

**1 Dec 1664 Wharton vs Hall**

[Note: PSAN Ser 3, Vol 1, 1903/4 pp.17-8 This document is one of several related documents exhibited to the Society at a meeting, the originals of which might now be lost. They belonged to a member and were shown per R.Blair. They appear to have come from the archives of Bishop Chandler, Bishop of Durham 1730 - 1750. All the relevant documents were transcribed for inclusion in the volume of Proceedings. The transcripts have been copied for Dukesfield Documents as per the printed versions, apart from the replacement of 'ye' and 'yt' by 'the' and 'tht'. There are three transcribed documents relevant to lead mining, lettered (a) (b) and (c) in the Proceedings.

(a) is undated, but as an opinion offered to Bishop Chandler it would appear to have been created in the early 1740s, as the other two transcripts are of that same period. It refers back, however, to a Chancery dispute between Humphrey Wharton and William Hall (TNA C7/371/72 and 76) dated 1664. 1st December 1664 is used here for convenience, on the arbitrary assumption that the papers were drawn up late in the year]

(a.) The case between Wharton & Hall drawn up as thus by George Wray & fit for the Lord Bpp of Durham to understand & consider.

1. The Lo. Bpp of Durham above Sixty yeares agoe grants to Mr. Whartons Ancestors a patent for tearme of life expressing as thus: That he is Mooreman als. Moorem~~aste~~r of all the Moores,

waste Ground & soile within the parrishes of Stanhop & Wolsingham with power to digg Mines for the wineing of Lead ure, soe that it be not within any mans severall or inclosed ground.

2 dly Mr. Whartons Ancestors enjoyed this patent for life& did renew it about foure or five discents before any lease that Hall had or any for him. Now I conclude in law & reason that Mr. Wharton neither had or hath (by the expressed words of that patent) due to any Interest there, but Moores & waists of wch he hath one Great Moore called Bollyhoope, another called Stanhop Hoope both in Stanhop parrish, & other large Moores in Woolesingham parrish wch are noe stinted pastures, but every man may put on wt he pleases without limitacon. Therefor Moores & waists : And these Mr. Hall challengeth noe Interest in, & further Mr. Whartons Ancestors & his, have, doe & probably may worke Lead mines by the vertue of that patent in these two particulars abovenamed.

3 dly For the Forrest wch is all stinted pastures, mans severall and inclosed Grounds I hold it plaine that they are excepted in Mr. Whartons patent, & though he have enjoyed

them without any molestacon, till this question, he either did or was to Accompt to the Bpp for them & soe not in him.

4thly My reason is this Mr. Halls father who tooke the former Lease (before this wch is now in being) in Alphonsus Bulmers name, wch was the first lease wch ever was taken of the Bps of these Mines, For he looked into Mr. Whartons patent & ground & found that all severall & inclosed grounds were free for any man to take, & soe accordinly went to the Bp & acquainted him with the same, & so the Bp granted him a Lease & recd a Considerable fine of him in moneys, & reserveing the Lot or such a rent for him & his successors. And his lease was granted in these very words, all Copyholders, all Customary Tenants & all Leaseholders in Woolesingham & Stanhop parish in Wearedale.

5thly It is to be considered that it had beene an high wrong in the Bp 3 waies as thus First to grant away from Mr. Wharton wt he had granted before to him, & now Mr. Wharton conceives & stands upon the same as his right; & it was as great a wrong in the Bpp to receive Mr. Halls money, & grant him that wch he cannot enjoy, & 3rdly the greatest wrong as it plainely appears to himselfe if he had not plainely understood wt he did but both by the expresse words in the patent & the lease it is plaine he did.

6thly Now sixthly & lastly Mr Halls father understood all this in his former lease wch was taken about eight & Twenty or Thirty yeares agoe, & urged & alleadged all this to Sr Arthur Haselrige when he first beganne his commands here, but Mr. Hall being a papist & a delinquent could have no Justice nor right from him, but carried all before him, And therefor this is a Just & true reason why Mr. Hall could not question Mr. Whartons patent before this time. And for the whole point wch Mr. Wharton stands soe upon, wch is his continuance by severall patents. All Mr. Halls councill doe possitively affirme, It is a cleare point to all the Inclosers wch were but a Moneth before the last patent & soe to the whole Forrest, that is allseveralls & stinted pastures have beene & dayly are Inclosers taken of the Forrest, & may be all, or likely to be in time, with the consent of the Customary Tenants without any priudice at all to the Bp.'

(Endorsed : ' Mr. Wm. Hall Lead Mines. Co : Geo Wreys opinion ' followed in bishop Chandler's handwriting : 'upon a dispute between the moor master & Mr. Hall Lessee of the mines in the enclosed grounds.')

**15 Jun 1687 John Mowbray**

[Note: These notes were contributed by J.C.Hodgson, F.S.A. as part of his 'Some forgotten epitaphs and monumental inscriptions in Hexham Priory Church' in Proc Soc Antiq Newcastle, Vol VIII, (1897), pp. 145-50, quoting Raine's extracts from York wills]

Johannes Mowbrid (sic) ntiper de Steel, gen. | obit decimo septimo | die Junii, et hie una cum Josepho, | filio tertio suo, sepultus jacet | in spe beatse resurrectionis | 1687

1687 15 June. Will of John Mowbray of the Steel gent. My wife Jane .200 and my son George 100 ; they executors. My sons Joseph and Thomas and my daughter Mary jt'100 each; my daughter Sarah 80; my daughters Jane and Hannah and my son Richard each 50 ; to my executors ' my mortgage of my lands I live on called .Easter Steel and Wester Steel, Hexhamshire ' and my lands in Slaley and my messuage and lands in Wolsingham to be sold to pay my debts and legacies. Raine, Test. Ebor.

1687. 19 June. Mr. John Mowbray of the Steel buried in the church. Hexham Register.

1687. 18 July. Joseph son of Mr. John Mowbray of the Steel buried in the church

### **6 May 1689 Francis Radcliffe to John Vazie**

[Note: Lease PSAN Ser 3 Vol 5 1913 pp9-10, published with the following introductory text: 'The following deed, illustrating the conditions under which searching for lead in Tynedale was carried on during the latter part of the 17th century, is from the local collections of a fellow member, Dr. William Hardcastle. This abstract has been kindly made by Mr, R. Welford.']

1689. May 6. Indenture by which Francis, earl of Derwentwater, leases to John Vazie, of Lowbyer in Aldston Moore, co. Cumberland, gentleman, the lead mines and minerals and all other mines and minerals ores, earths, metals, and stones (coal mines only excepted) at Battle Green, near Gutter Gill, within Aldston Moore (not being within the compass of any former lease or grant there), lately discovered and wrought by said John Vazie, his assigns, workmen, or servants, as the veins of the lead mines shall lineally extend themselves, so as the boundaries of said mine contain not above three score yards in breadth, with convenient room on either side of the said mine for laying or dressing of ores or other dead heaps which shall be landed out of said works, with free liberty within any of the grounds, etc., to dig trenches and cut water-gutters, etc., to obtain water for washing, scouring, dressing, etc. the said ore, build houses for workmen, etc., said houses being set upon the wastes and commons not severally inclosed or belonging to any of the tenants or lessees dwelling near, etc., with free ingress, egress, and regress for all manner of carriages into or from said works, with all profits, advantages, etc. To have and hold said lead ore mines, minerals, etc., to the only use of said John Vazie, his executors, etc., from the date hereof unto the full end of 21 years Yielding and paying, during said term to said earl the full fifth part of all lead ore and other minerals to be digged, mined, and dressed in manner following, that is to say : Upon every washing place to be had and made of said lead ore, etc., before the same shall be delivered to be smelted, or otherwise converted to any other use, the full

fifth part shall be delivered, well washed and dressed fit for smelting, to said earl. And said earl covenants with said Vazie [illegible, but apparently binding the earl to appoint agents to receive his portion, and if they do not come at proper time and place] it shall be lawful for said Vazie, in the presence of two sufficient witnesses or more to divide said lead ore, etc., into five equal parts, such equal fifth part thereof being left for said earl and carefully preserved and kept in a good and sufficient bing-shed apart by itself, without spoil (?) or decay, until said earl shall by writing under his hand and seal order the removal thereof. And if said Vazie shall every Monday draw up and have in readiness for said earl, or whom he shall order at any time to receive [illegible] exact account fairly writ and signed by him or some of his agents, particularly mentioning the number of bings, horse loads and poaks of ore or other minerals, etc., [illegible] delivered in the foregoing week at Battle Green, then it shall be lawful for said Vazie, his servants or agents, the fifth part being so divided and left as aforesaid, to take, carry away, use, and dispose of the other four parts, or any part thereof to the only use of said Vazie. Further covenants provide (1) for peaceable possession and surrender, (2) liberty of inspection by lessor and his agents to ensure orderly and sufficient working, (3) lessor to have first offer of all the ores and metals won, at usual rates from time to time, and (4) voidance of the lease if lessee do not diligently endeavour to discover and bring to perfect working said veins, or desist from orderly working for two months together, or conceal any ore, or neglect upon demand to give in a weekly account, or neglect to deliver the earl's fifth well washed and dressed for smelting,

Signed, DARWENTWATER, Witnesses : Tho. Errington, Ralph Lomas, Matt. Gilby.

### **29 Jun 1710 James Radcliffe to John Errington**

[Note: Lease PSAN 3 Vol 5 1910 pp19, notice was taken of a deed owned by the Rev. W. Greenwell, D.C.L., F.S.A., etc. (per Mr. C. H. Blair):]

Lease dated 29 June, 1710, from the Right Honourable James, earl of Darwentwater, viscount Radclyffe and Langley, and baron of Tyndale, to his uncle, the Honourable Thomas Radclyffe and John Errington, esquire, of Beaufront, of lead mines, &c., in the manor of Aldstone, in the county of Cumberland.

### **9 Jul 1719 Charles Busby to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 6, (1914), p.168 This letter was transcribed for printing 'from Radcliffe papers in the possession of the Rev T. Stephens' of Horsley. In addition to this letter the published transcript includes several household accounts dating from the 1710s and 1720s and an inventory of goods sold to pay debts.]

Madam,

9 Julie, 1719.

I have the Honor of your Ladys Dat : the 4th and am glad there is such an Order coming, which when reced I shall then do all in my power to gett up those Rents, the Collection whereof will be a verry great Advantage to your Honor and Estate :

As to my owne paste, I shal never desire ffarthing from your Honor, till such time your Ladyship is Restored to your owne, As to Robert and Mary there is two Years Wages Due to each, of which one year att present will suffice, which up[on] your Honors order, they shall now imedia[tely] be supplied with all, with oute Inconvenience],

Your Ladys -Maid as I wrotte your Honor has been marryed some Months but is willing & desires to continve her Servis, till matters are determined when your Ladi, will the better Judge what may be proper.

Upon Receipt of your Honors of the 27th past I imediately wrotte to Newcastle for Bills, but as yett have had no answee, as soon as that can be had I shall then go downe, and send away the same as you are pleased to order. I am with all true Respect and Humble Duty Madam, Your Honors' ever most faithful obedient Humble Servant, Cha : Busby.

Addressed on back : 'For Mr. Higgs att Hathrop, By North Leach Bagg, Gloucestershire.'

### **21 Nov 1720 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), p.6 'The following letters, etc., are from the Radcliffe papers belonging to the Rev. T. Stephens of Horsley. The letters were written by Thomas Errington, who seems to have been one of Lady Derwentwater's agents'. It is assumed here that 'Mrs Croney' was an agreed pseudonym for Lady Derwentwater. J. C. Hodgson added to the printed transcripts: 'Thomas Errington, the writer of these letters printed was, I think, Thomas Errington of Sandhoe, who was admitted to the Hostmen's Company by mandamus in 1686, and died 30th May, 1748 (see pedigree, new History of Northumberland, vol. iv, p. 189). The Mr. George Errington of Gray's Inn, 'who jockeyed Coll: Radcliffe out of Plessey colliery,' was a son of Nicholas Errington of Ponteland, and admitted to Gray's Inn 27th January 1674-5. His connection with Plessey Colliery is noticed in Mr. T. E. Forster's chapter on the Collieries and the Coal Trade of the chapelry of Horton (new Hist., vol. ix, p. 231). If I am not mistaken, the above-named George Errington of Gray's Inn was buried before 15th December, 1725, in a vault in St. Pancras's church yard.']

For Mrs. Croney att m r s Cabrise att the Golden ffarm ouer against Grays Inngate In Hollbourne London.

May it please your Ladyshipe.

Kepwicke Nouember the 21th: 1720.

Mr. Busby and I am now here, it is a great Storme of Snow, as I came here, I see that Mr. Lorance, that brought me a letter from your Ladyshipe Some time Since concerneing Aldston moore, there was a gentleman with him one Mr. Geo: Errington who lives by Grays Inn att London, and I supose this Mr. Errington is desired by the Gentlemen att London that Imploye mr. Lorance to Inspect and to make Inouirey into matters in Aldston moore, they both went there last Thursday, I told mr. Lorance some time agoe what your Ladyshipe writt me Concerneing the Lead mill att woodhall. I find notwithstanding your Ladyshipe was soe kind as to lett them haue that mill Rent free, they now Expect your Ladyshipe will giue them wood to Repaire her, which will be worth fifty pounds, at least, this mr. Errington is the Gentleman that Jockeyed Coll: Radclyffe out of plessy Coiliary for a Lease of 99 years at £18 /ann', which Alderman Ridley has now and worth 2000£ pr ann', but this to your Ladyshipe Selfe, but mr. Piggott Knowes this mr. Errington very well, mr. Alderman Ridley has bought the dues of Lead oare in aldston moore for Some yeares past, and if these gentlemen at London should buy them this next yeare, and Alderman Ridley should not haue an offer of them and giueing as much price as any body Else, it may make him take Check and backward in the affaire Concerning the purchaseing of the Reversion of Coll: Radclyffes Estate, I leaue this to your Ladyships prudent Consideration, there is one Richd wallas a Tennant at Lowbyer in Aldston moore, and a Bayliffe vnder your Ladyshipe in the manner of Aldston moore, he has Leveyed Executions in that mannor as was formerly done in other Bayliffes time, and there is two sutes or actions brought against him, which will cost him at Least fifteen pounds, the man is in such a Consternation that he Cannot tell what to doe, and dare not Leuey any Executions that are fairely Recouered at the Courts, I cannot Compute this to anything Else, but the Easyness and negligence of mr. Simpson the Steward of the sd Court, that Court being a Court of Record and all sumes aboue 40 shillings ought to haue been tryed as in Courts of Record, which I beleaue has not been soe, but has been done now as formerly, but it is noe blott, till a blott is hitt, notwithstanding the great winds, wee haue had, there is very litle wood blowne downe in any part of your Ladyshipes Estate,

I haue not more to add but to assure your Ladyshipe, I am, yor most obdient Seruant,

Tho: Errington.

**17 Apr 1721 Charles Busby to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), p.124]

Madam

Aprill the 17th 1721

Being att Capheaton two Days since, was y'n told by Mr. Errington of your Honors Intentions of allowing 3 Tun of Timber towards Repaire of the Smelting Mill att Woodhall, which being given oute by Mr. Larance, and comeing to the Tennants Ears of Woodhall ffarme, he came over to me this Day and desired me to write to your Lad'p to putt a Stop to the same; Alleadgeing that when the Smelting Mill was going his ffather was then Tennant att Woodhall farme and reduced to meane Circumstances, by the great Losses, he yearely sustaind in his Corn, and Death of Cattle by the infection of the Grass occasioned f'm the Sulpherus Smoake of those Mills. Since that time his ffather -Dyeing and the Mills lyeing still, he tooke a Lease of the said ffarme of my late Lord for the Terme of 21 years, and by his Cear and Industry has brought that ffarme f'm being a verry bad one to be a good one; Capable of Considerable advance, when the Lease is Runn oute, which neither he nor any one else can not Afford, or even pay the present Rent, should those Mills be sett on ffoot againe. What further he has to Alleadge against it is, the Killing the young Spring of Wood, which since the lyeing in of the Mill is now verry hopefull ; and the Damadge twill do the Corn Mills in the Summer by Takeing away one 3d of the Water so heerby those Mills will often be forced to lye still.

To prevent all these Misfortunes, as well f'm my Lord as himselfe he proposes to your Honor y't if att Tuesday next when Lady Marys terme is expired, and those now concerned under her Lad'p have taken enoug Iron, and Lead in the Cuplos, to w'h latter they have no Manner of Right, he may have the putting downe of the remainder of those Mills, and the Liberty of Converting of the Wood and other things thereunto belonging, to his owne proper Use, he then in Six Months after, will pay your Honor One Hundred pounds for the same . and have a House standing in good and sufficient Repaire, for w'h he will f'm the time he enters on the Bargain pay forty Shillings p. an. and be oblidged to keep the same in Repaire till my Lord comes of Adge or for the term of 21 yeares. This is what he offers to your Honors Consideration as to which he desires your Lad'p answeare unto. I am in all Humble Duty

If your Honor thinks proper to Imbrace this proposall Mr. Errington will agree the man is capable of performance Madam, Your Lad'ps Ever Most Obedient Humble Servant

Charles Busby

**1 Mar 1722 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.7-8]

Capheaton, March the 1st: 1721/2.

May it please your Ladyshipe.

I haue Receiued your Ladyships letter of the 14 of last month, I was from this place when it came here, otherwise would haue writt Sooner I am Glad your Ladyshipe

has Receiued the Leases, but I am Sorry to tell your Ladyshipe that I am Confident Seuerall that did Contract and take farmes will neuer Signe or Execute theire Leases, that woefull thing of South Sea, made Lands aduance soe high that there is Thousands of Tennants will be Ruined and broken by it, for Corne is very Cheap, and Catle Cheap, and noe Trade, or money Stirring that eueybody knowes not what to doe, the money that your Ladyshipe writes aboute said to be in Fenwick and Waters hands was but 340£ which is Returnd to mr. Radburne some time since, and last friday I paid them Sixteen Hundred and forty pounds to be Returnd to Mr. Radburne and they haue assured me they will send him Bills for Eight Hundred pounds of it this weeke, there is nether Annuity money or wood money in the 1640£ I beleaue Capt: Cotesworth is Sore Enough pinchd but if your Ladyshipe would haue me to acquaint him of the 30£ you mentione I shall doe it, he is very willing and Ready to Serue your Ladyshipe vpon all occassions, I thanke God I am prety well Recouered of my late Indisposition I humbly thanke your Ladyshipe for Inquireing after my health, in the account I gaue your Ladyshipe of the Aduance of Rents amongst the Rest there was meldon and meldon parke lett to Robert Twisle and Wm. Welden for 440£ pr ann for 14 yeares, but the first 3 yeares they were to pay but 400£ ayeare by Reason the grounds was much Run out by the late times, and it was Referrd to your Ladyshipe whether you woud take the 40£ ayeare for the first 3 yeares or not, I have Charged the 440£ pr ann. which they thinke is very hard vpon them, and if the 40£ ayeare is not abated for the first 3 yeares I am of an opinion they will leaue the farme, there is one Patrick Dauison a marchant in Hexham wants about 15£ from my Late Lord for Candles, he and some few more is for Petitioning my Lord Chancellor to haue their small debts paid, I told him I would write to your Ladyshipe aboute this matter, and desired he would haue patience till I had your Ladyships answere, Admarill Delaval who is this Countrey Gent, and a member of Parliament for some Borrow, told me he would be very Ready to Serue your Ladyshipe in purchaseing both whenby Estate and the late Colls Estate, and desired to be Informed by Sr: John webb how and in what maner to proceed in that affaire, he has an Extrodinary good Intrest at Court, and vast Rich, and a good Intrest with the Comissionrs of the forfeited Estates, there has lately been one mr. Allan sent downe from London by the said Comissionrs to Inspect and veiue the said late Coll: Radclyffes Estate and to make a Report aboute thereof, mr. T: was with him and one or two more when the said Estate was veiued, and which veiue is very moderate, I haue preuailed with mr. T: to gett a Coppy of the said Report, and which I haue this post sent to mr. Radburne, I am senseable theire may be gott at least flue or Six Thousand pounds nay if not Ten, by Buying those Estates, I cannot as yett tell, whether I shall be Excused or not in Appeareing at London, mr. Radburne writt me mr. Pigott was in hopes to gett me Excused, your Ladyshipes last letter home, was directed to mr. Radburne and he sent it open Inclosed to me in his, but that was onely your Ladyships mistake, mr. Busby has had a somonse from the Comissionrs to appeare at London, for Cutting some wood at whenby when he was last there, to Repaire some houses, but I thinke that will blow ouer, howeuer there was one Johnathan Maughen went over to whenby and discharged all the Tennants from paying any more Rents to mr. Busby,



whether this was by the Comissionrs order or not I cannot tell, Since I euer knew Aldston moore I neuer knew for fifty yeares past the Dues of Lead oare soe litle value, for the whole yeares dues of oare from December 1720 till December 1721 came but to 247 £ 15s: OOd: which God knowes is but a mallancolly story, all this famally are well and giues theirn humble seruice to your Ladyshipe and famally, I liaue paid the Lady Mary Radclyffe at Durham one yeares Intrest due 21 of October last 1721 soe that there is but halfe a yeare due to her Ladyshipe the 21 of Aprill next 1722. I heare that mr. Geo: Errington at London and his partners in Aldston moore pays but halfe payes in steed of whole ones,

I am, yor Ladyshipe\* obedient serut, Tho: Errington.

For The Right Hono ble the Countesse of Darwentwater

**23 Mar 1722 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.23-4]

May it please yor Ladyshipe

Capheaton March the 23d: 1721/2

I haue Receiued your Ladyships letter of the 20 Instant foraigne Style last Munday, as to the two Tennants of meldon they are very honest men, the one is a papist, and his name is William Weldon, his Grand ffather, and his ffather now is liueing and has liued all theire lifes att Aydon sheells vnder your late Good Lord and his ancestors, and he now lives att Capheaton, and has been Steward to old Sr John Swinburne and now is to the old Lady Swinburne, the other mans name is Robert Twisle, and lives att Harborne Grange, and has Uued there for some yeares, and that Estate belongs to my young Lord, they are both very able Substantiall men, and when the agreement was made with them for meldon and meldon parke they would not Comply to pay more than £400 for the first three yeares, because the grounds were mush Run out by the former Tennants, that paid all theire Rents to the publike, and by the misfortune of the times, and that after the first three yeares for a Eleauen more they were to pay £448 pr ann and that was Soe Expressed in the account of the advance Rents I sent your Ladyshipe an account of, and that article was Referd to your Ladyshipe, I shall take care to mind Patrick Davison the marchant in Hexham there was none Spoke to me but him of what I writt your Ladyshipe in that affaire, I haue not Since seen Admiral Dalaval that I Receiued your Ladyships letter, for he is very Bussye in Parliraentareing, upon his nephews account, but I hope to see him in a short time, I had a letter from one Mr. Nicholas Ridley who is now at London, and he writt me amongst other things, that he beleaued the late Coll: Radclyffes Estate, would not be Sett vp to sale this yeare or more, but I cannot beleaue him in that matter, for his Brother Alderman Ridley had and has adesigne in Buying it, and Nicho Ridleys

writing soe is but a Blind, as to the Lead mynes being soe poor, what is allready gott, Cannot be gott againe, and there is noe new Tryalls proues worth any thing, I Cannot tell what Mr Bacon may doe at Green Gill, your Ladyshipe may be assured I shall doe all in my power to Encourage the Lead mynes, I am much affraid there is but litle hopes of that money for the Lead oare that the Comissionrs Enterd vpon, I shall allwayes keep a full yeares annuity of Mr Arthurs in my hand before I pay him another yeare, I thinke it were mush bettor to keep two yeares, for he has noe occasion for it, and what he has he does noe good with it, I spoke to him as your Ladyshipe orderd me Relateing to my Lady Mary Tudor and told him shee was goeing to be maryed, and it woud be a porticular fauour and true freindshipe in him to make a handsome presnt to her at this time, but all the answee I could gett of him was, that his Sister the old Lady Swburne had Spoken to him a boute that matter and he had told her to write to your Ladyshipe what he would doe in that matter, which I am affraid is nothing at all, I wish they doe not Speake for their owne Intrests when they make Application to him but please to keep this to your Ladyships Selfe, as to what your Ladyshipe mentiones in yours aboute those Tennants that paid their Rents to the Gouverment, it is true, that I writt your Ladyshipe that Councell did aduise that such Rents as was paid after my Lords Death to the Gouverment the Tennants would be oblidge to Repay them back if they were able, but there can no thing be done in that matter till the Comissionrs power by act of Parliament is Ended and that will not be till the 24 of June 1723, and Chapes then gett another act of Parliament for a longer time, Mr Edward Ridell of Swinburne Castle dyed last Tuesday, which is a mallancolly death to that famally, for his Eldest Son was in the misfortune with the other Gent, and I am affraid the whole Estate is in a dangerous way, my Lady Mary Radclyfle of Durham is Three Thousand pounds Deep there, all this famally are well and giues their humble Seruice to your Ladyshipe and famally, and I am,

yor Ladyshipes Most obedient Soruant Tho: Errington.

A Madame La Comtesse De Darwentwater dans la Rue haute proche L'Eglise de la Chappell A Bruxelles By Ostend

**23 Apr 1722 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.29-30]

May it please your Ladyshipe

Capheaton Aprill 23d: 1722.

I haue not much to trouble your with at this time, but to acquaint your Ladyshipe that mr Busby and I was at Kesswicke aboute Tenn dayes since, Receiueinge the last Martinmas Rents, and holding Courts there with mr. Simpson the Steward of the Courts in Cumberland, and all the Tennants there that aduariced their Rents att

Kesswicke aboute a yeare and a halfe Since, are giueing vp there farmes, and declares they Cannot be able to hold them, for Corn being very Cheap, Catle very Cheap, noe trade, nor noe money, they Cannot tell what Course to take, and it is the Same in this County of northumberland, and all Countys in England where Lands were aduanced. this is a mallancolly storey but it is a true one, the Cottagers of Dilston was with me last Tuesday att Hexham aboute theire Cottages Rents of Tenn Shillings a Cottage, and Swinburne the Taylers is twenty shillings because he has a Close to it, I find they would pay noe Rents att all, but hopes your Ladyshipe will lett them haue them Rent free, I had your Ladyships order to put them in the Rentalls for the old Lord Darwentwater Built all those houses, and if your Ladyshipe haue a mind to giue them the Houses Rent ffree, I am Satisfyed, they Intend to petition your Ladyshipe aboute this matter, they might haue had some pretence of fauour had they built the Houses at theire owne Costs and Charge, but as my old Lord Built them, its my thoughts they are not Intituld to any. Mr Arthur Radclyffe who liues here, is Goeing to make a ffine Damaske Bedd, which I am told ill Cost him aboute a hundred pounds, it is for him Selfe at prsent, but its my thoughts it will be for this famally a litle while hense, please to take noe notice of it, I had a letter from Mr. Radbourne the 13: of this month, wherein he writt me, your Ladyshipe was mistaken of the 700£ annuity Money being in mrsers ffenwicks and waters hands, but Mr. Radbourne writes me it was all Returnd to him long before your Ladyshipe writt me, I haue paid 500£ more on the annuity account to mrsers ffenwicks and waters as I writt your Ladyshipe in my last and of which I aduisd Mr. Radburne, which makes 1200£ if paid on the Annuities account Since the 14 of July last 1721 and to be Returnd to London, Mr Radburne writt me in his last letter, that your Ladyshipe had writt him aboute the Duple Taxes, and he writt me what he thought was proper to be done, which was to Apply to the Coraissionrs of the Laud Tax, which I thinke is to litle purpose and I writt him soe for all the Applycation that could be made to them was done last yeare, and to noe purpose, for as I haue often writt your Ladyshipe, that all those Comissionrs has Estates lyes in the same parishes where my Lords Estates are, and those Comissioners and others of theire freinds are loe in the Taxes, and if my Lords Estates in those parishes were lessend, then theires would be aduanced, and Euen those persons who seemes and pretends a great freindsbipe and flauour to your Ladyshipe and my Lord is quite alterd when there Interests are any way Concernd ; Mr. Radbourne writes, that if wee cannot preuaile with them this yeare to acquaint them your Ladyshipe will trye it with them, and I beleaue it will neuer be gott done till that methode is taken, your Ladyshipe writt me in your last of the 10: of this month, that Mr. Radburne thought it was necessary that I shall send him Rentalls of the last two yeares accounts, and a perticular of each yeares arreares, which shall be done this Sumer, and a Rentall as the Estate is now lett at this yeare 1722, I shall gett Mr Busby to Cuppy mine to be sent mr Radburne, your Ladyshipe may be assured of it, I shall doe all in my power to serue you and my Lord very Justly, altho I gett the 111 will of some people for standing for your Interests ; I doe not value such people as those are, all this famally are well and giues theire humble Seruice to your Ladyshipe and famally, I am,

yor Ladyshipes most obedent Seruant Tho: Errington.

A Madame La Comtesse De Darwent-water dans la Rue haute proche L'Eglise de la  
Chappell A Bruxelles By Ostend

**25 May 1722 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.30-1]

May it please your Ladyshipe.

Capheaton May the 25th: 1722.

I haue the Honnr of yours of the 22d Instant, which is a great Satisfaction to me to heare that your Ladyshipe and the Childer are all in good health which god allmighty long continue, there is none of the Leases Signed by any of the Tennants as yett, there is noe doubt but they would haue been all Signed if times were as good now as they were two yeares Since, there is euery day greater Complaints for want of Trade and want of money, and Lands will fall as fast as euer they were aduanced for its not poseable Tennants can' hold out to pay Dear Rents and haue noe vend for either Come or Catle, I cannot say any more in this matter aboue but its but a mallancolly Story, as to mr Arthur Radclyffe its not in the power of any body liueing to perswade him to doe any thing for his Relations and for that Reason be must take his ownr Course, I have not Seen Admirall Delavale of late, but I hope before he goes out of the Countrey to London to waite vpon him, and discourse him in that affaire I mentioned to your Ladyshipe, and what pases in it shall lett you know, as to the Taxes I hope wee haue made Some Steps this yeare that will be of Some aduantage to my Lord, last Tuesday 22d: Instant the Comissionrs mett att Hexham being an Appeale day, there was fiue in number, vizt Mr. John Douglas, Capt Cotesworth, Mr. Robert Cotesforth, Mr. Geo: Ledgard, and Alderman ffenwick, the two last gentlemen I prevailed with to come from Newcastle where they liue, to Hexham that day and accordingly they did, and they all agreed vpon this footeing, that as nothing did appeare to them, but that your Ladyshipes Joynture was allowed to you, that was to be dubly Taxt, and all the other part of the Estate Singley Taxt, had Mr. Radburne Sent downe a Certificate from the Comissonrs of Inquirey, that your Ladyships Joynture was not as yett allowed you, it would haue been Single Taxt as well as the other part of the Estate, which the Comissionrs of the Land Tax wanted to See, Mr. Busby writt to Mr. Radburne three times pressingly to send downe Such a Certificate, but none comeing your Ladyships Joynture was Taxt duple, I can assure you that all those gentlemen aboue was very Ciuill and I hope the Rest all ouer this County will follow there Example, I am of that mind that Seuerall of the Tennants will Signe there Leases, I shall pay ffrancis wilson Tenn pounds as your Ladyshipe orders, it will be very Joyfull to me, to Receiue a letter from my Deare Lord and master, Mr. Charleton of Reds Mouth, who is Cheife Bayliffe

in the manner of warke has gott a Conueyance of those Lands in that Mannor, Called Palmars Lands, taken in the name of one Graham in London from one Mr. Ceasar, Mr. Charleton has deliured me the Said Conueyance, and I haue giuen the same to mr John Aynsley to carry vp with him to London, who will be there in foureteen or Twenty dayes time, and your Ladyshipe please to write mr Rodbourne and appoint what protestant you thinke proper to haue the Conueyance made to from Graham of the Said Lands, mr Charleton is to haue noe money on this account, but a new Lease of Buteland farme which he now farmes for one and twenty yeares at the same Rent he now payes which is of £61 pr ann as I writt your Ladyshipe some time Since, and which you agreed to, he may haue Chapemen Enough for it, but it is most Conuenent for my Lord, mr Tuck who is now at London, and is Concernd for the Comissionrs of Enquiry, writt a letter to mr Busby not long Since, that they will not allow her to be an Exrs to either Coll: Radclyffe or mr ffrancis Radclyffe her two Brothers, and shee Cannot hold anything dureing her life, by Hows disableing act, this is my Lady Mary Radclyffe of Durham, which if soe, will be very hard, there is orders come downe from London, to sease of Horses and arms and Secure all disaffected persons to the Gouverment, there is a Camp at Hyde parke, and its talkt there is to be more Camps in other places for the Security of the kingdom, all this I suppose your Ladyshipe has from the news papers from London, this famally are all well, and giues theire humble Seruice to your Ladyshipe and famally, I hope in a litle time to pay more money at Newcastle to be Returnd to mr Radburne, when I doe shall aduise him how much it is, as alsoe your Ladyshipe, whose most obedent Seruant I am, Tho: Errington.

A Madame La Comtesse De Darwent-water dans la Rue haute proche L'Eglise de la Chappell A Bruxelles By Ostend

**14 Jun 1722 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.63-4]

May it please your Ladyshipe.

Capheaton June 14th: 1722

I haue Receiued yors of the 12 of this month new Style, the most of it Relates to one Loraine, and not one word of his Complaints to Sr John Webb truth, I did write your Ladyshipe formerly aboute this man, and Shall now againe giue you an account of him, his Cheife tallant is smoakeing and drinkeing, and has been Runing to and fro vp and downe, and when he was fixt at a place neuer stayd long there, he fell acquainted with mr Geo: Errington who is but an odd Sort of aman, and told him that there was a great many Slaggs and old waist heaps at wood hall Lead mill, which Coll: Radclyffe had a Lease of and was within Six months Expireing, and for which he paid 6£ /ann' Rent, and he told mr Errington that as my Lady Mary Radclyffe was the Colls. Extrix it woud be very proper for him to apply to my Lady Mary and buy those dead heaps and

Slaggs, which mr Errington did, and bought them for 50£ which was much better, and he gott as much Iron as was worth 50£ more, and my Lady Mary being very willing to Catch the 50£ in hand, sold Lumping penyworths and if this Loraine had not applied to mr Errington, and he to my Lady Mary, the Lease the Coll: had woud haue been out in 6: months after, and then those slaggs and dead heaps and all the Iron would haue belonged to your Ladyshipe and my young Lord, which woud haue been worth at least 150£ and if this Loraine and Errington had not medled, I am Senseable noe others woud haue been Concernd, now when they had bought the Slaggs and Dead heaps, then they did not know how to gett the Lead mill at wood hall to smelt them att, but by pretending they woud lay out great Sumes of money in the Lead mynes in Aldston moore, and by that meanes perswaded your Ladyshipe to lett them haue the lead mill for Seauen yeares Rent ffree, which was £6/ann, and besides 3 Tunn of wood which was worth 8£, and they haue not aduentured any thing in aldston moore that Signifies a farthing, nor in my thoughts neuer will to any purpose, but in Short their Cheife designe was to gett the Lead mill after they had bought the Slaggs and Dead heaps, and now what Loraine wants widdow Browns House for is to keep an ale House in, her husband was a seruant to Coll- Radclyffc for aboute 20 yeare and was a very honest man and farmd £39 a yeare of my Lord and his widd Browne farmes it now and pays her Rent very well, the farme shee farmes is a prety distances from the place where shee liues but has very badd houses vpon it, I cannot Say shee stands in need of Charity tho her husband Browne left her but £3 a yeare, where shee now liues shee keeps an ale house and makes a prety good shift to liue, haueing but one Child and that a boy, I onely leaue your Ladyshipe to Judge what fauour Loraine deserues when he was the occassion of Soe much loss to your Ladyshipe and my Lord, and that his masters does nothing in Aldston moore to any purpose, the few men they Imploy there I am well Infonnd they doe not pay, and Such work as that will neuer Carry on a trade, I can assure your Ladyshipe Loraine tells a very great lye of me of being his Enimye, for you may be assured that if I see any prospect of his masters or of his Carrying on a good trade in Aldston moore in the Lead mynes, noe man liueing shoud be Readier to Encourage them then my Selfe, but I see noe such thing, and in a litle time I shall write your Ladyshipe More aboute this matter, and in case your Ladyshipe will haue me to Turn widd Browne out of her house and put Loraine in it, please to write me two lines to doe it, and it shall be done, shee is willing to pay forty shillings a yeare for the house, and that Rent Since her husband dyed which is three yeare Since, your Ladyshipe please to ask mr. sarsfeild aboute her husband who knew him very well, it is not an vsuall time for any body to Remoue at this Season, Mayday being the Comon time of Remoueing and entering to houses and farmes, I ask your Ladyships pardon for this long letter, but its what is matter of fact, all this faraally are well, and giues their humble Seruice to your Ladyshipe and Childer, and to the new maryed Cuple to whome they all wish health and hapyness to, I shall pay mr. ffenwicks and waters a Thousand pounds and more, as soon as I am able to Ride abroad, I haue been very ill of an ague euer Since I writt your Ladyshipe my last letter which is twenty day Since, and it is a generall distemper all ouer this Countrey, and I had besides it a Seuere Cold in

my bowells which was very dangerous as the Doctors told me, thanke god 1 am Much better, when I say mr. ffenwick and waters the money which I hope will be in aweeke or ten dayes at furthest, then I shall write your Ladyshipe and lett you know what money is in my hand, I can assure your Ladyshipe that money euery day growes Scarser and Scarser, that in a litle time 1 am affraid many Tennants will be Ruined, I send your Ladyshipe a note here Inclosed, I had from mr. Tuck who is agent in the north to the Comissionrs of Inquirey he is now at newcastle, but goes for London on Sunday next, it is a great pity that Estate in yorkshire shoud goe from the famally, being one of the best by farr that belongs to it, at the Rent it is now lett for which is £446 OO: 04d. /ann besides the advousion of a Church there this Estate has not been aduanced for a aboue a hundred yeares, it woud be a very good thing in your Ladyshipe to gett Sr John Webb to gett Some body to purchase it Some will Certainly gett a very good purchase of it, I cann assure your Ladyshipe, that who euer Infonnes your Ladyshipe they are very much mistaken that meldon and meldon parke are Cheape lett, for your Ladyshipe may depend vpon it the Tennants will not Signe their Leases till they see how times goes and that trade doe mend, and that is a very demonstration that their farmes is not Soe Cheap as is Represented to your Ladyshipe, nor neither is there one Lease as yett signd by any Tennants that agreed for their farmes and that is agreat signe they are not Soe Cheape, it was the South Sea that made farmes advance, when Such extrordinry prices was giuen for purchaseing Estates, wee haue gott an abatement of the land Tax for Dilston, the Land in Corbridge, Spindleston and Vttchester, and midleton hall, as for the other parts of the Estate wee haue not gott any abatement on the account of Duple Taxes because the Appeals dayes was ouer before Mr. Radburne writt from London, but hopes next yeare all the ... will be abated, howeuer all the Estate will be one third less this yeare 1722 then it [was] in 1721 being that yeare 3s. in the pound, and this yeare 1722: 2s: in the pound 1 haue [no] more to add at prsent but my humble Seruice to my Lord, and the famally, and I am,

Yor Ladyshipes most obedient Seruant Tho Errington

Mr. Aynsley the attorney is now at London who will doe your Ladyshipe all Sarvice in his power.

A Madame La Comtesse De Darwent-water dans la Rue haute proche L'Eglise de la Chappell A Bruxelles By Ostend

**9 Jul 1722 Charles Busby to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), p.127]

Madam

July the 9th 1722.

With uttmost concern I am to acquaint your Honor that yesterday aboute 7 in the morning the Divells water began to rise and aboute came up to that lenth that it ranne over the Bridge goeing into the Parke allmost as high as the Gates, the flfence I made made [sic] 3 years since stood firm as did the Bridge, save that ye Battlem't is drove of aboute 8 or 10 yards. The Damme y't turns the water to the Mill, is entirely drove away timber and stones, which damadge I fear £40 will not make good, the Bridge att the Mill rec'ed no harme, but the worst Current of Water, broke down poor Math. Thompsons ffences, and tooke into his Corn w'h is now lyeinge flatt to the Ground halfe covered w'th sand wherever the drift of water came ; what adds to the misfortune was the Tine riseing att same time, which covered the wide haught intirely, and halfe of the other melds growing w'th Corn, belonging to Math. ; and now Towne Tennem'ts qvits from Widehaugh beyond Corbridge. The water is now oute of the ffields, but a malancholly sight to see the Corn lyeing in the manner it does. The Warren Math, has been nurseing upwards of 3 yeares, and just brought into order, is now in a Manner totally destroyed and the Widehaugh all over so covered with Sand and dirt that neither Sheep or Beast can live there. The Damadge in the Barrony is verry great but that falls for the most part amongst the 99 yeares Leasers y't are able to bear the Loss, w'h these others are not able to do. last Thursday I returned oute of ye North, and hopes I have so settled matters there, that your Honor will be no further a looser by the Tennant of Spindleston and Uttchester, then the lyeing oute of the Ren[ts for 6] or 7 months. My Wife joyns in her most hum[ble] Duty to your Honor, my Lord, & Lady Anne. I am w'th uttmost Respect

Madam Your Honors ever most obedient humble servant

Char: Busby.

For The Right Honorable the Countess of Darwentwater att her House in Bruxells  
Brabant p d 4

**23 Jul 1722 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.67-8]

May it please your Ladyshipe.

Capheaton, July the 23d: 1722.

I haue Receiued your Ladyshipes letter of the 8th: of this Month, I am glad your Ladyshipe has the true thought of mr. Loraine and his Masters Concerneing widd Browns House, it is plaine that they doe not Regard the Intrest of aldston moore, when they make Such apretence aboute that House, I am very glad to heare that your Ladyshipe and the Childer are well, God almighty Continue it, I obserue very well what your Ladyshipe writes aboute Mr. Simpson, if you would giue him a Thousand pounds he would make quit of it, and Spend it, for he is adowne Right Graceless as euer I knew, and Neuer would take anything in hand that was Good, but Still Idle, he



is in morpeth Gaoll in Northumberland, and not in yorke Gaoll as your Ladyshipe writes, it is the Gaoller of yorke that puts him in where he is, and that man must be applied to by Some body that has an Influence with him, to treat with him, and bring him to termes as loe as Can bee, for this Simpson and other three men that were prisoners with him in yorke Gaoll, Ruined the Gaoler that was there, and he was turnd out of his place, which was worth 80£ ayeare profitt to him, and neuer gott into it againe, for being to Ciuile and kind to them, and they Run away and left the Gaoler in the Lurch, in my thoughts I cannot See that he Suffers in the least vpon your Ladyshipes account, for he and a great many more Such louse Sort of men as he, was very glad of Such an oppertunity as hapend at that time, I shall acquaint Mr. Busby to manage this mater as well as he can, and to send your Ladyshipe the Receipt you want, but the Tennant Mathew Thompson who is in a maner all most beggerd, as I shall tell your Ladyshipe afterwards, desires that when Simpson getts out of Gaoll, that he may not liue at Dilston, for if he does, he will Certainly distroy and kill all the Rabitts, for he Cannot liue there but he must and will kill and distroy them, what I haue now to write your Ladyshipe is a malancolly account, of the great damages done by the great floods that hapend the 7: and 8: of this prsent Month, by the Riuers Tine, wear, Darwin, Deuills water, and Seuerall others, it is Reckoned by the driueing downe of bridges, Spoile of meadows, Corne, and pasture grounds, to Twenty Thousand pounds Damages, and amongst the Rest, your Ladyshipes Tennants comes in for a good share, Mathew Thompson a farmer of Dilston has all his pasture grounds ouer flowed and Sanded with the flood, and a great deale of his Corne Spoiled by the flood Runing ouer it, his Rabitts which was very much Increased by mr. Simpsons being in Gaoll, is most or all drownd by the flood, he computes the loss of the Rabitts to 50£ or Sixty pounds, the other Tennants of Dilston has much damage done in their Corne by the flood Running ouer it, and Dilston Mill Dam which was a Strong dam all made of Good oake Timber is all gone away by the flood, it will Cost 40£ or 50£ to Rebuild it againe, and there is all your Ladyships Tennants of ffourestones which lyes aboute halfe amile from the River South Tyne, has a prety large feild that lyes neare the said Riuer, that was all ouer flowed with water and Spoiled, there was wheat, Rye, Bigg, oates, and pease groweing in that feild, and all spoyld, there are Seuerall more besides what I haue Mentioned, your Ladysp I suppose has heard of the Sale of whenby Estate to one Mr. Garthforth of yorke a wine marcht, in my thoughts it is Cheap, being Sold for 7210£, I am much affraid Seuerall Tennants will breake, there being noe Trade, nor noe money for either Corne or Catle, and money is very Scarse and hard to come at, that people ought to be good husbands of it, but it is a generall Complaint, and other peoples Tennants that are aduanced, will find it as well as your Ladyships, wee haue had very great Raines euer Since the begining of may last, and wee haue now very wett wether, and a very bad hay haruest, our Corne not being Ripe as yet, I hope it may be better wether, in a litle time, all this family are well, and giues their humble Seruice to your Ladyshipe and family, I am, Yor Ladyshipes most obedient Seruant ; Tho: Errington.

A Madame La Comtesse De Darwent-water dans la Rue haute proche L'Eglise de la Chappell A Bruxelles By Ostend

**16 Sep 1722 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.68-9]

May it please your Ladyshipe.

Capheaton 7ber 16: 1722.

I haue Receiued your letter of this Same dayes date foraigne Style, and obserues what your Ladyshipe writes me, that there is as mr. Radburne writes your Ladyshipe, in mr. ffenwick and waters hands of the money I paid them a 1131£ : 03s. : 04 ½ d. which I much admire att, for they promised me before this time they would Returne it all to mr. Radburne. I shall write them to Return him 350£ with all speed as your Ladyshipe orders, and to

Returne the Remainder as Soon as poseable, I am very much Surprised that mr. Radburne should pay mr. wright 78£ 3s. : 4 ½d for Returnes, and neuer writt me one line abopte it, which is 37£ 2s. 6d. more then the Returneing of the money woud haue come to Since I paid them for Returns, which was the 9: of January 1720, wden I paid them 89£ : 10s. : 00d. att 10s pr Cent, and what I haue paid them Since that time the Returneing of it (if it were all Returnd comes but to 41£ being 8200£ at 10s. pr hundred, comes but to 41£, but I thinke it must be some mistake that the 78£ 2s. : 6d. paid mr. Wright, must be vpon Some other account, for I cann assure your Ladyshipe I was Resolved to pay them nothing for aduance of there bills sent to mr. Radburne, Except your Ladyshipe had orderd it, I obserue what your Ladyshipe writes Concerning my accounts, I am sorry I cannot please your Ladyshipe and mr. Radburne aboute them, but especially that Gentleman, I wish your Ladyshipe woud write him to send me a methode in what way he would haue them done and I shall obserue it, and if your Ladyshipe haue any body that you shall thinke more proper then I am to Recomend or oblidge, I shall quitt when euer your Ladyshipe pleases, this is the Third yeare Since I came downc and has been Concernd, vizt, 1720 : 1721 : and 1722:, but this yeare will not End till pentecost next 1723, and by that time the Rents due last pentecost and next martinmas will be Receiued, and what arreares has and will be due in the said three yeares shall at pentecost next, be giuen an account of, and alsoe the Taxes, and the Rentalls for the said three yeares Shall be Trans Scribed and Sent your Ladyshipe, I haue noe body to write or assist me in Trans Seribeing any bookes or Rentalls, but what I doe my Selfe, I would your Ladyshipe would write to mr. Busby to assist in that matter, I vnderstood when your Ladyshipe sent him downe it was vpon that account he came to assist me, but I begg your Ladyshipe will write him in a calme way and take noe notice to him that I desired it, I am very much oblidged to your Ladyshipe for theConcerne you haue for my health, I thankeGod I haue my health Indifferently well

wee haue had a very wett Sumer and a very Indifferent hay haruest and a Corne haruest, and a great Many people has been much afflicted with agues, your Ladyshipe may be assured I shall doe all that is in my power to Serue your Ladyshipe and family, and be very faithfull Just and honest to it, and if there be any body that Represents me otherwise, they doe me Injustice, and pray god forgiue them, I am very glad to heare your Ladyshipe and family are all well, and I hartily wish a long continueance of it, all this famally are well, and giues there humble Seruice to your Ladyshipe and family, your Ladyshipe Sayes nothing in your letter to me Concerneing the Repaireing Dilston mill Dam, I suppose your Ladyshipe may haue giuen mr. Busby orders about that matter, I told him aboute mr. Simpson in morpeth Gaol in this County, but what he has done in that affaure I know not, I haue not more to add at prsent, but to assure your Ladyshipe, that I am. yor: Ladyshipes most obedient humble Seruant,

Tho: Errington.

**27 Sep 1722 Charles Busby to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.127-8]

Madam

7br the 27th 1722.

I have the honor of two letters from your Lad'p the first of the 9th the other of the 10th new Stile, to both which I differed owneing the receipt, that I might give your Lad'p a more particular answeare thereunto ; As to ffranke Simpson I wrotte 2 letters to a ffriend att Yorke y't I belived had some interest in the Goalei ; not mentioning any thing f 'm y'r Honor but as f 'm my selfe, but the termes att present are to pay ye Goaler £26 ' 3s 6d and his attorneys Bill 30 12 8 so shall have them to pause on the matter, till I have your Ladyshipps further pleasure herein. The Gen't that succeeds Mr. Loraine has been here, when I told him what your Honor had wrotte; for w'h he returned his thanks and seems verry willing to comply w'th the Duty incumbent upon him. My Acc'ts frm July the 6th 1721 to Aug't the 24th 1722 I sent Mr. Rodbourn some dayes since but have had no answeare of the Receipt of y'm as yett. As to the Mill Damme I have consulted all sorts of people in y't matter and thinkes best to make no Agreem't att all, but have it don by day Taile worcke, since when att Home I have it constantly under my Eye to inspect att all times. As to the Ten't att Spindleston and Uttchester I have Mr. Errington to give your Honor an Account thereof he haveing been there this last weeke I being obliged to go to Newcastle and Durham, w'th ye agent to Hon'ble, &c. who came f 'm London on L dy M ys affaires and to talke on several matters w'th me relating to Rents, Notes, Dves &c. rec'ed by Mr. Elstob, for w'ch he has never accounted one farthing with his Masters, as also concerning the Yorkeshire Estate, w'h he sayes he can gett on same terms lately sold, which I take to be 3000 within the valve supposeing the Countess Dowger should live ten year, he is now on his Roade to London, and I expect

to have a more particular account when he comes to Yorke where the p'son lives that made the purchase, which I shall send to your Lad'p hoping your Honor will not pass y't matter over, which may turn to so great and [sic] advantadge to my Lord and be brought aboute in a manner with oute any trouble to your Honor or ffriends, for that the Estate will bare raiseing f'm 443 0 4 p. an. to £550, which advances when the taxes are reduced to be single, will in a manner bring the Estate to clear the Countess Dowerg's proportioned Rent Charge, interest money for the purchase, and Taxes, even dureing her Lad'ps life time, when afterwards the Reversion will come in clear as well to my Lord as the purchaser. This Madam is w't I thought proper to lay before your Honor which when approved of by your Lad'p, or otherwise disagreed to, as your Honor shall thinke best for my Lords advantadge I most humbly submitte to your La'ps determination being in all Humble Duty, Madam | Your Honors Ever Most ffaithfull | Obedient Humble Servant

Char: Busby.

My Wife sends her most Humble Duty to your Honor, Lord, and Lady Anne.

For The Right Honorable the Countess of Darwentwater att her House in Bruxells  
Brabant p d 4

**4 Nov 1722 Charles Busby to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), p.128]

Madam

9br. the 4th 1722.

I have the H'or of 2 letters from y'r Lad'p, as to my Acc'ts I made them to Bartholomew day 1722 w'h being the day I entered into your H'ors Service, I would have y'm stand annvally to yt day, but shall bring y'm on to any other time y'r Lad'p shall be pleased. As for wrighting or draweing oute any Accounts, or Rentalls I shall never refuse to do it, and am to go to Capheaton next weeke aboute some to be sent y'r Ho'r. Wee are perfectly happy in our good Gen't and I hear nothing to the contrary but his masters are contented also ; the other Gen't has begun in Aldston Moor, and I hope will do well, but if any thing should happen to the contrary y'r Lad'p may depend of knowing it : Notwithstanding this I can not say all greevances of this kind are redressed, Mr. Garlingtons behaviour has given scandall near 20 year, but much more publiqe within this Six Months ; the original began from an Attache he tooke to one Mich- Bell and his Wife, the man a mean blockheaddy ffellow, and the Woman of no good Character. Howsoever have so deluded him as to spend 400 or 500 of his moneys, and w'n y't would not do to support their extravagances he has borrowed other

considerable Summs upon his promiss to keep them harmeless y't either lent the Money, or became bound for it, but Mr. Garlington now being insolvent, these poor people are become great sufferers particulary one who had his goods taken in Execution the other day for 60 pounds, and is intirely ruined by ye same f'm these doeings arise ? of an othere ? w'h I shall pass over, and onely lett y'r Honor know y't before Xmas last Lady Mary entrusted Mr. Garlinton w'th 30 to bring to me to pay the poor and some other Charitys her Lad'p had ordered, w'h money he payed next day to Mr. Sanderson hi part of Bells Rent, and never has not repayed my Lady one ffarthing of it save 5 pounds. Mr. Carnaby knows all these matters, and is for haveing him removed, as no qvestion but he would if your Honor was desirous of the same, for complaint is made by the Poor and on Man to my Lord B op ; I shall write to Yorke againe this Night aboute ffranke Simpson and if no satisfactory answee comes to it, I thinke (if y'r Lad'p be so pleased) the cheapest way will be to go over my selfe, and see how ffarre read^ money will prevaile, for nothing will do w'th these Beggarly Cattle but to carry it with a high Hand, and alleadge, y't y'r Lad'p is no way bound in honor to do any thing towards his releasment. I am in all Humble Duty

Your Lad'p Ever most ffaithfull obedient Hum ble Servant  
char: Busby.

My wife sends her most Madam Humble Respects to your Honor, my Lord, and Lady Anne.

For The Right Honorable the Countess of Darwentwater att her House in Bruxells  
Brabant p d 4d

**5 Nov 1722 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.69]

May it please your Ladyshipe. Capheaton Nouember the 5th: 1722

This day I haue paid Mr. Fenwicks and waters fifteen Hundred pounds, to be Returnd to mr. Henry Radbuane att London for your Ladyships vse, there is one Thousand pounds of it, out of the Estate Computed at or aboute three Thousand pounds pr ann, and the other ffiue Hundred pounds, is out of the money belonging to the Annuities, I did thinke it was proper to pay this ffiue Hundred pound on the annuities account, least mr. Radburne might haue occassion to pay those that may want their Annuities, I haue writt mr. Radburne this Same day to lett him know it, I doe not heare as yett, Sr: John Swinburns Lady is with Child, all this ffamilly are well, and giues their humble Seruice to your Ladyshipe and familly, and your Ladyshipe may be assured of it, that I am,

Yor Ladyshipes faithfull and most obedient Seruant, Tho: Errington.

For The Right Honn r able the Countis of Darwentwater att Bruxells in Flanders by way of London to Ostend pt pd London.

**3 Dec 1722 Charles Busby to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.157-8]

Madam

Xbr. the 3d 1722

I have the Honor of your Lad'ps of the 25th past, and as to my Accts Mr. Rodbourn writes me that as to the Date and Annvall p'riod of them tis well enough with oute any alteracon of them, so shall lett them stand as now sent up. Some dayes since I rece'd f'm my ffriend the Malancolly News y't notwithstanding all endeavours to the Contrary y't Com'rs had sent down precepts to the Sherrifes of Bishopricke and Northumberland to take possession of all my L y M y's Estates, whereupon I went over immediately to Durham, where (tho they had y't same notice w'th me) not one single stepp was taken to prepare the Ten'ts against the Storm or any Intrest made to the Serriffes (sic), however my journey was taken extreamly well, and such Methodds have since been taken that one Tennant has. not turned to them this last Weeke wee had a Meeting att Newcastle in order to have Mr. Seriant Cuthberts Opinion on these Affaires, but he lyes Weather Bound in the Country so must be forced to go againe. These Journey's are verry expensive but I have not time to consult your Honor before hand, and if I sette still I dont see but they may tamely [?] take all, which would be a verry great prejudice to my Lord, for I do not despaire, if matters are drove to the worst, but to secure his Honor aboute 800 p. an. When att Durham I gave Mr. Ca by the particulars of your Honors relateing to Mr. Garlington, & desired him to make the Superior acquainted there with The Gen't that came in Mr. Loraines place, has not been in Aldston Moor, as I wrotte your Honor, in my last he had, depending on his word for his goeing. I have wrottc him aboute it some time since, but have no answeare, he is much at Cheesburn Grainge, & whether he will ever go or not I can not tell, however the people shall not be destitute this holy time, for in Case he does not comply w'th your Honors offer I will send Mr. Thompson who is acquainted in y't Country to do the Duty till I have your Lad'ps further pleasure herein. I am in all Humble Duty

Madam Your Honors Ever Most Obedient Humble Servant

Char: Busby.

My Wife sends her most humble Duty to y'r Ho'r little Lord, and Lady Anne w'th humble thanks tor y'r Lad'ps kind present, and remembrances of her.

For The Right Honorable the Countess of Darwentwater att her House in Bruxells  
Brabant p d 4

**22 Dec 1722 Charles Busby to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), p.158]

Madam

Xbr. the 22d 1722

The inclosed I thought convinient to send y'r Ho'r. that your Lad'p might the better give an answere in Case Mr. Garlington should write to y'r Honor. He is now returned into these parts, and as I am told does not valve the reflections y't are cast upon him by all people, so not likely to alter his Course of life, continvally shuffieing f'm place ta place, and never abideing where he should be. As to L y M y's affaires there is little more don in y'm y'n w't I wrotte y'r Ho'r in my last ; save y't wee have had Serjiant Cuthberts Opinion w'h is verry darke on her Lad'ps side, if all be Law he sayes, w'h I much qvestion so hopes she will take the Opinions of others that are more immediately concerned in these Matters. As to ffranke Simpson I have lately had a letter f'm the Coaler and 2 f'm his Attorney all to no purpose, the ludgm't he is layed up for is but 38, on paym't whereof he may be discharged but will afterwards be lyable to the subsequent charges so that if he be not entirely cleared, the payeing of the ludgment will be lost money's, as your Ho'r designs he should be att liberty ; upon the whole I shall differ doeing any thing further till I hear againe f'm your Lad'p w'n I shall obey y'r Ho'rs Commands. My Lords Birthday wee observed w'th prayer in the Morning, and did not omitte drinkeing his Lod'ps, y'r Hon'rs, Lady Anne and ffamileys good healths in the afternoon. My Wife beggs leave to ioyn in. humble duty to your Ho'r my Lord, and Lady Anne ; being eqvally w'th my selfe.

Madam | Your Honors Ever Most | Obedient Humble Servant

Char: Busby.

For The Right Honorable the Countess of Darwentwater att her House in Bruxells  
Brabant p d 4

**23 Feb 1723 Charles Busby to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.158-9]

Madam

ffeb: the 23d 1722[-3]

Persvant to yo'r Ho'rs com'and I have been att Yorke, and after long strugle-compounded Simpsons Debt, since w'h time I been att Morpeth and released him oute of Prison, gave him a Ginnea f'm y'r Lad'p, and told him everyy thing y'r Honor was pleased to order me. The sum he stood charged with att Yorke was 56 12 2 what I have layed oute for his releasm't travelling Charges and all other expences included is 38 19 for which he now stands clear of all things, excepting 5 10 '0 w'h the Goaler of Morpeth charges him w'th all for diette and lodging, whilst in his Custody. But this I told the Coaler I could not pay with oute y'r Ho'rs order, so he tooke Simpsons note for that sum, till such time I had y'r Lad'ps pleasure in it.

As to Lady Mys affairs I have good hopes of y'm both f'm my ffriend, and Mr Rbn, so did not mention w't y'r Lad'p wrotte on y't secure, w'n att Durham for fear it might give offence, when there was no p'sent occasion, of speakeing of it : Workmen are 'now on att the Mill Damme, w'h I hope to see compleated by May day and when that is finished, would have something don att the Divills water, to prevent the ffloode coming into the Corne ffields, below the ffourd leading to Hexham, A charge now if taken in time of aboute ten pounds but if neglected may prove of ill consequens, and a great charge hereafter^ As to the Wide Haugh Head your Honors orders are verry iust, to have the Charges first computed, which can not so immediately now be well don, by reason Sr Wm. Blacketts should be first consulted, for some Libertys in his side the W . . . which when granted, may save very consider ... of that Expençe. With myne and my wifes most humble Duty to your Honor, my Lord, and Lady Anne I begg leave to remaine

Madam | Your Lad'p Ever Most | Obedient Humble | Servant  
Char: Busby

For The Right Honorable the Countess of Darwentwater att her House in Bruxells  
Brabant p d 4

**25 Apr 1723 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.69-70]

May it please your Ladyshipe. Capheaton Aprill the 25th: 1723

I writt your Ladyshipe about a month or fiue weeks Since, and then told you what money I had of your Ladyships in my hand, and haue Since that time gott some more, I desired your Ladyshipe to lett me know how much I must pay to mrsers ffenwicks and waters, to be Returnd to London to mr. Radburne, but I haue had noe answer from your Ladyshipe as yett aboute that affaيرة, mrsers ffenwicks and waters, and mr. Radburne, agrees in there account, of what money I paid to ffenwicks and waters as they told me last weeke, I cannot omitt acquainting your Ladyshipe what has hapend, lately, and Since I writt you Relateing to the ffarme of Buteland, which mr. wm



Charleton of Reedsmouth now farmes of your Ladyshipe, and which he is to haue a new Lease of againe, at the Same Rent of 86£ / ann vpon his procureing a good Tyle of the Lands in the manner of warke to those you shoud name in trust for you but Mr. John Aynsley does not Aproue of the Tyle to be one of the best, mr Robert widdrington, whose Eldest Brother mr. Henry widdrington, was Killed by the Said mr. Charleton, as all people beleaued, for mr. Charleton ffludd out of this Kingdome vpon that misfortune now this mr. Robert widdringtons ffather farmed this ffarme of Buteland which mr. Charleton now farmes and this mr. Robert widdrington has Lands to the value of aboute 120£ / ann Joynes vpon Buteland, Called Broomvp, ffellin, Steell, Hindhaugh, and Stidley hill, which came by his mother, and the old ffrancis Earle of Darwentwater, when Sr ffrancis Radclyffe Bart Bought those Lands which mr. Charleton now farmes of the Said mr. Robert widdringtons mothers Sister, they being two Heireses, and that Sister Intermaryed with one mr. Sutton, of whome Sr ffrancis Radclyffe purchased from. Sr francis and this mr. widdringtons ffather, whose name was william widdrington, being very Intimately acquainted, made a Deuision of those Lands, and which was aboute fifty yeares Since, but neuer Reduced into writeing, and Buleland was allotted and Sett for Sr firancis part, and the other Lands aboute named was allotted and Sett for mr. widdringtons part, but now mr. Robert widdrington thinks and beleaues that Buteland which is your Ladyships part, and which now mr. Charleton ffarmes, is of more value then his Lands are of, and woud now haue a new Division, and as there was noe writeings drawne of a division fformely, he hopes the Law will allow him one now, and this mr. Robert widdrington told me before two very Substantiall men, that if he could haue a new deuision he would giue your Ladyshipe 160£ / ann' which is now but 86£ /ann which is 74£ /ann' aduance Rent, and what those Palmars Lands in the manner of warke may Turne to, noe body knows, I writt all this to mr. Radburne aboute Tenn dayes Since, if your Ladyshipe haue amind to be kind to this mr. Charleton I am very well pleased with it, but it is my Duty to lett you know what I am Informed of for your Ladyships Intrest and my Lords, this mr. Charleton has a Brother that is a Doctor of Phisicke, who has been, and still is a bitter Enimye of mine, he maryed my Cosin Erringtons widdow of wallicke Grange, and by that Marriage he came to be my Enimye, he made me pay 280£ for a ffine 4 yeares Since, which before was but 14£ ffine for a Lease of a small parcell of Ground belonging to the Duke of Somersitt, and now wallicke Grange Lease which the Doctor lives in, and belongs to his Grace is neare Expired, and he will make me pay 3: or 400£ more for the Renewall of that Lease, if your Ladyshipe would be Soe kind to me, as to write to mr. wm. Charleton your Bayliffe in the mannor of warke, to preuaile with his Brother, in not Setting vp to bidd against me, for the Lease of wallicke Grange, it would Saue me a great deale of money, and if Soe, then your Ladyshipe might Show Some more fauour to mr. Charleton aboute Buteland ffarme, and I hope my Lord will gett more by me, then euer he will gett by mr. Charleton, but I leaue this to your Ladyships owne Consideration to doe as you thinke proper, I Cannot but put your Ladyshipe in mind, and I thinke it very proper for your Ladyshipe to write to your vnkle mr. Arthur Radclyffe who liues here, and Giue him an Invitation to Dilston House, I doe this for

Seuerall Reasons, which I shall omitt here, att prsent, I am sure he will be very well there, and want for nothing that is Conuenient for him, all this family are well, and Giues there humble Seruice to your Ladyshipe and family, and your Ladyshipe may be assured of it that I am,

Yor most faithfull obedient humble Seruant, Tho: Errington.

A madame Madame La Countese de Darwentwater Dans La Rue Haute Proche de La Chapell a Bruxells pr ostend to a Londra pst. pd. 4d: to London.

**27 Apr 1723 Charles Busby to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), p.159]

Madam

Ap: the 27th 1723

My Ly My continuing so verry much oute of order, I went over last weeke partly on business, but more particularly to inform myself of the State of her health, and posture of Affaires in Case of Mortality. As to the former according to the Acc't the Gen't gave me she cant continve long, and as to the latter I do not find any will has been made, Since the death of either of her Brs. and how to advise, as the Case now stands, for the best to my Master, putts us both to a stand, so have stated the Matter above and when T have rec'ed their thoughts, shall then go over againe to the Honest Gen't who I dare ansvere will do all he can, for your Honors Servis. He desires, that not withstanding y'r Lad'p, has had no Answere to your fformer letters, that your Honor would not omitte writeing now some times, for that her temper is such that she loves to beCourted to do the thing her naturall Inclinations lead her to of her owne accord. Our Mill Damme is now near finished the Charge whereof when compleated your Honor shall have in particulars. Twould be much for your Lad'ps advantage, if your Honor would be pleased to signify your pleasure with this Town Tennants, both now and old, for till they come to new Agreem'ts none will burn Lime or Manure the Ground in any tollerable manner as itt ought to be. With the tender of myne and Wifes most humble Duty to your Honor, my Lord, and Lady Anne I begg leave to Remaine

Madam Your Ladyshipps Ever most Obedient, Humble Servant,  
Char: Busby.

For The Right Honorable the Countess of Darwentwater att her House in Bruxells  
Brabant p d 4

**13 May 1723 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.70-2]

May it please your Ladyshipe.

Capheaton May the 13th: 1723.

I haue Receiued yours of the 4th: of this Instant, in which your Ladyshipe tells me, that you had a letter from Sr John webb, aboute Some affaires, that your Ladyshipe had writt to him aboute, and amongst Which you had writt and acquainted him, that you coud not gett the Rents Raised, by Reason of the badness of the times and that Sr Johns answere was, he was much Surprised at it, for tho the Tennants are now hard Enough put to it att the time this was proposed it was otherwise, this your Ladyships obserues is truth, but those Tennants that was Raised by the hight of the South Sea Cannot be able to hold them at those Rents they were aduanced to, for Trade being Soe much Sunke and decayed in two yeares last past, by the fall of South Sea, and want of money and want of Trade, that put the Case that the Tennants that were aduanced had Signd there Leases and then could not afterward be able to pay there Rents, I thinke it was all one whether they were Ruined with Leases or without Leases, and as to what is Laid to my Charge aboute iot getting the Leases Signd in time, I am cleare of that fault and Imputation, for after the agreements was made with the Tennants by me, I Imediately gaue the agreements to mr. John Aynsley attorney at Law who drew the Leases and I pressd him from time to time to gett them done with all hast, and when he had done them and Sent them to me, I Imediately Sent them to. mr. Rodbourne to be sent to your Ladyshipe to be signd, and as Soon as I Receiued them againe from mr. Rodbourne, I carried them to mr. Aynsley and pressed him very hard to Send for the Tennants to Execute theire Leases, and most or all of them that were high aduanced Refused to Signe, Saying they coud neuer pay Such a large aduance Rent, for they woud all be beggers in a yeare or two, and giueing for Reason the want of Trade and want of money, and as to what Sr John obserues of a saying of an acquaintance of his, that had been the last yeare in the north, that the Estate was vnder a very ill management which he said had noe Influence vpon him and that he made answere he thought this coud not well be, Since the Estate was Raised Considerably, but that finding it otherwise after Repeated assureances from my agents of its being Effectted he coud not but waver in his oppinion, and feare there is too much ground for the Report, now as to this part of your Ladyships letter I make answere, that the Estate as yett is very litle abated of what it was aduanced to, and I appeale to any body of Reason and that is not partiall, that the times Gouerns euery thing, and if times are good and a good trade and plenty of money, then Estates will hold vp, but when times are bad as they are now, and noe Trade and noe money, Surely Estates must be Effectted, and your Ladyshipe has a true notion of the affaire, that what Signifyes it to Raise Rents when the Tennants Cannot pay them, then by doeing of that, you breake your Tennants and Spoyles your farms, I know the man that has made those Remarks and false malitious Informations, and I name him to your Ladyshipe, and it is mr. George Errington and noe other person, who Runs aboute the Kingdome and to Insenuate him Selfe into euery bodyes Bussines and theire faouours if he can, but Realy he is now Soe well Knowne in these parts that

noe body will beleaue him or Imploy him, all I haue to say to your Ladyshipe is, that I begg you will order any honest Judicall man to come downe into the north and Inspect the affaires that is Complained of, and that Such a person as is Sent downe to Inspect, may be a man of Sense and noe malice to others and be Impartiall, and lett him make a Report of what he Shall find amiss in mismanagement, then I shall be very well pleased to be Censerd, I know all this Informers malace proceeds from the affaire in Aldston moore aboute the Lead mynes there, that I opposed him there from bringing in one Loraine his Seruant to be concernd, there as moore master, and opposing him in the getting into the House att wood hall were Cuthbert Browns widdow Liues and there he woud haue kept an Alehouse, he has giuen it out in Seuerall Speeches that his master mr. Geo: Errington was Soe much in fauour with Sr John webb, that he did not doubt but to gett me turnd out, I can assure your Ladyshipe this mr. Errington neuer did good to any body he was concernd for nor to him selfe, and I can make it appeare he has been 20000£ loss to my Lords familly, and I am Sure I have acquainted your Ladyshipe with this Some time Since, I am Sure there is very few or none of the Tennants but if times doe mend but what will Execute there Leases, I am Sure it is a most Sadd thing to liue by the oppression of Tennants or any others in their power to Ruine, your Ladyshipe need to be in no paine for the prsent Tennants Rents that are not Raised, and I know of noe Lands that are Rauadged or not well husbanded but Dilston is the worst, and that occassioned by the great floods which has taken away the Lime and manure nay Euen apart of the Soile it Selfe, mr. ffenwicks and waters haue Returnd mr. Rodbourne all the money I haue paid them and there account agrees to a farthing I must owne the Dilston Tennants will be able to pay what they owe your Ladyshipe, but Cannot Continue there farmes any longer then mayday next vnless they haue an abatement of the Rents they now pay, as to mr. Thorntons Tennants I know not much of there farms, but I am Satisfyed they will be vnder the Same misfortune as others in Generall are in this County, for I know that Sr wm. midleton Doctor Ogle and Some others am forced to make an abatement of there Rents that were aduanced by the South Sea, I can assure your Ladyshipe it is a very great trouble to me that your Ladyshipe shoud be soe troubled and mortified with Such Complaints of my mismanagement of your affaires, and whenever your Ladyshipe shall thinke fitt to discharge me I shall obey it, vpon affaire and Setled account, I haue on the other side sent you a Copy of a letter I had from Mr. Thomas Waters partner with mesers ffenwicks aboute the Returne of your Ladysps money to mr. Rodbourne which are as followes, Newcastle may 11: 1723 as to my Lady Darwentwaters money wee are willing to take it as vseuall and Returne it to mr. Rodbourne to whome wee allwayes Send Such bills as can confide in and tho it may happen bills are at Some time Scarcer then other yett your money is Generall Returnd in three Months time and Some times in Sumer when bills may be more Easye gott then wee Returne great part of it Imediately and if your occasions be pressing wee can Returne you 2000£ in part of what you by you in a months time or less wee are allwayes Ready to accomadate you in any thing Soe wee thinke theres the less Reason to press any thing that may be prejudicall to vs for Shoud wee Chance to be two forward in takeing any bills but what

---

wee can confide in and any misfortune shoud hapen by our Endorsement wee become lyable to the loss which would be a vexation to vs as wee haue litle Consideration for trouble, if you designe to bring in any money pray lett vs know that wee may be prouideing for you, I am &c. Sr your humble Serut T: Waters, I hope my Deare good Lord will be Exempt from the Tax vpon papists for I see it in the votes that all papists or Reputed Soe to bee will not be Taxed in that Tax till they are 18 yeares of age, I wish it may be Soe, all I haue to add is to tell your Ladyshipe as I haue often done, that I hartily wish your Ladyshipe my Lord and young Lady all health and happyness, I pray God for giue my Enimy,es, and that I may Intirely Submitt in euey thing in this world to Gods holly will and pleasure, all this family are well and giues their humble Seruice to your Ladyshipe and family, and I am may it please your Ladyshipe, Yor Ladyshipes most obedient faithfull true and Seniore Seruant,

Tho: Errington.

I haue writt to mr. Rodbourne to whome I haue desired he would write me and giue me his direction to carry in the 2000£ to messers ffenwicks and waters, I haue more then that Sume in my hand, but shall Carry in that Sume vpon his notice to me. The hedge wee builded between Thornbrough and newton Stands Still and I hope that affaie is now Easye.

A madame Madame La Countese de Darwentwater Dans La Rue Haute Proche de La Chapell a Bruxells pr ostend to a Londra pst. pd. 4d: to London.

**4 Jul 1723    Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.72]

May it please your Ladyshipe.

Capheaton July the 4: 1723.

I haue wrtt foure letters to your Ladyshipe Since I haue had one from you, I haue not much at prsent to acquaint your Ladyshipe with, but here came a gentleman to me one mr. Clarke, and would haue had me to haue paid him forty Shillings and said it was by your Ladyshipe order, for his goeing into Aldston moore to doe what mr. Loraine did there, I told this mr. Clarke I had noe order from your Ladyshipe to pay this money, but would write to your Ladyshipe aboute it, and as Soon as I had your order I would Readily pay it him, he was very angary that I woud not pay him and Seemd, to be in a Hectoreing Humor, please to lett me know what I must doe in this matter, wee haue very dry droughty wether, all the meadows and the pastures are very much Burnt vp, and that Causes noe Sale for Catle or Sheep, and there has been two ffaies the one on whitson Eue, and the other on mid Sumer day both at Stagshaw banke two miles onely from Dilston, and euer Since I can Remember, I neuer See two worse faies, and the Complaints is as much in the South as in these parts, the Estates

late Coll: Radclyffes is to be Sett vp to Sale by the Comissionrs of Inquirey the 9th Instant, Sr. John webb knowes it as alsoe mr. Rodbourne, and mr. Busby told me that your Ladyshipe alsoe knew it, Admarell Delaval was killed by a fall from his horse within Two Hundred yards of his owne house att Seaton delaval, the 22d of June last, he has left a very great Substance, he was neuer maryed, all this family are very well and giues their humble Seruice to your Ladyshipe and family, and, I am,

Your Ladyships most obedient Seruant, Tho: Errington.

A madame Madame La Countese de Darwentwater Dans La Rue Haute Proche de La Chapell a Bruxells pr ostend to a Londra pst. pd. 4d: to London.

**29 Jul 1723 Thomas Errington to Anna Radcliffe**

[Note: PSAN 3rd ser, Vol 7, (1915-6), p.82]

May it please your Ladyshipe.

Capheaton July 29: 1723 .

I haue not had the Honnr; of a letter from your Ladyshipe Since ye 29 of May last, and I haue writt Six to your Ladyshipe Since that time, I haue paid messers ffenwicks and waters marchants in Newcastle vpon Tine, Three Thousand Two Hundred pounds Since the 27 of may last, to be Returnd to mr. Rodbourne for your Ladyships vse, as I haue aduised mr. Rodbourne of the same, I make noe doubt of it but your Ladyshipe has heard the mallancolly newes of the Sale of the Reuersions of my Lady mary Radclyffes Estate, my Lords Reuersion, and mr. Charles Annuity, wee haue noe Sale for Catle or Sheep, and very litle Trade, and very litle money, and your Ladyshipe may be assured, that farmes must in Course fall of the Rents they are now lett for, all this family here are well, and giues there humble Seruice to your Ladyshipe and family, and I am,

Your Ladyships most obedient Seruant, Tho: Errington.

A madame Madame La Countese de Darwentwater Dans La Rue Haute Proche de La Chapell a Bruxells pr ostend to a Londra pst. pd. 4d: to London.

**23 Dec 1723 Henry Rodbourne to John Webb**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.94. 'The following letters from Henry Rodbourne, the agent, to .Sir J. Webb and Lady Webb, are from the Rev. T. Stephen's collection'. They were the parents of the Countess of Derwentwater, who died in 1723.]

Honoured Sir

London 23d Decemb'r 1723.

By mine of the 20th I presumed to acquainte you I had (that moment) the honour of yours of the 17th & 22th, N.S. as also one inclosed from my honoured Lady, wherein her La'pp, secmes to take the most proper method for Stateing an acco't ever Since the death of my 'late Lord, and I am certeine, will be the most effectuall meanes to State and distinguish my late Ladyes Separate acco'ts Since itt dos not appeare so ineligibile as I was in hopes itt might haue done but as I was never acquainted or lett into her La'pps private acco'ts I know nothing further than the paym't of Bills of Exch'e & her La'pps other ord'rs to particular persons and w'ch were placed to my gener'll acco't of Cash, & abstracts of the S'd Cash acco't w'th the Stewardes, Sent to her La'pp once or twice ayear as I presume you tinde among the papers ; and therefore the moneyes p'd from time to time, yearly betwixt Christmas & Christmas is the most certeine & ready way to finde out the truth & w'ch my Lady may expect Shall be punctually done w'th all the Speed your other affaires will Pf'rmitt me & w'ch w'th my humblest duty I request her La'pp may know. I alwayes did believe her La'pps Joynture would best appeare by quarterly paym'ts out of my Cash acco't as also for my Lord's & Serv'ts boarde, & pockett money, Lady Ann's Interest money, Law charges and casuall expences : because mine is the acco't must appeare (if called for) in Chancery. Then a particular acco't ought to be kept of Lady Ann's money, and my late Ladycs proper acco't ought to have been kept distinct & separate from all the rest, but nothing of the beforemenconed appeares in my acco'ts or the Stewards. I am moreover humbly of opinion that something of ye method proposed, will also make your acco'ts more inteligible & less burthensome for the future, 'tho' in the interim I shall observe your comands concerning the Sums menconed, and will not faile to pay the persons & Anuityes as directed, the Lady Mary's interest I believe is p'd pursuant to my ord'r Some time Since, and ye Mcrch'ts tell me by their last letter, Mr: E hath p'd them 2000 (w'ch he foolishly told them was the W. acco't) & w'ch hath made me uneasy after ye precaucons I haue taken in yt anaire. I believe you'll easily understand my late ironically letter, that gentlem'n & I stand well, So wee must keep faire but not be over hasty. Att present I haue a dispute w'th the purchaser of Whenby ab't paym't of his proporcon of Mr Rookes & Lady Dowagers rentcharge, & w'ch hath putt a full stopp to the Report to the Comm'rs I was gett'g for that & Some arreares due to my Lord on Whenby acco't. I haue Sent him a very Sharp letter upon that aflaire w'ch I hope will haue a good effect, if not Mr Rooke is resolved to Levy the whole upon Whenby : then I hope he'll thinke itt his interest to comply, alfo Mr Elstob the Comm'rs late Agent haveing refused to repay the money he wrongfully rec'd I haue given ord'rs to Sue those ten'ts who then paid him in oposicon to my late Ladyes request & promise of indemnity. Doct'r ffarelly hath not drawne any bill upon me, So that I will not faile to obey yo'r comands in remitting the Sum as directed, neither do I heare any thing of your 130 bill formerly iiconconcd, I hope the orders I haue given & menconed above will haue yo'r approbacon and am with all Duty & Submission, Hono'rd Sr: Yo'r most faithfull & most obedient Servant,

H. R.

wee have a strong report that his Maj'ty will remitt halfe the new tax.

A Monsieur Mons r Lc Chevalier Webb

**3 Jan 1724    Henry Rodbourne to Anne Webb**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.94-5.]

Madam

London the 3d of Janry 1723 O.S.

I haue the honour of yo'r La'pps Abstract w'th Sr: John's Letter of the 29th, and will not faile to observe all ord'rs & direcions, & assoone as possible will examine particulars : but as to the I'robat & enrollment of Wills, itt is not required in our case ; only reall Estates Devised by Will, there indeed the Lands Shall not pass without itt. & this is by the explanatory Act to that of the Registring Act in 1717 w'ch is Mr: Pigot's opinion alfo, So your La'pp may depend upon itt, that wee haue no occasion to do any thing of that kinde. as to CR: or any other matter nothing can be done as yett, but in Some Short time I hope Something may be done, before I pay the Glasier menconed I humbly desire to know his name if itt be Scriven whose debt is ab't 80 his case is hard never haveing rec'd one peny of my Lords money in his life time, he has often made complaints to me, & I believe my late Deare Lady did intend him ye first paym't of my late Lords debts, there is a bond my late Lady gave Mr Eyre for 1000, of w'ch I p'd 300 in part by her La'pp's direcon. I finde if the rem'dr of the principell could be p'd w'th the interest, itt would do him avery great kindness, att this time, being much press'd (as he tells me) for moneyes due from his late Brother. I hope your La'pp, Sr: John and all your deare family are in perfect health, wishing many happy new Yeares, and am w'th intire Duty & Submifsion Madam Yo'r La'pps most faithfull & most obed't Servant  
Hen: Rodbourne.

On Tuesday next the Duke of Norfolkes Brother Mr Phill: Howard is to be married to Mr: Stonors eldest Daughter.

I haue returned 50 to Mr Farelly att ... 1590 Liv'es tournois.

As soone as I can putt acco'ts &c: into a little ord'r I intend an Abstract of all moneyes, Since my last, to the time of my late Lady's Decease, and alfo Since that time upon Sr: John's acco't as Guardian to my Young Lord. Mr: Errington hath lately paid the Merchants 2000 att Newcastle to be returned as oppertunity offers.

Itt often fretts me to thinke I had not a power to haue purchased the Anuity & the Reversion, next tuesday ye 7th inst: is the last day the Comm'rs Sitt as a Boarde, So I am in a hurry to gett our Report, then they breake up their housekeeping 1 hope forever.



For The Hono'rbble the Lady Webb att Brussells

**20 Jan 1724 Henry Rodbourne to Anne Webb**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.95-6]

Madam

London the 20th of Janry 1723

Pursuant to yo'r La'pps comands I haue here inclosed Extracts from mine, and the Stewards acco'ts of all the particulars of moneys p'd & returned to my late Dear Ladys order and use, but how and upon what acco't applyed, I am wholly ignorant : however I hope these particulars may be Some help towards the due examinacon and adjust'g the private Anuall acco't your La'pp menconed, for if the Severall extraordinary Sums applyed to the use of my Deare Lord & Lady Ann be fully & truely entered, I humbly conceive, 'twill not be difficult to adjust the proper Anuall allowances for their boarde, Servants &c: those Anuall gross Sums (I alwayes thought) might haue appeared more properly in my Cash acco't belonging to my Lord, and So transferr'd to her La'pps particular acco't from whence the paym'ts & remittances from time to time, might haue issued, as her La'pps occasions had required, and I believe may yett w'th Some addiconall care & trouble, be put into the method I proposed as above, by Setting off these Sev'all payments, in part of my Ladyes Joynture, Anuall allowance for my Lord, Lady Ann's interest &c: w'ch last to be kept in a separate acco't as particularized & menconed in yo'r La'pp's last, and I humbly propose itt as the most proper & ready method for Sr: John's future acco't of those affaires. I meane, that my Lords Anuall allowance for boarde, Servants, expences, &c: be paid quarterly to Sr: John's owne acco't, and all remittances be made from itt only, & not from my Lords acco't as formerly. If I do not explaine my Selfe so fully as I ought, I humbly request your La'pp will be pleased to lett me know. Your La'pp will finde in the inclosed particular a Sum of money paid to the late Lady Gascoine & £50 to Mrs: fforstcr by my late Ladyes particular ord'rs in writeing : but whether in repaym't of moneys borrowed is not express'd. the new tax is not fix'd as yett in many parts of this Kingdom, but I do not finde L'd Gage's news proves true, or that any part will be remitted of this Yeare : 'tho' they assure us itt will never be imposed againe. and only 2s /£ the Land tax for the ensueing yeare. I haue this moment the honour of a Letter from Sr: John dated the 12th of this month N.S. w'th a Note upon Mr: Wright for £200 w'ch Shall be placed to Sr: Johns acco't & haue p'd both bills for £150 & £200. my two last of the 3d & 10th of this mo. O.S. I hope are since arrived ; & therefore Shall not repeate the contents, only ye Comm'res haveing altered their resolucon Sitt generally once a weeke, w'ch obliges me to be very cautious. I am forced to attend thorn, till I haue their Answer to my Memoriall, tho 1 I am convinced they'll never part w'th lid of the money they haue wrongfully rec'd from the Estate. I also haue been obliged to complaine of the

purchaser of Whenby, who refuses to pay his Share of the rentcharge apportioned to Mr Rookc & Lady Dowager unless they will give him Separate acquittances, and the said rentcharge being vested in Trustees, renders the method almost impracticable ; besides Mr: Rooke Stormes & Swears he'll not receive itt in parcells, but in one iutire Sum quarterly by my hand as heretofore, and thereupon hath ordered an Attorney to make a distress on the Ten'ts of Whenby forthwith, So that wee are like to haue Some delay in the payment of Lady Dowag'r w'ch I feare for circumstances will not admitt of 'till matters are Setled or that I haue Sir John's direcon ; therefore in order to keep that Lady quiet, I'll venture to pay the next Quarter, w'ch becomes due the 1st of ffebruary next, humbly desireing direcon therein as Speedily as possible. I beseech God Almighty to grant Sr: John your La'pp & all your dearest family perfect health & am with intire Duty & Submifsion Madam

Yo'r La'pps most faithfull & most obedient Servant

Hen: Rod bourne.

The 17th I had a Letter from Tichborne & all are well there. I request this may present my humble duty to Sr: John. As I am writeing haue receiv'd a parcell of Lace in a pacquett from the Secretary's Office & am Sending itt to Mr: Tulbot as ordered.

For The Hono rable the Lady Webb att Brussells

**3 Feb 1724 Henry Rodbourne to Anne Webb**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.96]

Madam

London 3d of ffebruary 1723.

I have the honour of yr La'pps of the 29 ultim' and also from Sr: John of the 9th inst N.S. & will take due care of the 100 bill when pr'sented, & in the interim attend yo'r La'pps further instructions as mcnconed in Sir John's last Letter. Wee are much Surprised att the miscarriage of the Box of writeings, Since they arrived Safe att Bridges as appears by the inclosed from Mr Hunter to me ; and therefore if not arrived, 'twill be proper for Mrs Hill to enquire of Mr: Joseph Ververs att Brussells. in my former to Sr: John, I presumed to mencon the paym't of the two last bills of Exch'e, Mr: Lacey's bill & the 15, for putting out a boy apprentice, that I had reserved 15 for a Son of Mr Gough in the Country, whose name Mr: Webb believes Sr: John mistakes for Mr Corfe, who sent a letter to Brussells, w'ch wee both humbly desire may be explained. & that I haue p'd Mr: Webb the remaining 20 in full of interest due att Mich'mas last, & w'ch he said amounted to ab't 70 in his hands in Banke. if I might be permitted to recomend one whose Parents by great losses are become very poore, and the youth very deserveing, and an object of Charity, is willing to accept of any trade, who I dare undertake, will answer the intencon of yo'r bounty, when Sir John will be pleased to give orders for an

enquiry. I shall accept itt as a bounty to my Selfe, and as itt's from a motive of Charity I hope to obtaine Sr: John's & your La'pps pardon for this presumpcon, 'tho' att a time when I am very Sensible, both Sr: John & your La'pp are involved in a crowd of intricate business, in my former I also menconcd the pacquett of lace Safely delivered to Mrs: Talbots hand. and will not faile to pay Mr: Prichard's Note when due & place it to acco't as directed. That our good god will be pleased to preserve Sr: John your La'pp & clearest family in perfect health, is the daily prayer of

Yo'r La'pps most faithfull & most humble most obedient Serv't  
Hen: Rodbourne.

I have p'd the Glasier his bill Madam 81 : 7 : & enjoyned him Secrecy who presents his thanks for your goodness to him. I request this may present my most humble Duty to Sir John.

For The Hono e the Lady Webb att Brusselles

**7 Jun 1725    Henry Rodbourne to John Webb**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.100-1 'The following letters, re Lady Derwentwater's rent charge of £1000 per annum, and opinion of counsel from Henry Rodbourne, the agent, to Sir J. Webb and Lady Webb, are from the Rev. T. Stephens's collection']

Honoured Sir

London 7 Jun' 1725.

I have the honour of yo'rs of the 9th N.S. and will take punctuall care of yo'r bills. when pr'sented, as alfo of your tryall att the Assizes, haveing already given direcons in order to itt. I had lately a letter from Hatherope and my Lady with all the family there are in perfect health, and the Young Lady goes on very well, and am extremely glad to hear that you & your deare family are well, w'ch I beseech God to continue. A fewe days since, a Gentleman arrived here from Mr Constable with the Probat of Lady M R's. Will, and 4 other papers w'ch after wee had read, & considered, att Mr Stricklands Chambers, they delivered me Copyyes of em, yc 1st dated 20 ffebry 1722/3 ye 2nd 28th of ffebry 1722/3, the first called instructions to Mr C , is Signed, the other call'd her Verbal Will is unsigned, therein are divers limitacons and bequests and among the rest, a writeing box to my Lord, the M dated the 2d of March, 1724, is call'd a Codicil unsigned, and the 4th dated the Same day is call'd her instrucion to Mr C unsigned, but they Say she declared her intencon to Signe them the next day w'ch proved to be the day of her death, in these two last papers Shee leaves Nafferton, a Moiety of Redheugh, and the tythes of Norham to my L'd chargeable w'th the paym't of 4010 Secured on the said tythes. also to my L'd all her Lead Mynes or Shares in Lead mynes, Subject to the paym't of the Colls debts, three of these papers, are the hand

writing of the good man, but are Such a jumble of incoherences & contradiccons as I haue not mett w'th before. I haue inquired into the value of the Estates menconcd & I finde ye Anuall rents are as follows Viz

Nafferton	218
A Moiety of Redheugh	192
And Norham Tythes	438

The tythes are held by Lease for 21 yeares of the B'pp of Durham, renewable every 7 Yeares att 300 fine and £60 / Ann' reserved rent. Redheugh I finde was left by her brother Mr: Francis R, w'th a particular recomendacon of his Godson & nephew, Mr. C. R. who is not So much as named in these papers, and is oddly express'd to my Lord, as follows, I leaue halfe of Redheugh to my litle L'd D in case halfe of itt be thought to belong to him by the best & ablest Council!, and not otherwise, indeed the whole Seemes to be a confused disposicon of things, as you'll finde when you read the papers w'ch I presume my Lady will take care to convey safe to your hand : because I humbly thinke they require ye utmost Secrecy, nor can one guess how those contradictions will be reconciled till there is a conference betwixt my Lady and Mr C w'ch I hope will be att her La'pps returne hether. Doct'r Chamberlen haveing assigned the 2000 mortgage upon the marriage of his Daughter to Mr: Hopkins of Warwickshire, hath prevented the paym't of itt according to notice, and w'ch Mr Hopkins desired to continue att 4 p C't ; therefore the last weeke I attended him, and lett him know the money had been ready ever Since the 28th of May, and from that day you expected the interest to cease, and as you had no occasion to continue the money, I desired the mortgage might be assigned, w'ch he promised should be done forthwith. So as I hope that affaire will soone be dispatch'ed. I am with intire Duty and Submifsion. Honoured Sir

Yo'r most faithfull & most obedient Servant,

Hen: Rodbourne.

Mr. Errington tells me the double tax is taken off my Lords estate, but not by Mr Ledgard tho' you haue been so generous & kinde to him.

I forgot to acquainte you, that some discourse happening att our meeteing to read the papers concerning the Coll's Will whereby her La'pp was only ten't for life, y't the whole ought to haue come to my L'd charged only w'th the residue of his debts, w'ch the personall Estate was not Sufficcient to pay. the Gentleman answered me that her La'pp haveing bought itt of the Comm'rs Shee thought herselfe Sole & absolute Mistress & might charge or give itt, to whom, or to what uses Shee pleased, to w'ch I replyed, that by Law Shee might do, as he said : but as Shee Sold two of the Mann'rs call'd Plessy & Newsham the first being of ye Anuall value of £458 : 5 : the other of £438 : 15 : for £16200, being £7000 more than the purchase money, I humbly conceived the Surplus w'th the other parts of the Estate in equity & good conscience, ought to haue been left to my L'd in order to discharge the S'd residue of ye debts, and what other

incumbrances might affect it w'th Submission & respect, and he seemingly acq ... I said, one thing I could not omitt observeing, . . . last, my L'd had nothing left him but the old w . . . box. 'tho' the will was made the 22d of November 1722, [there] are Severall reversiones left, but I do not finde more than £100 in present, left to Mr C

A Monsieur Monsieur Le Chevalier Webb Proche Berlemont A Bruxelles

**14 Jun 1726 Charles Busby to John Webb**

[Note: PSAN 3rd ser, Vol 7, (1915-6), p.159]

Sr.

June the 14th, 1726.

The Honor of yours to my Wife, I had owned long since, but differed the same in hopes to have given y'r Honor some agreeable News concerning Mr. Arth: R-fe, who, as I am told by Mr. Garlington, is now in tollerable good health, and goeing for London in about 3 Weeks ; which I am glad to hear, believeing there may be many Snakes in the Grass where he bideth att present. Mr. Garlington has been many year's in my Lords ffamily, and liued with Mr. R fe some yeares here att Dilston, has been sent for to him severall times of late since his illness, and is now goeing to London with him, which I am glad of believeing him to have a true Honor and regard for my Lord and his ffamily, so shall say all I am capable to him on this behalfe, as also recomend to him to go To Mr. Rodbourn when he comes to Town, as occasion requires for his advice, as he promises to do. However a Line f'm your Honor, if you are so pleased, to Mr. Garlington, may do more, then what an other can say or write. With the tender of myne and my Wifes most Humble Duty to your Honor, Lady Webb, my Lord and Lady Anne, I beg leave to remain

Yours Honors Ever most Duti- | full Obedient Humble Servant,  
Char: Busby.

For The Honorable Sr John Webb Bart att his House in Bruxells Brabant pd 4

**27 Mar 1727 Henry Rodbourne to John Webb**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.101-2]

Honoured Sir

London 3, Apr' 1727 O.S.

I haue the honour of yo'rs of the 22th March & this afternoon another of the 8th curr't N.S. & also of the 5th & will not faile to performe all yo'r comands & payments therein menconed. but first I must crave leave to pr'sent my humble thankes for your generous

bounty, and hope & Sincerely wish, I may haue Some opportunity in yo'r affaires to deserve itt, I do assure you non shall be more ready in yo'r Service, and will use my best endeavours in renewing the Lease w'th Christ hospitall. they now propose to grant 21 Yeares after 3 in being, so I intend to bidd 750, net money without repaires, and will endeavour to put those or the greatest part upon the Tenants. The Duplicate of your last acco't Sent by Mr: Thorold, I inclosed in my letter for your perusall before her arriveall, as I did also to my honoured Lady, of her La'pps particular acco't but if those miscarried, upon notice I will not faile to Send others. herewith I present a Copy of the Case touching Lady Darw'r rentcharge (wh'ch I stated att the request of Mr: Rooke) with Mr Pigots opinion thereupon, intirely for Mr Rooke, & who is likewise entituled, to the plate & other personall Estate, for want of adisposicon in writeing. I finde Mr Pigots opinion is grounded upon a late resolucon in the Court of Chancery. I'll acquaint L'd Harcourt that you haue complied w'th his request, and am w'th intire Duty & Submission, Yo'r most faithfull & most Hono'ed Sir obed't Servant,

Hen: Rodbourne.

You have all paym'ts to Mr: Thompson in my acco'ts w'ch agrees I believe w'th the time therefore I conclude the mistake is in him & the Lady, he sent ye last mo: to demand 3 qu'rs before it was due.

The Case concerning the late Lady Darwentwaters rentcharge.

By the Deed of Separacon dated the 6th of ffebruary 1700 made between A & the Trustees of B, his wife, the s'd A agreed w'th the s'd Trustees that they should raise & pay to B, his s'd Wife the Sum of 1000 / ann' tax free, in lieu of 400 /aNN' Separate maintainance & JoyntUre & Setled ye Rents & profits of divers Baronyes, Mann'rs, Lands &c: for the terme of 99 Yeares In Trust to pay the s'd B 1000 pr Ann' thereout for her life att 4 paym'ts Vidzt. the 1st of May the 1st of August the 1st of November and the 1st of ffebruary, by even & equall porcons, and to pay the overplus to the S'd A, his heires & Assignes. w'ch s'd Sum of 1000 was rec'd by the S'd B. for Sev'ell yeares accordingly.

B, dyed on the quarter day the 1st of November 1726 about ten of the Clock att night.

Qu: Whether the Exec'rs &c: of the S'd B, the wife or the heir att Law of A, be intituled to the quarterly Sum of 250, She dyeing on the S'd day att the hour above menconed. The currant opinion has been that if the Grantee of a rent dye on ye day itt is due before Midnight that the heir att Law Shall haue the rent, not the Exec'rs, &c: But in naturall Equity I think itt belongs to Execut'rs for the renj; was due on the 1st of November & ought to be demanded before Sun Sett ; if therefore itt was due, the act of God did not divest that duty, & in conscience & equity I thinke the Execut'rs ought to haue itt, and I am informed itt has been so resolved in equity.

Nath Pigott, 27 March 1727.

A Monsieur Monsieur Le Chevalier Webb Proche Berlemont A Bruxelles pr Ostend

**29 Apr 1727 Henry Rodbourne to John Webb**

[Note: PSAN 3rd ser, Vol 7, (1915-6), pp.102-3]

Honoured Sir,

London 5<sup>th</sup> Maij 1727.

I herewith prsnt, Mr: Mead's opinion concerning the late Lady Darwentwaters rentcharge, to whom I put a 2d quer', in ord'r to your indemnity, and you will observe he advises the dircccon of the Court of Chancery before you pay the money, and accordingly I intend to give Mr Rooke notice thereof, being now in Towne, pressing earnestly to haue itt, w'ch was the reason, together w'th your sentiments of the 19th past, of my takeing this 2d opinion, and if Mr Petre pleases he may haue an opportunity of proposeing to the Court his claime in behalfe of his Lady & all others concerned, and an amicable Decree may be had for their Satisfaccon as also for your indemnity.

I haue attended the Committee of Governors of Christ Church hospitall, who seemed unprepared for a treaty, & adjourned itt therefore to a further time, Sine die, & promis'd notice when they expected my attendance, and 'tho' I have made a considerable interest w'th Some of their members yett I almost despaire of Success, Since I am Sensible they give roome for other bidders by this adjournm't.

I haue rec'd the Deed of Conveyance by Mr Hunter w'th my vouchers, & a Duplicate of my honoured Ladys acco't but not the Duplicate of your owne acco'ts w'ch I sent inclosed in a letter for your perusall a litle before his departure from hence ab't the time Mr: Thorold tooke charge of 'em, if itt be mislaid or miscarried I will send another upon notice.

This moment I haue the honour of yo'rs of the 7th, and am extremely glad that Mr: Tho: Webb is in so faire away of recovery, I beseech God to give him & continue you my honoured Lady and all your dearc family in perfect health, and will not faile to take due care of your bill when pr'sented.

I expect Mr: Rowl'd Belasyse this night and that to morrow he will execute the Deeds, and I doubt not but the money will then be paid : but as Ind' Comp'es Bonds are advanced to 52 pr Cent prem' I Humbly request your further direcon before I buy, because wee continue very uncertaine whether peace or warr, and one wou.d not lose halfe a Yeares interest or run the risque of itt if possible, but as you are in amore certaine way of intelligence than wee are here, I hope to haue the honour of yo'r Speedy commands being w'th all Duty & Submiss'n

Hono'rd Sir Yo'r most faithfull & most obedient Serv't

Hen: Rodbourne.

Mr Pigot Mr Gyles the Proct'r & I haue taken true paines for Mad'm Steinghen, & att this time I am labouring hard for an accomodacon w'ch I hope to effect.

Mr Mead's opinion.

By Deed of Separacon dated 6th of ffebruary 1700 made Between A & the Trustees of B his wife the s'd A agreed w'th the s'd Trustees, that they should raise & pay to B his s'd wife the sum of 1000 pr ann' tax free in lieu of 400 pr Ann' Separate maintenance & Joynture. And Setled the rents & profitts of divers Baronyes, Mann'rs, Lands &c: the term of 99 yeares, lu Trust, to pay the s'd B 1000 pr ann thereout, for the terme of her life, att 4 paym'ts Viz: the 1st of May the 1st of August the 1st of November and the 1st of ffebruary by even and equall porcons, and to pay the overplus to the said A his heires and Assignes, and w'ch s'd Sum of 1000 was rec'd by the s'd B for Severall yeares accordingly.

B dyed on the quarter day the 1st of Novemb'r 1726 ab't 10 of the Clock att night.

1 Quer. Whether the Adm'r of the s'd B the wife, or the heir att Law of A be intituled to the Quarterly Sum of 250. She dyeing on the saide day att the hour above menconed.

Opin'

This case as it is here Stated Seemes to me to be different from ye case of a rent reserved or pay'ble by a ten't out of land : for in that case ye Law has Setled the time att w'ch the rent is due, Viz: att midnight, and itt has been resolved, even in equity, that if a ten't for life dyes on Mich'ms day, on w'ch the rent was pay'ble that ye Joyntrefs or next in rem'dr Shall be intituled to the rent, w'ch grew due on Mich' mas day, pr'ferably to the Execut'r or Adm'r of ye Ten't for life ; 'tho' even ye case hath since been rendred doubtfull, by another resolucon. But this Case arises on a Trust, & the Trustees haveing a legall Estate in them, whatever rent issues out of the lands, itt in point of Law belongs to them, & how they Shall dispose of itt, on ye foot of or in execucon of this Trust, is the proper question, had the Trustees p'd ye 250 to B on ye morning of ye 1st of November, on ye evening of w'ch s'd day She dyed, I apprehend itt could not haue been said to have been a breach of trust, and I am inclined to thinke since A was only to haue ye overplus, after the 4 quarterly paym'ts were made, on ye 4 dayes of paym't, yt ye Adm'r of B will be intituled to the 250 w'ch was to haue been paid, on ye day on w'ch B dyed.

2 Quer. If the Adm'r of B be intituled to the s'd arreare and the heir of A being an Infant, under the tuition of C his Guardian.



2 Quer. Whether itt will be Safe for C to pay the s'd Sum of 250, without direcon of the Court of Chancery.

I am far from thinking the Case So cleare, as that the Guardian of the Infant Should on a Single opinion, conclude himsef Safe in ye paym't of the 250. & Since 'tis the concerne of an Infant, I apprehend that itt may be very proper, that the Representative of B should Exhibit a bill ag'st the Trustees of the 99 Yeares terme, and the Infant heir of A to haue Satisfaccon of this 250 out of the Trust Estate.

Sam: Mead,  
29 Apr' 1727.

### **15 Sep 1731 John Brown to John Webb**

[Note: PSAN 3rd ser, Vol 7, (1915-6), p.160]

Hono'rdSr

Sep'r 15: 1731:

I Rec'ed yo'rs of the 11th inst, and shall obserue all yo'r Orders therein, I am truely glad to heare Lord Darwentwater is well, and that it proues a Mistake as inserted in our publick news ; and hope this fyne wether will procure my Lady & her ffamily a Safe passage ouere ; and happy Arriuall in London ;

I haue been with farmer Chubbs Executors of Saturday last, and treated with them about the ffarm and tythes and the Most I Can bring them to giue for the ffarm is 270£ a yeare w th the Liberty of plowing Stony Close, and the most they offer for the whole tythes is 110£ per an. that is : 60£ per ann for the tythes of the ffarm, and 50£ per ann for the parish, and priury tythes all together ; and they insist uppon haueing Wats's Liueing on Acco't of haueing occation for a house and they offer for that Liueing : 45£ per ann' theyr designe in Case they doe agree with you is to quit Doctor Callards ; but they will not rent the ffarm without all the tythes these 2 Executors are both Sufficient men ; but are much Cast downe with the badness of this yeare ; now if you please to haue me trye any other tennant for the ffarm & tythes : I shall doe it ; but am not Certain if agreeing; and Chubbs haue the offer of another farm at Clarington parke ; the Long delays about ye agreem'twith Mr. Reedy and the parson ; has been a prejudice to the Letting of yo'r ffarm, Considering the times I haue been with Mr. Jervisses tennant, who Continews Sick and Lane ; but says still that he will aduanse rent ; but is not soe pressing for it as before ; I haue another tennant that has offerd to take it, but Cannot tell what rent he will giue ; he is a stranger to the farm and Country, but liues a great distans of, tho' I haue a good Charracter of him ; and that he is a Suffitient man ; I am willing & redy to doe for the best. I haue sold that Small bergin of Geo: Mowdys at hamptworth for the ffyne of £19 for a Leas of 3 lifes ; it being onely : i : acre of grownd,

and ualued at one pound per ann': the purchaser gaue me More for it : by reason it Lyes handy and Convenient for him.

I haue been Ouer att Accon this Week to Look after the repairs of yo'r Mills &c. ; and to deleuer the Leasses, and to haue the Counterparts Signed. Tho: Brenton Makes great Complaints still about Mr. Perkins takeing all the ffishes : so thate yo'r Royaltie is not worth anything to him he has not Signed his Leass yett but says he will in about 3 weeks time but says he will neuer Signe noe More unless he ha? Some Consideracon for the fffishinge, and thinks it hard to pay rent for what he Makes noe proffitt of.

The Widdow Snelling desires a Court may be kept at Mich'mas next on acco't of her widdows Esstate ; her husband not being taken tennant before he dyed : quere : whether shee can haue her widdows Estate accordinge to the Custom of the Manner, or Not (her husband did Come to the last Courrt and did desire to be admitted tennant : but some dispute arisemg soe that he was not took tennant : please to giue yo'r answer to this pr yo'r Next Letter ; the widdow was left very poor but Shee has 2 brothers that haue assisted her : and shee proposes to Continew out her Leass of Marthins ffarm : being : 6 : years to Come ; and to help breed upp her Children. These being all the affairs as I haue to acquaint you with at present, hope it will fynd you and all yo'r Honor'ble ffamily in perfect & good health ; which I truely wish may attend you, being with all humble Duty,

Hono'ed S'r | Yo'r Most ffaithfull | Servant

Jno: Brown.

I begg my Most humble duty may be acceptable to my Lady and to all yo'r ffamily where doe. pray when I haue gott the next packquet of Leases redy where shall I send y'm for you to execute.

I shall obserue yo'r orders about Mr. Richardson ; for Mr. Rings Tennem't ; and Huntts ; if I Can deale with him, but I haue been a lourney to queer after the widdow Ring and the Executor about ye herriott he is gone off for London ; and Shee is gone down below tanton deane ; and the tennant uppon it is uery poor and has nothing uppon the Esstate worth takeing ; Soe that I Cannot tell what I shall doe in this Matter.

To The Honor ble S r John Webb Barn at the two red Lamps in Poland Street London  
4d [pd]

**1 Sep 1743 John Mann to Edward Chandler**

[Note: PSAN Ser 3, Vol 1, 1903/4 p.22. This document is one of several related documents exhibited to the Society at a meeting, the originals of which might now be lost. They belonged to a member and were shown per R.Blair. They appear to have come from the archives of Bishop Chandler, Bishop of Durham 1730 - 1750. All the relevant documents were transcribed for inclusion in the volume of Proceedings. The

transcripts have been copied for Dukesfield Documents as per the printed versions, apart from the replacement of 'ye' and 'yt' by 'the' and 'tht'. There are three transcribed documents relevant to lead mining, lettered (a) (b) and (c) in the Proceedings.

(c) is undated, but the context suggests it predates a later letter from Mann to the Bishop, dated 24th September 1743, in which he does give a copy of the findings of an old Chancery case (DCRO D/Bo/F/120). 1st Sept is used here.

]

(c.) '... I have made a very diligent search in the Chancery Office, thro' all the files & books, from the Restoration down to the year 1690, but cannot find during that time, that there has been any

suit in that Court any way relating to the Leadmines in Weredale, Except that between Lord Crewe & Mr. Wharton, wherein your Lordp has a copy of the Final order. And in the year 1664 a bill was Filed by Doctor Basire then Rector of Stanhope agt severall persons for his dues of the Lead oar, & inclosed is a Copy of the sd bill & of the answer thereto, but there are no further proceedings in the Cause, save a Replication (in wch is recited a very old Deed) a copy whereof I'll send to your Lordship

by the next post. I have been very carefull in this search, & am confident that there have been no other Causes in that time, in the name of the Attorney generall agt Wharton or Hall, or by Hall or Wharton agt the Attorney gnral, or agt each other

I am my Lord

Your Lordships most obedient humble servt

Jn Mann'

(Endorsed in bishop Chandler's handwriting : 'Mr. Man's Certificate tht no other proceeding to be found in their books, or Papers in Chancery, relating to Dr. Basires cause, or any dispute

between the Bp & Rector & Rector & Patentee or Bp & Patentee or Hall & Wharton.')

### **11 Oct 1743 Edward Chandler**

[Note: PSAN Ser 3, Vol 1, 1903/4 pp.18-22.

(b) appears to be notes prepared by or for Bishop Chandler in seeking agreement with the Rector of Stanhope on how to take their respective shares of ore owed in kind from Sir Walter Blackett as Weardale moormaster.]

(b) [PSAN editorial introduction:]

A paper endorsed 'Bill & answer. The case between the Rector & Bp' is, with the notes which are in the margin of the original document, entirely in the handwriting of bishop Chandler. It is here given:

[original as transcribed:]

'The Bishops of Durham have been possessed very antiently of the Lordship & Mannor of Stanhop & the Moors or Wasts in Weredale, wch are 30 miles or more in extent belonging to the said Mannor.

The Bishops of Durham have likewise for some hundreds of years backwards used to let Leases for a short number of years or for one life of the land on the Wasts or Moors to such persons as were desirous to search for Lead, with which the Wasts abounded.

The Rent reserved in these Leases, as far back as we can trace them, was only the Ninth Horse Load (a Horseload is a certain number of Bing wch is always the same) of Oar (called the 9th Lot or part) as soon as it shall begotten & demanded by the Bishop's Officer appointed to receive it.

These are the words in Bp. Walter Skirlaws Lease of the Mines dated Dec. 1, 3 Hen. 4th, 1401. (19 Sepr. 37 Eliz. Agen 6 Hen. 5 Sep. 21, Thomas (Langley) Bp of Durham grant to Robt. Brass all the lead ure in the field & mine in the Blasedees for a year except the part wch belongs to God & Holy Church)

And the same thing is given upon Oath by the Jury empaneled to enquire into the rights of the Bp of Durham in Stanhop &c.

To the Interrog 9. what Mines belong to the See & what rent do they pay. Answ.: Sr Wm. Bowes Moormaster pays the Bishop the Lot oar wch is the 9th Horse Load.

In Hen. 7th's reign the then Bp (Thomas Ruthal) lets 2 groves in the wast - the Reddendum yeilding & paying to the said Bp. every 9th part or - of ure - & covt. to do to the Lord etc. (This is all tht is on the Abstract of the Grant.)

After the Decease of Hen. VII. The Bishop appointed a moor man or Moormaster & granted him the office by patent for his life with all the Mines on the wast or moor & with authority to agree with persons to search for & sink pits for a certain time, reserving to the Bp All & singular such Lead Ure as of right or custom is due to the sd Bp. within the Forrest of Weardale. (1 Eliz 1558)

These patents were renewed from time to time down to 1667 with the like Reddendum with small variations - 'Yeilding & paying to the Bp the Lot ure according to the Custom.' 'The Lot oar due & to be due according as now is & hath been heretofore there used & accustomed.' (4 Eliz. 1562 Pilkington. 1641. Morton)

The Bp obliges (9 Eliz.) the Moormaster by Covt. for the first time to pay tenth to the Parson viz., Bp. Pilkington in Sr Geo : Bowes Patent for Moormasters authorizes him to let Tacks or bargains to any Person within the parish to search for lead, under the Covts to continue working the mines so discovered, & to pay lot for the said Bp. to the Moor master, & tenth to the Parson.

Henceforwd The Moor Masters or their Deputy, let leases accordingly on the like conditions of working; & of delivering out, the Lot & tith in due manner' - 'to pay the lot to the Ld & the Tith to the Parson as they do orderly fall' - 'At all times to pay & deliver to the Moor Master All the lot ure, and the tith to the Parson, in such kind & form as the same shall be due without collusion or deceit.' (20, 27 & 30 Eliz.)

1. From hence appears tht the 9th horse load as soon as it was gotten by the Lessee & Demanded by the Bp. was the 9th part or Lot or antient rent of the Mines
2. That the Bp. could demand & cary off his Lot in the first place & before the tenth was got, if he so pleased
3. That the Lessee at first, & afterwds the Moor Master who stood in the place of the Lessee, was to answer the Lot to the Bp. and the tith to the Parson, & tht the Parson had no demand or concern immediatly with the Bp.
4. That there was a Custom for the reckoning for delivery of the Lot oar or a due manner of Computing the 9th part.- wch is called - 'paying as the Lot and tith orderly fall, & in such kind & form as the same shall be due.'

The Bishops Auditors Office in 1645 was plundered: & the antient book called the Moormasters book, refer'd to in some of the Leases, is also lost

There is no tradition of any dispute between the Bp. or his Moormaster, & the Rector, about the manner of numbring the horse loads for Lot & tith oar, down to the Restoration

In 1660 Bp. Cosin granted the Moormaster's Office & Mines for Humph. Wharton, for his life, as the Patents formerly ran, paying the 9th lot to the Bp. as his predecessors did.

In 1667 The said Hum. Wharton upon his petition to Parliamt. gets an act 'to enable the sd Bp. & his successors, to grant a Lease for three Lives of the said Moor Master's Office & of all the mines on the Moor, with an addition of cleaning & well washing the said oar' without deduction or demand for the same, or any other charges whatsoever' & also an addition of 150li in money rent. The Reddendum -'yeilding & paying for the same, the lot ure or 9th part of the said lead ure, gotten in the said Mines, from time to time, as the same shall accrue & be gotten, clean & well washed' etc.

Then after Covenants to secure the rents, at the conclusion of the Act, a proviso follows in these words ' PROVIDED always, tht the said Humf. Wharton, & his successors the Moormasters, pay or cause to be paid to Dr. Basire & his successors Rectors of Stanhop, the Full tith or tenth part of All lead Oar dig'd won or gotten - out of all or any of the said mines in clean well wash'd & drest oar as soon as it is ready for the smelting mill, without abatemt for charges of getting of the sd oar, or any other cause wtsoever. (Some variation from the manner of paymt of the Bp's Lot.) Then a saving clause : to the King & every other person & Persons Bodies Politick & Corporate other than the said Bp. & his successors & every other person claiming by or under him all their right and title, &c. (The Rector of Stanhop being not expressly excluded in the saving clause, can he set up any fresh claim.)

The same year the Bp. granted Mr. Wharton a Lease for 3 lives wth the Covenants for paying the Lot Oar & the tith according to the Proviso, in the very words of the Act of Parliamt.

The Act being Passed, the Bp. agreed wth the Moormaster for a money sum in lieu of his 9th Lot as the Rector of Stanhop did wth him for his tith.

And there is no footstep of Any dispute of the Rectors since tht time with the Bp. or the Moor Master about his tith oar.

Mr. Wharton sold his interest to Sr W. Blacket, 1696 - whose Heirs still enjoy it.

Wn the present Bp came to the See 1730 he found the Lot oar let by his prdecessor to the Moormaster for 350li, & the tith by the Rector at 315li. The difference between these sums is 35li wch difference is in the Proportion of a tenth to a 9th, 35li being the 10th part of 350li. So tht at the time of making this bargain it was believed on both sides, tht the Bp's 9th part was more by a tenth than the Rectors.

A few years after the present Bp's accession Mr. Blackett applyed to him & had a lease for 7 yrs of the 9th Lot at the aforesd Rent of 350, & the Rector granted him also a Lease of his tith at 315 li. That Lease being expired & a new Rector admitted, the Rector resolves to take the tith oar in kind. The Moormaster prtending tht he could not pay the same rent in time of war as in peace.

As the Bp. hath the same common interest with the Rector, they join & appoint Agents to receive the oar, & to dispose of the same. Mr. Blacket, he desires the refusal of the oar at an agreed price & in paying for it, he paid the Bp. more than the Rector, in proportion of 10 to 9, & so it was pd for 2 years with the knowledge & consent of the Rector.

But now the Rector sets up a claim upon the Bp for tithing the Bps 9th Lot & saith, it is the report of the Country tht Dr. Basire who became rector at the Restoration & continued so 16 or 18 years after the passing the act of Parliamt, claimed & obtained it. (It is now 76 years since the act)

If this be true, it is strange the succeeding Rectors who were but two to the prsent, did not keep to tht claim.

Agen if it be due, it seems not to be due from the Bp., but the Moormaster who binds himself to pay the full tith to the Rector, & the Bps 9th pt (as his Predecessors did, wch are the words of his Patent before the Act) as the same shall accrue.

But it seems not possible to be due to the Rector, for then the Rector will receive a 9th part instead of a tenth for his tith; & the Bp. a tenth instead of a 9th for his Lot, wch certainly was not intended. Some larger proportion & advantage was intended the Bp. beside the priority of taking & carrying off the 9th horse, before the Rector could tith. For suppose a Mine afforded but 9 horse loads, the Bp. was intituled to the 9th & the Rector had no tenth.

The Rector replies to this

In this way of reckoning the 9th Lot to the Bp. & then carrying on his next 9th immediately from the former 9th the Bp will have 2 Lots in 18 and the Rector but one Tenth. Answer: True & so would the Bp receive but one 9th in 18 according to the Rectors way of reckoning, viz., who would begin the Bp's second ninth with the eleventh Horse Load or Lot. To make it evident in an Arithmetical way: 90 horse loads do & should pay 10 Loads to the Bp. & 9 Loads to the Rector & thus the Bp's right is in the proportion of 10 to 9. Consequently if there be but 10 Load the Rector hath one load; if there be but 18, the Bp. hath 2 loads, the Rector but one, & in 90 Load tho' the Bp. hath 10 loads the Rector hath his full tenth in his receiving 9 loads. Now deducting 10 & 9 loads i.e. 19 loads out of 90 there remains 71 Loads for the Lessee or Moor master. But if the Bp. did not begin to reckon his 9th load till after the Rector had taken his 10th load, then there would remain 72 Loads for the Lessee out of every 90 loads. So tht the Rector endeavour <i>n the event, will be, to take one load from the Bp. to give it to his Lessee, & the Rector will be quite out of the question. For his whole right of tith is satisfied by his receiving 9 load out of every 90. So tht the Rector, by this way of

reckoning, wd only injure the Bp's Right without bettering his own Right for the 19th Load wd then go to the Lessee.

And lest stress should be laid on the words in the Proviso of the Act. For a full tith of all lead oar gotten out of all or any of the mines within the Parishes of Stanhop & Wolsingham.

It must be remembred, that there is another old Lease of the lead ore in the copyhold & enclosed lands in Stanhop of wch we have copies from the restoration before the Act relating to the Mines on the wast, wch Lease is by mesne conveyance now in Mr. Blacket.

In that Lease the same words of a full 9th have been & are inserted for paymt of the 9th Lot for oar gotten in those Mines viz., 'Yeilding & paying to the said Bp & Sucessors one full 9th part of all such lead oar as shall be gotten within the prmises.'

The Rector claims a full tenth from these Mines here as well as from the Mines on the Waste and the Bp. by the words of the same Lease is also entituled to a full 9th. How shall these 2 rents a full ninth to the Ld. with a full 10th to the Rector be reconcild, but by the Bps. having a right to carry off his horse load as soon as gotten out of the mines & leaving the Rector to take his 10th of what remains wn it is fitt to go to the smelting Mill? as the words in the Proviso of the Statute specificie.

The truth is these are different paymts on different Accounts. The Bp. as Lord of the Soil might let his Oar in the reddendum of any part of the Oar, as well as the 9th part. He might have fixt a 5th or 7th for his Lot Oar And if he had done so, wn the fifth or 7th was taken off, he would have begun his next fifth or 7th horse Load from the immediate 6th or 8th, without staying for the coming of the 10th, or skipping over the 10th. The Ld's rent is a paymt of a different kind, & is to be answered by the Moor master to the Ld. The Rector must come on the land, or the tenant. Q.I. Cannot the Bp. at any time legally take his 9th without any regard to the Rector's claim of a 10th. (2d) Or if you think the Rector's demand extends to the whole produce, is not tht demand to be made upon the Lessee who covenants to pay a full 9th Lot by the act & his Lease to the Bp.'

Durham, iith Octobr 1743.