

28 Sep 1791 Nicholas Walton to John Ibbetson

John Ibbetson Esq.r

Farnacres 28th September 1791

Sir,

Notices having been given of our intention to apply to Parliament for an Act for the Division of Allendale & Hexhamshire Commons, upon which the Hospitals Tenants have Common Right for Estates in Hexhamshire the rental of which amounts to £701. 17. 6 per ann., we have tho[ugh]t. proper to take the sentiments of the Tenants upon this business, and find that they are in general for a Division. — We thought it the more necessary to know their inclinations, as the Farms in Hexhamshire have been lately Let upon Leases for 21 years, There is a Provision in each Lease by which, in case of a Division taking place, the Tenants are to pay such additional Rents for the Allotments as shall be determined by persons to be indifferently chosen. We are not sufficiently informed as to the intended Terms upon which the Division is proposed to be carried into execution, but as soon as we do know, the Board may be assured we will write further upon the subject; however, in general, we think it is probable that it will be for the interest of the Hospital that a Division should take place, and that the expenses of obtaining the Act and making the Division will not be very considerable as it is proposed to sell Common to pay a part of that expence. — Independent of the other Advantages which may be expected from this Division, it will, in our opinion afford a good opportunity of settling a Boundary which has been in a dispute between the Lords of Langley Barony and the Lord of the Regality or Manor of Hexham time out of mind, and is part of the Boundary of the Common now intended to be divided. The Number of Acres in dispute is 868 most of which is barren Heath, and Acts of Ownership have been exercised by each of the adjoining Lords, in that it would seem to be by far the most eligible way, in settling this matter, to run a Line thro' the Ground in dispute from East to West, so as that each Manor will have an equal quantity in every part, and to have that Line fixed by the Act to be obtained for the intended Division as the Boundary in all future times. This, in our opinion, will save a great deal of expence in litigation which may otherwise probably take place, and we have reason to believe that Sir Thomas Blackett, Lord of the Regality of Hexham, would be agreeable to have this dispute settled in the above manner. We therefore beg to have all the Boards immediate Directions in this business, as a Bill is now preparing with intent to bring this matter before Parliament next Sessions.

We inclose you our Cash Accot. for last Month upon which there is a Balance of £2350 — 10³/₄ in favor of Greenwich Hospital, and our Contingent Accot. For Six Months ending 31st Augt. amounting to £472. 7: all which you are desired to lay before the Board, and you will be pleased at the same time to acquaint the Directors that we propose making a Remittance of £2000 — in a Post or two.

Herewith you will receive Five Lead Mining Proposals which you are desired to lay before the Board. — We are,

Sir Your most Obedt. Servts.

Nich Walton Junr JohnTurner

18 Nov 1791 Nicholas Walton to John Ibbetson

Jn Ibbetson Esq.

Farnacres, 18th. Novem. 1791

Sir,

Herewith you receive the Moor Masters Reports of Mines worked and unworked in the Manor of Alston Moor for Nine Months ending at Midsummer last and also an Account of all the Lead Ore raised at the sundry Lead Mines in the Manor of Alston Moor from Mich[aelmas] 1789 to Michs. 1790 with the Duty thereof all which you are desired to lay before the Board.

On the 28th Septemr. last we acquainted you with an intention of applying to Parliament the insuing Session for an Act for the Division of Allendale and Hexhamshire Commons at the same time taking notice that exclusive of the other advantages which might be expected from the Dividing of the Commons it would in our opinion afford a good opportunity of settling a Boundary which had been in dispute between the Lords of the Barony or Manor of Langley and the Owners of the Regality or Manor of Hexham time beyond the memory of Man, being part of the Boundary of the Common proposed to be Divided; that the number of Acres in dispute was 868 most of which was barren heath and that acts of Ownership had been exercised by each of the adjoining Lords that it would seem to be by far the most eligible way in settling this matter to run a Line East to West through the Ground in dispute so as to give an equal quantity to each Manor in every part and to have the Line fixed by the Act to be obtained for the intended Division as the Boundary between the Two Manors in all Future Times; that in our opinion it would save a great deal of expence in litigation which might otherwise take place and that we have reason to believe Sir Thomas Blackett Lord of the Regality of Hexham would be agreeable to have this dispute settled in the above manner and therefore desired the Boards immediate directions. Having received an intimation that Sir Thomas Blacketts principal Agent at Hexham is very desirous to have the Boundary set out as above described we think it our Duty to take the first opportunity of writing to you upon the Subject because we realy think the Boundary by dividing the Grounds equally will be the best way of putting an end to a dispute which has so long subsisted that it may be a difficult thing to determine whether the Owners of the Barony of Langley or of the Regality of Hexham may have the advantage in point of Right. If the Board should agree with us in opinion they will be pleased to give the directions to proceed in this busyness with all possible expedition or otherwise an opportunity may be lost which may never again present itself and the intended Division be put an end to.

A Bill is as we are informed now preparing but we are not yet so sufficiently acquainted with its contents or rather intended contents as to be enabled to write you satisfactorily upon the subject.

We are Sir, Your most Obedt. Servts.
Walton & Turner

PS The Commons in Allendale & Hexhamshire are said by many of the Proprietors to consist of 60,000 Acres — 15000 Acres of the improvable parts of which it is proposed to inclose and that the remaining part shall be enjoyed in Common in certain proportions or Stints; but we beg leave to reserve ourselves for the present as to any opinion we are to give respecting what is intended as to the Divisions.

3 Feb 1792 John Bell to Nicholas Walton

[Note: Subsequent letter from Walton to Ibbetson of 4th Feb indicates that this was addressed to Walton and Turner as the GH receivers]

Gentlemen

Hexham Abbey, 3rd February. 1792

It being intended to apply to Parliament this Session for an Act to divide apart and stint the Residue of the Wastes within Hexhamshire and Allendale and there being an old Dispute between the Commrs. and Governors of Greenwich Hospital as Owners of the Barony of Langley and the Lords of the Regality of Hexham respecting a Tract of Land extending from near the White Crag contiguous to Allen Water to the Fence between Stublick and Elrington which (Tract of Land) lies Part in Allendale and Part in Hexhamshire I am directed by Sir Thomas Blackett the present Lord of the Regality of Hexham to propose to the Commrs. and Governors through you that for the sake of Peace and ending all Disputes to divide this Tract of Land equally between them and that the Line of Division between the Barony and Regality be staked out and unalterably fixed either by the intended Act or by the Award for the Division but should this Proposal not meet the Commrs. and Governors Ideas it is by no means to be considered or made use of in future as a Dereliction or Disclaimer of Sir Thomas' Right to the whole of the Tract of Land in Dispute — I am

Gentlemen Your most obedt. Servt.

Jn. Bell

4 Feb 1792 Nicholas Walton to John Ibbetson

John Ibbetson Esq.

Farnacres 4th February 1792

Sir

We take the first opportunity of sending you the inclosed Letter from Sir Thomas Blacketts Principal Agent at Hexham proposing on the part of Sir Thomas that for the sake of Peace and ending all Disputes the Ground which has been long in controversy

between the Owners of the Barony of Langley and the Owners of the Regality of Hexham shall be equally divided between the respective Owners of the s[ai]d Barony and Regality and staked out and unalterably fixed either by the intended Act for the Dividing and Stinting the Allendale & Hexhamshire Wastes or Commons or by the Award for the Division and Stinting; but that should the proposal not meet the Commissioners and Governors of Greenwich Hospitals ideas it is by no means to be considered or made use of in future as a Dereliction of Sir Thomas's rights to the whole of the Tract of Land in dispute.

As we are satisfied that the dividing of the disputed Ground equally will be the best way of settling the old difference we recommend that the busyness may be gone in hand with, without a moments delay or otherwise there will not be an opportunity of having a proper clause inserted in the Consent Bill for in our Opinions the whole must be unalterably fixed by the Act which will be easier done than by introducing a Clause to enable the Commissioners for the Division to fix it by their Award.

We have not yet been enabled to communicate to the Directors Heads sufficiently explicit as to the intended Terms of Division etc., but shall not fail acquainting you with the particulars as soon as they are got properly arranged which in so complicated a Busyness is found to be not a little difficult. We will however observe that it is at present proposed to have Three Commissioners One to be nominated by the Lord of the Manor One by the Commissioners and Governors of Greenwich Hospital and a third by the Proprietors at large or the third by the other Two. We are told, and have no doubt it is so that Sir Thomas Blackett intends Naming Mr. William Bates who is esteemed as a Man of judgement and very proper for such a busyness; and we beg leave to recommend Mr John Fryer of Newcastle a Man in every respect well quallified for such an undertaking and should be glad to receive the Boards commands whether upon being applied to we may or may not name him as a Commissioner, on behalf of Greenwich Hospital.

In the setting out the difficult Ground equally we think it cannot be done better than by Messers Bates and Fryer, the Agents of the Owners of Langley Barony and the Regality of Hexham at the same Time attending and shewing the respective Claims fairly on each side. We beg to receive as early directions as possible and are

Sir Your most obedt. Servts.

Walton & Turner

PS A Rich Vain of Lead Ore which runs into the Manor of Alston Moor will be in 37 Fathoms of where it is cut in Priorsdale has been lately discovered & in consequence of which we expect Two Proposals in a little Time

18 Mar 1792 Nicholas Walton to John Ibbetson

John Ibbetson Esq

Farnacres 18th March, 1792

Sir

On Tuesday last I attended a Meeting of the Proprietors of Estates having Common Rights on Hexhamshire and Allendale Common for the purpose of reading over the Bill intended to be presented this Session of Parliament for dividing and inclosing part of the said Common and Stinting the remainder. The Meeting was at Hexham and consisted of near upon one Hundred Persons and the busyness got thro' with great unanimity. Upwards of Ninety Persons had signed the consent Bill when I left Hexham and the Gentleman who is to attend with it in the House of Commons went into the Country on Wednesday Morning to get the Signatures of several Persons and a Meeting was to be at Allendale Inn on Friday for the purpose of getting more Signatures, but it is realy extraordinary that numbers of the Proprietors will not attend upon those occasions but leave it to their Neighbours to sign for them and as many of them work at the Lead Mines in Yorkshire & in the Countys of Durham and Cumberland the signing of the Consent Bill has been & will be much delayed by this infatuated behaviour. I named Mr. John Fryer the Lord of the Manor named Mr. Wm. Bates and they named the third Commissioner Mr. Thomas Bates. The Three Arbitrators are Wm. Wilson Esq. Robert Hopper Williamson Esq. and William Fearon Esq. three Baristers at Law of Newcastle and Messrs. John Fryer & Wm. Bates are Surveyors. It being necessary to raise Money for Paying expenses of prepairing the Bill and getting it thro' both Houses of Parliament I have taken upon me as Agent for Greenwich Hospital along with Mr. John Bell Agent for Sir Thomas Blackett and sevl . Gentlemen who are Proprietors in an engagement to the Newcastle Tyne Bank to make good such Sums as may be drawn out by Mr R. Heron who is Sollicitor upon the occasion not exceeding in the whole £600 — and doubt not the Board will approve of my having taken that Step & indeed if I had not I found that part of the busyness very likely to be attended with some difficulty. I shall if possible send you the Substance of the intended Terms by Mondays (tomorrows) Post which will probably bring this also and at the same time I propose sending a Copy of the Bill for Mr Everest

I am Sir yr most obed Servt
Nicholas Walton Jnr.

No opposition to the Bill.

19 Mar 1792 Nicholas Walton to John Ibbetson

[Note: crow coal "...under this limestone is a thin seam of coal, which with most of the other seams in the district is commonly called crow coal. It is of inferior quality, and is sold at about half the price of good coals..." T. Sopwith, W. Davison, An Account of

the Mining Districts of Alston Moor, Weardale and Teesdale in Cumberland and Durham, (1833), p88]

John Ibbetson Esq

Farnacres 19th March 1792

Sir

Herewith you receive Heads of Bill for dividing and inclosing certain parts of the Commons Moors or Tracts of Waste Land called Hexhamshire and Allendale Common in the Regality or Manor of Hexham which you are desired to lay before the Board. I have taken the first opportunity of sending them not having had it in my power to inform you of the precise intended Terms till I got a Copy of the Bill and that was not till Friday night. I think the Terns are such as to promise a considerable improvement to the Hospitals Estate in Hexhamshire and well adapted upon the whole to produce a general benefit but we shall be so late in getting this busyness before Parliament that I really have my apprehensions the Bill may not be got thro' this Sessions it will however certainly be proper to make the attempt if the consent Bill can be got Signed by a sufficient number as to Value in the course of this Week & I hope that will be done but it will be by adding the Hospitals Rental of £701.17.6 and consequently it will be necessary to have the Hospitals consent notified to Mr Heron who Sollicits the Bill and will I expect be in London next Week & will wait upon you as also upon Mr Everest to whom I have by the Mail Coach of this Day sent a full Copy of the Bill which I hope will meet with the Boards approbation. I am

Sir Your most Obed. Servt.

Nicholas Walton Junr.

PS We have had one meeting about settling the Disputed Boundary and I hope the busyness will be finished next Week and it certainly would have been finished before this time if the uncommon severe weather we have lately had would have allowed our proceeding.

Heads of Bill intended to be presented to Parliament for dividing and inclosing certain parts of the Common Moors or Tracts of Waste Land called Hexhamshire & Allendale Common within the Regality or Manor of Hexham in the County of Northumberland and for other purposes therein mentioned.

States that the sd. Commons etc. consist by estimation of 60,000 Acres, that in their present state they are of little use or service but that considerable parts are capable of Cultivation and Improvement, that Sir Thomas Blackett Baronett is Lord of the Manor and that he the Commissioners and Governors of Greenwich Hospital & divers other persons are entitled to right of Common on the said Commons etc. also stating that there are within the sd. Manor there are certain Town Fields in which lie intermixed

with each other the properties of divers Persons and requiring the aid of Parliament to enable the several Properties to have a Division and inclosure of the most improvable parts of the said Commons etc. to Stint the remainder and to Divide & inclose the said Town Fields for the effecting of which purposes it is proposed that the Commissioners etc, shall be appointed & the following regulations to take place.

Three Commissioners

Three Arbitrators

Out Boundaries to be perambulated one month before the first Meeting of the Commissioners

Claims affecting the sd. Boundaries to be given to the Commissioners at their first or second Meeting and if objected to, to be referred to the Arbitrators but if either Party refuses to consent to reference the Claim to be tried at Law.

Surveys to be made of the Commons etc, Estates having right of Common and of the said Town Fields, for which purpose two Surveyors are appointed.

Commissioners to give public Notice of their first Second and third meeting, for at least 14 Days, and 8 Days Notice for all subsequent meetings.

Claims of right of Common to be delivered at the first or Second Meeting and Persons Etc. neglecting to be excluded. Such Claims not objected to at the 1st 2nd or 3rd Meeting to be final but if objected to the cause of such objection must be given and in case of such objection being persisted in the Claim to be refused to the Commissioners or to the Arbitrators if the Parties shd. Desire that.

The Line of Boundary between the Two Parishes in which the sd. Commons etc. lie not being now known the Line of Boundary to be fixed by the Commissioners, in proportion to the Value of Estate lying in each Parish.

Not more than 15,000 Acres to be divided and inclosed and the residue stinted.

A Value to be made of the Commons etc. and of all Estate having Right of Common and the Allotments to be made for Houses of Mills to be less by one third than for Lands.

The Lord of the Manor is to have one Sixteenth part of the parts of the Common which are to be divided and inclosed and one Sixteenth part of the Stints as Lord in both Parishes, after deducting the Ground that shall be allotted for Roads Quarries & watering places. Such owners of Estates may be desirous to have their Land made Tithe Free upon request for that purpose to the Lord of the manor who is also Lay Impropiator and his consenting thereto such Estates are to be freed from the payment of Tithes in lieu of which they are to abate of their respective allotments so much as

shall be adjudged by the Commissioners to be equivalent to the Tithes & the quantity abated is too be allotted to the Impropiator.

As in many instances the Proprietor of Estates of £10 p. annum and under may be desirous to have Land rather than Land & Stints and in others Stints only it is proposed by way of accommodating all such to let them have an option either of having Land only or Stints only.

The Lord of the Manor reserves all Mines Minerals etc. with full powers of working & without making any satisfaction for damage of ground but that is to be pd. by a general rate to the Persons damnified, the Lord not to be included in such rate nor to receive anything for damages done in his Allotments But Public Freestone and Limestone Quarries (if the same can be conveniently done) are to be set out in the Commons Moors & Tracts of Waste Land for the use of the Proprietors at large and some of those Quarries are to be in certain cases restricted to the use of particular Proprietors. The Proprietors of Allotments are also to be empowered to take therein Freestone Limestones Slates and Crow Coal and also Clay for Bricks and Tiles; and to get Peats Turves Crone Coal Freestone Limestone and Slate in the Stinted Pastures for the use of their Messuages Lands Tenements & Hereditaments, having right of Common on the said Commons etc.

Commissioners to set out each Persons share in the most convenient manner and in proportion to the value of each Proprietors Estate having right of Common.

All Incroachments made within 50years to be deemed part of the Commons etc. and also all others for which Acre Money or other acknowledgment had been taken except Houses Engines etc. erected heretofore by the Lord or Ladies of the Regality of Hexham.

Allotments to be of the same Tenure as the Estates in respect of which they shall be made except as follows Where, in the same Estate the Freehold prevails the Allotment is to be Freehold; and Where, in the same Estate the copyhold prevails the Allotment is to be Copyhold.

Commissioners are to ascertain the nature as well as number of the Stints and to prescribe regulations for Stinting.

The Boundary between Langley Barony and the Regality of Hexham fixed by a Ditch.

The Bill also contains many clauses the substance of which is not mentioned in the above heads but such clauses are usually inserted in Bills for Divisions of Commons in this part of the Kingdom.

24 Mar 1792 Nicholas Walton to John Ibbetson

John Ibbetson Esq.

Farnacres 24th March 1792

Sir

On the 28th September last we gave the Board reason to think that parts of the Hexhamshire and Allendale Common would be sold for defraying Expences of obtaining an Act carrying the Division into execution and it was so at first intended but upon a careful examination of the improveable parts of the Common it was the opinion of the Persons who made the examination that no part could be sold without causing inconvenience to the Proprietors & in those sentiments, having been joined by the generality of the Owners of Estates intituled to Common of Pasture; it has been determined not to sell any of the Common, which we are now satisfied in very proper.

Mr. Heron who is employed as Sollicitor in the application to Parliament sets out, as we expect, tomorrow morning at Six o'clock for London. We are

Sir Your most Obedt. Servts.

Walton & Turner