aliant to com within this town without they have the Queen's safe-conduct or
Captain License for the first offence to be comytted to warde for the space of six dayes,
and the Captain to finde at the said porter's charge and coste another able man in his
room and if he do anything eftsoones he shall be put out of his office.

Also yf any of the said porters take of any manner of person either money or money worth by
Taking
Bribery at the
Gates. way of Bribery for the daily residence or attendance giving at the said gates otherwise
than of right hath been used and accustomed he to forfete unto the partie plaintiff for
everie pennie so taken iijjd. and to be further at the pleasure of the Captain.

Also yf the porters shutt not the gates at everie Scrie and alarum that shall happen ere the
To shutt the
Gates at every
allarum and to
search all
suspicious
lodering as
straw, faggot,
etc. daylight or ells to be there presente for that intent and if any *escerie* or alarum fall upon
the night yf they endeavour not themselves everie of them to go unto that gate wheras
his chardg is or if any fodder, or carte lodes of straw, corne, thack, faggots, brooms, or
any other gross thing such as may not well be seene through with man's eyes be
suffered to come within the gates and be not by the porters well searched as apper-
taineth to such cause, they so offending to be executed.

Also yf any person comytteth indeede to counterfeite any Key of these Keyes that
Counterfeites
of the Keyes
of anie of the
Gates. belonge to any of the gates, posternes, towers, or of anywhere place, or places wheras
the Queen's ordinance or her artillerie lieth, he so offending to suffer death as a traytor.

Also yf any soldier of the garrison hath any prisoner and for favor, love, sufferance, or otherwise overseeth him and will not take his ransome openlie but privelie whereby the Captain is or shalbe defrauded of his thirds, or if any of the said garrison fortune to take any ennemie which is a gentleman of coat armor and yf he first present him not unto the said Captain, he or they otherwise doing for to loose their horses and their harness and all their goods and their bodies to be at the Captain's pleasure.

And if there be anie soldier or any other that hath any prisoner and killeth him or suffereth him to go openly within the town uppon the daylight without he hath of them great retinue for to wait upon him and if he tarie in the town by night and if he be not surely warded and kept in the porter's prison, he that otherwise findeth him to take him to his prison and his first taker to be quit and yet he to be punished and set in ward for the space of viij dayes.

Also yf there be any soldier of this town or garrison that occupieth with his own hands any vile occupation or comonlie fishing for any white fish or salmon, he or they so doing for the first faulte to loose a check for xviiijd. and for the second time iijs. iiijd. and for the third time vjs. viijd. to the Bridge of Barwick and for the fourth time to be put out of wages.

Also if there be any soldier of this garrison that is abled and admitted by the captain to take the Queen's wages and if they have not a iacket of the Queen's colour, white and green, and that to wear at all such seasons and tymes as he shall have summons from the said captaine, he or they having no such iacket and wear that for the first defaulte to loose three dayes wages and for one day to be imprisoned and for the second time to be dismissed out of wages.

Also if there be any soldier of this garrison that either dice or card for any money or play at marbles but for beer, ale, or wine either by day or by night whether in the town as well the players as the owners of the said table, dice, or cards in whose house they play, they all so offending to be imprisoned by the space of three days and whatso they have lost everie pennie thereof that to be delivered into the hands of the said Captain by sufficient search as often as the cause shall require except it be within the twenty days of Christmas or ells at any of the gates of the said town or within water-houses or market-place or the towel bougheth of the same town, he or they that otherwise do, that money and everie pennie thereof to be employed by the Captain's command went to the use of the Queen's Bridge of the said town of Barwick.

Also if there be any soldiers of this garrison that hold or have in their house or within any other man's house within the town any curr dogges or curr bitches over the feast of the exaltation of the holy cross next coming that soldier or soldiers for the first time to loose xijd. and that dog or bitch to be slain or drownd forthwith upon the taking and over that if any person of their persons keep or have any spaniell or grey hound or any kind of dogges and bitches going upon the streets in the daylight except they be handled or led in lyches or lyans or otherwise so there be no noyance found or proved unto any man in this towne the Master or the owner or any other receaving of any such dogg or bitch for the first faulte to loose iiijd. and his hounde unto the taker of him whatsoever price he be of ; and if they use him not as is aforesaid he or they so found faultie to loose xijd. and their houndes to be taken from them, and if he be taken three tymes with such like faulte as well the person as the hounde and everie of them to be put out of this towne and moreover that all kind of dogges and bitches such as shalbe thought by the said Captain and Counsell of this towne that shall tarrie and be suffered to abide within the same that none of them be founde out of howses by night times upon paine of the Master and owner of them that receive them into their howses iijs. ivd. for everie hounde for the first

tyme or if any such chaunce to be founde the secunde tyme to loose vjs. viijd for everie hounde and if the parties oversee themselves for the third tyme he to pay the said vjs. viijd. and his hounde to be taken from him and the money thereof coming to be employed to the Queen's Majestie's Bridge of Barwick.

Also yf the Master of the ordinance of this towne or any other that hath rule tharof under the Queene our Soueraigne Ladie and the Captain doe not endeavour them for the keeping of the ordinance. of the best advantage, defence, and suretie of this towne, he or they that are soe founde faultie to be put out of his room or roomes and further to be punished at the pleasure of the Captain.

None to be retayned to the ordinance untill he be abled by the Captain. Also if any person or persons of the ordinance take upon him to retaine or take into wages any person unless he be admitted and abled by the captaine that person to have no wages for the service.

Also if soldiers that are assigned to keepe the dayes watch of the towne do not their dutie viz., he be not in place from the watch bell ring in the morning unto the tyme yt ringe at night and if he escrie not and warn them of the garrison with the larum bell for everie shippe and other vessel that shall fortune to come within sight by man's reason before the roade and to sett forth the banner towards what part any shipp or vessel so coming and also to geve warning for everie person that cometh within the boundes of Barwick either on horsebacke or on foote and if he faile thus to do to have his heade stricken of at the market crosse.

Imbeselling the furniture of the ordinance. Also if any person of the ordinance do embezzle, sell, or withdraw anie parcell or parcells of the same he or they so offending to die for that defaulte.

Also if any soldier that now is or hereafter shall be abled by the captain to be in horseman wages and if he have not able horses of his own and his harneys and able weapons of his owne without borrowing, and likewise if any archers such as have wages for the use of their furniture and if they have not able bowe or bowestring, arrowes, and such other things according to his intertainment and his harneys and other defence for him convenient and over that if any footeman or man of ordinance within this garrison that now is or hereafter shall be, if they have not able weapons and harneys and other defence without borrowing as well the horsemen, the footmen, the archers, and the men of ordinance or any of them so founden faultie at any tyme of musters or other tymes requisit, they to be put out of wages and further to be punished at the Captain's pleasure.

And yf any soldier or any other steale, purloyne, or withdrawe any other soldier's weapons or any other weapon from any person of this town from any manner of place within the same town or the boundes thereof of that person effective to remain viij dayes in prison and to pay vs. for the weapon unto the partie plaintiff, and over that to be banished the town and any persons that are consenting, inticers or abeyders unto any such stealing there to remain in prison xx daies and pay xs. and over that to be banished the town.

No liverie of cognisance to be worn in this towne but the Queen's. Also yf there be any soldier that presumeth to wear in this town any liverie or cognisance but the Queen's our souveraigne Ladie's and the said Captain's without special license he or they so doing to loose the said liverie and to be discharged of his roome and further to be punished at the pleasure of the Captain.

No soldier ought to be in the street without a bill or an axe. Also yf any soldier walk or be found in the streate at any tyme or to the Church or market or from thence or if he bear not a bill nor an axe, he or they so found faultie for the first time to loose iiijd. the second time viijd. the third tyme xijd. and the fourth tyme to be put out of wages.

Also yf any soldier take upon him to mawe or cause to be mawed any grass within the boundes of the town without it be to him permitted by the Captain or counsell of the same he may mawe any grass in the Boundes. or they so offending to loose the said grass and for the presumption thereof to be three dayes in prison and if he be eftsoones found in such like fault for to loose his grasse and his roome and what wages whatsoever he be abled unto.

Also yf the quarter master of bootie or any of them or any other petty captain or any other person chosen by the Captain of their garrison either in hosting, forreying upon the Queen's enemies, if he or they so having charged to guide doe not dailie and treulie convegh the said persons and everie of them in their forthgoing, tarrying, seiourning, and returning, and home-coming, and in geving and distributing without of any manner of deceit into everie man, all such persons and goodes as they shall fortune to winne, he or they so doing, to loose their parte of the bootie and further to be punished at the Captain's pleasure.

Also if there be any soldiers of this garrison that fortune to ride in hosting upon the Queen's enemies and if he be not defensible arrayed as his time requireth, he shall have but child's part of bootie and the pettie captaine Quarter Master shall put his dealings in that behalf unto the captain whereupon he or they so found defective to loose his horse and harness to the captaine.

No enterprise upon the enemy without privete of the captaine. Also if any of this garrison presume to ride or go upon any enimies or enterprize either by sea or by land without he show his purposes before the captaine he or they so offending for to be imprisoned there to tarry the captaine's pleasure.

Also if any person that is admitted by the Marshall or the Clark of the watch to be searched or searchers and if he or they do not their true diligence in searching of the said watch upon the walls and in speaking to the front watch and also search the ditch without the walls and within the towne walls and towers and gates of the same as he ought to do and as he shall be charged with the same, or ells if any searchers find any watch man asleep and out of their ward and then for love, favour or money, suffereth him to escape by any subtile means, and if any of the searchers come within the town after he or they have the watchword given unto them and they come not incontinent to the watch-house as soone as they have felt the word to them assigned and there tarry till the watch bell ring in the morning except it be at such time and season as there course is to go about or if any of them would go about the walls except he have his fellow with him, or if it fortune that any affair, escric or alarm be upon the walls by night in any quarter thereof, and if any searcher or searchers make not his due half and go unto the warde which he did felt so in as much as in him shall be possible to withstand the danger thereof and the watchbell in one quarter to be rung for to give warning to them within the town and in what quarter that bell continue to be longe runge and the other bells to cease at the discretion of the searchers and if any of them are themselves otherwise, they to be put out of wages and further to be punished at the pleasure of the captaine.

And also if any person that is admitted or shall be assigned to the Clark of the watch and so by the searche to be of stand watch within the walls and then if he be found at any time after he hath the watchword and place assigned unto him out of the said warde or ells if he be founde asleep, for the first defaulte to forfeit xs. whereof iiijd. to them that take him and vid. to the Marshall and to sitt in prison three days and if he be found three times or ells if he make an escric or warning otherwise than he ought to doe through which his fellow that by likelihood should be taken asleep by any of the search watch might have knowledge and warning thereby he to be punished for the first faulte to loose a check of xvijjd. and three dayes imprisonment and for the second faulte as well the sleeper as the scricer they both to be put over where they made the saide defaulte and sett into basketts and a canne of drink in their hands and they or he to tarry unto the time the rope be cutt and go to redeem themselves.

Whoso hath the rule of the watch bell to do his dutie. Also if there be any soldier that hath rule of the watch bell and if he make not his due haste and come to the church and strike a generale larum at all such times as the said cause shall chance or require by night, he so offending to suffer death.

Also if any Scottish born person, chartered or unchartered, present themselves for to be soldiers of this garrison or take upon them to be of the stand watch, search watch, front watch, or harrage or scourage or other dutie that calls upon him or them for to come upon the town walls by night or the ditches of the same, he or they so founde or taken to be put to death as traytors.

Also if any of these persons that be admtyted to the Scout watch do not their dutie in going and searching under the walls without the ditch of the town and other places need fall to them lymtted or ells if they be not searching or speaking at all times when the said watch that are upon the walls call upon them, he or they so are found faultie to loose a check for xd. for the first faulte and to be imprisoned three dayes and for the second faulte to loose xxd. and be punished at the pleasure of the Captain.

Also if the viij constables of the fower wardes keepe not their search to them lymtted by the captain and endeavored not themselves to keepe good rules and see that they kept everie man within his warde and to cause soldiers that are to them assigned by the captaine to come upon the walles to know their places and see them sufficiently stored everie soldier for his part, viz., the bughte of the saide word upon the Allie and upon the battlements and loopes of the same, the constable so found faulte to be put out of wages and if any soldier that is warde under any of the said constables come not to his ward to him assigned at everie escrie and alarum as well by day and by night and then tarie and remain until the tyme that he be otherwise commanded by the captain and that soldier to be put owt of wages and to be punished at the pleasure of the captaine.

Also if any soldiers that are assigned to be of the relief and not warded upon the walls and if they be not readie and attendant at all tymes requisit and needful to wait upon the captain as such persons as he has deputed it to, he or they so offending to be put out of wages and to be punished at the pleasure of the captain.

Also if any soldier come upon the town walls by night or unto any of the stand watch, scout watch or search watch or nigh unto the wall or within the ditches suspiciously without the watchword, he so offending to be taken and comytted to warde by the space of viij days and further at the captain's pleasure.

Also if an English man lead any Scottish man or other aliant upon the walls of the said town by day or upon the dykes, he for his so conducting to loose all his goodes and to be banished the towne for ever and if he do any such by night he to be taken as a traitor.

Also if there be any person that goeth over the town walls or leapeth over or climbeth upon it by ladder, rope, or any other subtyll means either in going out or coming in to the town by day or night or that measureth by any deceitful means the deepness of the walls of the towne or the widnes or breadth thereof or caste any stone of the wall in the ditches or other filth or annoyance, or that carieth any stones for the said walls to any his use, that person or persons so doing to be comytted unto ward and further to abide the correction and punishment of the saide captaine.

NEWE ORDERS* FOR THE TOWN OF BARWICK AND THE GARRISON OF THE
SAME, SIGNED BY THE QUEEN 1ST OCT. ANNO 1560 REGNI SECUNDO.

Forasmuch as we doe certainly understand that our town of Barwick at this presente daie is in verie evill estate by reason the auintient laws and orders thereof be neglected and for also that our garrison ther is at the presente a far greater than ever was indeede or ever meante upon the making of the first auintient laws We have thought it necessarie for the presente to declare or meaning howe the same may in some points be remedied untill the tyme that the fortifications thereof may be fully finished and a garrison ther established to continue perpetually in the same.

First we will that the former statutes and orders which of auncient tyme have been diuised for the goode guard and suretie thereof shall stande and be in their full force, saveing in some such points as shall be contrarie to any article now at this presente by us in their orders hereafter mentioned. And for the better strength of the said auncient orders we have caused a transcripte of the same to be made and signed with or hands which or pleasure is shall be made and published by order of or governor of Barwick in such convenient places to all or Garrison and other of or Town as soon as it convenientlie may, that every soldier of the same towne may distinctlie heare the same and after that everie quarter of the yeare once, three days before the paies and at the same tyme also or pleasure in their new orders shalbe in like manner distinctlie read and published.

Because the foundation of all worldly strengthe is to be laide and established with the feare and service of Almighty God wout which except the Lord God kepe the cittie and build yt all force of armes, strengths, and riches be but vaine and as dailie is seen and perceaved where yt pleaseth Almighty God contrarie to men's purposes to confounde strong towers, castles, and great armies by sundries casualties. It is most necessarie that all or people as well men of warre as of peace residing win that town do live in due service and feare of God and so consequentlie from tyme to tyme exercise all good feates of warre for the defence thereof. And because we will that the Church and place of Divine Service win the sd town being now desolated shall be repaired by the surveyor of the works and kept and preserved to the use onelie of praier, ministracon of sacraments, and preachinge of God's worde and no other prophane use. And furthermore that all such divine service be used therein as is agreeable to the canon order established in our Realme and for maintenance of ministers in the same, we have declared our pleasure to Mr. Treasurer there by writing signed by our hands, how the same shall be maintained and paid which we will or Governor there to see of all parties executed. And further we will that or Governor and all principall officers doe resorte to the same church orderlie, morning and eveninge, at least everie hollie daie and Sondaie. And because the multitude of our soldiers is such as the churche there, being verie small, cannot contain the same at one tyme neither is yt fitt that our gates, walles, and bullwarkes to be left unguarded and unfurnished, or pleasure is that or Governor and or Counsell there shall, upon a good perfect muster, make such a certain distribution of all our bandes and soldiers, as well extraordinarie as ordinarie, so that as many of the same either by whole bandes or parcell of bandes as may at least once a weake come and remaine in the church during the tyme of Divine Service both morning and evening in such sorte as having comon praier upon the Wensdaie, Fridaie and Sondaie besides other holidayes there may not be a soldier or other person having paie of us in the town but that at the least once in xiiij or xvi dayes he may be appointed and known to come to the church morning and evening to abide and heare Divine Service and whensoever any sermon shall happen to be which we wold to be once everie moneth that none of all our Garrison being win the town saving such as, at that said present tyme, shall have chardg to attende in and wait in and about any part of or sd towne for defence or attendance there be absent from the sd sermons under paine to be checked or abated of

* MSS. Lands, 155, p. 274.

three dayes wages which our Treasurer shall retaine and paie in this sorte the some of two dayes wages to the poor man's box in the church and the thirde to him that shall detect the offence which manner of pay shall also be afflicted upon them that shall be absent from Divine Service in the church contrary to the order to be taken as is aforesaid by the Governor and the Councell and for the furtherance of the Service of God and the better more frequent accesse of or soldiers to the church we remytt it to be in other poyntes considered and ordered by or Governor and Councell wth the advice of the Curate or preacher of the ordinance of the Diocese.

Item, for the preservation and good governance of the same towne we will that these be the officers following :

First, One Governor of the same towne and marches who shall also be Or Warden of Or East Marches for the presente, one High Marshall, one Treasurer and Porter with fower officers shall be or Councillors for the governance and order of that towne and our said Governor shall have authoritie from tyme to tyme to call and assemble them and in difficult causes to call unto him any other wise men either from the same town or in the marches thereof onlie to give advice but not to be accepted as our councillor of that town and because the Chamberlayne is yet not seen requisit to contynue our pleasure is that the Treasurer shall occupie that roome in causes requisit.

Also there shall noe captain nor soldier hereafter appointed win that towne or garrison No soldier to have any freehold win that town, nor that shall be born win the counties of be a freeholder Northumberland, Cumberland or Westmoreland, or the Bishoprick of Duresme, neither or handicrafts- shall any of the same exercise any handicraft win that towne except he be a burges, man, etc. or flescher, or maker of hand gunnes or other instruments for war.

Also no soldier win that towne shall take by any means double wages of the Queen's No soldier to take double pay save at the fortifications. Majestie, and if it be proved that any soldier so dothe he shall lose as is due unto him for that tyme, whereof the half shall be given unto him that shall inform and prove the same, and the other half to be given by the Governor and Treasurer among the poor soldiers of the same town, and shall farther lose his armour and be banished the town, saving it shall be lawful for the soldiers to take taske work fortifications so as the same be noted by Surveyor of the workes to the Treasurer and Clerk of the check.

Also noe soldier shall be suffered to kepe any other man's wife or concubine but upon any No soldier shall misbehave. vehement presumption he shall be discharged by the Governor and put out of the towne.

Also for avoiding of fraies and combatts whosoever smiteth any other with his hande or draweth Fraies and drawing of blood and punishment thereon. any manner of weapon to smite any other the same shall be comytted unto prison for eight daies and more as the Governor of the towne shall think meet, and whoso draweth bloode shall have xx daies imprisonment and the weapon forfeited to the Marshall and shall be checke xx daies wages, whereof the one half to us and the other half to the Marshall, and if any mayme grow by the said bloodshed that partie shall remaine until the amends be according to the laws of this realme.

Also because the manner of fighting called combats or campes have not been vsed but for No combats or campes to be used by common soldier. trial of matters before princes we do prohibit all such manner of combats to be covenanted or made of any person of what estate soever they be win that towne wout our special license upon paine to be banished the towne forthwith and to lose all his wages due.

Also if any person shall disturb or let any officer in that towne in executing his office after the No officer to be disturbed in his duty. said officer shall have warned the partie in or name to obaie him, the same to be taken as a rebel and to be comytted unto prison untill our pleasure be known and determined.

Also we charge and command that no manner of person other than the Governor of the town and the councillor or captain of bandes in company of the said councillors play at dice nor that the owner of any house permitt the same wout complaynt to the Governor upon pain of imprisonment three dayes and longer as the governor shall think fitt.

Also that no manner of soldier or person walk in the night after tenn of the clock from our Ladie daie to Michelmes and after eight of the clock from Michelmes to our Ladie daie except the watches and officers that be ordained to serve the towne neither make any whistling, crying, shouting, or other unfitting noise in the night after the said hour.

Appendix V.

GENERAL SURVEY OF BERWICK IN REIGN OF ELIZABETH, 1562.

LORD GREY OF WILTON, GOVERNOR; VALENTYNE BROWN, Treasurer and Victualler; THOMAS JENNYSON, Controller; THOMAS BATES, Supervisor; ROGER MAINWARING, Customer.

We have in this Survey the names of the streets, a list of the owners of all the properties in this year, with the Burgh Mail rents payable by each property, along with the chantries then existing in the town. The Survey, unfortunately, is not quite complete. One or two leaves of the Enrolment Book, in which it is entered, have been lost.

BRIGGATE NORTH.

		Per Year.			Per Year.			Per Year.							
		s.	d.			s.	d.	s.	d.						
Robert Wattson	hold	-	-	0	6	Alison Brown	-	-	0	6					
one tenement	-	-	0	6	Nicholas Coulteherd	-	3	6	Roger Witherington	-	0	6			
Jannett Paupertt	-	-	1	6	John Barrowe	-	-	0	Ravensdale, late	a	-	-			
Henry Swynno	-	-	0	6	Lyonel Thompson	-	-	0	chappell	-	-	0	0		
William Mortton	-	-	0	6	Leonarde Mackerell	-	2	6	George Robinsoun	-	1	6			
Oliver Selby	-	-	-	0	6	Robartt Coycke	-	-	0	6	John Burrell	-	-	0	6

BRIGGATE SOUTH.

		s.	d.			s.	d.			s.	d.					
Thomas Bredforth	-	-	0	6	Cristofer Saunders	-	-	0	6	William Simpson	-	-	0	6		
"	"	-	-	0	6	Margaratt Hewme	-	3	10	Richard Lewes	-	-	0	6		
Raffe Fferror	-	-	-	0	6	Thomas Mourton	-	-	0	0	Robartt Bredforth	-	-	0	6	
Robartt Scott	-	-	-	0	6	Thomas Burrell	-	-	0	6	Thomas Jacksoun	-	3	6		
Robartt Burges	-	-	-	0	6	Thomas Bouringe	-	-	0	6	Raphe Smith	-	-	3	4	
Rowland Burrell	-	-	-	0	6	William Cotchaine	-	-	0	6	Oliver More	-	-	-	0	6
Roger Witherington	-	3	4			Thomas Thompson	-	0	6							

HYDEGAT NORTH (SILVER STREET).

		s.	d.			s.	d.			s.	d.			
Matthew Browne*	-	8	6	Cuthbert Johnsoun	-	0	3	John Barrowe	-	-	0	6		
Isabell Gascon	-	-	0	6	Jennett Pawpertt	-	-	0	6	Wm. Walker	-	-	0	3

HIDGAT SOUTH.

		s.	d.			s.	d.			s.	d.					
John Selby	-	-	-	0	6	Leonard Ffoster	-	-	0	6	John Barrowe	-	-	-	0	3
Raphe Lawrence	-	-	-	0	6	Cuthbert Johnsoun	-	-	0	6						

* This sum is made up of a chantry of the value of 8s., and 'Borrowmeal' rent 6d.

CROSSGATE SOUTH (WOOLMARKET).

Per Year.		Per Year.		Per Year.	
<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
John Smythe	- - 0 6	Wm. Harrawide	- -	John Horsley (not entered)	
Constance Burrell	- - 0 6	James Richardsoun	- 3 0	Matthew Beck (under age)	
Wm. Harriode	- - 0 6	Isabell Richardsoun	- 2 0		
Wm. Harriode	- - 0 6	Symon Burrell	- - 0 6		

CROSSGATE NORTH.

<i>s.</i> <i>d.</i>		<i>s.</i> <i>d.</i>		<i>s.</i> <i>d.</i>	
John Barrowe	- - 2 0	John Ourde	- - 0 6	John Talloure	- - 0 6
John Ourde	- - 0 6	George Dunken	- - 0 3	Davyde Knighte	- - 0 6
John Smarte*	- - 7 2	John Ourde†	- - 7 2	Thomas Jacksoun	- - 0 6
John Ourde	- - 2 2	John Smarte	- - 2 6	John Harrawide	- - 0 3

HIDE HILL WEST.

<i>s.</i> <i>d.</i>		<i>s.</i> <i>d.</i>		<i>s.</i> <i>d.</i>	
John A. Barrowe	- - 0 6	John Craforde	- - 0 6	Matthewe Mackerell‡	20 0
Anne Selby	- - 0 6	Thomas and George Mourton	- - 2 8	Raffe Swynno	- - 0 6
Jane Brown	- - 0 6			Thomas Browne	- - 0 6
James Richardsoun	- 0 6				

HIDE HILL ESTE.

<i>s.</i> <i>d.</i>		<i>s.</i> <i>d.</i>		<i>s.</i> <i>d.</i>	
Constance Burrell§	- nihil	John Shotton	- - 0 6	John Clerke	- - 0 6
Thomas Morton	- - 0 6	John Denton	- - 0 6	Thomas Pygge	- - 0 6
Thomas Clerke	- - 0 6	Edwarde Lacine	- - 0 6		

RATTEN RAW EST.

<i>s.</i> <i>d.</i>		<i>s.</i> <i>d.</i>		<i>s.</i> <i>d.</i>	
John Scott	- - 0 6	Anthony Benedic	- - 0 1	James Goff	- - 0 6
Thomas Smythe	- - 0 6	Raphe Ffinche	- - 0 6	Wm. Grene	- - 0 1
Thomas Johnsoun	- - 0 6	Cuthbert Browne	- 1 0	Barbara Bradforth	- - 0 1
" "	- - 0 6	John Grenehide	- - 0 6	John and William Harrawde	- - 0 6
" "	- - 0 6	Raffe Rively	- - 0 6	Edwarde Robinsonne	- 0 6
Roberte Waker	- - 0 6	Roger Willoughby	- - 0 6	John Richardsonne	- 0 6
Wm. Richardsonne	- 0 6	William Easton	- -	Seven others (no name nor money).	
William Harrawde	- -	James Richardsonne	- 0 6		
Robert Jacksoun	- - 0 1	Alexr. Ricaby	- - 0 6		
Nicholas Bigge	- - 0 1				

Ratten Raw West is not entered at all ; probably at this time there were no houses on that side of the street. (Vide map in text of that time.)

GRENES WESTE.

<i>s.</i> <i>d.</i>		<i>s.</i> <i>d.</i>		<i>s.</i> <i>d.</i>	
Cuthbert Coyke	- - 0 6	William Nodder	- - 0 6	Widdow Milne	- - 0 6
Roger Strother	- - 0 6	Edmonde Bell	- - 0 6	George Buttock	- - 0 6
Thomas Bennett	- - 0 6	Thomas Thompson	- 0 6	William Woode	- - 0 6
Robert Whitton	- - 0 6	William Saunderson	- 0 6	John Shaftoe	- - 0 6
Edwarde Scattergood	- 0 6	Katherine Ffoster	- - 0 6	Symon Whyte	- - 0 6
Raffe Hoggearde	- - 0 6	George Lyndesey	- - 0 6	Edwarde Robinsonne	- 0 6
Nicholas Estmore	- - 0 6	Elizabeth Storey	- - 0 6		

There is a folio lost here.

* 6s. 8d. to Chaurtrie of Saint Katherine in Berwick and 6d. to the Queen. This house was purchased of Richard Heringe, Chaurtry preste.

† 6s. 8d. to Church of Holy Trinity. ‡ No explanation is given of this large sum.

§ This tenement was 17 yards each way ; on which a tower called Burrell's Tower, which is taken down for that the old rampier was appointed to be made in its place.

			WESTERLANE ESTE.											
			Per Year.				Per Year.							
			<i>s.</i>	<i>d.</i>				<i>s.</i>	<i>d.</i>					
John Archer	-	-	5	6	John Browne	-	-	0	6	Henry Manners	-	-	0	6
Isabell Taylor	-	-	0	6	George Taylor	-	-	3	4					

			WESTERLANE WESTE.											
			<i>s.</i>	<i>d.</i>				<i>s.</i>	<i>d.</i>					
John Southe	-	-	0	6	John Ourde	-	-	1	6	Raffe Fferror	-	-	0	6
Gennett Brickett	-	-	0	6	Jamys Pawline	-	-	0	6	John Ourde	-	-	0	12
Thomas Lordesman	-	0	6											

			WINDEMILHOOLE (Tweed St.).												
			<i>s.</i>	<i>d.</i>				<i>s.</i>	<i>d.</i>						
Thomas Baldwyn	-	-	0	6	Jane Gerom	-	-	0	6	John Lucas	-	-	0	6	
Adam Sawyer	-	-	0	6	Robert Routlath	-	-	0	6	James Rowtles	}	-	-	0	6
Stephan Ething-					Richarde Townsende	-	0	6	Robert Rede			-	-	0	6
toune	-	-	0	6	Anthony Fenwicke	-	0	6	John Doychyne*	-	-	0	6		
John Evors	-	-	0	6	Christoner Potts	-	-	0	6	John Tailor	-	-	0	6	
Wydowe Donne	-	-	0	6	Morris Peers	-	-	0	6	Wm. Rooke	-	-	0	6	
Thomas Storye	-	-	0	6	" "	-	-	0	6	George Alisoune	-	-	0	6	
William Musgrave	-	0	6		Wm. Dicksoune	-	-	0	6	Thomas Ritche	-	-	0	6	

The Lord Governor holdeth at will one little House theare conteyninge so much and used as a Slaughter House for the Castle, £10.

			SANDGEGATE WEST.											
			<i>s.</i>	<i>d.</i>				<i>s.</i>	<i>d.</i>					
Henry Watsoune	-	-	0	6	John Broune	-	-	0	6	William Cock	-	-	0	6
Jennett Pawpert	-	-	0	6	Rafe Ferror†	-	-	3	4	Thomas Moreton	-	(?)	0	5
Thomas Wales	-	-	0	6	William Neale‡	-	-	3	10	John Barrowe	-	-	10	0
Thomas Jennyson,					Jerome Gardener	-	-	0	6	Thos. Bradforth†	-	-	3	10
Controllert	-	-	nil.		John Craforde	-	-	0	6					

			SANDEGATE ESTE.											
			<i>s.</i>	<i>d.</i>				<i>s.</i>	<i>d.</i>					
Isabell Gardiner	-	-	0	12	Thomas Moreton	-	-	0	6	Mathew Blackwell	-	0	6	
Thomas Prince	-	-	0	6	Thomas Ffoster	-	-	0	0	Mathewe Browne	-	-	0	6

			WALLIS GRENE.											
			<i>s.</i>	<i>d.</i>				<i>s.</i>	<i>d.</i>					
Elizabeth Parishe	-	-			Richard Wraic	-	-			William Bonny	-	-	0	6
Lyonell Corbet	-	-			William Thompsonne	-	0	6						

			ESTERLANE WESTE.											
			<i>s.</i>	<i>d.</i>				<i>s.</i>	<i>d.</i>					
Barbara Maxwell	-	-	0	6	John Wrichte	-	-	0	6	Margarett Selbie	-	-	0	6
Wm. Morton	-	-	0	6	Raphe Harrison	-	-	0	6	Thomas Wallis	-	-	0	6

			ESTERLANE AT. GAMSLANE EASTE.											
			<i>s.</i>	<i>d.</i>				<i>s.</i>	<i>d.</i>					
Gawen Dawson	-	-			James Robinsonne	-	-	0	6	Thomas Peersonne	-	0	6	

* He hath builded a cappine upon it and paieth the preferment.

† He holdeth ther one parcell of her Mate Pallice, 43 yds. long and 13 broad. In which is one of her Majesty's storehouses and 5 smiths' forges and his own dwelling-house.

‡ 3s. 4d. to late Chauntree in Trinity Church.

THE NESS.

Per Year.		THE NESS.		Per Year.		Per Year.	
<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
Robert Howtell	0 6	Wm. Barrowe	0 6	Thomas Rosse	—		
John Craforde	0 6	Gawen Blackeline	0 6	Wm. Gibsonne	0 6		
Mathewe Moreton	0 6	John Mathe	0 6	Raffe Hewtonne	0 6		
Nicholas Ricabie	0 6	Richarde Rooke	0 6	Mathewe Blackewell	0 6		
Barbara Bradforth	0 6	James Gresham	0 6	Thomas Moreton	0 6		
John Carter	0 6	Agnes Moreton	0 6	" "	0 0		
Alex ^r Recabie	0 6	Thomas Joyner	1 8	Henric Kendeldon	nl.		
— Foster	—	Wm. Rede	—	Margt Fairely	—		
Wm. Gibsonne	0 6	Stephen Beste	nl.	Thos. Grey (new rent)	5 0		
Wm. Braddie	0 6	John Barrowe	0 6	Isabell Squire	—		
John Barrowe	0 6	William Gibsonne	0 6	Walter Wharton	0 6		
John Craforth	0 6	Cuthberte Johnson	0 6	William Jelison	0 6		
George Walker	0 6	Jennett Todd	0 6	Harrie Johnsonne	0 6		
John Humble	0 6	Wm. Powell	0 6	John Phettice	3 4		
John Selbie	0 6	Edward Jacksonne	0 6	Roger Wetherington*	3 4		
" "	0 6	Roger Colston	0 6	Raffe Lawrence	—		
Roger Stephenson	0 6	Isabell Gardener	0 6	Isabell Harrison	0 6		

SOUTERGATE WEST (CHURCH ST.).

<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
Gilbert Robinsonne	0 6	Clement Hoode	0 6	Anthony Anderson and	0 6
Cuthberte Swynno	0 6	George Harrison	0 6	Johan his wife	0 6
Robert Ledehame	0 6	Margaret Johnson	2 2	Robert Raye	0 6
Alice Haggerston	0 6	John Osborne	3 6	Wm. Graine	0 6
Wm. Fairly	0 6			John Tyndall	0 6

Our Sovereigne Ladie the Queene hath one stable there occupied by her Majesty's officers of her works, worth £4 per annum.

SOUTERGATE ESTE.

<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
Symonde Bowker	0 6	Anthony Temple Maior	0 6	John Cutler	0 6
Robert Lowther	0 6	Thomas Carre	3 6	Elizabeth Parish	0 6
Thomas Haggerston†	0 6	Margarett Gray	20 0	Raffe Rogerson	0 6
Clement Hoode	0 6	George Alisoune	0 6	Henry Page	0 6
Anthony Little	0 6	Richard Wraie	0 6	Mathewe Blackewell	0 6
George Chamber	0 6	Cuthbert Preston	0 6	John Ourde	0 6
Roger Carie†	3 10	Thomas Adamsonne	0 6	" "	0 6

WALKERGATE WITHOUT THE RAMPIER.

George Bullock holdeth one tenement lying without the Rampier near to the old churchyard, 6d.

<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
George Bullock	0 6	James Richardsonne	0 6	Thos. Clerke	0 6
Thomas Harper	0 6				

* It was parcell of the late Frieries of the Ness.

† 'Lyonell Haggerston in the 4th year of her Majesty's reign, 1561-2, at Barwick win the precincte of the town and libertie of Barwick, with one knyfe price ijd. which the same Lyonell in his hande then and theare hadde, the throte of him selfe the same Lyonell then and there fellonyouslie did cutte, the same Lyonell then and there instantlie died, contrarie to the Queen's Majesty's peace, her crown and dignity, and that the same Lyonell the time of the fellonie aforesaid by him in form aforesaid committed was seized of the said Burgage, etc., in Fee simple.'

‡ 3s. 4d. Chaurtrie land of Trinity Church.

WALKERGATE SOUTH.

Per Year.		Per Year.		Per Year.	
<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>	<i>s.</i>	<i>d.</i>
Robert Trombull	- - 0 6	Roger Burrell, $\frac{1}{2}$ tene-		Richard Smyth	- - - 0 6
John Jacksonne	- - - nl.	ment	- - - - - 0 0	Thomas Archer	- - - 0 6
Henrie Chamberlaine	- 0 6	John Creke	- - - - - 0 6	Jennet Tailor	- - - 0 6
Rafe Chamberlaine $\frac{1}{2}$ tent	0 3	Edwarde Browne	- - nihil		

WALKERGATE NORTH.

<i>s.</i>		<i>s.</i>		<i>s.</i>	
<i>d.</i>		<i>d.</i>		<i>d.</i>	
Roger Burrell	- - - nl.	Herrie Raie	- - - 0 6	John Ritchson, one parte	} 5 6
Thomas Rose	- - - 0 6	Robert Wharcoppe	- 0 6	William Wilsonne,*	
Raffe Chamberlaine,	} 0 6	Thomas Nelsonne	- - 0 6	other parte	} 5 6
$\frac{1}{2}$ tent		George Wilson	- - - 3 0	Herrie Johnsonne	
Roberte Ricabic, $\frac{1}{2}$ tent		Roberte Sneynton	- - 0 6		

WALKERGATE WESTE.

<i>s.</i>		<i>s.</i>		<i>s.</i>	
<i>d.</i>		<i>d.</i>		<i>d.</i>	
John Ritchsonne	- - 3 6	Richard Chapmanne	- 3 4	Oliver Jenkinson	- - 0 6
Wm. Harrisonn	- - 0 6	John Chamber†	- - 7 2	George Palmer	- - 0 6
Richarde Cheseaman	- 0 6	Robert Atcheson	- - 0 6	William Rede	- - 0 6
Thos. Ritchsonne	- - 0 6	Thomas Davison	- - 0 6	Olyver Selbie†	- - 7 2
Herry Raye	- - - 0 6	Rowland Gall	- - - 0 6	Olyver Selbie	- - - nl.
William Thompson	- 0 6	Isabell Foster‡	- - - 0 6	Rafe Wilson and Charles	
Rowland Gall	- - - 0 6	Walter Ellis	- - - 0 6	Rede	- - - 0 3
John Boulton	- - - 0 6	John Harberte	- - - 0 6	James Watson	- - - 0 6
John Ritchsonne	- - 0 6	John Syde	- - - 0 6	Roberte Ricabic	- - 0 6
Grace Brown	- - - 0 6	Michael Abram	- - 0 6		

MARYGATE NORTH.

<i>s.</i>		<i>s.</i>		<i>s.</i>	
<i>d.</i>		<i>d.</i>		<i>d.</i>	
Isabell Yonge	- - - 0 6	Richard Smyth	- - - 0 6	George Saunders	- - 0 6
James Meers	- - - 0 6	John Shotton	- - - 0 6	Roger Colston	- - 0 6
George Mackerell	- - 0 6	Rowlande Johnsonne	- 0 6	Wm. Cock	- - - 0 6
George Bullock	- - 0 6	John Shotton¶	- - - 3 0	Bartram Cook	- - - 0 6
Richard Smyth	- - 0 6	Marten Sheel, $\frac{1}{2}$ tent	} 0 6	Marten Garnett††	- 10 0
Thomas Jackson	- - 0 6	Roger Burrell, $\frac{1}{2}$ tent			Alison Grene
Olyver Selbie	- - - 7 2	John Shotten	- - - 0 6	Raphe Stephenson	- - 0 6
George Tailor	- - - 0 6	John Chamber**	- - 7 2	Sir Wm. Brown, Clerke	1 0
" "	- - - 0 6	Olyver Selbie (waste)	-	Raffe Wilsonne	- - - nl.
William Browne	- - - 0 6				

* Wilson holds it as heire and brother of Thos. Wilson, late Chauntrye Preste of the late Chauntrye of Our Lady and St. Katherynes of Berwick.

† 6s. 8d. payable for the rent of the late Chauntre of St. Katharine added in Trinitie.

‡ As heir of Wm. Marshall, Chauntrye Preste of Holy Trinity.

§ 6s. 8d. payable for the rent of the late Chauntre of our Blessed Ladie Marie the Virginne.

|| 6s. 8d. to Chauntree of Lady Mary in Trinitie Church.

¶ 2s. per year for the Maison dew to the Queen.

** 6s. 8d. to late Chauntrye of St. Katheryne in Trinitie Church.

†† Parcell of Ritchmondes Landes as a grant from the Queen upon condition he built a two storey House upon it and kept it up.

MARYGATE SOUTH.

Per Year.		Per Year.		Per Year.	
s.	d.	s.	d.	s.	d.
George Browne	0 6	John Shotton	0 6	John Shotten	0 6
John Selbie*	20 0	Gregoric Burdett†	0 6	Elizth Marten	0 6
Richard Brown	0 6	Thomas Sanderson	0 6	Isabell Mylne	0 6
John Browne	3 10	William Wallis	0 6	Isabell Younge	0 6
Wm. Shell	0 6	Robert Jerrarde	0 6	John Ourde	0 6
John Denton	0 6	George Peerson	0 6	Herrie Lorymer	0 6
Roger Wetherington	0 6	Elizth Selbie	0 6	Richarde Clerke	0 6
Rafe Shell	0 6	William Barrowe	0 6	John Dickeman	0 6
Jennet Pawpert	0 6	Roberte Storie	0 6	Jane Hethericke	0 6
Wm. Herrison	0 6	John Craforde	0 6	John Barrow	0 6

CASTELGATE SOUTH.

s. d.		s. d.		s. d.	
Oswald Ogle	0 6	George Huntington	1 0	Mathewe Mackarell	0 6
John Craforde	0 6	William Gibson	1 0	Thomas Creke	0 6
Jennet Thirbar	0 6	John Lawther	0 6	John Hubston	1 0
Lyonell Corbett	0 6	John Carre		John Ritcheson	nl.
William Dickensonne	1 0	Thomas Jowey	0 6	Eliz. Clifton	0 6
Margaret Maxwell	0 6	Margt Whitecock	0 6	Thomas Ritcheson	0 6
George Bullock	0 6	Thomas Smyth	0 6	" "	0 6
John Wheldale	0 6				

CASTELGATE NORTH.

s. d.		s. d.		s. d.	
Henry Browne	1 0	Robert Carre	0 6	John Homble	0 6
Thomas Clerk	0 3	Mathewe Gibbons	0 6	Edwarde Woode	6 8
Thomas Still	0 6	Cristopher Pottes	0 6	" "	nl.
John Crafurde	0 6	Raffe Lewist	3 10	Henrie Hardye	nl.
Wm. Gibsonne	0 6	Thomas Corbett	0 6	John Selbie	0 9
Robert Thewe	6 8	Thomas Sowden	0 6		

WALLIS GRENE.

s. d.		s. d.		s. d.	
Cuthbert Bullock	0 6	Richard Hatherick	0 6	Thomas Ferror	0 6
Eliz. Beck	0 6	Elizth Morton	0 6		

* 20s. to the Queen in the right of Our Ladie in Trynitie Church.

† 3s. to the Chauntry of St. Katheryne.

‡ 3s. 4d. for the Masondewe.

New Establishment.

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	£	s.	d.	£	s.	d.
Thomas Sutton, Esq., Mr. of the Ordinance of the North by letters patent for life dated Feb. 28, 17th yere of her reign, at 5s. per diem	91	5	0			
One clerk at 12d. per diem	18	5	0			
Two servants at 6d. per diem per pece	18	5	0			
Two labourers	18	5	0			
	<hr/>			146	0	0
The Comptroller of the Check and Musters	40	0	0			
One Clerk per ann.	13	6	8			
Two household servants at £5 6s. 8d. per pece	10	13	4			
	<hr/>			64	0	0
The Maior per ann.	10	0	0			
The Customer per ann.	10	0	0			
Controller of the Custom	5	0	0			
The Master Mason per ann.	12	3	4			
Mr. Carpenter 12d. per diem and 20s. per ann. for a reward of auncient tyme	19	5	0			
	<hr/>			56	8	4
Eight Constables, whereof four at £10 and four at £8	40	0	0			
	32	0	0			
An increase of fourpence per diem le pece	48	13	4			
	<hr/>			120	13	4
Eighty horsemen at £6 13s. 4d.	533	6	8			
Increase of 4d. per diem le pece	486	13	4			
	<hr/>			1,020	0	0
Forty-two footmen at £5 6s. 8d.	224	0	0			
Increase of 1d. per diem le pece	58	17	6			
	<hr/>			282	17	6

For this increase of one peny per diem the said forty-two persons shall from tyme to tyme by equall order kepe and clense ye long galary or walls by the oversighte and appointment of the clerk of the watch.

THOLDE GARRISON.

	£	s.	d.	£	s.	d.
Twenty-eight gunners of the greate ordenance :						
Twenty of them at 6d. per diem and 1d. per diem increase	212	18	4			
Four at £6 13s. 4d. le pece per an. and 2d. per diem increase	38	16	8			
" " " 1d. " "	32	15	0			
	<hr/>			284	10	0
Officers of the said olde Garrison, viz. :						
Two clerkes of the watch at £11 13s. 4d. le pece	23	6	8			
and 4d. le pece per diem increase	12	3	4			
One Trumpeter at 12d. per diem	18	5	0			
Increase of 2d. per diem	3	0	10			
One surgeon at £13 6s. 8d. and 2d. per diem increase	16	7	6			
	<hr/>			73	3	4
Penciners by patent during lief, viz. :						
John Orde, late Master of the ordenance in the town of Berwick, to enioye his pension during accordinge to his letters patente per an.	20	0	0			
Thomas Carlile by like letters patent per an.	20	0	0			
	<hr/>			40	0	0

	£	s.	d.	£	s.	d.
The Newe Crewe.						
Eight captains ; viz., Two Captains each of them to have the charge of one hundred souldiers at 4s. le pece per diem - - - - -	146	0	0			
Two leef tenants at 2s. le pece per diem - - - - -	73	0	0			
Two ensignes, two sergeants, two drummers at 12d. per diem - - - - -	109	10	0			
Six Captains, having charge of fifty soldiers, at 2s. per diem - - - - -	219	0	0			
Twelve officers, ensignes, sergians and drummers at 15d. - - - - -	273	15	0			
Five hundred harquebuziers at 8d. le pece per diem - - - - -	6,083	6	8			
				6,904	11	8
Forty-two gonners of ye great ordenaunce :						
One Master Gonner at 2s. 6d. per diem - - - - -	45	12	6			
His Mate at 16d. per diem - - - - -	24	6	8			
Four Quarter Masters at 12d. per diem - - - - -	73	0	0			
Thirty-six other gonners at 8d. per diem - - - - -	438	0	0			
				580	19	2
Two surgeons at 12d. le pece per annum - - - - -	36	10	0			
				36	10	0
Penciners during her majestie's pleasure so as they may not depart without license, butt attend upon the Governor for all services, viz. :						
Six late Captains discharged by this order at 2s. le pece - - - - -	219	0	0			
Six men at £5 6s. 8d. le pece per an. - - - - -	32	0	0			
Five other penciners at 20d. le pece per diem - - - - -	152	1	8			
Two other pencyoners at 16d. le pece per diem - - - - -	48	13	4			
Fourteen other such as are nowe discharged and have byn officers of the bands or such like at 12d. per diem - - - - -	255	10	0			
Thirty other good olde soldiers and armed men or such like to have 10d. le pece per diem - - - - -	456	5	0			
				1,163	10	0
Pencions deternynable vppon ye death of the pencioners :						
Roger Carewe, late captain, for an increase of 16d. per diem in con- sideration of his hurt, and to deternyn clerly at deathe - - - - -	24	6	8			
Leonard Knappe, late Captain Foster's man, at £5 6s. 8. per an., and to deternyn clerly vppon his death - - - - -	5	6	8			
				30	13	4
A Preacher and other mynsters for the better service of Almighty God, viz. :						
For the better service of Almighty God it is ordered and thought mete that there shalbe preachers and certeyn other mynsters of the church assigned, And for that the numbers to be nowe by this devyse contynued be not so greate as vppon whose wage sufficient stipend maye be levied for the mayntenaunce thereof as hitherto largely it hath bene nowe from hensforth every officer beinge a councillor to beare his daies wages in the yere, and every other officer and personne in solde four daies wages yerelie, and moreover her Majestie of her grace and liberalitie to bere yerelie the sum of	50	0	0			
				50	0	0

New Establishment.

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	£ s. d.	£ s. d.
A supplie vnto the same garrysons necessaries for the savegard and better strength of ye same towne, viz. :		
And furder for that the walles of the said town are now more weake and cumbersome to gard then they were in tymes paste, It is ordered for the stronger watch and more suretie of the same towne that an allowance shalbe made att the Quenes Majestic's charges during the weaknes of towne of 16 men eny nighte to be hyred by the Treasurer and presented nightlie at the watch hill to the Marshall and clerkes of the Watch, to be placed where most neede, shall require eny of them to have 3d. the nighte - - - -	73 0 0	73 0 0
Fourteen artificers vnder ye charge of o ^r Master of thordinaunce, whereof 7, viz, one bowyer, one fletcher, one Master smyth, one Master carpenter, one Master wheeler, and two armourers, at 12d. le pece - - - - -	127 15 0	
7 other artificers and labourers vnder ye charge of the Master of the ordenaunce; viz., one dagg maker at 12d. per diem, one coller maker and one couper at 8d. le pece, one basket maker at 4d. per diem, and three ordinary labourers in the said office at Berwick and newecastell at 6d. le pece - - - - -	76 0 10	203 15 10
Ffor sellerage to be paid yerely by the Master of thordinaunce; viz., at Newcastle £7 and at Berwick 60s, and to be yerelie allowed vnto the saide Master of thordinaunce, viz. - - - - -	10 0 0	10 0 0
Officers newlie erected, viz. :		
The Keper of the poste boate for passage of letters out and into Berwick when the gates be shutt and in the nighte - - -		2 13 4
Two tipstaves, one to attend vppon the Lord Governor and the other vppon the Marshall and Counsell at 12d. le pece per diem - - -		36 10 0
Sum total of yerelie charge of Berwick aforesaid : Men ixc iiijxx (980).		
Sum total - - - - xij ^m vijc xxxiiijli xixs ijd (£12,734 19s. 2d.).		
		(£13,075 5s. 10d.)

Appendix VII.

STATUTÆ GILDÆ.

1. In Die nom̄ Amen, theys be the statuetts of the Gilde maide by the consent of Sir Robert Bernh̄m, Knight, than beyinge mayre of the town of berwick vpon twed. Symont maunsell wyth other of the forsaide burgh wysmen ffurst and pryncypall has constytut and ordened that whare as mony of the gylde breder was congregat and gadered together in the gylde ther beyinge on wyll and on mynde that from thens furth that no broder of the saide gilde mak no new cownsellis agayn the comon well of o^r gilde in tym to com.

2. We orden that all particuler gilds from hens furth in o^r burghe had be abrogat and down away and the catell on to them rasonably belongyn shalbe gewyn vnto o^r gilde and from hens furth that no

man presume to procur any other gylde w^tin oure burghes but all gang together w^t on assent and trew lowff.

3. We ordeyn that all forfefts extendinge to viijs but if they belong to the Kings towll or to the liberte of the mayres shalbe gewyn to the gylde.

4. We ordeyn also that the brethern of oure gylde in the dysponynge of ther gudds in ther testament to any sertayn place after as it pleaseth them of the parte belonge to them shall giv in lygasy part to the gylde, but if it be forget and if that any man be not brother of our gylde and at hys last day geyff anythinge to oure gylde we shall resawe hym in our brotherhed and hys detts to be gart tayk vpe and in all other causes belongyn to hym as he warre a brother of the saide gylde and we grant to hym oure counsell and helpe.

5. Also we orden if that any brother of ours mak falt vnto oure gylde in gayngyn thereto in words, or the tarryen or in comynge from it agaynse any brother of the gylde the fforst, the secownd, and the thyred tym he shall pay to the gylde in money iijs. iiijd. and if he offends the ffourt tym other in worde or in dede he shall be condempned and punyshed after the arbeterment of the alderman and the fferynge men w^t other breder of the gylde.

6. Also we orden if that any brother of ours dy that has had two wyffes and have porchest lande in bothe the wyffs tym, the land that he porchest in the first wyffs days the said wyffs children to have the said lande and if he purchest lande in the last wyffs days the saide wyffs chyldren to have the said lande so purchest in the saide wyffs days except he bequet it be testament in his leg powst or ells on his ded bed. (This law is in a slightly different hand from the others, and looks as if it had been added at a later period.)

7. Also we ordeyn if that any brother stryk another he shall forfeit to the gylde an hundreth mark and after the arbeterment of the alderman and the fferyngmen he shall mend to hym that was stryken, and if that any brother draw blode of an hother violently he shall pay to the gylde xxs. and after the arbeterment of the alderman and the fferyngmen he shall mak amends to hym that is hurt after the quantyte of his hurt, nor that non of thes forfefts be ralesede for no manes prayers.

8. Also we ordeyn that no trobylsom man presume to beyr a knyff within the gatts of oure gylde vnder the payn of xijd. to oure gylde and if that any brother drawe blode of another w^t a clowbe or w^t any other wapyn or maym hym of any membre he shalbe condempned at the arbeterment of the Alderman.

9. Also we ordeyn that no man shalbe rasavyde in o^r bretherhed of our gylde for leese than xla. except sonnes of oure brethers and dowghters.

10. Also if any of oure brether of oure gylde fawll in age or in poverté or in seknes and not hawynge whervpon he may leeff at the disposition of our alderman and other of o^r brether he shalbe releffed w^t the gudds of oure gylde and if that any brother of oure gylde after hyse dethe leeff hys wyff or hys dowghter the whiche has beyn of lawdable conversacion and good fame and not hawynge wherof she may provyd hyre of a man if that she wyll leeff chast after the disposition of the alderman and other brether she shalbe founde in a relegyos hows be the gudys of the gylde.

11. Also if a brother of ours dee and haue not wherw^t he may carre do singe messe and deregy ffor hym, then the brether of oure gylde shall cause the body to be worshipfully beryede and messe and diryge to be songe w^t the goods of our gylde, and if any of the said gylde brether beyinge in the town and not comynge to the buryall he shall pay a boll of beyr malt to the gylde.

12. Also if any brother of our gylde w^tout our burghes be wexyt or sewyt trew men, two or thre of oure gylde shall ryde w^t hym two days jorney of the costs of the gylde and ryde abow two days jorney, then he that is condempned shall mak thar costs of hys expencys

13. Also we ordeyn that if any brother of ours dyspyse presumptusly thes constituts, that no brether of oure gylde gyve hym no counsell nor helpe, nother in worde nor in ded, or if he be suyt or trubbled in any cause he shall haue no succure nor helpe of vs.

14. Also we ordeyn that how oft the alderman and the feryngmen and other brother wyll congregat and gather together the brether of the gylde for the well of the burghe, all the brether shall com w'out tary after the rengyn of the bell, vnder the payn of xijd.

15. Also we ordeyn that no leper man or woman entre w'in the gatts of our burghe, and if that any be chance entre in by the segautts of oure burghe, they shalbe put furthe, and if that any leper presume to entre w'in the gatts agaynst oure forebeddyng, that shall tak ther clothes and burn them and let them gang furth naket, ffor why yt ys provydet by the coñon counsell that ther be gatheryt almuse to them and to ther sustentacion in a competent place w'out the burghe, and that is to say of lepers beyinge strangers.

16. Also we ordeyn that non presume to lay mok or erth or ase in any coñon way or in market or of the water brays of twed to the impedymnt or hurt of them that goys therby, and if any mayn do it he shalbe condempned in viijs. for trespas.

17. Also we ordeyn that no man presum to spek in oure court of that thing that towches the cause but alonly the playntyff and the defendre or ther attornays and the baylleffs that hawleys the court, and that at the inquetion of the cause of both the parties and also the playntyff and the defendre may indifrently caull to them on counseller, and if any man presum to do agaynest this commandement he shalbe condempned in viijs. to the gylde (of a burges that wantts a horse, *sic.*).

18. Also we ordeyn what burges that hes catell of the waloure of xl. pounds he shall have a horse worthe at the leest xls., and if he be deprysed of hys hors by dede or sellinge or gewyn or any other ways, he shall get another w'in xl days or ells be condempned in viijs. to the gylde.

19. Also we ordeyn that no man presum to greends whet, maslengen or ry on any hande mell w'out cause of great tempese or faut of mylla, and if any man presum to do agaynest this coñmandement he shall be deprived for ever, and he shall grynde malt at thes hande mells.

20. Also we ordeyn that no man by no hyds, woll nor lamb skynnys to sell agayn nor cut no clothe, but if he be brother of the gylde or a stranger merchant for neede of hys costs, nor he shall nother have lothe nor cavyll w' brether of the gylde.

21. Also we ordeyn that no shomaker tand no hyds bot of whom the crys and hornes be bothe of on lengthe, and that no tanner salt no hyds.

22. Also we ordeyn that no brother of ours tak no wantage of any stranger marchant for vtteryng or sellynge of woll or hyds or any other merchandise, for if he do he shalbe condempned the fforst the secownd tym in xls., and if that he be fownd the threde fawtyff he shall leese his fredom for ever, but if the alderman and the bryder wyll grant hym grace to resawe hym agayn.

23. Also we ordeyn that no man by nother heryng nor other fyshe the whiche are brought to the town be shipe whyls the shipe be brought to the shore, nor non other merchandize, and if any other brother be cōweyt to theis causes he shall gywe to the gilde a ton of wyn or be put furth of the town a yere and a day.

24. Also we ordeyn that if any brother by salt or any other grayn or merchandise he shall not deny to another brother part thereof for neds tyll hys hows, and if he deny that tyll hys brother he shall pay to the gylde a ton of wyn, and he that takes more then tyll hys owyn hows neds and selles it agayn he shalbe condempned in a ton of wyn and the ffourt part that is bought of all thyngys shall reman to the byer, and that they shall pay w'in the ship or thay pase.

25. Also we ordeyn if that any brother by herynge or any other merchandize or gewe a penne or selver in erlest he shall pay the merchant of whom he bought the merchandize of w^outen fayll or lessyng hys arlesse, and he do it not and be cōvect therof he shall pay to the gild a ton of wyn or be put furth off the town a yere and a day.

26. Also we ordeyn if it hapyn the byere of any merchandize se it gud abowe and wars under the seller shall mend it after the seyght of the ferynge men.

27. Also it is ordened that no bowcher by nother woll nor hyds whils he occupys that craft or melles w^t the slaynge of bees.

28. Also we ordeyn that brokers be elect and chosyn by the common assent of the brether the whylk shall gewe every yere a ton of wyn to the cōmōnte at the ffeast of Saint Myghell w^out delay.

29. Also we ordeyn that no hukster by nother fyshe, eggs, chese, nor other merchandize that comes to the merket to sell afore the ringyn of the bell in the Barfut fryers, and if any do contrary to our cōmandement that at they by shalbe taken and gewyn to the poore after the consideracion of the bailleffs.

30. Also we ordeyn that no man by no merchandize the whylk comes to the burghe to be sold upon the brige nor in Briggat nor at the cōmyn to the town afor that it come to the merket, and if that any man do contrary and be convict therupon he shall loos that at he byes and the profet of it to end to the gilde.

31. Also we ordeyn that no woman hawyng a man shalby woull in the stret nor no burges shall hawe but one suit to by woull and hyds, and if that he by vnreasonably woull or hyds agaynest the constitut made in hurtyng of the cōmōn well the woll and the hyds shalbe takyn to the well of the gilde and the forsaide suit to be condempned in viijs.

32. Also we ordeyn and stratly cōmand that no brother of ours procur any forender out of oure liberty to pled for hym agaynest any brother under the payn of forfeftyn of a ton of wyn w^out any forgefnes.

33. Also we ordeyn that if any man mak any consperacion agaynest the comonty or any person of them and be convict therupon he shall forfeit a ton of wyn.

34. Also we ordeyn for the cōmōn counsell of oure gyld that the comonty of oure burghe be governed by xxiv of the most discret and wisest men of oure gilde w^t the maire and foure bailleffs, and when that ever the forsaide xxiv be callet for the comon well and if that any of them com not at the callynge he shall gewe to the gilde ijs.

35. Also we ordeyn that the maire and bailleffs be elect and chosyn be the consideracion and syght of the comonty, and if ther be any contra vers or debayt in the chesyn of them then thay shalbe chosyn be the oth of the xxiv ferynge men.

36. Also we ordeyn if any brother of ours dysclose the secrets of oure counsell made in oure gilde tyll any other man presum to mak, opyn or shew the first tym, he shalbe punished after the consyderacion of the alderman and other of oure brether, and the secownd tym he shalbe put furth of oure town for a yere and a day, and if he be convict the thred tym of it he shall lease hys fredom for ever and be takyn as a vntrewe man.

37. Also we ordeyn that iff any skenner or glower or any burges mak woull of any shepes skennes from the ffeast of Whitsontyd vnto the ffeast of St. Myghell, but sell them allways as well as thay may, and if thay do the contrary and be convict therupon thay shalbe depraved of ther offyces for a yere and a day, and if it be a burges he shall pay a ton of wyn to the gilde.

38. Also we ordeyn that what brother of ours by herynge thoos brother that ar present at the makyn of the bargayn shall have part be the same pris w'out fravd or gyll, and that any brother wold have part of them that was present at the makyn of the bargayn he shall geff to the byere xiid., and if that any man be convict of the contraii he shall geff a ton of wyn to the gylde. And if that any man be convict for payment not makyng to the seller of thoos herynge he shall geff a ton of wyn to the gylde that is to underston of brether of the gylde and no' strangers.

39. Also it is constitud of Wednesday befor the ffeast of Seint mighell the yere of our Lord m' ij^e lxxxj that every burges shall geff full cuntage for every town of wyn that he putts in hys tawern and that he putts in the shipe and for comyng to on seller to another shall geff ijd. ob on penny to the town and jd. ob for bernage.

40. Also a statut maid in the church of sent nycollas on the day after seint cutbrt day in the yere abovsайд that no woman shalby no otts to mak malt of to sell mor then a chawder, and if she by mo' she shall leese it and the iij pt shall gang to the bailleffs and the resydue to the gylde.

41. Also it is constitut on Wednesday of Simont ewye and Jud in the yere abovsaide that no bowcher from the fest of Sent Martyn vnto Cristenmes shall gang furth of the town to met beyff comyng to the town to be sold by them, nor to procur them to kepe them vnsolde, which after nown for frawd that thay may hawe them to them selff, and if that any man do the contrarii to this he shall loose hys offys for a yer and a day.

42. Also we ordeyn that no stranger bryngyn barket ledder to the town to sell shall sell it in the hows, but in the comon market, and that on the market day, and he shall pay hys towll.

43. Also we ordeyn that what tyme the alderman and feryngmen for the comon well of the town well gather together the brether of the gylde by the ryngyng of the bell in the Barfret Frers what brether that comys not or the bell sesse he shalbe condempned in xijd.

44. Also we ordeyn and statuet in the yere afore wretin that if eny brother of our gylde ffellow hym w' eny unfreman comyng to the town by see w' whete, malt, massengyll, beans, rye, owttts, or eny other graynes he shall paye the towne's duetye, and officers of the waters as the unfreman shall except he taketh forth is part and ley in the lofts. Also the said freman to be sworne on a bok what is part is truely or to shew that he hath bought it all by charter party wreton and sealed. Also if eny freman bryng a ship so ladyn w' eny greyn or eny other merchandize and sell in the water, he paye is duetye to the town and officers of the water as an unfreman doth. And if he by it vp he shall pay nothyng.

45. Also we ordeyn be the assent and consent of all the brether of our gilde in the day of Seint Mathow in the yere abovsайд that all the merchands takyn from strange merchantts awe to perteyn to brether of the gilde except though that has perteyning to the King.

46. Also we ordeyn the same day that no brother or the gilde dwellynge w'out the town presum to by any merchantdes belongyng to our gilde w'in our burgh, but all only on the markett day. And that no man dwellynge w'out the town by any wettell comyng to the town by shepe to tawern, but only to the sustentacion of hys hows, and if any man do the contrary to be convict of the same, he shall gyff to the gilde a ton of wyn.

Appendix VIII.

CHARTER GRANTED BY ROBERT DE BRUS TO MELROSE ABBEY.

THE English translation, from the pen of the late R. Weddell, gives the substance only of the charter. This is one of those charters called *De Pitancia Centum Librarum*. By the charter, which is very curious, one Robert the Brus on the 10th of January, and twelfth year of his reign, assigns out of the Customs of Berwick, and, failing them, out of the Customs of Edinburgh or Haddington, the sum of £100, at the half-yearly terms of Pentecost and St. Martin's in Winter, to the Abbot and Community of the Monks of Melrose. The precise purpose of this annuity is to furnish to each of the monks of the said monastery while placed at food in the refectory, an extra mess of rice, boiled with milk, or of almonds, or peas, or other pulse of that kind which could be procured in the country. This addition to their commons is to be entitled to the King's Mess. And it is declared, that although any monk should, from some honest apology, want appetite or inclination to eat of the king's mess, his share should, nevertheless, be placed on the table with those of his brethren, and afterward carried to the gate and given to the poor. 'Neither is it our pleasure,' continues the bountiful sovereign, 'that the dinner, which is or ought to be served up to the said monks, according to their ancient rule, should be diminished in quantity, or rendered inferior in quality, on account of this our mess so furnished as aforesaid. It is, moreover, provided that the abbot, with the consent of the most sage of his brethren, should name a prudent and decent monk for receiving, directing, and expending, all matters concerning this annuity for the benefit of the community, agreeably to the royal desire and intention, rendering a faithful account thereof to the abbot and superior of the same convent; and the same charter declares the king's pleasure that the said men of religion should be bound yearly and for ever in acknowledgment of the above donation, to clothe fifteen poor men at the feast of St. Martin in Winter, and to feed them on the same term, delivering to each of them four ells of large or broad cloth, or six ells of narrow cloth, and to each also a pair of new shoes or sandals, according to their order; and if the said monks shall fail in these engagements, or any of them, it is the king's will that the fault shall be redeemed by a double performance of what has been omitted to be executed at the sight of the chief forester of Etrick for the time being and before the return of St. Martin's Day succeeding that in which the omission has taken place.

Appendix IX.

GRANT OF HENRY.

1533. The trewe coppie of the Graunt that the famous king of worthy memory maide by letters Pattente to the Maior and Burgesses of Berwick for the establishing of certain ordinances, as by the tenure of the same may heereafter at large appeare.

Henry the Eight by the Grace of God Kinge of England and of France, Defender of the Faith and lord of Irlande, to all to whom these present letters shall come, greeting. Wee haue seene a certaine wryte of certiorare of o^r directed to the maior of o^r Towne of Berwick wth the retorne of the same, by the said maior returned to us in our chancery and remaininge upon the files of our chancry afs^d maide in these wordes, Henry the Eighte by the Grace of God King, *ut supra*, Greeting. Wee willing for Soundry causes to be certified upon certaine ordinances by us and our counsell maide, ordeyned and established, and wth o^r hands assigned with the assente of o^r Trusty Chancellor, Tho^s. Darcy, K^t., Lord Darcy, then cap^{tn} of o^r saide

towne of Berwick for the comonwelthe and safety of the same towne. Wee comande youe that w^{out} delay you sende unto us into o^r chancery under o^r seale distinctly and openly the af^d ordinance wth all things towching the same together wth this wyrtt. Wytnesse myself at Westminister the 1st of March in the 24th year of our reigne. The execution of this wrytte appeareth in a certain schedule annexed to this wrytte. The answer of Ralf Bradforth, Maior of the towne of Berwick, wth wrytten. Wee haue seene furthermore certaine ordinances by us and our counsell maide and signed wth o^r hande wth the assent of o^r well beloved Councillor, Tho^s. Darcy, K^t., Lord Darcy, late Cap^{tn} of o^r said Towne. And by the said Maior of o^r towne of Berwick by vertue of our wrytte af^d and is remaininge upon the files of o^r said chancery maide in these wordes. Hereafter insue certain establishments and ordinances the which o^r sovereign, Lord King Henry VIII., by the assent of his Trusty Councillor, the Lord Darcy, Captain of the towne of Berwick hath maide ordeyned and established for the honor of o^r said Sovereign Lord and the comon weale and suretye of the said towne. Henry :—First, yt is our said sovereigne lords pleasure and express commandment that no officer, soldyor, or any other person havinge any retinue under him, or beinge in the King's retinue of and under one other at the Kings waiges for his attendance and service at the werre be no freeman of the said town, nor doe, nor occupie any sute of merchandise or fermes of waters, nor in any wise medle wth any thing that apperteyneth onely to the said freemen of the said town. And if any man in tyme past contrary to this order have, be, or hereafter for tyme to be admytted to the fredome of the said towne, or any fremane admytted into any retenue, taking therefore the said waiges for the warre, that the said admission to be a freman to be and stand utterly voyde and of none effecte, and the fremane admytted unto any of the king's reteynewe taking therefore the king's said waiges for the werre forthwith lose his fredome. And if hereafter ther be any thing done or attempted to the contrarye yt shalbe leifull to the s^d captain as the caise shall require to put to his hande and effectually provide for the reformation thereof. And also that the maior, burgesses, and comonalty of the same towne haue and enjoy suche common wth a gronde called the Snoke and in all other places wth the boundes of Berwick as they have had in tymes paste. Alsoe all manner of merchants, denizens and strangers being in amytye with o^r Sovereign lord ffrome henceforthwarde shall freely and saiffelie w^{out} any interruption, salvegarde or lycence, asking of the captain of the said towne for the tyme being or any other, come all tymes unto the said haven of the towne theretoe doe the feete of merchandise as thought good and expedient betwixt them and the freemen of the said towne, saving all waies that any Scottish shippe or boote that shall come unto the said haven putt no more of his men on lande to come or entre the saide towne before he have lycence of the Captain of the same towne, but onely for every ship or boote one person. And that it be liefull for the Scottisshmane or Scottisshmene to sett on lande, that is to say, for every ship or boote onely one person, to come freely without any lycence, asking of the captaine or of any other when the gates be oppen to the Maior, and in his absence to the alderman, to requyre him to ask lycence of the Capteyne for them and the remnant of the company remaining in the shipp or shippes, boote or bootes to come into the toone ther to doe their feate of merchandise. And the said Capteyne so requyred shall grant to the s^d Maior, or in his absence to the alderman, the said lycence to the said Scottisshmane or Scottisshmen. And the said Capteyne shall in likewise grant to every Scottisshmane being a merchant man lycence to come and retorne, passe and repasse by lande to and from the said towne with any manner of merchandise so that he aske the said lycence before he enter the boundes of the same except in either of the said two cases ; that any of the Scottisshmen before a reasonable cause suspected to the said Capteyne of the King's Counsell of the said towne or that any of them come out of places wher the great sickness reigneth or that yt be then warre betwixt both realmes. And if any Scottisshman or men by any other manner wyse then is before rehearsed presume to enter into the said towne or the boundes thereof by lande or water it shall be lawful to the said Captain and all other the Kings subjects to take the Scotsman or men so presuminge

as ther lawful presoners and to enjoy them accordinglie. And it is ordeyned and established that the Maior and burgesses of the said toun for the tyme shall yearly wth four dayes wth Michaelmas day choise and presente to the saide Capteyne six of the cumburgesses to be hoostes for all manner of Scottishmen comynge to the said toun by licence of the said Capteyne, the which six burgesses the said Capteyne shall forthwyth admytt for ostes of said Scottishmen during onely the year then next following except evident reasonable cause moving the said Capteyne of the Kings Counsell of the said toun to the contrary. And if the said Capteyne for any such cause refuse any of the said cumburgesses to be hooste or hoostes for Scotishmen, the Capteyne and counsell shall forthwith shewe the refusall to the said Maior, and the said Maior and his Cumburgesses by the advise and assent of the said Capteyne and Counsell shall choose a new burges or burgesses in the place of him that he refused and then present him to the Capteyne, and the said hooste and every of them, that ys to say every hooste for the Scottishmen lodged wth his house shall answer to the said Capteyne for the good abearing of the said Scottishmen for the tyme of the lodging with the toun. And that the said Scottishmen be wth their lodging at or before the hearing of the watch bell in the evening, and that they departe not till the watch bell be rung in the morning at the jepordye of the same Scottishmen for the same his misbehavinge to be taken prisoner, and it shall also be lefull to every merchant being burges and freemen of the said toun to passe and repasse into Scotland by land or by water with thir liefull merchandises so that they first aske licence of the said Capteyne, and this lycence the said Capteyne shall grant them except it be upon any evident suspicion or other reasonable cause upon the discretion of the said Capteyne and the King's Counsell. Provided alwaies that they carry not nor sell no corne owte of the said toun of Berwick into Scotland whence the q^r of wheate ys in Yorkshire, Lyncolnshire, Norfolke and Soffocke above 6s. 8d. Also that the said Maior for the tyme being have alwaies to serve the Kinge and him under the King in the office of Maieralty specially in matters of justice and execution of the same at the elecion of the said Maior yearlye after their custome used in the said toun in the tyme of Sir William Tyler, Knighte, late Capteyne of the toun, fflower serjeants, and that the said fflower serjeants during the tyme of ther services in the office of serjeants, be and stand in the King's waiges as soldyers of the said toun yearly taking and perceaving 106s. 8d. of leifull money of England by the handes of the Treasurer of the same toun for the tyme beinge.

We therefore the tennor of the foresaid wrytt and the retorne of the same, and also the aforesaid ordanances at the requeste of the aforesaid Ralf Bradforth, Maior of the aforesaid toun of Berwick and the burgesses and comonalty of the same toun have caused to be exemplied by these presents. In vytness whereof we have caused this our letters pattents to be made wytness my hand at Westminster on 11 July, in the twenty-fourth year of our raigne.

Appendix X.

MEMBERS OF PARLIAMENT FOR THE BURGH OF BERWICK-UPON-TWEED.

Berwick, as has been previously said, was represented in the Court of the Four Burghs, which was a Burghal Parliament, and when the Scots Parliament became of a fixed and definite form, it would, doubtless, be summoned to send representatives. In 1326, during the reign of Robert the Bruce, it was represented in one. But after its conquest by the English in 1333, it remained unrepresented in any Parliament. It could not be represented in Scotland and it was not in England, as is stated in the Scotch Rolls of 1383. It came into Scotch hands in 1461, and from 1471-1479 it sent representatives to the Parliament in Edinburgh. After its reconquest in 1482 by the English and the final settlement of its attachment to England, representatives are found in the Parliament there.

From a return lately made to the British House of Commons we learn that John Couper and John Martin were chosen in 1529 to represent Berwick in the English Parliament. Couper is marked 'mortuus' in the return, so that it is questionable if he ever sat as member. The first extant election of a Member of Parliament recorded in the Guild Books is that of ODNELL SELBY on April 18, 1539. The next noticed there is that of GEORGE BROWN *generosus* and ODNELL SELBY *generosus* in 1554. These were both natives of Berwick, and had been Mayors of the town.

A fee was paid to members at this period, but scarcely enough to cover expenses. A member was allowed 3s. 4d. a day, to pay which sum an assessment was laid upon the townspeople by the Treasurer in the following manner: every Mayor was assessed at 8s., every Alderman 6s., every bailiff 4s., every freeman 2s., and from every stallinger was to be taken what could be gotten.

On October 12, 1555, THOMAS BRADFORD and CHARLES WHARTON were chosen. Bradford, Bradforth, or Bredforth was one of an old Berwick family, and owned Elwick. He left an only daughter, who married Thomas Grey, of Kyloe. Sir Thomas Grey, his son, heired Elwick, which thus passed out of a family that had owned it for 300 years.* Wharton was brother of Sir Thomas Wharton, M.P. for the county, and a relative of Lord Wharton, Warden of the East Marches in 1556.†

On January 11, 1562, ANTHONY TEMPLE and THOMAS NORTON were chosen. The Temples are an old Berwick family. Dr. Frederick Temple, now Bishop of London, is grandson of the Rev. Wm. Johnstone Temple, a freeman of Berwick in 1761, and great-grandson of Wm. Temple, who was Mayor of Berwick when the present Town Hall was finished. His name is recorded on the building. Of Norton I have not been able to learn anything.

On May 8, 1572, MARTIN GARNET and ROBERT NEWDEGATE were chosen. Of Garnet I have spoken at length elsewhere. Of Newdegate nothing is known.

On November 23, 1584, WM. MORTON and THOMAS PARKINSON were returned. They both belonged to Berwick, were freemen of the town, and Mayors of the burgh. Parkinson was well known, had much to do with the passing of the charter and other public works in the town. He was eleven times Mayor.

On October 15, 1586, Morton was succeeded by VALLENTYNE BROWN, of Hogesden, Middlesex, who had been Queen's Victualler and Treasurer of the Garrison for many years. He was a member of the Guild and Alderman of Berwick.

On November 12, 1588, WM. MORTON and WM. SELBY were chosen. Selby has been already mentioned as founder of the Grammar School.

On February 19, 1592, WM. MORTON, Mayor, and WM. SELBY THE YOUNGER. This Wm. Selby was nephew of the preceding. He inherited his uncle's estate of the Moat, in Kent. He married Dorothy Bonham, of Mallyng, in Kent.

On October 18, 1597, WM. SELBY THE YOUNGER and THOMAS PARKINSON, Mayor, were returned.

On October 27, 1601, WILLIAM SELBY THE ELDER and DAVID WATERHOUSE. The latter was a brother of Sir Edward Waterhouse, of Ledes, Kent.‡

In the first Parliament under the new charter SIR WM. SELBY THE ELDER and CHRISTOPHER PARKINSON, Recorder of Berwick, were chosen; and on April 5, 1614, SIR GEORGE SELBY was chosen, but, being Sheriff of County Palatine, of Durham, was ineligible, and was replaced by SIR WM. SELBY THE YOUNGER.§ He was succeeded on January 16, 1620, by SIR JOHN SELBY and SIR ROBERT JACKSON. Sir John was brother of Sir Wm. Selby the younger. Of Jackson vide *Grammar School*.

* Raine's 'North Durham,' pp. 199, 337.

† Jerningham's pamphlet on 'The Representation of Berwick in Parliament' (1885), p. 8.

‡ Jerningham's Pamphlet, p. 11.

§ No return found for this Parliament, except this single after-election.

On February 12, 1623, SIR ROBERT JACKSON, Alderman, and EDWARD LIVELY. The latter was brother to John Lively, Vicar of Kelloe in the ward of Easington, co. Durham, who, by will dated March 3, 1650, left him a gold ring.*

On May 17, 1625, SIR JOHN SELBY and SIR ROBERT JACKSON.

On February 6, 1626, SIR ROBERT JACKSON and RICHARD LOWTHER.† Because 'Lowther had taken pains forth of Cumberland to congratulate the town for the free and loving election of him to be one of the Parliament burgesses, he was sworn a free member of this Corporation.' He was the sixth son of Sir Richard Lowther, Knight, High Sheriff of Cumberland in the 8th and 30th of Queen Elizabeth, and ancestor of the Earls of Lonsdale.

In 1628 the members for Berwick were SIR EDMOND SAWYER and EDWARD LIVELY. Sawyer was expelled the House on June 21, for tampering with a witness before a committee of the House appointed to ascertain his connection with two new books of rates. For this he was committed to the Tower, and turned out of the House of Commons, and declared to be unworthy ever to serve as a member of the House.‡ On October 1, 1628, Sir Robert Jackson was again chosen. To these members the Guild gave the following instructions :

'I. Gitt your appearance recorded.

'II. It will not be amiss to make your acquaintance with the Speaker and with the Clerk of the Parliament House.

'III. Then not only to be acquainted, but also associate yourselves with the burgesses of other burghs, and to have often mutual conference with them, or as many of them as conveniently can, about the Bills preferred ; and whether the passing of any Bill may be prejudiciall to this burgh or not, as if any Bill preferred to be read any staple warre, as well skinner, as wol fells, hides or like to be prohibited to be transported ;

'IV. Or the transporting of white cloaths out of this country be forbidden ;

'V. Or any tenths, subsidies, or fifteenths granted ;

'VI. Or privy sealls, or any other things in your judgments that may be prejudiciall to the good of this place or against our ancient libertics, that you speak yourselves, and procure other burgesses to speak, for a proviso for this place, as ever hath been accustomed, requesting their kindness with a like return on any their like occasions.'

On March 11, 1640 (Charles I.'s Short Parliament) were chosen SIR THOMAS WIDDRINGTON and HUGH POTTER. One Mr. Cooke opposed Potter, and was defeated.

On October 20, 1640 (the Long Parliament), SIR THOMAS WIDDRINGTON and SIR EDWARD OSBORNE. On the resignation of the latter, ROBERT SCAWIN was chosen, December 21, 1640. The Long Parliament was expelled by Cromwell, April 20, 1653.

On July 12, 1654, COLONEL GEORGE FENWICK, of Brinckburne, was chosen sole member. This Parliament was dissolved January 22, 1656, and on August 11 following he was elected a member of Oliver's packed Parliament.§ He left for London on September 8, after having drunk wine with the Guild. He died March 15, 1657, 53 years of age. He was succeeded by JOHN RUSHWORTH and GEORGE PAYLER. Payler had been Treasurer of the Garrison in 1648. He had been long a friend to the town, tried to procure ministers suited to their tastes, and had much to do in obtaining Webb as schoolmaster. He was son-in-law to Sir Robert Jackson.

On April 25, 1660, the Guild chose SIR THOMAS WIDDRINGTON, now Chief Baron of Exchequer, and JOHN RUSHWORTH ; but Widdrington elected to sit for York, when EDWARD GREY was chosen in

* Raine's 'Durham,' 67, quoted by Jerningham. † *Edward Lowther in the Guild Book.*

‡ 'Journals of the House of Commons,' vol. i. (1547-1628), p. 917.

§ See Jerningham's pamphlet for most extraordinary statements concerning Fenwick, on account of the writer of the pamphlet forgetting that the year at that time began on March 25.

his stead, June 20. The latter was second son of Sir Ralph Grey, of Horton and Chillingham, M.P. for Northumberland.

On March 29, 1661, for the Long or Pensionary Parliament, were chosen SIR THOMAS WIDDRINGTON and EDWARD GREY. DANIEL COLLINGWOOD, of Branton, succeeded Widdrington, deceased, January 10, 1664, and PEREGRINE OSBORNE,* LORD VISCOUNT OF DUNBLAINE, took the place of Edward Grey, deceased, on March 2, 1676. Sir Thomas Widdrington, Barrister-at-Law, Recorder of Berwick, and four times M.P. for the burgh, was descended from the ancient family of that name, whose principal seat was Widdrington Castle, in Northumberland. Of him Anthony Wood remarks that 'in the unhappy Parliament which began on November 3, 1640, showing himself an active man, and taking the covenant, he was esteemed by all persons a zealous Presbyterian; but when the cause seemed to decline he struck in with the Independents.' According to Bulstrode Whitelock, he was a gentleman of known integrity, and of great abilities in his profession. In 1654 he was appointed by Cromwell one of the Commissioners of the Great Seal, and was 'one of the Commissioners,' says Wood, 'for the ejection of those who were by the faction called scandalous, ignorant, and insufficient ministers and schoolmasters.' He was chosen Speaker of the Parliament of 1656, and in the following year did invest and install Oliver to the Protectorate. In 1658 he was made Lord Baron of the Exchequer, but he still continued with the utmost kindness and attention to advise the Corporation of Berwick whenever they applied for his opinions on matters of law, and to assist them in obtaining from the ruling powers the confirmation or enlargement of their privileges. Wood further states he was accounted by many an accomplished person in all arts, as well as in his own profession of the common law.

On March 6, 1678, were elected and continued to sit during the Parliaments of 1679 and 1681 RALPH GREY and JOHN RUSHWORTH. Grey was nephew of Edward Grey, and was subsequently Governor of Barbadoes. This was the last Parliament in which Rushworth sat. He was a native of Northumberland, and took great delight in collecting all kind of materials of interest in State affairs. He had good opportunities of doing so—was long in Parliament, attended King Charles on his journeys, was present in the camp at Birkhill, saw the fight at Neuburn-on-Tyne, etc., etc. He was Recorder of Berwick for a long time, as well as solicitor in London for the town, but was unfortunate in the end of his life, ran into debt, and spent six years in the King's Bench Prison in Southwark, where he died May 19, 1690, at 83 years of age. He was buried in St. George's Church in that burgh. The papers he gathered were called 'Historical Collections,' which Carlyle designates as 'dreariest continent of shot-rubbish the eye ever saw. Confusion piled on confusion to your utmost horizon's edge: obscure, in lurid twilight as of the shadow of Death; trackless, without index, without finger-post, or mark of any human foregoer.'† A copy of the first volume Rushworth presented to the Guild with the following letter:

'SIR,

'It is not out of ambition that I present this Book to yourself and brethren, to remayne in your Town House for the use of your Corporation, for I am not in love with anything of my own. Yet probably you will find contained in it what your posteritie may make use of to instruct them to tread the paths of their ancestors, to assert the ancient rights and liberties of Englishmen, and the just rights and privileges of Parliament. I shall beg your acceptance, etc.

'J. R.'

No such book is now found in the archives of the town.

* Lineal descendant of Lord Willoughby, Governor of Berwick, and grandson of Sir Edward Osborne.

† Carlyle's 'Cromwell,' vol. i., p. 6.

In James II.'s Parliament, May 19, 1685, the members were PHILIP BECKERSTAFFE, of Chirton, Northumberland, and RALPH WIDDRINGTON, brother of Sir Henry Widdrington, of Widdrington.

In the Convention Parliament which met January 22, 1688, the members were SIR FRANCIS BLAKE and PHILIP BABINGTON. Blake 'received the honour of knighthood from William III., of whom he was a zealous supporter. He married Elizabeth, daughter and co-heiress of Wm. Carr, Esq., of Ford Castle, and thus acquired that estate.* Babington was Governor of Berwick.

On February 25, 1690, were elected SIR FRANCIS BLAKE and SAMUEL OGLE. Ogle was son of the Rev. Luke Ogle, and Recorder of Berwick. He sat in eight Parliaments. Blake was displaced in 1695 by RALPH GREY, the same as above. Grey in turn was displaced in 1698 by BLAKE, who was again displaced by GREY in 1700. The returns for 1701-2 give SAMUEL OGLE, who had sat uninterruptedly from 1690, and SIR FRANCIS BLAKE. The latter elected to serve for the County, and was succeeded by JONATHAN HUTCHINSON (February 9, 1702), who along with OGLE represented Berwick till 1710, when WILLIAM KER took the place of Ogle, deceased. RICHARD HAMPDEN succeeded Hutchinson, deceased, on December 22, 1711. Ker was a brother of the first Duke of Roxburgh, and Hampden was of Hampden, in the county of Buckinghamshire.† WILLIAM ORDE, of Newbiggen and Sandybank,‡ took the place of Ker on September 4, 1713.

On March 17, 1714, in the Parliament of George I., were chosen GREY NEVILLE and JOHN BARRINGTON, *alias* SHUTE. Henry Grey Neville was son of Mr. O. G. A. Neville, of Billingham, by Katherine, daughter of Ralph, Lord Grey, who died 1675.§ He was one of the Commissioners for stating the debts due to the army.|| John Shute, Esq., barrister-at-law (only surviving son of Benjamin Shute, Esq.), inherited by will, although unallied and but slightly known to the testator, the estate of John Wildman, Esq., of Becket, co. Berks; Mr. Wildman declaring that the only reason he had for making Mr. Shute his heir was, that he considered him the most worthy of all his acquaintance of adoption, after the manner of the Romans, a mode of settling property which he had always approved. He also heired the property of Francis Barrington, Esq., of Tofts, co. Essex, through a cousin, in pursuance of which he assumed by Act of Parliament the surname and arms of 'Barrington.' On February 15, 1723, he was expelled the House of Commons for being a promoter of the fraudulent Hasborough lottery. He had previously been elevated to the peerage of Ireland, July 1, 1720, as Viscount Barrington.¶

On Barrington's expulsion, HENRY GREY, of Horton and Howick, father of Charles, first Earl Grey, was elected March 11, 1723, and on the death of Grey Neville, WILLIAM KER was again chosen to represent the old burgh.

On August 25, 1727, GEORGE LIDDELL and JOSEPH SABINE were returned; on April 30, 1734, GEORGE LIDDELL and HUGH HUME CAMPBELL, commonly called Lord Polwarth. The latter, on becoming third Earl of Marchmont, by death of his father, was succeeded by WILDMAN, LORD BARRINGTON, son of the previous member of that name. THOMAS WATSON, of Grindon Rigg, took the place of Liddell, deceased, on November 27, 1740. Watson was six times Mayor of Berwick, and M.P. for 26 years. He was great-grandson of William Webb, the puritan schoolmaster.**

On May 6, 1741, WILDMAN, LORD BARRINGTON, and THOMAS WATSON were returned. Barrington was re-elected after having been made one of the Lords of the Admiralty.

On June 29, 1747, the same members were returned.

On April 23, 1754, THOMAS WATSON was joined by JOHN DELAVAL, of Ford Castle. At this

* Burke's 'Peerage' (1847), p. 100. † Hutchinson's 'Northumberland,' vol. ii., p. 93, note.

‡ Raine's 'North Durham,' p. 311. § Jerningham's Pamphlet, p. 20.

|| Hutchinson's 'Northumberland,' vol. ii., p. 93, note.

¶ Burke's 'Peerage' (1847), p. 68. ** Raine's 'North Durham,' p. 319.

election John Wilkes, the celebrated libeller, was defeated, owing, it is said, to contrary winds having detained a cargo of non-resident freemen.*

On March 27, 1761, THOMAS WATSON was returned with JOHN CRAUFURD, Colonel of the Regiment of Royal Volunteers. On Craufurd's death, SIR JOHN HUSSEY DELAVAL, BART., of Ford Castle, was elected January 18, 1765. In the close of the same year, Watson, who had accepted the stewardship of the manor of Shippon, co. Berks, was succeeded by his nephew, WILMOT VAUGHAN, afterwards created first Earl of Lisburne, July 18, 1776.†

On March 19, 1768, were returned SIR JOHN HUSSEY DELAVAL, BART., and ROBERT PARIS TAYLOR. It was said that during this election many non-resident freemen on their way from London to Berwick were landed in Norway instead,‡ (the captain was evidently bribed).

On October 12, 1774, JACOB WILKINSON and MAJOR-GENERAL JOHN VAUGHAN, K.B., brother of Wilmot, a previous member. He was Governor of Berwick; died June 30, 1795.§

On September 20, 1780, MAJOR-GENERAL JOHN VAUGHAN and SIR JOHN HUSSEY DELAVAL, BART.

On April 3, 1784, BARON DELAVAL, in the kingdom of Ireland, and MAJOR-GENERAL JOHN VAUGHAN. Lord Delaval was called to the Upper House, and was succeeded on September 21, 1786, by SIR GILBERT ELLIOT, BART., who was afterwards first Earl of Minto.||

On June 22, 1790, MAJOR-GENERAL JOHN VAUGHAN and CHARLES CARPENTER. On Vaughan's death, his place was filled by JOHN CALLANDER on September 28, 1795. At the next election to the first Parliament of the United Kingdom, Carpenter's place was occupied by his elder brother, GEORGE, EARL of TYRCONNEL, in the kingdom of Ireland.

On July 23, 1802, THOMAS HALL and JOHN FORDYCE were returned, but their election was declared void through corruption.¶ Their places were filled by FRANCIS SITWELL, of Barmoor Castle, and ALEXANDER ALLAN, of London.

On November 26, 1806, SIR JOHN CALLANDER, BART., of Westerton, co. Stirling, and ALEXANDER TOWER, of Ferryhill, co. Aberdeen.

On May 11, 1807, ALEXANDER ALLAN and SIR ALEXANDER MACDONALD LOCKHART, BART., of Carnwath and Lee, co. Lanark.

On October 12, 1812, ALEXANDER ALLAN and HENRY HENEAGE ST. PAUL, of Ewart Park.

On June 20, 1818, the same.

On March 13, 1820, CHARLES AUGUSTUS BENNET, LORD OSSULSTON, and SIR DAVID MILNE, Rear-Admiral of the White, of Rose Bank, Inveresk. The election of the latter was declared void, and his place taken by HENRY HENEAGE ST. PAUL.

On June 21, 1826, MARCUS BERESFORD and JOHN GLADSTONES, afterwards Sir John Gladstone, Bart., of Fasque, and father of Wm. Ewart Gladstone, M.P. Gladstone's election was declared void, and his place taken by SIR FRANCIS BLAKE, BART., of Twizel Castle.

On August 3, 1830, MARCUS BERESFORD and SIR F. BLAKE, BART.

On April 30, 1831, the same.

On December 13, 1832, SIR RUFANE SHAWE DONKIN, K.C.B., Lieut.-General, and SIR FRANCIS BLAKE, BART.

On January 8, 1835, DONKIN and JAMES BRADSHAW, of London.

On July 26, 1837, RICHARD HODGSON, of Newcastle and Stelling Hall, and WM. HOLMES, of London.

* Jerningham's Pamphlet, p. 22.

† Burke's 'Peerage' (1847), p. 618.

§ Burke's 'Peerage' (1847), p. 618.

¶ Parliamentary Return to the House of Commons, 1885.

‡ Jerningham, p. 23.

|| Burke's 'Peerage,' p. 688.

On July 1, 1841, HODGSON and MATTHEW FORSTER, merchant, London.

On July 30, 1847, FORSTER and J. CAMPBELL RENTON, of Lamberton.

On July 8, 1852, FORSTER and JOHN STAPLETON, of London. Both were unseated on petition, and their places taken on May 14, 1853, by DUDLEY COUTTS MARJORIBANKS and JOHN FORSTER, of London.

On March 28, 1857, MARJORIBANKS and JOHN STAPLETON.

On May 2, 1859, CHARLES WILLIAM GORDON, of Fyvie Castle, and RALPH ANSTRUTHER EARLE, of EVERTON.

On August 20, 1859, MARJORIBANKS, *vice* Earle, who accepted the Chiltern Hundreds.

On June 29, 1863, WILLIAM WALTER CARGILL, *vice* Gordon, deceased.

On July 12, 1865, MARJORIBANKS and ALEXANDER MITCHELL, of Stow, Midlothian.

On November 17, 1868, JOHN STAPLETON and W. COUTTS KEPPEL, LORD BURY.

On February 6, 1874, SIR DUDLEY COUTTS MARJORIBANKS, BART., and CAPTAIN DAVID MILNE HOME.

On July 19, 1880, MARJORIBANKS and HON. HENRY STRUTT. In August, 1881, on Strutt's becoming Lord Belper through the death of his father, COLONEL MILNE HOME succeeded; and on Sir Dudley Marjoribanks being created a peer of Great Britain, HUBERT E. H. JERNINGHAM, of Longridge Towers, took his place on Oct. 6, 1881.

This was the last election for Berwick as a separate burgh. On the passing of the last Reform Bill, its population was under the number requisite for even one member; so Berwick, which had sent members to the English Parliament for nearly 360 years, was at once stripped of its separate influence, and merged into the Berwick-upon-Tweed Division of the County of Northumberland.

Appendix XI.

THE MAYORS OF BERWICK.

S. D. Matthew de Grenelaw.*	1331. John de Raynton.*	1383. Wm. de Norham.¶
12th Century. Radulphus de Nottingham.†	1333. Wm. de Burneton.¶	1389. John de Werk.¶
12th Century. John de Grant-ham.†	1334. Wm. de Burneton.¶	1404. John de Werk.§§
13th Century. Adam Flan-drensis.	1335. Walter de Gosewight.§	1406. John de Werk.§§
1238. Robert de Bernham.*	1336. Wm. de Burneton.¶	1442. John Reddall.
1249. Robert de Bernham.†	1338. Richard de Stanhope.¶	1449. John Burrell.*
1253. John Gray ††	1341. Richard de Coventry.*	1505. Robert Barrow.††
1265. Wm. Aurifaber.¶	1342. Simon de Stowe.*	1506. Ralph Brown.
1292. Philip de Ridale.¶	1344. John Getour.¶	1508. John Shotton.
1310. Walter de Gosweyk.¶	1346. John Getour.¶	1509. Thomas Brown.
1324. John de London.¶	1347. Richard de Stanhope.**	1510. Ralph Brown.
1330-1. John de London.††	1350. Richard de Stanhope.¶	1511. Ralph Brown.
	1351. Richard de Thirlwall.**	1512. Ralph Brown.
	1355. Richard de Thirlwall.¶	1513. Ralph Brown.
	1357. Robert Clifford.*	1514. Ralph Brown.

* Coldingham Chartulary.

† Nicolson's 'Laws of the Marches.'

¶ Cambuskenneth Chartulary.

** Patent Rolls, Edward III.

†† All the names that follow are from the Guild Books.

† Newbottle Chartulary.

§ Rot. Pip. 8 Edward III.

¶ Rotuli Scotiae.

†† Treasury of Durham.

§§ Raine's 'North Durham.'

As me o dndt y
(1536) M^o l^o g

Wyllm f^o n^o p^o r^o t
(1541)

Robart badp^o r^o t
(1572)
Antgony temple
(1570)

Thomas badp^o r^o t
(1569)
tho-oo -o-ny
(1573)

Antgar an d^o s p^o r
(1575)

Wyllm m^o r^o t
(1574)

matheew j^o n^o s^o n
(1599)

M^o r^o t g^o s^o w^o l^o t
(1580)

Edward j^o n^o s^o n
(1578)

John a^o p^o r^o t
(1582)

tho-oo j^o n^o s^o n
(1618)

m^o r^o t g^o s^o w^o l^o t
(1592)

Henry B^o w^o l^o t
(1602)

W^o l^o t g^o s^o w^o l^o t
(1603)

William B^o w^o l^o t
(1620)

J^o n^o s^o n
(1611)

John Shigh
(1655)

tho-oo g^o s^o w^o l^o t
(1652)

Thomas Watson
(1656)

John Shigh
(1709)

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J. Bogue W. P. Radock R. G. M. M. M.

Alex Smith Geo Young James Peaves

Edward Thompson Henry Christy Thos Darling

John Alder Jas. Allan Maudarling

100

- | | | |
|-------------------------|-------------------------------|-------------------------------|
| 1515. Leonard Morton. | 1582. Thomas Moor. | 1633. Edward Moore.† |
| 1516. Henry Beck. | 1583. Thomas Parkinson. | 1633 (Dec. 20). Wm. Gregson. |
| 1520. John Thompson. | 1584. Thomas Parkinson. | 1634. Wm. Orde. |
| 1521. Henry Beck. | 1585. Wm. Morton. | 1635. Wm. Ffenwick. |
| 1525. Ralph Brown. | 1586. Anthony Anderson. | 1636. John Sleigh. |
| 1533. Ralph Bradforth. | 1587. John Denton. | 1637. John Saltonstall. |
| 1534. John Hagerston. | 1588. Wm. Morton. | 1638. Wm. Ffenwick. |
| 1535. John Hagerston. | 1589. Thomas Parkinson. | 1639. Andrew Moore. |
| 1536. Odnell Selby. | 1590. John Sleigh. | 1640. Sir Robert Jackson, Kt. |
| 1537. John Hagerston. | 1591. George Morton. | 1641. John Sleigh. |
| 1538. John Barowe. | 1592. Wm. Morton. | 1642. John Sleigh. |
| 1539. John Hagersfon. | 1593. Thomas Moor. | 1643. John Sleigh. |
| 1540. Odnell Selby. | 1594. Thomas Parkinson. | 1644. John Sleigh. |
| 1541. Wm. Papert. | 1595. Thomas Parkinson. | 1645. John Sleigh. |
| 1542. George Martin. | 1596. Thomas Parkinson. | 1646. Luke Orde. |
| 1543. Nicholas Denton. | 1597. Thomas Parkinson. | 1647. { Benjamin Clerke.‡ |
| 1547. George Brown. | 1598. George Morton. | { Andrew Crispe. |
| 1548. Thomas Jackson. | 1599. Matthew Johnson. | 1648. Andrew Crispe. |
| 1549. Nicholas Denton. | 1600. Thomas Parkinson. | 1649. Thomas Watsone. |
| 1550. John Burrell. | 1601. Mark Saltonstall. | 1650. Thomas Watsone. |
| 1551. Odnell Selby. | 1602. Hew Grigson. | 1651. Thomas Watsone. |
| 1552. Thomas Jackson. | 1603. Michael Sanderson. | 1652. Elias Pratt. |
| 1553. George Brown. | 1604. Thomas Parkinson. | 1653. Stephen Jackson. |
| 1554. Robert Barrow. | 1605. Robert Jackson. | 1654. Stephen Jackson. |
| 1555. Thomas Morton. | 1606. Mark Saltonstall. | 1655. John Sleigh. |
| 1556. Robert Barrow.* | 1607. Hew Grigson. | 1656. Thomas Watsone. |
| 1557. Thomas Bradfurth. | 1608. Robert Jackson. | 1657. Ralph Salkeld. |
| 1558. Thomas Morton. | 1609. James Burell. | 1658. Ralph Salkeld. |
| 1559. Thomas Bradfurth. | 1610. Leonard Fairley. | 1659. Richard Trumble. |
| 1560. Thomas Morton. | 1611. James Burell. | 1660. { Richard Selby.§ |
| 1561. Thomas Bradfurth. | 1612. Michael Sanderson. | { Benjamin Clerke. |
| 1562. Anthony Temple. | 1613. John Orde. | 1661. Benjamin Clerke. |
| 1563. Thomas Jackson. | 1614. Thomas Parkinson. | 1662. Andrew Moore. |
| 1564. Thomas Bradfurth. | 1615. Mark Saltonstall. | 1663. Thomas Watsone. |
| 1565. Anthony Temple. | 1616. Hew Grigson. | 1664. Elias Pratt. |
| 1566. Thomas Morton. | 1617. Stephen Jackson. | 1665. Elias Pratt. |
| 1567. Thomas Jackson. | 1618. Thomas Parkinson. | 1666. Elias Pratt. |
| 1568. George Morton. | 1619. Michael Sanderson. | 1667. Henry Edmeston. |
| 1569. Thomas Bradfurth. | 1620. Sir Wm. Bowyer, Kt. | 1668. Henry Edmeston. |
| 1570. Anthony Temple. | 1621. Sir Wm. Bowyer, Kt. | 1669. Henry Edmeston. |
| 1571. Anthony Temple. | 1622. Sir Wm. Bowyer, Kt. | 1670. Andrew Counten. |
| 1572. Robert Bradfurth. | 1623. Sir Wm. Bowyer, Kt. | 1671. Thomas Watson. |
| 1573. Thomas Morton. | 1624. John Orde. | 1672. Elias Pratt. |
| 1574. Wm. Morton. | 1625. Sir Wm. Bowyer, Kt. | 1673. James Caterall. |
| 1575. Anthony Anderson. | 1626. Sir Robert Jackson, Kt. | 1674. James Caterall. |
| 1576. Robert Jackson. | 1627. Sir Robert Jackson, Kt. | 1675. { Henry Edmeston. |
| 1577. Martin Garnett. | 1628. Michael Sanderson. | { Thomas Watson. |
| 1578. Edward Merry. | 1629. William Ffenwick. | 1676. Richard Clarkson. |
| 1579. Anthony Anderson. | 1630. Andrew Moor. | 1677. John Luck. |
| 1580. Martin Garnett. | 1631. Sir Ralph Selby, Kt. | 1678. John Luck. |
| 1581. Wm. Morton. | 1632. Wm. Gregson. | 1679. John Luck. |

* Killed in a skirmish at Ford while Mayor.

† Discharged by writ under Privy Seal, dated November 22, 1633.

‡ Deposed by Sir Arthur Haselrig, September 19, 1648.

§ Died during term of office, July 15, 1661.

|| Died during term of office, February, 1676.

1680. John Luck.	1730. Roger Burnett.	1782. John Burn.
1681. John Luck.	1731. David Wake.	1783. John Clunie.
1682. John Luck.	1732. Thomas Watson, jun.	1784. David Stow.
1683. George Watson.	1733. Thomas Watson, sen.	1785. Wm. Hall.
1684. { Wm. Fenwick.*	1734. Thomas Watson, jun.	1786. Daniel Ord.
{ Ferdinando Forster.	1735. Thomas Watson, sen.	1787. Matthew Forster.
1685. Ferdinando Forster.	1736. Thomas Watson, jun.	1788. George Forster.
1686. { Ferdinando Forster.†	1737. Roger Burnett.	1789. David Stow.
{ Wm. Lawson.	1738. Thomas Watson, sen.	1790. Wm. Hall.
1687. John Pratt.	1739. Thomas Watson, jun.	1791. David Stow.
1688. John Pratt.	1740. Roger Burnett.	1792. George Forster.
1689. Ephraim Nealson.	1741. John Edmeston.	1793. Thomas Hall.
1690. Stephen Jackson.	1742. Matthew Forster.	1794. David Stow.
1691. Stephen Jackson.	1743. Roger Burnett.	1795. Matthew Forster.
1692. Edward Nealson.	1744. Joseph Watson.	1796. Thomas Hall.
1693. Edward Nealson.	1745. Wm. Stow Lundie.	1797. James Bell.
1694. Edward Nealson.	1746. Fenwick Stow.	1798. Samuel Burn.
1695. Edward Nealson.	1747. Roger Burnett.	1799. Thomas Hall.
1696. Edward Nealson.	1748. Joseph Watson.	1800. David Logan.
1697. Thomas Grieve.	1749. Wm. Temple.	1801. James Bell.
1698. Edward Nealson.	1750. Wm. Stow Lundie.	1802. John Steavenson.‡
1699. Anthony Compton.	1751. Fenwick Stow.	1803. David Logan.
1700. Anthony Compton.	1752. Joseph Watson.	1804. John Steavenson.
1701. David Stow.	1753. Wm. Temple.	1805. Wm. Pattison.
1702. David Stow.	1754. Henry Hodgson.	1806. David Stow.
1703. David Stow.	1755. Thomas Balderston.	1807. John Steavenson.
1704. Edward Nealson.	1756. Samuel Burn.	1808. David Stow.
1705. Edward Nealson.	1757. Henry Hodgson.	1809. John Steavenson.
1706. Anthony Compton.	1758. Fenwick Stow.	1810. Samuel Burn.
1707. Thomas Watson.	1759. Henry Hodgson.	1811. John Steavenson.
1708. Thomas Watson.	1760. Wm. Hall.	1812. Wm. Pattison.
1709. John Sibbit.	1761. Henry Hodgson.	1813. George Frederick Ord.
1710. John Sibbit.	1762. Wm. Balderston.	1814. John Steavenson.
1711. John Sibbit.	1763. Samuel Burn.	1815. Rev. Joseph Barnes.
1712. Matthew Forster.	1764. Fenwick Stow.	1816. Wm. Pattison.
1713. John Sibbit.	1765. John Burn.	1817. David Stow.
1714. Matthew Forster.	1766. Henry Hodgson.	1818. John Hall, M.D.
1715. John Sibbit.	1767. Matthew Forster.	1819. Thomas Jordan Steel.
1716. Joseph Watson.	1768. Samuel Burn.	1820. Anthony Compton.
1717. John Sibbit.	1769. John Burn.	1821. Thomas Jordan Steel.
1718. Anthony Compton.	1770. Wm. Balderston.	1822. John Steavenson.
1719. Joseph Watson.	1771. Matthew Forster.	1823. David Logan.
1720. John Sibbit.	1772. Samuel Burn.	1824. Thomas Jordan Steel.
1721. George Stow.	1773. John Burn.	1825. David Logan.
1722. John Sibbit.	1774. Matthew Forster.	1826. Thomas Jordan Steel.
1723. Joseph Watson.	1775. David Pratt.	1827. Wm. Weatherhead.
1724. John Sibbit.	1776. Wm. Grieve.	1828. Wm. Dunbar How, M.D.
1725. Joseph Watson.	1777. Matthew Forster.	1829. John Wilson.
1726. John Sibbit.	1778. Robert Wilkie.	1830. John Bertram Ourde.
1727. Thomas Watson, jun.	1779. Robert Edmeston.	1831. John Langhorn.
1728. John Sibbit.	1780. Robert Wilkie.	1832. Thomas Chartres.
1729. Thomas Watson, jun.	1781. Wm. Hall.	1833. David Logan.

* Deposed on Revolution, March 7, 1685.

† Removed, December 12, 1686.

‡ Steavenson was elected in his absence, and it became a question whether the election was legal. He was re-elected on February 3, 1803, showing that it had been necessary to do this.

- | | | |
|------------------------------|----------------------------------|---------------------------------|
| 1834. John Wilson.* | 1853. Patrick Clay. | 1871. Alexander Smith. |
| 1835. John Wilson. | 1854. Robert Ramsay. | 1872. James Purves. |
| 1836. John Miller Dickson. | 1855. Robert Ramsay. | 1873. George Young. |
| 1837. George Johnston, M.D. | 1856. Joseph Fleming. | 1874. James Purves. |
| 1838. Robert Marshall. | 1857. Joseph Fleming. | 1875. Andrew Thompson. |
| 1839. George Gilchrist. | 1858. Thomas Bogue. | 1876. Andrew Thompson. |
| 1840. George Johnston, M.D. | 1859. Thomas Bogue. | 1877. Thomas Darling. |
| 1841. Alexander Cahill, M.D. | 1860. Wm. Hugh Logan. | 1878. James Allan. |
| 1842. Joseph Hubback. | 1861. Thomas Allan. | 1879. Henry Lindsay Christison. |
| 1843. Patrick Clay. | 1862. Wm. Hugh Logan. | 1880. Adam Darling. |
| 1844. George Kerr Nicholson. | 1863. Andrew Thompson. | 1881. Adam Darling. |
| 1845. Thomas Hogarth. | 1864. Thomas Bogue. | 1882. Thomas Darling. |
| 1846. George Johnston, M.D. | 1865. Joseph Willis Ruddock. | 1883. James Allan. |
| 1847. Wm. Smith, R.N. | 1866. James Purves. | 1884. James Allan. |
| 1848. Henry G. C. Clarke. | 1867. Andrew Thompson. | 1885. Wm. Alder. |
| 1849. Wm. Smith, R.N. | 1868. George Young. | 1886. James Allan. |
| 1850. George K. Nicholson. | 1869. Charles Lambert Gilchrist. | 1887. Adam Darling. |
| 1851. Wm. Smith, R.N. | | |
| 1852. Thomas Bogue. | 1870. Andrew Thompson. | |

Appendix XII.

LIST OF TOWN CLERKS.

The first notice of Town Clerks in the Guild Books occurs on June 16, 1554: 'We 12 will that Lionell Thompson shall be payd off the furst money that ys dewe to the Towne £10, whече was promysed hym for one yere byng the Town Clarke.' Lionell died in 1558. Thomas Thompson became Town Clerk after his death, but dates of appointment and demission are wanting, through the imperfect state of the books at that period.

Peter Farely, or Fairely, was appointed before 1570, and continued in office till his death in 1596. He was a notary public, a good penman, and was frequently sent to London with the member of Parliament to assist in prosecuting suits for the town.

Peter's son William succeeded to the office, and only held it for two years, when he was dismissed 'for his former abuses and his vnsuffycencye,' and in 1598

Laurence Harkor was appointed; but on April 6, 1601,

Lionell Strother obtained the place, and resigned in May 20, 1603, when†

Harkor was reappointed, and was the first Town Clerk under the present charter.

On Harkor's ceasing to act, in 1613, Strother was again appointed; and on February 29, 1616, he was asked to leave the office, and the salary of £10 was ordered from Michaelmas, 1616, to be paid to Simon Veghelman, who was appointed November 18, 1616; and on Simon 'being called to God's mercie' in February, 1618,

William Strother was elected, at a salary of £10. This was the usual salary, and the Town Clerk served the office of Jailor as well at that time. Strother resigned April 4, 1625, when

* Continued by 5 and 6 Wm. IV. c. 76, s. 38, until after declaration of first election of Councillors on December 26, 1835.

† Because Strother's resignation 'will in many waies be beneficial to the good and ease of this town, it is determined to give him an annuity of £10 for 8 years.' Harkor had in 1601 been forced to resign, and he had been suing them for damages in the Court, and Strother's resignation put an end to the difficulty.

Charles Hutton was appointed, on recommendation of the Recorder, to be Town Clerk and Jailor at £10 per annum.

Robert Reed succeeded Hutton on September 7, 1638, and died 1643, when his wife kept the office for more than a twelvemonth. She is entered on the Guild Roll of 1643 as Town Clerk. From April 28, 1643, till October 4, 1644, her servant, Robert Scott, performed all the duties, and was himself appointed to the office at the latter date.

Marke Scott, son of Robert, succeeded in 1655. Thirty years after, at the revolution under James II., he was displaced by

Chas. Jackson on March 16, 1685; and on October 22, 1688,

Marke was again restored to office. He died in 1691, when

Joseph Dickenson succeeded; and on November 26, 1697,

Ephraim Nealson was chosen to the office; and on December 14, 1698,

John Sibbit followed Nealson. Sibbit held office for thirty-six years, eleven of which he was Mayor as well as Town Clerk. On July 19, 1734,

Wm. Shell took the place of Sibbit, deceased; and August 11, 1736,

Robert Richardson followed; and on August 31, 1744,

James Todd was chosen to the office, who on May 31, 1765, was followed by

Edward Willoby, who had been treasurer for two years before.

William, Edward's son, succeeded on March 24, 1800, and was again succeeded on January 11, 1810, by

Mark Jamieson, who held the office till his dismissal on March 3, 1840; when

Thos. Gilchrist was elected, and continued till his death; when

Robert Home succeeded on June 25, 1849. On Home's death,

Robert Douglas, the present Town Clerk, was chosen, on October 1, 1867.





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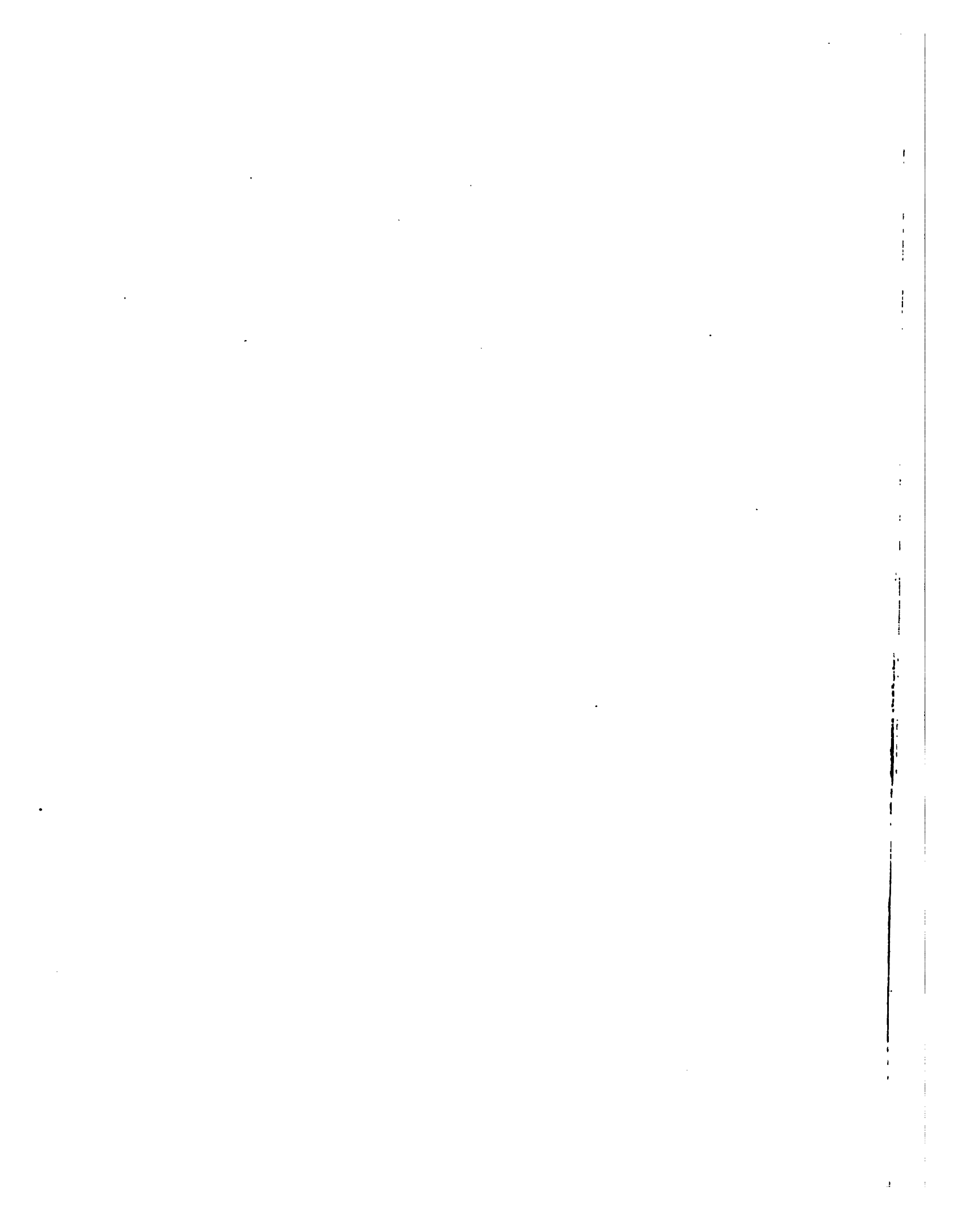
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