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**Catalogue of Additional Manuscripts 1719:
Windyside Deeds**

Date range of material: 1666-1904

Durham University Library
November 2016

Contents

Preface	iii
Introduction	1
Catalogue of material:	
Deeds.....	3

Preface

Creation of catalogue

Catalogued by FG, February 2010.

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Introduction

Collection title: Additional Manuscripts 1719: Windyside Deeds

Reference code: GB-0033-ADD 1719

Dates of creation: 1666-1904

Extent: 2 boxes; digital transcripts and scans

Repository: Durham University Library, Archives and Special Collections

Creator: Title holders of Windyside estate properties.

Language of material: Predominantly English; Latin

Contents

The collection comprises 49 title deeds and associated documents for lands extending on both sides of the river Wear at Windyside in Westgate-in-Weardale, St John's Chapel (Weardale), formerly in Stanhope parish (until 1867) and latterly in the parish of Westgate St Andrew. Transcripts and digital scans of the deeds were also donated with the collection. The deeds evidence conveyances through the hands of a number of local families or their representatives from 1666 to 1904, including Emerson, Stobs, Allon, Coulthirst, Fareless, Bainbridge, Robinson, Porter and Hodgson. At different times over this period this estate comprises: (a) lands incrementally acquired and then grouped into the Easter and the Wester House parts (most fully described in 1856 in Add.MS. 1719/33); (b) an additional house with two folds (1699, Add.MS. 1719/8); (c) part of a close called Middlehopeside Prye (1739, Add.MS. 1719/12); (d) 14a 3r 26p in four fields adjoining to the East the three Easter House fields lying North of the river Wear (1881, Add.MS. 1719/45); (e) 2r 5p just South of Windyside (1881, Add.MS. 1719/46). The Wester House portion was partitioned from this estate in 1856, and does not subsequently appear in the deeds. [A copy survives in private hands of the Particulars and Conditions of Sale of 12 lots of a more extensive estate at Windyside, dated 1881, and which comprised 35a 3r 36p of land, 5 customary freehold cottages and 2 customary freehold houses. Deeds conveying two lots in this sale are present in this collection.] From the broken sequences of conveyance of title and of endorsed numbering it is clear that certain deeds are missing; probably as a consequence, the relevance of one or two items in this collection is no longer evident.

Some of these lands were held 'according to the ancient and laudable custome of tenantright used and allowed within the Parke and Forest of Weardale time out of minde of man', which is termed customary freehold, the remainder (Add.MS. 1719/45) were once leasehold lands, latterly enfranchised: both of which types of tenure were held of the Bishop of Durham. Customary freehold tenure is one that varied widely by locality and, even within locality, over time. For a deeper understanding of its particular operation in Weardale and the tenantright tenure from which it evolved, the researcher is directed to the works of Drury listed in the bibliography. Drury pays particular attention to Windyside in her work, and which is therefore a good guide for researchers wishing to follow back Windyside customary freeholds and early leases of grazing lands there. Attested copies (made in August 1861) and indentures of some later Windyside (customary freehold portion) deeds are held elsewhere in the Bishopric collections: see CCB/D/1956/536/122585-122589, 122591, (1817-1861). In addition, later Weardale customary freehold properties were recorded in a separate file series by Durham officials, the whereabouts of which files is not known: the relevant Windyside files were numbered 15903, 15927 and 18731.

The history of the leasehold, latterly freehold, portion of the Windyside estate (Add.MS. 1719/45) can be traced in other of the Special Collections. Leases of Windyside leasehold lands were typically held for 21-year terms, with low annual rents and renewal fines based on regular property surveys and valuations, all of which processes generated records. The

Bishop's reversionary interest was only purchased and the property enfranchised in 1859. Customary services did exist, but the earliest known extant Windyside lease (1604) is not specific, and these obligations are stated as being due to both the Bishop and to the tenants' neighbours: such services as did exist were often converted to money payments or became redundant. The conditions of these early leases include the conventional maintenance of buildings, hedges, ditches, and fences, and the preservation of the deer, and the prohibition of hounds or greyhounds without licence. The Bishop reserved to himself all rights to the soil (mineral, mine, quarry) and also to wood. The associated surrenders, leases and counterpart leases are filed as follows: see CCB/D/1956/408/185670-185676 (1604-1795, counterpart leases), CCB D/1981/54400-54403 (1774-1795, leases), CCB/D/1956/90/54404-54408 (1802-1844, leases), CCB/D/1956/85/54258 (1838, surrender), CCB/D/1956/42/21422 (1851, counterpart lease). Transcripts of some of these leases are also found in the Weardale Chest collection (WEC 13 and WEC 29), and enrolled in the lease registers CCB V/1/3 (184958) pages 121-123, and CCB V/1/5 (184960) pages 94-98, respectively. In addition, later records concerning this parcel of leasehold then freehold lands are contained in files of the Ecclesiastical Commissioners, and which are now held in the Church of England Record Centre: the relevant Windyside files are numbered ECE/7/1/11672 and ECE/6/1/23.

Accession details

The collection of Windyside deeds was presented by Mr Clifford and Mrs Ann Peart on 5 November 2009 (Misc.2009/10:74).

Conditions of access

Open for consultation.

Copyright and copying

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Form of citation

The form of citation should use the code GB-0033- ADD 1719, or the collection name Additional Manuscripts: Windyside Deeds, followed by the *reference number*.

To order items in the search room, use the collection reference code(s), derived by removing the repository code (GB-0033-), followed by the reference number. Citing the section of the finding aid is useful.

Processing

Catalogued by FG, February 2010.

Bibliography

Bowes, Peter, *Weardale: Clearing the Forest: an evolution of rural life from early settlement to the end of Victorian times*, Bishop Auckland [Peter Bowes] (1990).

Drury, J. Linda, "Sir Arthur Hesilrige and the Weardale chest", *Transactions of the Architectural and Archaeological Society of Durham and Northumberland* n.s. 5 (1980), 125-37.

Drury, J. Linda, "More stout than wise: tenant right in Weardale in the Tudor period", in *The Last Principality: Politics, Religion and Society in the Bishopric of Durham, 1494-1660*. Studies in Regional History No.1 (University of Nottingham Department of Adult Education, 1987), 71-100.

Heatherington, Ken, *Windyside Deeds, 1665-1904*. Transcribed for the Weardale Museum by Ken Heatherington, 2007.

Copies

The entire collection was digitally imaged and transcribed by Ken Heatherington, and which digital records now also form part of the Windyside Deeds collection.

Weardale Chest

A collection of deeds and other evidences (1377-ca.1660) relating to tenantright lands in the Forest of Weardale and in the Park of Stanhope, and lying near or adjacent to the East of Windyside: WEC 1-149

Related material - elsewhere

The Durham bishops' management of their secular estates and revenues passed in 1836 to the Ecclesiastical Commissioners, succeeded in 1948 by the Church Commissioners. Dealing with church land throughout the country, the commissioners have always operated from a London central office, and employed local provincial agents. The old Durham central office of the bishops' administration became one such provincial office, mainly to handle copyhold (Halmote Court) business, whereas business relating to freehold and leasehold property was largely handled by the central London office, to which records considered relevant by the Ecclesiastical Commissioners were transferred. Records still required for current administration continue to be held centrally by the Church of England Record Centre (CERC) in London, but a large quantity of material no longer so required has been returned to Durham, and deposited with the university. Occasionally documents from the deposited material are recalled by the Church Commissioners, usually temporarily, but sometimes indefinitely. Records held by CERC can be viewed upon request at Lambeth Palace Library: the catalogue is available online.

Deeds

Add.MS. 1719/1 27 January, 17 Charles II (1665/6)

(1) George Emerson of Hingingwells in Weardale, Co. Durham, yeoman

(2) John Stobs of Springhouse, Co. Durham, yeoman

Bargain and sale by (1) to (2), his heirs and assigns for ever, according to the custom of tenant-right within the Park and Forest of Weardale, of a customary messuage tenement or farmhold at Windieside, consisting of: (a) a dale of ground bounded on the South by the river Wear, on the North by Easterblackedeane pasture, the tenement of John Colthird on the East, and the tenement of John Stobs on the West; (b) on the South side of the river Wear, a dwelling house and parcels of land; (c) with twelve neatgates in the Windyside (Windieside) Intake pasture and fifteen neatgates in Windyside Fell. Consideration: £112.

Customary rent: 8s 4d and other rents, customs, duties and services due to the Bishop of Durham

Witnesses:

John Harrison

William Stobs

Signed and sealed by (1); part of seal survives.

Dorse: '1'.

Parchment, indented 1m.

Add.MS. 1719/2 13 March, 32 Charles II (1679/80)

(1) John Stobs of Springhouse, Co. Durham, yeoman

(2) John Harrison of Feildhead, Co. Durham, yeoman; George Robinson of Westgate, Co. Durham, yeoman

Family settlement by (1) to (2) of a customary messuage at Windyside (Windeside) in Weardale, occupied by (1), in trust to the use of (1) for life, and according to the custom of tenant-right within the Park and Forest of Weardale, then to Thomasine Stobs, wife of (1) during her widowhood, then to William Stobs, son of (1), his heirs and assigns for ever. With additional covenant that if William Stobs dies without heirs then the premises will descend to George Stobs, fourth son of (2), and his heirs, unless either George Stobs already enjoys the estate of Robert Stobs, son of (2), or he dies without heirs, in which case the premises will descend to Thomas Stobs, fifth son of (2), his heirs and assigns for ever.

Witnesses:

John Westgarth

Thomas Robinson

George Emerson

Cuthbert Hall

Signed and sealed (1); seal missing.

Dorse: Memorandum, dated 13 March 1680, relating the terms of future alteration or cancellation of the deed;

Dorse: '2'.

Parchment, indented 1m.

Add.MS. 1719/3 16 September, 34 Charles II [1682]

(1) Thomasine Stobs of Springhouse in Weardale, Co. Durham, widow

(1) William Stobs of the same, yeoman, son of Thomasine Stobs

(2) John Harrison of Feildheads, Co. Durham, yeoman

(2) George Robinson of Westgate in Weardale, Co. Durham, yeoman

Lease from (1) to (2) of a messuage, tenement or farmhold at Windyside in Weardale with its appurtenances, according to the custom of tenant-right within the Park and Forest of Weardale. The consideration to be raised by (2) for the first two-and-a-half years out of Windyside and out of customary lands at Westgate already leased to (2) in order to raise a portion for George Stobs, grandson and nephew respectively to (1); and for the remainder of the term of the lease the profits of Windyside to pass to the use of George Stobs as reimbursement. With a covenant by (2) to (1) to provide an additional £30 to William Stobs, upon his request and upon sufficient security, to be raised from the Windyside and Westgate lands.

Term: 7 years.

Consideration: £50 to William Stobs.

Rent: 1d to Thomasine Stobs, upon demand.

Witnesses:

John Robinson

John Stobs

George Chrishop the younger

Signed and sealed by (1).

Dorse: '3'.

Paper, indented 1f.

Add.MS. 1719/4/1-3 18 December, 1 William & Mary [1690]

- (1) Robert Stobbs of Killerby, Co. Durham, yeoman
- (2) Edward Tong of Luttrington, Co. Durham, esq., [trustee of Samuel Wall of Bishop Auckland, gent.]

Assignment from (1) to (2) of the remainder of a 24-year (part recited) Lease of (a) a customary messuage at Windyside (Wyndyside) with the little close on the backside thereof, occupied by John Bell; (b) two customary closes, in the possession of John Bell; (c) part of Middlehopeside Pay Close; (d) and all pasture gates and fellgates belonging to the same.

Recites: (i) two Durham Court of Pleas judgements obtained on 18 June 1690 by (2) for £40 debts against George Stobbs of Barnard Castle, apothecary, and against (1); (ii) Lease for 24 years (from 3 May 1690), dated 18 November 1690, by George Stobbs to (1) of a customary messuage at Windyside, etc.

Consideration: two £40 debts; additional £30 [£110]; 12d attornment.

Rent: 1 s. per annum at Pentecost upon demand.

Witnesses:

Charles Wrenn
William Bulmer
John Shaw

Signed and sealed by (1)

[Deed is subscribed with cancelled Agreement of Samuel Wall, dated 11 June 1691, reciting that the above deed is in (2)'s name in trust for Wall; and that (2) is to stand seized for the use of his sister Mrs Elizabeth Tong, as security for £60 lent by Elizabeth Tong to Wall.]

Dorse: Memorandum of attornment by John Bell, tenant of Windyside, to (2), paying 12d, 2 December 1690;

Dorse: 5 August 1692

- (3) Edward Tong of Luttrington, esq.
- (3) Samuel Wall of Bishop Auckland, gent.
- (4) Sir Robert Eden of West Auckland, baronet

[?Unexecuted] Assignment by (3) to (4) of the above lease, for an unstated consideration. The assignment bears two seals, but the signatures of assignors and of the witnesses are missing.

Dorse: '7'.

3f.

Add.MS. 1719/5 18 December 1690

Receipt of Robert Stobbs of Killerby, esq., for £30 received from Edward Tong of Luttrington, esq., in consideration of an Assignment of a messuage or dwelling house at Windyside etc., bearing the same date (see Add.MS. 1719/4).

Witnesses:

Charles Wrenn
William Bulmer
John Shaw

Signed and sealed.

Dorse: '8'.

Paper 1f.

Add.MS. 1719/6 19 August, 4 William & Mary [1692]

(1) Edward Tong of Luttrington, Co. Durham, esq.

(1) Samuel Wall of Bishop Auckland, Co. Durham, gent.

(2) Abraham Hilton of Hilton, Co. Durham, gent., [trustee of Thomas Hutchinson of Newcastle upon Tyne, merchant, and of William Pearson of Escomb, for the concern of Richard Arrundaile of Bishop Auckland, lately deceased]

Assignment by (1) to (2) of the remainder of a 24-year Lease of Windyside dated 18 November 1690 (see recitals of Add.MS. 1719/4), a bond for a £30 debt owed by Robert Stobbs to (1), and the attornment of the Windyside tenant.

Recites: (1) bond, dated 20 March 1689/90, for the payment of £30 with interest by Robert Stobbs to (1).

Consideration: unstated.

Witnesses:

Robert Hilton

George Shaw

Signed and sealed by (1).

Subscribed with Memorandum of [(2)], dated 27 March 1693, relating although about £80 with interest is owed he is content to take £70 to discharge, as endorsed.

Dorse: Memorandum of (2), dated 27 March 1693, relating his role as trustee of Thomas Hutchinson and William Pearson in the above deed, in order to pay to them sums, with interest, of £34 and £36 respectively.

Witnesses:

Samuel Wall

Robert Hilton

Dorse: '9'.

Paper, indented 1f.

Add.MS. 1719/7 26 July 1695

(1) Robert Stobbs of Bolam, Co. Durham, yeoman

(2) George Stobbs of Barnard Castle, Co. Durham, apothecary

Release by (1) of all actions or claims against (2).

Witnesses:

Edward Fareles

Clement Ladler

Signed and sealed by (1).

Dorse: '10'.

Paper 1f.

Add.MS. 1719/8 13 May, 11 William III [1699]

(1) Tobias Allon of Windyside in Weardale, Co. Durham, yeoman

(2) Hennery Coulthird of the same, yeoman

Bargain and Sale by (1) to (2), his heirs and assigns for ever, according to the customs and tenure thereof, of the dwelling house at Windyside, with the adjoining byer or stable and two little folds on the backside and foreside of the house, the East end of the said fold extending no further eastward than the East end of the house, with appurtenances. Consideration: £15.

Witnesses:

John Coulthird

George Bainbridge

Signed and sealed by (1).

Paper, indented 1f.

Add.MS. 1719/9 20 May 1724

(1) William Coltherd of Windyside in Weardale, Co. Durham, weaver

(2) John Coltherd of Windyside, Co. Durham, yeoman

Bargain and Sale by (1) to (2), his heirs and assigns for ever, according to the customs and tenure thereof, of the dwelling house at Windyside of (1) etc. Lands and bounds as Add.MS. 1719/8.

Consideration: £19.

Witnesses:

John Muschamp

Anne Muschamp

Signed and sealed by (1).

Paper 1f.

Add.MS. 1719/10 2 November 1731

(Mutilated) grant of administration of the goods within the Archdeaconry of Richmond of John Hawdon formerly of Barningham parish, [Yorkshire], to George Pinckney and Thomas Hutton, principal creditors. Sealed in the probate court of William Stratford LL.D., commissary of the Archdeaconry of Richmond.

Parchment 1m.

Add.MS. 1719/11 13 March 1739

Copy last will and testament of Ralph Hodgson of Westhome [Westholme], Winston parish, Co. Durham, 14 October 1738.

Witnesses:

W Hodgson

John Walker

Charles Hodgson

Probate granted at Durham to Ann Hodgson, widow and sole executrix, 13 March 1739.

Paper 1f.

Add.MS. 1719/12 16 May 1739

(1) Elizabeth Fareles [Fareless] of Durham City, spinster, the surviving executrix devisee and residuary legatee of her father Edward Fareless

(1) Edward Fareless of South Shields, gent., the eldest son and heir of the said Edward Fareless

(2) William Colthird of Field Stile, Stanhope parish, Co. Durham, yeoman Bargain and Sale by (1) to (2), his heirs and assigns for ever, according to the custom of tenant-right within the Park and Forest of Weardale, of a customary messuage, tenement or farmhold at Windyside comprising (a) a dale of ground bounded on the South by the river Wear, on the North by Easter Black Dean pasture, the tenement late belonging to John Colthird on the East, and the tenement of Robert Stobs on the West; (b) a dwelling house on the South side of the river Wear and parcels of ground belonging thereto; (c) twelve neat gates in Windyside Intack pasture and fifteen neatgates in Windyside Fell; (d) with all their part of a close called Middlehopeside Prye, all currently occupied by Elizabeth Fareless.

Consideration: £200 paid by (2) to Elizabeth Fareless; 5s. to Edward Fareless.

Witnesses:

John Reed

Edward Goddard

Signed and sealed by (1).

Dorse: receipt for £200 paid by (2) to (1), 16 May 1739.

Dorse: '19'.

Parchment, indented 1m.

Add.MS. 1719/13/1-2 2 June 1739

Grant of probate to Jane Hutton widow, and Mary Hutton and Jane Hutton daughters, joint executors. Granted in the probate court of William Stratford LL.D., commissary of the Archdeaconry of Richmond.

Copy last will and testament, dated 29 January 1739, of Thomas Hutton of Greengill, Barningham parish, Yorkshire, yeoman.

Witnesses:

John Seamer

William Lonsdale

Thomas Hutchinson

Parchment 2m.

Add.MS. 1719/14 16 May 1739

- (1) William Colthird of Field Stile, Stanhope parish, Co. Durham, yeoman
- (2) Timothy Manleverer of Arncliffe, Yorkshire, esq.

Mortgage in fee by (1) to (2), according to the custom of tenant-right within the Park and Forest of Weardale, of a customary messuage, tenement or farmhold at Windyside and part of a close called Middlehopeside Prye, occupied by (1). Lands and bounds as Add.MS. 1719/12.

Consideration: for securing £150, at 4.5% interest per annum.

Witnesses:

Edward Goddard

William Fetherstonhalgh Mowbray

Signed and sealed by (1).

Dorse: receipt for £150 paid by (2) to (1), 16 May 1739.

Dorse: '20'.

Parchment, indented 1m.

Add.MS. 1719/15 16 May 1747

- (1) William Colthird of Field Stile, Stanhope parish, Co. Durham, yeoman
- (2) John White of Old Burnhall, Co. Durham, gent.
- (3) Jonathan Robinson of Bigghouse, Middleton-in-Teesdale parish, Co. Durham, yeoman

Assignment of Mortgage in fee (Add.MS. 1719/14) by (2) to (3) of a customary messuage, tenement or farmhold at Windyside and part of a close called Middlehopeside Prye.

Recites: (1) a Mortgage by (1) to (2) of the same property for £153 7s 6d with interest. Consideration: for securing £90, at 4.5% interest per annum.

Witnesses:

Christopher Johnson

William Peverell

John Mushchamp

Signed and sealed by (1) and (2).

Dorse: two receipts, the first for £90 paid by (3) to (2); the second for £63 7s 6d paid by (1) to (2), 16 May 1747.

Parchment, indented 1m.

Add.MS. 1719/16 13 May 1756

(1) William Coulthard of Windyside, Stanhope parish, Co. Durham, yeoman

(2) Jonathan Robinson of Bowlees, Middleton-in-Teesdale, Co. Durham, yeoman

(3) George Bainbridge of Pinfold House, Stanhope parish, Co. Durham, yeoman

Bargain and Sale by (1) and (2) to (3), his heirs and assigns for ever, according to the custom of tenant-right within the Park and Forest of Weardale, of (a) a dwelling house and byer called the Wester House with half of the Well Green, with three meadow closes called the Pry, the Great or Middle Field, and the Little Field bounded on the East and West by lands of John Coulthard and Sir Robert Eden, and on the North and South by Black Dean Pasture and the River Wear, with six cattle gates in Windyside Pasture and eighteen cattle gates in Windyside Fell; (b) a dwelling house and a byer called the Easter House, the little piece or close near the River Wear with the Wester Field and a byer therein called the Wester or Bridge End Close with two calf gates in Dardry Shield [Daddry Shield] Pasture, and one-and-a-half gates in Dardry Shield Fell; (c) the seating in St John's Chapel in Weardale usually held by the owners of these properties.

Recites: (l) Add.MS. 1719/15.

Consideration: £320.

Customary rent: 10s 4d per annum to the Bishop of Durham.

Witnesses:

Anthony Tallentire

Thomas Walton

Signed and sealed by (1) and (2).

Dorse: two receipts, the first for £90 paid by (3) to (2); the second for £230 paid by (3) to (1), 13 May 1756.

Parchment, indented 1m.

Add.MS. 1719/17/1-2 11 October 1775

Grant of probate to Robert Heslop and William Hodgson, joint executors and trustees, dated at Durham.

Copy last will and testament, dated 14 January 1769, of Sarah Hodgson of Marwood Park, [Gainford parish], Co. Durham, widow.

Witnesses:

John Waite

William Hodgson

Parchment 2m.

Add.MS. 1719/18 30 April 1777

(1) Jane Hodgson of Shipley, Gainford parish, Co. Durham, spinster

(1) George Bell of Marwood Park, Gainford parish, yeoman, and his wife Joanna Bell

(1) Sarah Hodgson of Parkwall, Gainford parish, spinster

the three grand-daughters and devisees of Sarah Hodgson of Marwood Park widow deceased

(2) Robert Heslop of Marwood Park, yeoman

(2) William Hodgson late of Walker Hall, [Winston parish], Co. Durham, now of Morton Hall, Yorkshire, yeoman

joint executors and trustees of Sarah Hodgson of Marwood Park

Release by (1) to (2). The three grand-daughters of Sarah Hodgson of Marwood Park having attained their majorities, the testamentary trust of Sarah Hodgson is wound up, and £335 7s 4d net estate is equally distributed between them and a fourth grand-daughter, Mary Hodgson, still a minor.

Witnesses:

Ralph Hodgson

William Hall

Signed and sealed by Jane Hodgson, George Bell and Johannah Bell.

Paper 1f.

Add.MS. 1719/19 30 April 1777

Receipt for £83 16s 10d paid by Robert Heslop and William Hodgson, [joint executors and trustees of Sarah Hodgson] to Jonathan Waistell of West Park, Romalldkirk parish, Yorkshire, yeoman, and his wife Sarah Waistell, a grand-daughter and devisee of Sarah Hodgson of Marwood Park widow.

Witnesses:

Ralph Hodgson

William Hall

Signed by Jonathan Waistell and Sarah Waistell

Paper 1f.

Add.MS. 1719/20, 21/1-2 11 and 12 May 1785

(1) Ann Bainbridge of Windyside, Stanhope parish, Co. Durham, the widow of George Bainbridge of Windyside, yeoman

(2) John Bainbridge of Windyside, Stanhope parish, Co. Durham, yeoman, the son and heir-at-law of George Bainbridge of Windyside, yeoman, deceased

(3) Robert Curry of Bishop Oak, [Wolsingham parish], Co. Durham, esq.

Mortgage in fee by Lease and Release by (1) and (2) to (3), according to the custom of tenant-right within the Park and Forest of Weardale, of the messuages or dwellinghouses at Windyside called Easter and Wester Houses, and of the closes called the Well-Green, the Pry, the Great or Middle-Field, the Little Field and the Wester or Bridge-End Close, and of six cattle gates in Windyside Pasture, and eighteen cattle gates in Windyside Fell, and two calf gates in Dadry-Shield Pasture, and one-and-a-half gates in Dadry Shield Fell, all of which were the estate of George Bainbridge deceased.

Consideration: 5s from (3) to (1) and (2) (lease); for securing £400 at 5% interest per annum, and 10s from (3) to (1) (release).

Customary rent: 10s 4d per annum to the Bishop of Durham.

Witnesses:

Benezer Powell

John Wren

Both parts signed and sealed by (1) and (2).

Dorse: receipt for £400 paid by (3) to (2), 12 May 1785.

Parchment, indented 1m.; 2m.

Add.MS. 1719/22 12 May 1785

(1) John Bainbridge of Windyside, Stanhope parish, Co. Durham, yeoman

(2) Robert Curry of Bishop Oak, [Wolsingham], Co. Durham, esq.

Penal bond of (1) to (2) in the sum of £800, conditional upon a covenant in a Mortgage in fee by Lease and Release between the same parties and of the same date for (1) to repay to (2) £400 with legal interest (Add.MS. 1719/20-21).

Witnesses:

Benezer Powell

John Wren

Signed and sealed by (1).

Paper 1f.

Add.MS. 1719/23, 24/1-2 11 and 12 May 1798

(1) Ann Bainbridge of Windyside, Stanhope parish, Co. Durham, the widow of George Bainbridge of Windyside, yeoman

(2) John Bainbridge of Windyside, Stanhope parish, Co. Durham, yeoman, the son and heir-at-law of George Bainbridge of Windyside, yeoman, deceased

(3) Robert Curry of Bishop Oak, [Wolsingham parish], Co. Durham, esq.

(4) William Coulthard of Middleside near Middleton-in-Teesdale, Co. Durham, gent.

Assignment of Mortgage in fee by Lease and Release by (1), (2), and (3) to (4), according to the custom of tenant-right within the Park and Forest of Weardale, of the messuages or dwellinghouses at Windyside called Easter and Wester Houses, etc. Lands and bounds as Add.MSS. 1719/20-21.

Consideration: 15s paid by (4) equally to (1), (2) and (3) (lease); £400 paid by (4) to (3), interest of 5% of this sum to be paid per annum by (2) to (4), and 10s paid by (4) to (1) (release).

Customary rent: 10s 4d per annum to the Bishop of Durham.

Witnesses:

W Bates

John Coulthard

Robert Coatsworth

Joseph Bainbridge

Both parts signed and sealed by (1), (2) and (3).

Dorse: receipt for £400 paid by (4) to (3), 12 May 1798.

Parchment, indented 1m.; 2m.

Add.MS. 1719/25/1-2 16 October 1805

Grant of probate to Thomas Hodgson, Ralph Hodgson, and Margaret Hodgson, executors. Sealed in the probate court of George Markham D.D., commissary of the Archdeaconry of Richmond.

Copy last will and testament, dated 25 October 1801, of William Hodgson of West Middleton, Wycliffe parish, Yorkshire, farmer.

Witnesses:

John Headlam

Ann Headlam

Parchment 2m.

Add.MS. 1719/26 January 1806

Settled account of J Headlam [?Reverend John Headlam, surrogate of the commissary of the Archdeaconry of Richmond] of sums owing by and credited to Miss Hodgson [?Margaret Hodgson] for rent, probate of her father's will, and property tax, 1804-1806.

Paper 1f.

Deeds

Add.MS. 1719/27 15 September 1810

Grant of probate to John Thompson, sole executor, dated at Durham.

Copy last will and testament, dated 20 December 1809, of William Coulthard of Newbiggin, Middleton-in-Teesdale parish, Co. Durham, yeoman.

Witnesses:

William Dent

Joseph Coatsworth

Robert Coatsworth

Paper 1f.

Add.MS. 1719/28/1-4 1817

(a) Draft abstract of title of Mr [Thomas] Bainbridge to land at Windyside, Stanhope parish, Co. Durham; with Skeleton of new mortgage deed [Add.MSS. 1719/29-30];

(b) Additional rough notes relating to the abstract of title, draft requisition on title, and new mortgage deed. [Joseph Anthony] Benning, [solicitor], Staindrop.

Paper 4p.

Add.MS. 1719/29, 30/1-3 23 and 24 November 1817

(1) Thomas Bainbridge of Windyside, Stanhope parish, Co. Durham, yeoman, the eldest brother and heir-at-law of John Bainbridge late of Windyside, yeoman, the eldest son and heir-at-law of George Bainbridge late of Windyside, yeoman

(2) John Thompson of Bell, Middleton-in-Teesdale parish, Co. Durham, yeoman and sole executor of the will of William Coulthard of Middleside, Middleton-in-Teesdale parish, gent.

(3) William Bowron of West Auckland, [Auckland St Helen parish], Co. Durham, gent.

Assignment of Mortgage in fee and Further Charge by Lease and Release by (1) and (2) to (3), according to the custom of tenant-right within the Park and Forest of Weardale, of (a) the messuages or dwellinghouses at Windyside called Easter and Wester Houses, and (b) the closes called the Well-Green, the Pry, the Great or Middle-Field, the Little Field and the Wester or Bridge-End Close, and (c) a 32a allotment or close or inclosure of land on Windyside Pasture bounded by the new turnpike road leading to Wolsingham on the East and by the Moor Road on the West, by the lands of Mr Curry and Thomas Walton on the North and by land of Mr Liddel on the South, and (d) a 14a allotment close or inclosure of land on Windyside Fell called Fell Bottom, bounded by Swinhope Burn on the East, by land of Mr Liddel on the North, by the road leading to Middleton on the West, and by lands of Mr Curry on the South, and (e) a 30a unenclosed allotment on Windyside Fell, and (f) two calf gates in Dadry-Shield Pasture, and one-and-a-half gates in Dadry Shield Fell. [The terms of description of the bounds of twenty-four cattle gates in Windyside Pasture and Fell differ to those in former Add.MSS. 1719 deeds due to an intervening Private Act for the enclosure of lands in the Park and Forest of Weardale, 39 George III, c.69 (1799).]

Recites: (i) the death of Ann Bainbridge, widow of George Bainbridge of Windyside; (ii) the death intestate of John Bainbridge of Windyside on 5 September 1801; (iii) the probated will of William Coulthard nominating (2) as residuary legatee and sole executor.

Consideration: 5s paid by (3) to (1) and (2) (lease); £400 paid by (3) to (2), and £100 paid by (3) to (1), making a total of £500, at 5% interest per annum (release).

Customary rent: 10s 4d per annum to the Bishop of Durham.

Witnesses:

Ralph Walton

J.A. Benning

Both parts signed and sealed by (1) and (2).

Dorse: two receipts, the first for £400 paid by (3) to (2); the second for £100 paid by (3) to (1), 24 November 1817.

Dorse: receipt for £500 paid by John Robinson of Tow Law, Co. Durham, shopkeeper, the surviving executor and trustee of the will of Joseph Bainbridge, the brother and heir-at-law of (1), to Mary Corner, the administratrix with the will annexed of the estate of (3) left unadministered by his executor John Corner, deceased, 2 July 1861.

Parchment, indented 1m.; 3m.

Copy: CCB/D/1956/536/122585/1-2

Add.MS. 1719/31 24 November 1817

- (1) Thomas Bainbridge of Windyside, Stanhope parish, Co. Durham, yeoman
- (1) Joseph Bainbridge of Windyside, yeoman
- (1) Robert Bainbridge of Windyside, yeoman
- (1) Margaret Bainbridge of Windyside, spinster
- (2) William Bowron of West Auckland, [Auckland St Helen parish], Co. Durham, gent.

Penal bond of (1) to (2) in the sum of £1,000, conditional upon [a covenant in an Assignment of Mortgage in fee by Lease and Release between Thomas Bainbridge and (2) and of the same date for] the repayment by (1) to (2) of £500 with 5% interest per annum (Add.MSS. 1719/29-30).

Witnesses:

Ralph Walton
J.A. Benning

Signed or marked and sealed by (1).

Paper 1f.

Add.MS. 1719/32/1-3 25 October 1820

Grant of probate to John Robinson and George Robinson, executors, dated at Durham. Sealed in the probate court of James Baker M.A., Official Principal of the bishop of Durham.

Copy last will and testament, dated 19 April 1820, of Joseph Bainbridge of Windyside, Stanhope parish, Co. Durham, yeoman.

Witnesses:

William Bainbridge
Thomas Walton
Thomas Watson

Parchment 2m.; 1m.

Copy: CCB/D/1956/536/122586

Add.MS. 1719/33/1-5 9 September 1856

(1) John Robinson of Tow Law, Co. Durham, shopkeeper

(2) George Robinson of Daddryshield, Stanhope parish, Co. Durham, shopkeeper

Agreement to partition equally between (1) and (2) properties at or near Windyside, Stanhope parish, Co. Durham, described in two schedules, and with a plan with the portions of (1) coloured red and (2) blue. The mortgage secured upon the entire property (Add.MSS. 1719/29-30) is to be charged upon John Robinson's portion, in consideration for £50.

The first schedule describes the part assigned to (2) as follows: (a) three fields lying between Sidehead Road on the North and the road leading from St John's Chapel to Stanhope on the South, containing 7a 3r 25p, 3a 0s 4p and 2a 1r 36p (proceeding southwards respectively), and bounded on the East by land late of George Walton deceased, and on the West by the lands of the several landowners Jonathan Robinson, John Hodgson, the representatives of the late Isaac Vickers, and Mrs Bell; (b) the messuages or dwelling houses called Easter House at Windyside on the South side of the river Wear with a plot of ground containing 1r 3p; (c) those allotments lying on the East of the road from Middleton to Westgate, containing 16a 0r 33p, bounded on the East by land belonging to Joseph Walton and on the North and South by lands of George Gregson, all of which lands are in Stanhope parish.

The second schedule describes the part assigned to (1) as follows: (a) the house at Windyside called Wester House with a garden adjoining, and a potato garth and part of a green adjoining the river Wear containing 1r 4p; (b) Bridge End Field, adjoining the road leading from St John's Chapel to Stanhope on the North, and the river Wear on the South, containing 3r 37p; (c) land bounded on the North by the road leading from St John's Chapel to Stanhope, and on the South by the river Wear, and on the East by land belonging to Henry Coulthard, containing 2a 2r 23p; (d) Calf Close, bounded on the South by the road leading from Stanhope to Daddryshield, on the North by land belonging to Mrs Walton, and on the East by land belonging to Messrs Roddam, containing 2r 5p; (e) Cow Pasture, containing 25a 2r 16p, bounded on the North West by a road leading to the allotments, on the South by land belonging to George Gregson, and on the East and North East partly by the lands of the several landowners Percival Walton and Joseph Walton, and partly by the road leading to Westgate; (f) the High Allotment, containing 24a 1r, bounded on the North and East by land of George Gregson, on the West by unenclosed lands, and on the South by the moor or common; (g) one stint on the uninclosed part of the moor called Windyside Fell.

Recites: (l) the will of Joseph Bainbridge of Windyside, yeoman, dated 19 April 1820 and granting to (1) and (2) the Windyside estate as tenants in common in fee.

Consideration: £50 paid by (2) to (1).

Witnesses:

William Hutchinson

John Thompson

Signed and sealed by (1) and (2).

Subscribed with Chancery case memorandum that this Agreement, marked 'M', was referred to in an affidavit (formerly annexed) made on 24 June 1861 by William Hutchinson, gent. (Add.MS. 1719/36).

Paper; Tracing-cloth 4f.; 1f.

Copy: CCB/D/1956/536/122588

Add.MS. 1719/34/1-2 25 February 1859

Grant of probate at Durham to Joseph Robinson of Windyside, labourer, the brother of George Robinson, and John Hodgson of Sidehead, Stanhope parish, labourer, executors and trustees. Robinson died 6 November 1858. Estate valued at under £200. Sealed in the Durham District Probate Registry.

Copy last will and testament, dated 26 November 1856, of George Robinson of Daddry Shield, [Stanhope parish], Co. Durham, shopkeeper.

Witnesses:

William Hutchinson, solicitor

John Thompson, solicitor's clerk

Parchment 1m.; 1m.

Add.MS. 1719/35/1-2 8 June 1861

Grant of administration with the will annexed to Mary Corner of North Bailey, Durham City, widow and administratrix of John Corner; John Corner, executor and residuary legatee, and Jonathan Middleton, executor, both having died, and John Corner having proved the will (8 September 1845) and intermeddled, leaving Bowren's estate unadministered. Bowron died 14 February 1845. Estate valued at under £1,000. Sealed in the Durham District Probate Registry.

Copy last will and testament, dated 2 March 1841, of William Bowren otherwise Bowron of West Auckland, [Auckland St Helen], Co. Durham, gent.

Witnesses:

J[oseph] A[nthony] Benning

Margaret Benning junior

Parchment 1m.; 1m.

Copy: CCB/D/1956/536/122587

Add.MS. 1719/36 8 July 1861

Office copy of an affidavit (24 June 1861) of William Hutchinson of Stanhope, Co. Durham, gent., solicitor, concerning a Chancery case re the mortgage by Thomas Bainbridge deceased and of the Trustee Act 1850, on the petition of John Robinson, Joseph Robinson and John Hodgson.

Hutchinson attests to the publication of Add.MS. 1719/33, and the signatures of the parties thereof.

Paper 1f.

Add.MS. 1719/37/1-4 8 July 1861

Office copy of an affidavit (2 July 1861) of Mary Corner of Durham City, widow of John Corner of Raby Park, Co. Durham, farmer, and administratrix with the will annexed of the estate of William Bowron of West Auckland, Co. Durham, gent., concerning a Chancery case re the mortgage by Thomas Bainbridge deceased and of the Trustee Act 1850, on the petition of John Robinson, Joseph Robinson and John Hodgson. The affiant attests to: (i) the death of Jonathan Middleton, one of the trustees and executors of William Bowron, 23 September 1843; (ii) the death of William Bowron, 14 February 1845; (iii) the death of John Corner, one of the executors and the residuary legatee of William Bowron and the husband of the affiant, 24 March 1852; Prerogative Court of York grant of administration of his personal estate to the affiant, 16 November 1852; John Corner's co-heiresses-at-law and, according to the custom of tenant-right within the Park and Forest of Weardale, co-heirs were his widow Mary Corner, the affiant, and his daughters Mary Corner (born 17 November 1837, and from 12 August 1852 Mary Dodd the wife of the Reverend John Dodd), Margaret Corner (born 26 November 1840), Elizabeth Corner (born 7 November 1842); (iv) the payment by John Robinson, petitioner, to the affiant, as the administratrix of William Bowron, of the outstanding £500 mortgage debt (Add.MSS. 1719/29-30).
Paper 2f.

Add.MS. 1719/37A [8 July 1861]

Extract (received 22 December 1859) of the parish register of Staindrop, Co. Durham, recording the burial of John Corner (29 March 1852). The extract is marked 'W' and was annexed to the affidavit of Mary Corner (Add.MS. 1719/37). Recites: (i) grant of administration of the personal estate of John Corner to Mary Corner his widow, the affiant, in the Prerogative Court of York, 16 November 1852; (ii) the repayment to Mary Corner, the affiant, of the £500 mortgage debt with interest by John Robinson, the petitioner (see Add.MSS. 1719/29-30).

1p.

Add.MS. 1719/37B [8 July 1861]

Extract (made 21 December 1859) of the parish register of St Helen Auckland, Co. Durham, recording the burial of William Bowron (18 February 1845). The extract is marked 'X' and was annexed to the affidavit of Mary Corner (Add.MS. 1719/37).
Paper 1p.

Add.MS. 1719/37C [8 July 1861]

Extract (made 2 January 1860) of the parish register of Gaindrop, Co. Durham, recording the burial of Jonathan Middleton of Rokeby Grange, Yorkshire, farmer (27 September 1843). The extract is marked 'Z' and was annexed to the affidavit of Mary Corner (Add.MS. 1719/37).
Paper 1p.

Add.MS. 1719/38/1-6 8 July 1861

Office copy of an affidavit (6 July 1861) of John Robinson of Towlaw [Tow Law], Co. Durham, shopkeeper, petitioner, concerning a Chancery case re the mortgage by Thomas Bainbridge deceased and of the Trustee Act 1850, on the petition of John Robinson, Joseph Robinson and John Hodgson. The petitioners seek the appointment of Robert Francis Middleton of Durham City, gent., Chancery solicitor, to convey the Windyside estate in substitution for two of the co-heiresses of John Corner, a devisee in trust of the mortgagee William Bowron, and both of whom as infants are incapable of acting. The affiant attests to: (i) the death intestate of Thomas Bainbridge, the mortgagor (Add.MSS. 1719/29-30), 28 March 1820, leaving his eldest brother Joseph Bainbridge his heir-at-law and, according to the custom of tenant-right within the Park and Forest of Weardale, his customary heir;

(ii) the death of Joseph Bainbridge, 1 July 1820;

(iii) the death of Margaret Bainbridge, sister, 30 April 1820;

(iv) upon the death of Joseph Bainbridge, his brother Robert Bainbridge entered into the Windyside estate and remained in possession until his death;

(v) the death of George Featherstone, nephew and annuitant of Joseph Bainbridge, February 1831;

(vi) the death of Robert Bainbridge, 4 March 1837;

(vii) upon the death of Robert Bainbridge, Ann Robinson, the niece of Joseph Bainbridge entered into the Windyside estate and remained in possession until her death;

(viii) the death of Ann Robinson, 30 November 1852;

(ix) upon the death of Ann Robinson, her husband Jonathan Robinson entered into the Windyside estate and remained in possession until his death;

(x) the death of Jonathan Robinson, 12 October 1854;

(xi) upon the death of Jonathan Robinson, his sons John Robinson, one of the petitioners, and George Robinson entered into the Windyside estate, as devised to them in trust by the will of Joseph Bainbridge;

(xii) the death of George Robinson, 6 November 1858;

(xiii) the payment by John Robinson to Mary Corner, widow, as the administratrix of William Bowron, of the outstanding £500 mortgage debt (Add.MS. 1719/29-30).

Paper 3f.

Add.MS. 1719/38A [8 July 1861]

Extract (made 10 December 1859) of the register of St John's Chapel in Weardale, Stanhope parish, Co. Durham, recording the burial of Thomas Bainbridge (31 March 1820). The extract is marked 'A' and was annexed to the affidavit of John Robinson (Add.MS. 1719/38).

Paper 1p.

Add.MS. 1719/38B [8 July 1861]

Extract (made 10 December 1859) of the register of St John's Chapel in Weardale, Stanhope parish, Co. Durham, recording the burial of Joseph Bainbridge (4 July 1820). The extract is marked 'B' and was annexed to the affidavit of John Robinson (Add.MS. 1719/38).

Paper 1p.

Add.MS. 1719/38C [8 July 1861]

Extract (made 10 December 1859) of the register of St John's Chapel in Weardale, Stanhope parish, Co. Durham, recording the burial of Margaret Bainbridge (3 May 1820). The extract is marked 'C' and was annexed to the affidavit of John Robinson (Add.MS. 1719/38).

Paper 1p.

Add.MS. 1719/38D [8 July 1861]

Extract (made 28 June 1861) of the parish register of Linton, Yorkshire, recording the burial of George Featherstonehaugh (14 February 1831). The extract is marked 'D' and was annexed to the affidavit of John Robinson (Add.MS. 1719/38).

Paper 1p.

Add.MS. 1719/38E [8 July 1861]

Extract (made 10 December 1859) of the register of St John's Chapel in Weardale, Stanhope parish, Co. Durham, recording the burial of Robert Bainbridge (7 March 1837). The extract is marked 'E' and was annexed to the affidavit of John Robinson (Add.MS. 1719/38).

Paper 1p.

Add.MS. 1719/38F [8 July 1861]

Extract (made 10 December 1859) of the register of St John's Chapel in Weardale, Stanhope parish, Co. Durham, recording the burial of Anne Robinson (4 December 1852). The extract is marked 'F' and was annexed to the affidavit of John Robinson (Add.MS. 1719/38).

Paper 1p.

Add.MS. 1719/38G [8 July 1861]

Extract (made 10 December 1859) of the register of St John's Chapel in Weardale, Stanhope parish, Co. Durham, recording the burial of Jonathan Robinson (15 October 1854). The extract is marked 'G' and was annexed to the affidavit of John Robinson (Add.MS. 1719/38).

Paper 1p.

Add.MS. 1719/38H [8 July 1861]

Extract (made 10 December 1859) of the register of St John's Chapel in Weardale, Stanhope parish, Co. Durham, recording the burial of George Robinson (10 November 1858). The extract is marked 'G' and was annexed to the affidavit of John Robinson (Add.MS. 1719/38).

Paper 1p.

Add.MS. 1719/39/1-2 13 July 1861

Order in Chancery re the mortgage by Thomas Bainbridge deceased and of the Trustee Act 1850, on the petition of John Robinson, Joseph Robinson and John Hodgson. Robert Francis Middleton is appointed by the court to act as the representative of Margaret Corner and Elizabeth Corner, infants, and to convey to the petitioners the equity of redemption in the Windyside premises.

Paper 1f.

Copy: CCB/D/1956/536/122591

Add.MS. 1719/40/1-3 25 July 1861

(1) John Dodd of Chester le Street, Co. Durham, clerk, and Mary Dodd his wife, neé Mary Corner

(1) Robert Francis Middleton of Durham City, gent.

(2) Mary Corner of Durham City, widow

(3) John Robinson of Tow Law, Co. Durham, shopkeeper

(4) Joseph Robinson of Windyside, Stanhope parish, Co. Durham, labourer

(4) John Hodgson of Sidehead, Stanhope parish, labourer

Reconveyance by Release by (1), (2) and (3) to (4), according to the custom of tenant-right within the Park and Forest of Weardale, of George Robinson's part of the Windyside estate described in the first schedule of an Agreement to partition between (3) and George Robinson dated 9 September 1856 and recited in a schedule attached to this deed as follows: (a) three fields lying between Sidehead Road on the North and the road leading from St John's Chapel to Stanhope on the South, containing 7a 3r 25p, 3a 0r 4p and 2a 1r 36p (proceeding southwards respectively), and bounded on the East by land late of George Walton deceased, and on the West by the lands of the several landowners Jonathan Robinson, John Hodgson, the representatives of the late Isaac Vickers, and Mrs Bell; (b) those allotments lying on the East of the road from Middleton to Westgate, containing 16a 0r 33p, bounded on the East by land belonging to Joseph Walton and on the North and South by lands of George Gregson. [The schedule purports to be a copy of the 1856 first schedule, however the Easter House and its adjoining lands at Windyside have, perhaps in error, not been included in the 1861 schedule, although they are present on the 1861 copy map.]

Recites: (i) the will of Joseph Bainbridge, dated 19 April 1820, (a) devising his customary freehold estate at Windyside and his estate and premises held for three lives in Burnhope, Stanhope parish, then occupied by Thomas Rutherford and Joseph Rutherford, to (3) and George Robinson, the sons of his niece Ann Robinson, in trust for his brother and sister Robert Bainbridge and Margaret Bainbridge for their lives, and thereafter to pay a £20 annuity to George Featherstone, the testator's nephew, and the remainder to his niece Ann Robinson or her husband Jonathan Robinson for their lives, and thereafter in trust to (3) and George Robinson, the trustees, as tenants in common in fee; (ii) the trustees to sell the Burnhope estate to repay the Windyside mortgage; (iii) the will of George Robinson, dated 26 Nov 1856, devising his real and personal property to Joseph Robinson and John Hodgson their heirs and assigns in trust for his wife during her life, and thereafter equally between his daughter Ann Robinson and his other daughter Mary Robinson's children George Robinson and Elizabeth Harrison their heirs and assigns.

Customary rent: 10s 4d per annum to the Bishop of Durham.

Witnesses:

Ralph Salkeld, clerk to Maynard & Middleton solicitors, Durham

John Thompson, clerk to Mr Hutchinson, solicitor, Stanhope

Signed and sealed by all parties

Dorse: (m.1) certificate of her independent acknowledgement of the deed by Mary Dodd; (m.3) copy plan of property at or near Windyside, with portions of (3) coloured red and of George Robinson, deceased, coloured blue (see Add.MS. 1719/33). The 1861 copy differs in several building and enclosure details to the 1856 original.

Parchment 3m.

Copy: CCB/D/1956/536/122589

Add.MS. 1719/41 24 November 1866

(1) Joseph Robinson late of Windyside but now of Hill House, Stanhope parish, Co. Durham, labourer

(1) John Hodgson of Sidehead, Stanhope parish, labourer

(2) William Porter of Windyside, Stanhope parish, mason

Appointment and Conveyance by (1) to (2), his heirs and assigns, according to the custom of tenant-right within the Park and Forest of Weardale, of the Easter House portion of the Windyside estate, bounds as Add.MS. 1719/33 and Add.MS. 1719/40 [including the Easter House].

Recites: (i) the will of George Robinson late of Daddryshield, dated 6 November 1856.

Consideration: £1,180.

Customary rent: a proportionate part of an annual payment of 10s 4d [to the Ecclesiastical Commissioners].

Witness:

John Thompson, solicitor, Stanhope

Signed and sealed by all parties.

Dorse: receipt for £1,180 paid by (2) to (1).

Parchment 1m.

Add.MS. 1719/42 24 November 1866

- (1) William Porter of Windyside, Stanhope parish, mason
- (2) Joseph Robinson of Hill House, Stanhope parish, labourer
- (2) John Hodgson of Sidehead, Stanhope parish, labourer

Mortgage in fee by (1) to (2), their heirs and assigns, according to the custom of tenant-right within the Park and Forest of Weardale, of the Easter House portion of the Windyside estate, bounds as Add.MS. 1719/41, with a power of sale upon default of repayment.

Consideration: for securing £525 5s, at 4% interest per annum.

Customary rent: unspecified.

Witness:

John Thompson, solicitor, Stanhope

Signed and sealed by all parties.

Dorse: receipt for £525 5s paid by (2) to (1).

Dorse:

- (1) Joseph Robinson
- (2) William Porter

Reconveyance, dated 12 December 1877, by Release by (1) to (2), according to the custom of tenant-right within the Park and Forest of Weardale, of the 'Easter House' portion of the Windyside estate formerly conveyed by (2) to (1) in a mortgage dated 24 November 1866. Subscribed with receipt, dated 12 December 1777, for £525 5s paid by (2) to (1).

Recites: (i) indenture dated 14 January 1871 conveying to Vickers Hodgson the messuages or dwelling houses called Easter House at Windyside on the South side of the river together with a plot of ground adjoining and belonging thereto containing 1r 3p; (ii) the death of John Hodgson, 2 June 1876.

Witness:

John Thompson

Signed and sealed by both parties.

Parchment 1m.

Add.MS. 1719/43/1-2 13 December 1877

(1) William Porter of Windyside, Stanhope parish, Co. Durham, mason

(2) Vickers Hodgson of Westgate House, Stanhope parish, contractor

Additional mortgage in fee by (1) to (2), according to the custom of tenant-right within the Park and Forest of Weardale, of the remainder of the Easter House portion of the Windyside estate, namely (a) three fields lying between Sidehead Road on the North and the road leading from St John's Chapel to Stanhope on the South, containing 7a 3r 25p, 3a 0s 4p and 2a 1r 36p (proceeding southwards respectively), and bounded on the East by land late of George Walton deceased, and on the West by the lands of the several landowners John Robinson (formerly of Jonathan Robinson), Vickers Hodgson, the representatives of the late Isaac Vickers, and Mrs Bell; (b) those allotments lying on the East of the road from Middleton to Westgate, containing 16a 0r 33p, bounded on the East by land late belonging to Joseph Walton and now to his representatives and on the North and South by lands now or late belonging to George Gregson. This additional mortgage subsumes the outstanding £200 mortgage debt with an additional loan of £250 into a £450 mortgage, with a power of sale upon default of repayment.

Recites: (l) [second] mortgage, dated 11 December 1866, by (1) to (2), for £200 with interest, of the remainder of the Easter House portion of the Windyside estate.

Consideration: for securing an additional £250, making a total of £450, at 4% interest per annum.

Customary rent: unspecified.

Witness:

John Thompson, Stanhope solicitor

Signed and sealed by (1).

Dorse: receipt for £250 paid by (2) to (1), dated 13 December 1877.

Dorse:

(1) Vickers Hodgson

(2) William Porter

Reconveyance, dated 25 July 1881, by (1) to (2), according to the custom of tenant-right within the Park and Forest of Weardale, of the remainder of the Easter House portion of the Windyside estate formerly conveyed by (2) to (1) in a mortgage dated 13 December 1877.

Witness:

John Thompson, Stanhope solicitor

Signed and sealed by (1).

Parchment, indented 2m.

Add.MS. 1719/44/1-17 1880

Abstract of title of the trustees of the will of George Walton esq. to freehold lands at Windyside, Stanhope parish, further identified on the dorse as Lot 11, namely those closes containing 15a 2r 12p with the cottages and buildings thereon at Windyside numbered 1366, 1276-1280 on the schedule, less 2,250 square yards later conveyed out of 1276 (see plan Add.MS. 1719/44/6B). [Particulars of Sale for 12 lots comprising a more extensive Windyside estate survive, dated 18 September 1880, and in which Lot 11 is described as a freehold allotment, piece or parcel of land containing 14a 3r 26p bounded by Stanhope Road and Sidehead Lane, together with the cow-byre, stackyard, and other erections thereon, now occupied by Messrs Thomas Elliott and Vickers Hodgson, and subject to the reservation of the mines and minerals to the Ecclesiastical Commissioners. From this sale description fields 1277-1280 are inferred (14a 3r 26p); however, the abstract of title recites the sale of only 2,250 square yards (1r 34.4p) from field 1276. The other unaccounted lands described in the abstract of title may have been divided and sold in smaller lots at the same September 1880 sale.] The trustees are in 1880 are named as: Frances Hodgson of No. 11 Bethune Road, Stoke Newington, Middlesex, spinster; John George Elliott of No. 30 Ashmead Road, St John's New Cross, Kent, gent.; and Whitfield Gardener Walton of High Pinfold House, Daddryshield, Weardale, Co. Durham, farmer.

Recites: (i) Lease for 21 years of the above lands, dated 12 September 1851, and made between (a) Edward [Maltby], bishop of Durham; (b) Elizabeth Johnson late of Durham City, spinster, the mortgagee in trust for Percival Walton of Windyside, miner;

(ii) Release, dated 28 July 1859, and made between (a) Ecclesiastical Commissioners; (b) Percival Walton; (c) Henry Mainsty and William Emerson Wooler; (d) Elizabeth Johnson, and by which (a) releases and (b) and (c) confirm the release of the reversionary estate and interest in the above lands to (d), excepting mines and minerals, and free from all equity of redemption;

(iii) the will of Elizabeth Johnson, dated 7 February 1862, devising her real estate to James Manisty and Henry Manisty in trust, they to sell the same lands for the purposes of the testamentary trust, and appointing Eleanor Law, James Manisty and Henry Manisty as executors;

(iv) the death of Elizabeth Johnson, 11 May 1864, and probate of the will granted at Durham to the executors, 4 June 1864;

(v) Agreement for sale of the above lands by James Manisty and Henry Manisty to George Walton for £1,000;

(vi) Agreement by George Walton to mortgage the above lands to Abraham Story, for £550 at 5% interest per annum;

(vii) Conveyance and mortgage, dated 18 March 1865, and made between (a) Reverend James Manisty of Easington, clerk; Henry Manisty of the Inner Temple, Q.C.; (b) George Walton of Keeper Wharf, Ratcliffe Cross, City of London, coal merchant; (c) Abraham Story of Durham City, gent., and by which, for the consideration of £1,000, the following lands were, by the direction of (b), conveyed by (a) to (c): those closes containing 15a 2r 12p with the cottages and buildings thereon at Windyside (with schedule); with a declaration against dower; and with power of sale;

(viii) Power of Appointment, dated 23 April 1866, to Betsy Walton, wife of George Walton;

(ix) Conveyance, dated 18 September 1867, and made between (a) Abraham Story; (b) George Walton; (c) Vickers Hodgson of Wear Villa near Westgate in Weardale, contractor, and by which a parcel of land containing 2,250 sq. yards at Windyside (coloured red in attached plan), except mines and minerals, was conveyed by (a) and (b) to (c);

- (x) the will (28 August 1869) and codicil (5 February 1871) of Abraham Story, devising all his real estates held in trust or as mortgagee to John George Hargreaves, Edward Fenwick Boyd and Thomas Maddison, his executors, in trust;
- (xi) the death of Abraham Story, 2 June 1875, and probate of his will granted at Durham to the executors, 27 November 1875;
- (xii) Assignment of Mortgage by Release, dated 3 June 1876, and made between (a) John George Hargreaves, Edward Fenwick Boyd, Thomas Maddison, the executors of Abraham Story; (b) Samuel Rowland Chapman Ward of Neasham Hill, Co. Durham, esq., and by which those closes containing 15a 2r 12p with the cottages and buildings thereon at Windyside, except the lands conveyed on 18 September 1867, were conveyed by (a) to (b);
- (xiii) the will of George Walton, dated 15 May 1857, devising all his real estate at Hackney, Middlesex, and elsewhere to his executors and trustees, Bessy Walton, widow, George Gowland of Tunstall Villa, Downs Road, Clapton and of Keepiers Wharf, Broad Street, Ratcliffe, Middlesex, coal merchant, and Henry Joseph Hollingsworth of No. 16 Assembly Row, Mile End Road, Middlesex, house and land agent, in trust to Betsy Walton for life;
- (xiv) the death of Henry Joseph Hollingsworth in the lifetime of George Walton;
- (xv) the death of George Walton, 25 April 1870, and probate of the will granted to Betsy Walton, with a power reserved to the other executors, 19 July 1870;
- (xvi) will of Betsy Walton of Weardale (Weirdale) Villa, Hackney Downs, Middlesex, widow, dated 6 May 1870, reciting an indenture of Appointment dated 23 April 1866, and devising and bequeathing her real and personal estate to the use of her niece and sole executrix Frances Hodgson, then residing with the testatrix; which devise was later apprehended not to include the real estate formerly of George Walton;
- (xvii) the death of Betsy Walton, 20 October 1878, and the probate of the will by the executrix, 26 November 1878; Hannah Hodgson, sole heiress-at-law;
- (xviii) Deed Poll of George Gowland, renouncing all trusts and powers and all real and personal estate entrusted to him by the will of George Walton, dated 13 September 1880;
- (xix) Appointment of new trustees of the will of George Walton, and conveyance, dated 14 September 1880, and made between (a) Frances Hodgson of No. 11 Bethune Road, Stoke Newington, Middlesex, spinster; (b) Hannah Hodgson of Westgate, Co. Durham, widow and sole heiress-at-law of George Walton; (c) Frances Hodgson; John George Elliott of No. 30 Ashmead Road, St John's New Cross, Kent, gent.; and Whitfield Gardener Walton of High Pinfold House, Daddryshield, Weardale, Co. Durham, farmer, the substituted trustees of the will of George Walton, and by which all the freehold and customary freehold and leasehold estates of George Walton, (his customary freehold lands held according to the custom of tenant-right within the Park and Forest of Weardale paying customary rents to the Ecclesiastical Commissioners), were conveyed by (a) and (b) to (c).

Paper; Tracing-cloth 17p.; 1p.

Add.MS. 1719/45/1-3 17 August 1881

- (1) Samuel Rowland Chapman Ward of Neasham Hill, Co. Durham, esq.
- (2) Frances Hodgson of No. 11 Betheune [Bethune] Road, Stoke Newington, Middlesex, spinster
- (2) John George Elliott of No. 30 Ashmead Road, St John's New Cross, Kent, gent.
- (2) Whitfield Gardiner Walton of High Pinfold House, Stanhope parish, Co. Durham, farmer
- (3) William Porter of Windyside, Stanhope parish, builder
- (Substituted trustees of the will of George Walton)

Conveyance by (1) and (2) to (3), his heirs and assigns for ever, of four closes at Windyside containing 14a 3r 26p with the buildings thereon, the mines and minerals excepted, delineated in red on the plan (dorse) and numbered 1277-1280, now in the occupation of (3). The recitals replicate those in the abstract of title (Add. MS 1719/44): additionally (2) agrees to produce upon request certain deeds numbered in the above description of Add. MS 1719/44 (vii), (xviii), (xix), and (xii).

Consideration: £860: £550 paid by (3) to (1); £310 paid by (3) to (2).

Witnesses:

- Catharine Hark of 8 Huntington Place, Tynemouth, [Northumberland]
- W.J. Crossfield of 16 Mark Land, London, solicitor
- William Herbert, clerk to Mr James Chambers, Durham solicitor
- Alexander Park of Newbus Grange, gent.

Signed and sealed by (1) and (2).

Dorse (m1): (a) plan of the four closes numbered 1277-1280 and delineated in red; (b) two receipts for £550 and £310 paid by (3) to (1) and (2) respectively.

Parchment, indented 2m.

Add.MS. 1719/46/1-2 18 August 1881

(1) William Porter of Windyside, Stanhope parish, Co. Durham, builder

(2) Cuthbert Bainbridge of Leazes House near Wolsingham, Co. Durham, esq.

Mortgage in fee by (1) to (2), according to the custom of tenant-right within the Park and Forest of Weardale, of lands described in schedules 1-3; with attorn tenant by (1) to (2) at an annual rent of £63 15s; and with a power of sale upon default of repayment.

Schedule 1: a parcel of land at Windyside containing 2r 5p, late in the occupation of Mr Ralph Dalkin. [This piece of land corresponds to Lot 3 in the same 1881 Particulars and Conditions of Sale of a more extensive Windyside estate referenced above.]. Schedule 2: lands as Add.MS. 1719/43, the bounds differing only so far as the three fields are bounded on the East now by land lately purchased by (1) from the trustees of the late George Walton and described in schedule 3. Schedule 3: lands as Add.MS. 1719/45, bounded on the East by land belonging to the representatives of the late Joseph Walton, on the West by the closes of land described in schedule 2, on the South by the Lobley Hill road, and on the North by the Sidehead road.

Recites: (i) indenture dated 5 January 1881 between (a) Frances Hodgson, John George Elliott and Whitfield Gardiner Walton; (b) William Porter, being a conveyance by (a) to (b), his heirs and assigns for ever, according to the custom of tenant-right within the Park and Forest of Weardale, of a parcel of land described in schedule 1 (annexed), and paying a proportionate part of a customary annual rent to the Ecclesiastical Commissioners of 4s 10d;

(ii) indenture dated 25 July 1881 between (a) Vickers Hodgson; (b) William Porter, being a conveyance by (a) to (b), his heirs and assigns for ever, according to the custom of tenant-right within the Park and Forest of Weardale, of lands described in schedule 2, and paying an unspecified customary annual rent to the Ecclesiastical Commissioners; (iii) indenture dated 17 August 1881 between (a) Frances Hodgson, John George Elliott and Whitfield Gardiner Walton; (b) William Porter, being a conveyance by (a) to (b), his heirs and assigns for ever, of lands described in schedule 3, except the mines and minerals.

Consideration: for securing £1,500, at 4.25% interest per annum.

Witesses:

John Thompson, Stanhope solicitor

Signed and sealed by (1).

Dorse: (m1) receipt for £1,500 paid by (2) to (1), dated 18 August 1881; (m2) three plans of the lands described in schedules 1-3.

Parchment 2m.

Add.MS. 1719/47/1-2 11 July 1884

(1)

Ann Porter of Windyside, Stanhope parish, Co. Durham, widow
John Morter of Marwood near Barnard Castle, Co. Durham, farmer

(2) George Robinson of Windyside, Stanhope parish, mason

Conveyance by (1) to (2), his heirs and assigns, of lands at Windyside as described in Add.MS. 1719/46, and subject to the mortgage of £1,500 secured thereon.

Recites: (i) Add.MS. 1719/46;

(ii) Will of William Porter, dated 14 March 1868, devising all his real and personal estate to (1) and Vickers Hodgson, executors and trustees;

(iii) death of William Porter, 5 December 1881, and probate of his will, 1 July 1882;

(iv) death of Vickers Hodgson, February 1884.

Consideration: £850 paid by (2) to (1).

Witness:

John Thompson, Stanhope solicitor

Signed and sealed by (1) and (2).

Parchment 1m.

Add.MS. 1719/48 12 July 1884

(1) George Robinson of Windyside, Stanhope parish, Co. Durham, mason

(2) Cuthbert Bainbridge of Leazes House, Wolsingham parish, Co. Durham, esq.

Deed of Further Charge by (1) to (2) of £400, in addition to the existing mortgage in fee of £1,500, and secured upon the same lands as described in Add.MS. 1719/46, and with the continuance of the same powers and provisions as are contained therein.

Recites: (i) Add.MS. 1719/46;

(ii) Add.MS. 1719/47 and its recitals (ii)-(iv).

Consideration: for securing an additional £400, making a total of £1,500, at 4% interest per annum.

Witness:

John Thompson, Stanhope solicitor

Signed and sealed by (1) and (2).

Parchment 1m.

Add.MS. 1719/49 9 May 1904

(1) Emerson Muschamp Bainbridge of 4 Whitehall Court, London, Middlesex, colliery owner

(1) John Proud of Bishop Auckland, Co. Durham, gent.
the transferors

(2) Emerson Muschamp Bainbridge

(2) John Proud

(2) John Watson Roddam of Stanhope, Co. Durham, gent.

(2) Robert Dunn Proud of Bishop Auckland, solicitor
the transferees

Transfer of Mortgage in fee by (1) to (2) of lands at Windyside as described in Add.MS. 1719/46, (2) having become entitled to the mortgage debts on a joint account.

Witnesses:

AJ. Hayden of 4 Whitehall Court, [London]

Percy Knowles of Bankside, Bishop Auckland, butler

Signed and sealed by (1).

Parchment 1m.

Add.MS. 1719/50 2007-2008

Printed transcripts of Add.MSS. 1719 deeds, made by Ken Heatherington, Secretary of the Weardale Museum, with digital scans of property plans from the deeds collection, and satellite images of the Westgate area overdrawn with relevant [tithe apportionment] field numbers.

Paper 1 volume

Add.MS. 1719/51 2007-2008

Transcripts of Add.MSS. 1719 deeds, with digital scans of property plans from the deeds collection, made by Ken Heatherington, Secretary of the Weardale Museum.

Microsoft Word (1997-2003)

44 computer files

Add.MS. 1719/52 2007-2008

Images of Add.MSS. 1719 deeds, with two digital photographs of Windyside, made by Ken Heatherington, Secretary of the Weardale Museum.

JPEG

139 computer files