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Catalogue of the Leybourne deeds (SGD 54)

Date range of material: 13th - 19th century

Durham University Library
November 2016

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Preface

Creation of catalogue

Items 1-20A & B were listed by Martin Snape 1969-70, when these documents were first lent to the Department. The items, numbered 21 to 87, were listed and an index made in 1978-9 by J.L. Drury, after the collection was given to the Department. List re-keyed ES 1996; SGML EAD markup RIH January 1997.

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Introduction

Collection title: Leybourne deeds (SGD 54)

Reference code: GB-0033-SGD-54

Dates of creation: 13th - 19th century

Extent: 88 items.

Repository: Durham University Library, Archives and Special Collections

Creator: deeds concerning mainly the estates of Littleburn, Nafferton and Holywell in Brancepeth parish Co. Durham, although other places are mentioned.

Language of material: English

Contents

Lying so close together Littleburn, Hollywell and New Nafferton have sometimes been owned by the same people, sometimes by different. From the surviving deeds an extensive account of these owners and occupiers and their vicissitudes can be gathered. These deeds are together now, because the Russell family acquired all the properties in the nineteenth century. That the deeds have been in separate hands is shown at once by the several old series of numbers endorsed upon them.

The first part of the list, which includes most of the Littleburn deeds, covers items 1-20A & B. They are all in good condition. The historian Robert Surtees of Mainsforth must have seen the collection as he refers to item 1 in of the *History and Antiquities of Durham* IV, part 2, p. 17 note b. (This unfinished volume was seen through the press by James Raine after Surtees' death.) In the Longstaffe manuscripts in Durham Cathedral Library are transcriptions of most or all of these early Littleburn deeds, including one or two no longer with them.

Numbers 21 to 87 are all in fairly good condition unless stated. The series is not complete, but some of the missing items are mentioned in the abstracts of title. The names differ in spelling from document to document and within one document. Names such as Beal, Hinks, Quarrell and Swinburn have been standardised.

The estate

The early story of Littleburn is told in the notes of Mr. Martin Snape (who described items in this list up to 20/B) which follows this introduction. The Calverley family, which provided several episcopal Stewards, held an interest in Littleburn from 1587 until at least 1660. After then shares in the title were much fragmented, but in 1706 the Doubleday family bought it. About fifty years later (deed missing) the Reed family, who already had Holywell, bought Littleburn too and the three Reed heiresses had shares. By 1856 the Russell family had acquired it also.

Most of the deeds, numbered over 20, tell the story of the ownership of Holywell Hall in Brancepeth parish from about 1620. Much earlier, in the twelfth century, Holywell, together with the rest of the Brancepeth Castle estates, had belonged to the Bulmer family. At the end of that century the Bulmer lands passed by marriage to the Nevilles. John Randolph held Holywell of Lord Ralph Neville and after his death, John de Neville held it. John de Hawkeswell, perhaps of the same family as those who held Littleburn, died in 1420 holding a quarter of Holywell and was succeeded by Joanna, his grandmother's niece (Escheator's Account c.c. 189601). Later that century, William Claxton of Holywell, who died in 1494, was Constable of Brancepeth Castle for Raphe Neville, Earl of Westmorland. In 1552 Anthony Grey lived at Holywell. The Rising of the North in 1569 occasioned the confiscation

by the Crown of Neville lands and thereafter Holywell fell to the Freville family who lived at Raby Castle.

Elizabeth, daughter of Richard Freville of Raby, baptised 1595, was the third and last wife of Sir John Calverley of Littleburn. She later married Colonel William Stewart and Littleburn was sacked during the Civil War on the orders of the Earl of Newcastle (Surtees Soc. vol. iii, p. 347.) The Freville family, some of whom were living at Littleburn at the same time, sold Holywell in 1623 to William Baxter of Whitworth, who soon sold it to the Swinburn family in 1629. The Swinburns were prominent Roman Catholics and therefore subject to legal difficulties, which could be mitigated through the judicious use of trustees. In 1636 Holywell was confiscated briefly due to the recusancy of John Swinburn of Capheaton, thought mistakenly to be the owner. It was soon restored. In 1681 William Tempest, nephew of William, Mathew and Alan Swinburn, died there. For a hundred years, until 1749, Holywell passed through a succession of the Swinburns' trustees and mortgagees including fellow Catholic Thomas Radcliffe of Dilston and also the Second and Third Earls of Carlisle in the 1690s. In 1720 John Akenside was tenant. John Reed of Framwellgate bought the property from the Swinburns in 1749 and it passed to his great nephew William who had three daughters. Their tenants at Holywell were, about 1785 William Richmond, about 1790 Peter Noble and later James Strafford and Lieut. Col. Ord. In 1804 the three great-grand nieces and all the others with interest, sold Holywell to William Russell who had recently bought Brancepeth Castle. Gustavus Russell, Lord Boyne, held Holywell in 1877 when these deeds end. By 1879 the agent for Bell's Colliery, Addison Longton Stevenson lived there. George Suddes occupied it in 1894 and in the 1920s it was the home of Sir Cuthbert and Lady Headlam.

New Nafferton in Brancepeth parish first appears in these deeds in 1691. It was very probably built by the Swinburns, perhaps as a dower house and was called after Nafferton near Ovingham in Northumberland where the Swinburns had connections.

Accession details

These deeds were given to the Department by Mrs. Leybourne in 1978, when she sold Holywell and moved to Nunsbrough House, Hexham, Northumberland. About ten years earlier she had deposited all but two items temporarily and in the two lots, nos. 1-20B first. The last two items given (nos. 34 and 41) were collected from her on 12 October 1978. They had been in frames. As the collection contains many more thirteenth-sixteenth century deeds than are usually found in runs of private title deeds, she was anxious that the collection be preserved and available locally and not lost to sight in a lawyer's safe.

Mrs. Leybourne had obtained the deeds from the estate office in Brancepeth Castle when the estate was finally sold off in parts and the Castle emptied "after the war". These deeds were in a drawer marked "Holywell" and the Leybournes were given the entire, unchecked contents. Deeds irrelevant for current legal purposes, pertaining to other parts of the estate, if not collected by the new owners of those parts, were burned. The bonfire included volumes and rolled plans. Apparently one or two plans were taken off the fire by local people.

Arrangement

Items 1 - 20 A & B: the documents are mentioned in chronological order, but the numbers given beside them are the numbers inscribed on the dorse of each document, not the number the document would have received, had the earliest been numbered "1". Numbers "6" and "11" do not belong to this old numeration, in which they were not used at all, but

have been allotted in 1978 to documents without numbers. Similarly "A" & "B" have been added to distinguish between two items both numbered 20.

The old numbers marked in ink on the dorse of many items in the second part have not been used for this list because the numbers are duplicated. The numbers given in this list are those written in pencil on documents 21 onwards.

Form of citation

The form of citation should be GB-0033-SGD-54, or the collection title Leybourne deeds (SGD 54), and the *reference number*.

To order items in the searchroom, 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.

Bibliography

Surtees, R, *The history and antiquities of the County Palatine of Durham* vol. IV (1840).

Littleburn

SGD.54/17 (early 13th century)

Feoffment, Ralph de Barkwith to William Brackenbury, in fee simple:

a moiety of the vill of Littleburn, half an oxgang of land in Willington, half a toft, formerly held by Gilbert son of Horm.

Barkwith, from which the donor takes his name, is in Lincolnshire, and the fact that the first witness is the abbot of the nearby abbey of Topholme suggests that this deed was executed in Lincolnshire.

Language: Latin

SGD.54/5 (late 13th century, before 1283)

Feoffment, Robert de Nevill to Isabel de Brackenbury, in fee simple saving assignment to religious or Jews: a moiety of the vill of Littleburn, with 4s. annual rent from a messuage and half an oxgang of land in Willington; to be held of Robert de Nevill as freely as Nicholas de Turs formerly held it.

In view of its association with property in Willington, the moiety of Littleburn here conveyed is evidently the same half as before. Robert de Nevill, lord of Brancepeth, succeeded in 1254 and died in 1283. According to Surtees (*History of Durham* Vol. IV, p.19), Isabel was the widow of Robert de Brackenbury, presumably a descendant of William de Brackenbury who received the property in the deed above.

This new grant to Isabel was presumably necessary owing to some adjustment of feudal relationships, perhaps following an escheat of the property into the hands of Nevill as lord of the honour of Brancepeth. She is being put into the place of Nicholas de Turs, who may have been an intermediate lord between Nevill and the Brackenburys, or may have held the interest that Isabel is expressly forbidden to dispose of the property to religious (i.e. men of a monastic life - monks, friars, etc.) or to Jews. Property which came into the hands of a religious corporation such as an abbey ceased to provide the payments due from time to time to the lord when the tenant died etc. The prejudice against Jews is more obvious in origin.

Language: Latin

SGD.54/[6] (late 13th century, before 1283)

Release and quitclaim, Robert de Nevill to Isabel de Brackenbury, for life, suit of court at manor of Brancepeth in respect of a moiety of the vill of Littleburn with appurtenances. This document goes with the last, and releases Isabel from the obligation to appear (in person or by deputy) at the lord's court in Brancepeth and to pay the customary dues there. It has a good armorial seal of Robert de Nevill.

Language: Latin

SGD.54/16 24 September 1293

Feoffment, Peter de Nuthill and Isabel his wife to William son of Alexander de Hawkswell, in fee simple: all their land in Littleburn, with villeins, villein holdings and their broods and chattels, and all their land in Willington with appurtenances.

Again the association with property at Willington suggests that 'all our land' in Littleburn means the same moiety as before, but in view of later developments (see nos. 14 and 4, below) it seems possible that the phrase refers to both halves of the manor. Isabel the wife of Peter de Nuthill was very probably identical with Isabel de Brackenbury.

Surtees (loc. cit.) evidently thought so too, although he calls her second husband Peter de Nevill.

Language: Latin

SGD.54/10 24 September 1293

As above (16), with slight variations in wording.

Language: Latin

SGD.54/1 31 May 1307

Agreement, William de Hawkswell and William de Brackenbury:

Hawkswell grants Brackenbury the right to dig a millpond for his mill of Great Burn in the soil of Hawkswell's manor of Littleburn, with free access, in return for grinding of his corn from Littleburn free of multure.

This document reveals that the manor of Great Burn (now Burnhall) was also the property of the Brackenbury family, and remains so after the Littleburn property has been conveyed away to William de Hawkeswell. According to Surtees (*loc. cit.*) the William de Brackenbury of this deed was the son of Isabel by her first husband, but he does not adduce evidence of this.

Brackenbury and Hawkeswell come to an arrangement about Brackenbury's making a millpond in the river Browney which divides their two properties: in return for the encroachment on the Littleburn property, the owner will get his own corn (but not that of his unfree tenants) ground free of charge.

Language: Latin

SGD.54/20/A 1 October 1337 - 12 January 1338

Plea (by writ of "formedon in the descender") in the court of the Bishop of Durham:

Peter son of John de Nuthill claims against Edmund de Kilham a moiety of the manor of Littleburn, with appurtenances, which he claims as his inheritance in fee tail by virtue of a grant from William de Brackenbury to his grandparents Peter and Isabel de Nuthill; Kilham makes good his title as heir of William de Hawkswell by vouching Nuthill to warranty in accordance with Peter and Isabel's charter to Hawkswell (for which see nos. 16 and 10, above).

Peter de Nuthill is the grandson of Peter and Isabel de Nuthill, and claims a moiety of Littleburn on the grounds that it was entailed, so that they had no right to part with it, and he is the heir under the entail. Edmund de Kilham, who is in actual possession, is great-nephew and heir of William de Hawkswell, to whom Peter and Isabel conveyed it, and who died without issue. Kilham proves his title to the satisfaction of the court by producing Peter and Isabel's charter, the terms of which bind their heirs (in this case the very man who has brought the action against him) to vindicate Kilham's title or else to provide compensation.

The property in Willington is no longer mentioned, and we do not hear of it again.

Language: Latin

SGD.54/[11] 28 March 1339

Writ *praecipe* of Richard of Bury, Bishop of Durham, in respect of a moiety of the manor of Littleburn claimed against Edmund de Kilham by Peter son of John de Nuthill, who claims that his grandmother Isabel de Nuthill's husband Peter de Nuthill granted it to William de Hawkswell against her will. This unnumbered writ (now given the number 11) represents the opening of another legal action by Peter de Nuthill against Edmund de Kilham in pursuit of his claim to half the manor of Littleburn. In this case, it is claimed that the elder Peter granted the property to William de Hawkswell against the will of his wife Isabel.

On the face of it, this seems to be a second attempt to obtain the same half of Littleburn as before, but the next document shows that Peter de Nuthill claimed both moieties from Edmund de Kilham, and this may in fact be the other half.

Language: Latin

SGD.54/14 11 November 1355

Release and quitclaim, Peter de Nuthill, knight, to Edmund de Kilham and his heirs, of all right and claim in the manor of Littleburn, for which he has unjustly impleaded Edmund, viz. a moiety of the manor by one writ and the other moiety by another writ, before the Bishop of Durham's justices at Durham.

(Endorsement records enrolment of this document on the Bishop of Durham's Plea Roll). Peter de Nuthill, having failed in his claims to the two halves of Littleburn, relinquishes all claim. This document mentions that he is a knight.

Language: Latin

SGD.54/4 11 November 1355

As above, without endorsement.

Language: Latin

SGD.54/3 11 November 1355

Feoffment, Thomas son of Peter de Nuthill, knight, to Edmund de Kilham: the whole manor of Littleburn with appurtenances, in fee simple.

Peter's son and heir Thomas also confirms Kilham's title.

Language: Latin

SGD.54/2 16 July 1369

Feoffment, Robert de Birden', Thomas de Brackenbury, John de Clesby, and John de Skelton, chaplains, to John de Charlton son of Howyn de Charlton, and Joan his wife: the whole manor of Littleburn with appurtenances, for the life of Joan, with remainder to right heirs of Thomas son of Edmund de Kilham and their assigns.

Here the four "chaplains", i.e. clergymen, are acting as trustees:

Joan the wife of John de Charlton is probably a member of the Kilham family, perhaps a daughter or sister of Edmund; she and her husband are to have Littleburn for her lifetime, after which it is to return to the Kilham family heir.

This is one of three copies of the deed to be kept by the various parties to the transaction, and as there are only two seals on it, they may be those of Joan and her husband.

Language: Latin

SGD.54/13 20 December 1423

Feoffment, John Walker vicar of Osmotherley and John Orwen vicar of Thornton Steward, to John de Kilham and Joan his wife and the heirs of their bodies: the manor of Littleburn with appurtenances; with remainder to right heirs of John de Kilham.

Again the clergy are acting as trustees, this time settling Littleburn upon John de Kilham and his wife Joan and any children and other descendants they may have. This was presumably part of a marriage settlement. If there are no children of the marriage, or the line subsequently fails, the property is to revert to John's other next of kin in accordance with the ordinary laws of inheritance.

Language: Latin

SGD.54/7 17 October 1433

Feoffment, John Kilham, Esq., and Joan his wife to Roger Ask, William Burgh, Guy Fairfax, John Burgh of Brompton, Richard Welten', and Thomas Curte, chaplain, in fee simple:

the manor of Littleburn. John Kilham and his wife are in their turn transferring Littleburn to trustees, so that a new settlement can be made. Unfortunately, we have no means of knowing what that settlement was, as there is no further document to tell us.

Language: Latin

SGD.54/8 12 April 1486

Feoffment, Thomas Mountfort of Hackforth, Esq., to George Mountfort his son, in tail male, with reversion to Christopher Mountfort his son, in tail male, and William Mountfort his son, in tail male, and remainder to the right heirs of Thomas:

the manor of Littleburn and all his lands and tenements in Littleburn, and all his property in Burton in Bishopdale, Aysgarth, and Walden, Yorkshire.

With appointment of attornies for livery of seisin.

By now the Littleburn property has come into the hands of Thomas Mountfort, by some sequence of events of which we have no record. By this deed he regulates its inheritance (and that of some other property in the Yorkshire dales): he gives it to his son George, to descend from him in the male line; failing male heirs of George, it is to go to his son Christopher and his male heirs; failing that, to his third son William and his male heirs. If all heirs in the male line fail, the property is to go to the father's legal heirs, male or female.

Language: Latin

SGD.54/15 14 January 1501

Letters of attorney of Richard Segiswick and Henry Segiswick for receiving seisin from George Mountfort of lands and tenements in Riby, Lincs., Thorpe Audlin and Appleton, Yorks., as in his charter dated 12 January 16 Henry VII [1501].

(Endorsement recording dates of death of "my fayther, viz. Sir William Calverley" and "my mother", in 1541 and 1561:- cf. nos. 9 and 18-20, below).

This document does not concern Littleburn, but other property of George Mountfort's in Lincolnshire and Yorkshire. The note on the back shows that it was handed over to the Calverley family with the Littleburn deeds. This may have been a mistake.

Language: Latin

SGD.54/12 6 December 1552

Lease, George Mountford of Nunnington, Yorks., Esq., and Jane Mountford his mother, to Anthony Grey of Holywell, Co. Durham, for 21 years (subject to the interest of Richard Grey, which is to be voided if possible):

the manor of Burn near Brancepeth.

This is a lease of the manor of Burnhall (not Littleburn) to a neighbour, by George Mountford and his mother. The Mountford family evidently owned both Littleburn and Burnhall.

Language: Latin

SGD.54/18 4 May 1567

Bargain and sale, George Mountford of Souleycote, Yorks., Esq., to Thomas Calverley of Bishop Auckland, Esq., and Isabell Anderson daughter of Bertram Anderson of Newcastle upon Tyne, merchant, and the heirs of Thomas begotten on the body of Isabell, with reversion to the right heirs of Thomas:

a tenement and farmhold called Burnehall, and all lands, tenements, etc. appertaining. The Calverley family is evidently acquiring Burnhall and part of Littleburn from George Mountford in order to make provision for Thomas Calverley on his marriage to Isabell Anderson.

Language: Latin

SGD.54/9 4 May 1567

Bond of George Mountford of Souleycote, Yorks., Esq., to observe covenants in indentures of this date with Thomas Calverley of Bishop Auckland, Esq., and Isabell Anderson daughter of Bertram Anderson of Newcastle upon Tyne, merchant.

Language: Latin

SGD.54/19 4 May 1567

Feoffment, George Mountford of Souleycote, Yorks., Esq., to Thomas Calverley of Bishop Auckland, Esq., and Isabell Anderson daughter of Bertram Anderson of Newcastle upon Tyne, merchant, and the heirs of Thomas begotten on the body of Isabell, with reversion to the right heirs of Thomas:

a tenement called Burnehall and all lands, tenements, etc. appertaining.

Language: Latin

SGD.54/20/B 15 August 1587

Exemplification of fine and recovery in the court of the County Palatine of Durham.

By a fine dated 28 July 1567, George Mountford quitclaims to Thomas Calverley and Isabella Anderson a messuage called Burnehall and specified property (one toft, one garden, one orchard, 200 acres of land, 100 acres of meadow, 200 acres of pasture, 10 acres of wood, 200 acres of moor, and 100 acres of gorse and heath) in Littleburn in the parish of Brancepeth.

By a recovery dated 2 August 1574, Henry Anderson and William Calverley recover the same premises from Thomas Calverley and Isabella his wife, with George Mountford as the vouchee.

Language: Latin

Holywell, Littleburn and New Nafferton

SGD.54/21 12 October 22 James I [1624]

Copy Feoffment in trust

1. Sir John Calverley of Littleburn alias Burnhall, Co. Durham
John Calverley the younger, his son & heir
2. Sir Peter Riddell of Newcastle upon Tyne
Thomas Jenyson of Irchester, Northamptonshire
Nicholas Frevile of Great Chilton

Premises: Littleburn alias Burnhall and appurtenances in Co. Durham and land at Eriholme, Yorkshire, to provide dower for Dame Elizabeth, wife of Sir John and a settlement on John the younger.

Memoranda about the Eriholme property in 1624 and about delivery of deeds of all the premises in 1638.

Marked 1 in an old series.

Paper 10ff (8ff + 1f + 1f blank).

SGD.54/22 20 February 1659/60

Copy Will of Mr John Calverley of Eriholme upon Tees, Yorkshire.

His property included Littleburn alias Burnhall, Co. Durham and Newton Hansard and Eriholme, Yorkshire.

Marked 2 in an old series.

Paper 5ff.

SGD.54/23 21 September 1623

Bargain and sale

1. Nicholas Frevile of Littleburn, nephew of Sir George Frevile of Walworth, deceased
George, Thomas, Richard and Robert Frevile, brothers of Nicholas
2. William Baxter of Whitworth

Premises: a tenement called Hallowell, Brancepeth parish, with appurtenances.

Sir George's trustees i.e. Sir John Calverley, Francis Burgoigne Archdeacon of Northumberland, Francis Brakine, Thomas Jennison and Gilbert Frevile conveyed the property, according to Sir George's will, to the five brothers who sell it to Baxter for £770, with enjoyment after the death of Dame Elizabeth, widow of Sir George.

Signatures of the five Freviles, all seals missing.

Numbered 1 in an old series.

Parchment 1m.

SGD.54/24 21 September 1627

Release or further assurance.

1. Dame Elizabeth Frevile of Walworth, widow
Sir John Calverley of Littleburn
Francis Burgoigne B.D. Archdeacon of Northumberland
Francis Brakine of Cambridge
Thomas Jennyson of Irchester, Northamptonshire
Gilbert Frevile of Middleham
Nicholas Frevile and his brothers George, Thomas, Richard and Robert
2. William Baxter of Whitworth

Premises: Hallowell in Brancepeth parish, with appurtenances.

If the five brothers did not use the consideration of £770 to discharge the debts of George and Nicholas, for which most of Sir George's estate was liable, then the trustees would resume their responsibility for the premises and convey them to Baxter.

Signatures of all but Brakine and Gilbert Frevile complete seals of Richard and Robert Frevile, rest fragmentary.

Numbered 2 in an old series.

Parchment 1m.

SGD.54/25 5 Charles I [1628-9]

Exemplification of a recovery at Durham (rest lost).

Demandant - William Baxter.

Tenant - illegible, parchment damaged.

Premises: 2 messuages, 2 cottages, 3 gardens, 1 orchard, 80 acres of land, 200 acres of meadow, 200 acres of pasture, 40 acres of woodland, 100 acres of moor, 40 acres of gorse and heather with common of pasture for all manner of beasts, with appurtenances in Halliwell alias Hallowell.

No seal; left side of document missing.

Marked 2 and 3 in old series.

Language: Latin

Parchment 1m.

SGD.54/26 12 June 1629

Deed of Feoffment.

William Baxter granted Hallowell and appurtenances to George Brabant of Brancepeth East Lodge and James Cholmley of Pagebank, for the use of William Swinburn of Capheaton Northumberland, Jane his wife and their son William after them.

Signature and seal of William Baxter.

Numbered 3 in an old series.

Language: Latin

Parchment 1m.

SGD.54/27 12 June 1629

Bargain and sale.

1. William Baxter of Hallowell
2. George Brabant of Brancepeth East Lodge
James Cholmley of Pagebank

Premises: Hallowell and appurtenances, for the use of the Swinburns, subject to several rehearsed leases of parts of the estate.

Signature and detached seal of Baxter.

Numbered 4 in an old series.

Parchment 1m.

SGD.54/28. and 29 20 July 5 Charles I [1629]

Right and Left hand Indentures of Fine.

- George Brabant
James Cholmely
querents
- William Baxter and his wife Ann
deforciant

Premises: Halliwell alias Hallowell and appurtenances.

Language: Latin

Parchment 1m. each.

SGD.54/30 27 February 1653/4

Covenant to levy a fine and suffer a recovery

1. William Swinburn of Capheaton, Northumberland
2. William Beckwith of London
Robert Hincks of London
3. Thomas Beal of London

Premises: Hallowell and appurtenances to be settled on (2).

Signature and seal of (1).

Numbered 5 in an old series.

Parchment 1m.

SGD.54/31 28 February 1653/4

Deed to lead the uses of a fine and of a recovery

1. William Beckwith
Robert Hincks
both of London
2. William Swinburn of Capheaton

Premises: Hallowell and appurtenances to be conveyed to Swinburn by Beckwith and Hincks after 21 years.

Signature and papered seals of (1).

Numbered 6 in an old series.

Parchment 1m.

SGD.54/32. and 33 "Easter Day in fiteene dayes" 1654 [6 March + 15 = 10 April 1654]
Right and Left Hand Indentures of Fine.

William Beckwith
Robert Hincks
querents
William Swinburn
deforciant

Premises: Halliwell alias Hollowell and appurtenances.

Language: Latin

Parchment 1 m. each.

SGD.54/34 24 June 1654

Exemplification of a recovery

At Westminster before the Justices of the Common Bench

Thomas Beal, demandant
William Swinburn, tenant

Premises: Halliwell alias Hollowell.

Seal missing.

Marked 5 in an old series.

Parchment 1m.

SGD.54/35 12 March 1654/5

Lease for one year

1. William Beckwith
Robert Hincks
both of London
William Swinburn of Capheaton
2. John Browne
Ralph Halsall
both of St. Martin's in the Fields, Middlesex

Premises: Hallowell and appurtenances in Brancepeth parish.

Signatures of (1).

Broken seal of Beckwith, others missing.

Marked 14 but changed to 13 in an old series.

Parchment 1m.

SGD.54/36 13 March 1654/5

Release

1. William Beckwith
Robert Hincks
both of London
William Swinburn of Capheaton
2. John Browne
Ralph Halsall
both of St. Martin's in the Fields, Middlesex

Premises: Hallowell and appurtenances in Brancepeth parish.

Signatures and broken seals of (1).

Marked 7 in an old series.

Parchment 1m.

SGD.54/37 21 March 1654/5

Indenture concerning a trust

1. John Browne
Ralph Halsall
both of St. Martin's in the Fields, Middlesex
2. William Swinburn of Capheaton

Premises: Hallowell, held in trust by Browne and Halsall for the use of Swinburn, the last-named to pay certain expenses.

Signatures of (1) and seal of Browne.

Marked 8 in an old series.

Parchment 1m.

SGD.54/38 1 April 1691

Deed to lead the uses of a fine and of a recovery

1. William Swinburn of Hallywell, Co. Durham
2. David Dixon
Hammond Hendry
both of Durham
3. John Mowbray
Godfrey Didsbury
both of Durham

Premises: Hallywell alias Hallowell and appurtenances in Brancepeth parish and Nafferton and appurtenances in the same parish, to be vested in Mowbray and Didsbury to the use of Swinburn.

(A Godfrey Didsbury witnessed the will of William Harrison of Durham, proved 1726).

Signatures of all 5 and seals (all same).

Marked 9 in an old series.

Parchment 1m.

SGD.54/39. and 40 30 May 3 William and Mary [1691]

Right and Left Hand Indenture of Fine.

David Dixon
Hammond Hendry
querents
William Swinburn
deforciant

Premises: 6 messuages, 2 tofts, 3 cottages, 3 granaries, 4 gardens, 4 orchards, 80 acres of land, 200 acres of meadow, 200 acres of pasture, 40 acres of woodland, 20 acres of gorse and heather, 100 acres of moor and common of pasture at Halliwell alias Hallowell and Nafferton in Brancepeth parish.

Both marked 9 in an old series.

Language: Latin

Parchment 1m. each.

SGD.54/41 20 July 3 William and Mary [1691]

Exemplification of a recovery.

At Durham before the Justices Itinerant for Durham and Sadberge

John Mowbray
Godfrey Didsbury
demandants
William Swinburn
tenant

Premises: 6 messuages etc. etc. at Halliwell and Nafferton in Brancepeth parish.

Seal in good condition.

Marked 9 and ?20 in an old series.

Language: Latin

Parchment 1m.

SGD.54/42 20 August 1691

Lease for 6 months

1. William Swinburn of Hallowell, Co. Durham
2. Edward, Earl of Carlisle

Premises: Hallywell alias Hallowell and appurtenances in Brancepeth parish.

Signature and seal of (1).

Marked 10 in an old series.

Parchment 1m.

SGD.54/43 21 August 1691

Release

1. William Swinburn of Hallowell, Co. Durham
2. Edward, Earl of Carlisle

Premises: Hallywell alias Hallowell, mortgaged to (2).

Signature and seal of William Swinburn.

Marked 10 in an old series.

Parchment 2mm.

SGD.54/43. (a)

Attached:

Schedule of deeds.

Parchment 1m.

SGD.54/44 4 November 1698

Power of attorney

William Howard of Naward, Cumberland second son of the late Edward, Earl of Carlisle, appoints Charles, present Earl of Carlisle, his attorney in the matter of Nafferton Manor and Halliwell messuage.

Signature and seal of William Howard

Parchment 1m.

SGD.54/45 11 November 10 William III [1698]

Release and Quitclaim

1. Charles, Earl of Carlisle etc., son of Edward late Earl of Carlisle
His brother the Hon. William Howard of Naward
2. The Hon. Thomas Radcliffe of Dilston
3. Mathew Swinburn of Hallywell, brother and heir of the late William Swinburn of Hallywell

Premises: Nafferton Manor, Nafferton Hall with the rake or common of pasture in Sheildon adjoining in the parish of Ovingham, Northumberland plus Halliwell alias Hallowell, Brancepeth and appurtenances.

(2) replaced (1) as mortgagee.

Signatures and seals of (1).

Marked 11 in an old series.

Language: Latin

Parchment 2mm.

SGD.54/46 25 June 1700

Release in trust

1. Mathew Swinburn of Hallywell
2. John Wytham of Sledgewitch, Co. Durham

Premises: Hallywell alias Hallowell and the messuage New Nafferton, both in Brancepeth parish, with appurtenances, to Wytham for terms of years upon certain trusts.

Mark of (1), signature of (2), seals of both.

Marked 12 in an old series.

Parchment 1m.

SGD.54/47 1 November 1700

Lease for 98 years and 6 months

1. John Wytham of Sledgewitch, Co. Durham
2. Edward Riddell of Swinburne Castle, Northumberland

Premises: Hallywell alias Hallowell and New Nafferton and appurtenances, all in Brancepeth parish, bequeathed by Mathew Swinburn to (1), now leased to (2) upon trusts.

Signatures and seals of both parties.

Marked 13 in an old series.

Parchment 1m.

SGD.54/48 31 December 1700

Covenant to indemnity

1. William Swinburn of Capheaton, Northumberland
2. Edward Riddell of Swinburne Castle, Northumberland

Premises: Hallywell alias Hallowell and New Nafferton in Brancepeth parish.

(1) to keep (2) harmless in any legal action over the premises.

Signature and seal of (2).

Marked 14 in an old series.

Parchment 2m.

SGD.54/49. and 50 10 September 2 Ann [1703]

Right and Left Hand Indentures of Fine.

Robert Spearman, querent

Thomas Bowes and his wife Katherine, deforcians

Premises: 1 messuage, 1 cottage, 1 toft, 1 granary, 1 garden, 1 orchard, 1 courtyard, 150 acres of meadow, 200 acres of pasture with common of pasture for all manner of beasts, with appurtenances in Brancepeth parish. [Littleburn].

Marked 12 in an old series.

Language: Latin

Parchment 1m. each.

SGD.54/51 30 December 1703

Release and quitclaim

1. Henry Laws of Billingham

Margaret Laws of Billingham, widow and executrix of Henry Laws deceased

Sarah Laws one of the daughters of Henry Laws deceased

Richard Smith of Foxton and his wife Rebecca, another daughter of Henry Laws deceased

2. Robert Spearman of Durham City

3. Thomas Bowes of Durham City

Premises: The tenement called Little-burne alias Burnehill, Co. Durham.

Signatures and seals of Henry and Sarah Laws, Richard and Rebecca Smith, mark and seal of Margaret Laws.

Marked 8 in an old series.

Parchment 1m.

SGD.54/52. and 53 16 April 5 Anne [1706]

Right and Left Hand Indentures of Fine.

Humphrey Doubleday, querent

Thomas Bowes and his wife Katherine

Robert Spearman and his wife Hannah
deforcians

Premises: 1 messuage, 1 cottage, 1 toft, 1 granary, 1 garden, 1 orchard, 1 courtyard, 150 acres of land, 150 acres of meadow, 20 acres of pasture with common of pasture for all manner of beasts, with appurtenances in Brancepeth parish. [Littleburn].

Language: Latin

Parchment 1m. each.

SGD.54/54 27 September 1706

Assignment of the residue of 98 years 6 months

1. Sir William Swinburn of Capheaton

Edward Riddell of Swinburn Castle

John Wytham of Clyffe, Yks.

2. John Hebdon of Newcastle upon Tyne

Premises: the tenements Hallywell or Hallowell and New Nafferton, assigned to (2) to secure his repayment by Swinburn.

Signatures and seals of (2).

Marked 15 in an old series.

Parchment 2m.

SGD.54/55 1 September 1721

Deed to lead the uses of a recovery

1. Sir John Swinburn of Capheaton
 2. Francis Loggin of London
 3. John Rudd of Durham City
- Thomas Maynard of Yarm

Premises: Manor of Halliwell and appurtenances and also Nafferton farm in Brancepeth parish, to (3) to the use of (1) for life and thereafter to his heirs.

Signatures of (1) and (3).

Marked 16 in an old series.

Parchment 1m.

SGD.54/56 12 May 8 George I [1722]

Exemplification of a recovery

At Durham before the Justices Itinerant for Durham and Sadberge

- Francis Loggin, demandant
John Rudd and Thomas Maynard, tenant

Premises: Halliwell manor and appurtenances also 10 messuages, 300 acres of land, 200 acres of meadow, 400 acres of pasture, 200 acres of gorse and heather, 100 acres of moor and common of pasture in Brancepeth parish [New Nafferton].

Seal damaged.

Marked 16 in an old series.

Language: Latin

Parchment 1m.

SGD.54/57 26 April 1749

Letters of administration.

Issued for the estate of John Witham of Cliffe, Yorks, to George Wardell.

Signatures of William Plant, and Robert Jubb, deputy register.

Seal of the Prerogative Count of the Archbishop of York.

Parchment 1m.

SGD.54/58 1 May 1749

Deed to lead the uses of a recovery

1. Sir John Swinburn, eldest son of Sir John Swinburn deceased and his wife Dame Mary
2. John Reed of Framwellgate, Durham City
3. Thomas Rudd of the Bailey, Durham City

Premises: Halliwell and Nafferton and appurtenances in Brancepeth parish. Signatures and seals of (1), (2) and (3).

Marked 18 in an old series.

Parchment 1m.

SGD.54/58 (a)

Attached:

Commission concerning the enrollment of the deed.

That this took place is noted in an endorsement on the deed.

Parchment 1m.

SGD.54/59 1 May 1749

Bargain and sale

1. George Wardell of Edmondsley (administrator of John Wytham)
2. Sir John Swinburn of Capheaton
3. John Reed of Framwellgate, Durham City
4. Thomas Hogg of the Bailey, Durham City

Premises: Halliwell alias Hallowell and New Nafferton conveyed by (1) and (2) to the purchaser (3) and his trustee (4).

Signatures and seals of all four.

Marked 19 in an old series.

Parchment 1m.

SGD.54/60 2 May 22 George II [1749]

Exemplification of a recovery

At Durham before Justices Itinerant for Durham and Sadberge

Thomas Rudd, demandant

John Reed, tenant

Premises: Halliwell with appurtenances 10 messuages, 2 gardens, 2 orchards, 300 acres of land, 200 acres of meadow, 400 acres of pasture, 200 acres of gorse and heather, 100 acres of moor and common of pasture in Brancepeth parish [these acreages must include New Nafferton].

Seal damaged.

Marked 18 in an old series.

Parchment 1m.

SGD.54/61 19 August 1749

Indenture of assignment (reconveyance)

1. Sir John Swinburn of Capheaton
2. John Reed of Framwellgate, Durham City

Premises: Halliwell manor and New Nafferton farm in Brancepeth parish.

Signature and seal of (1).

Marked 21 in an old series.

Parchment 1m.

SGD.54/62

Marriage settlement - 2 items pinned together.

SGD.54/62 (a) 7 January 1757

Lease for one year

1. William Reed of Hallowell
 2. Joseph Reay of Newcastle
- Thomas Rudd of Durham City

Premises: Halliwell and Nafferton in Brancepeth parish plus several messuages at Mordon.

Signature and seal of Reed.

Parchment 1m.

SGD.54/62. (b) 8 January 1757
Release

1. William Reed of Hallowell, son and heir of Thomas Reed of Framwellgate, deceased, nephew and heir of John Reed of Framwellgate, deceased
2. Hannah Reah of Newcastle, spinster aged 20, daughter and heir of Utrick Reah, senior and sister and heir of Utrick Reah junior
3. James Wilkinson and his wife Bridget, once widow of Utrick Reah, father of Hannah Reah
4. Joseph Reah of Newcastle
Thomas Rudd of Durham

Trusts were set up in connection with the proposed Marriage of (1) and (2).

Signatures and seals of (1), (2) and (3).

Parchment 4mm.

SGD.54/63 23 February 1784
Marriage settlement

1. John Cookson of the Middle Temple, London, a younger son of John Cookson of Whithill deceased
2. Hannah Jane Reed of Conduit Street, parish of St. George, Hanover Sq., London one of the three daughters of William Reed of Hallowell, deceased.
3. Elizabeth Cookson of Whithill, widow of John Cookson
4. Henry Utrick Reay of the Inner Temple, London
Thomas Lowes of Newcastle upon Tyne

(3) was her husband's executrix and the children's guardian.

Her son (1) was to marry (2). A trust was to be set up to include cash from the estate of John senior and from (2)'s property, for the use of (1), (2) and their heirs.

Attested copy.

Paper 4ff.

SGD.54/64 24 February 1785
Release and covenant to mortgage

1. John and Hannah Jane Cookson
2. Harry Utrick Reay
Thomas Lowes

Premises: a third part of property at Holywell, Nafferton, Littleburn, Mordon, Edmondsley, Sedgfield, Stranton and Benknowle in Hart and Elwick parishes and tithes of Benknowle also copyhold land at Lanchester and Sedgfield.

Signatures and seals of all four.

Parchment 5mm.

SGD.54/65 5 March 25 George III [1785]
Right Hand Indenture of Fine

Henry Utrick Reay
Thomas Lowes
plaintiffs
John Cookson and his wife Hannah
deforcians

Premises: A third part of 30 messuages etc. at Holywell, Nafferton, Littleburn, Mordon, Edmondsley, Sedgefield, Benknowle, Elwick, Hart and Stranton and in the parishes of Brancepeth, Sedgefield, Chester-le-Street, Lanchester, Hart, Elwick and Stranton, County Durham and tithes at Benknowle and Elwick.

Parchment 1m.

SGD.54/66 26 July 1790
Lease for one year

1. Margaret Reed, spinster, one of the three daughters and co-heirs of William Reed of Holywell, deceased
2. John Coulthurst of Gargrave, Yorkshire

Premises: Her third part of Holywell, Nafferton, Littleburn and property at Mordon, Edmondsley, Sedgefield, property and tithes at Benknowle in Hart and Elwick parishes and property at Stranton, current occupiers named.

Signature and seal of (1).

Parchment 1m.

SGD.54/67 27 July 1790
Release (Marriage settlement)

1. Margaret Reed one of the three daughters and co-heirs of William Reed of Holywell, deceased
2. John Coulthurst of Gargrave, Yorkshire
3. James Farrer of Chancery Lane, London

Premises: as in the lease of 26 July 1790, subject to payments of dower and mortgage interest.

Copyhold lands in the manors of Lanchester and Bishop Middleham were also concerned and described.

(1) and (2) were to be married.

Signature and seal of (1).

Parchment 1m.

SGD.54/68 3 August 1790
Lease for one year

1. John Coulthurst of Gargrave, Yorkshire
2. Oliver Farer of Bedford Square, Middx.
James Farrer of Chancery Lane

Premises: The third share, once belonging to Margaret Coulthurst née Reed and now to (1), of property at Holywell, Nafferton and Littleburn in Brancepeth parish, at Mordon, Edmondsley, Sedgefield, Benknowle in Hart and Elwick parishes and tithes there, also property at Stranton.

Signature and seal of (1).

Parchment 1m.

SGD.54/69 4 August 1790

Release in trust to sell

1. John Coulthurst of Gargrave, Yorkshire and his wife Margaret née Reed
2. Oliver Farrer of Bedford Sq. Middx.
James Farrer of Chancery Lane, Middx.

Premises: as in the lease of 3 August, to be sold or mortgaged to raise sufficient money to pay off legacies.

Signatures of (1).

Parchment 3mm.

SGD.54/70

Additional abstract of title to Hollywell, Nafferton and Littleburn estates Co. Durham, compiled about 1790.

Paper 10ff.

SGD.54/71 2 August 1792

Release and covenant to transfer trusts

1. Henry Utrick Reay of Burnhall, Co. Durham
Thomas Lowes of Hertford Sq., Middx.
2. John Cookson of Cavendish Sq. Middx. and his wife Hannah
3. Samuel Castell of the City of London
Charles Wren of Newcastle

Premises: as in the release of 24 February 1785, (2) had not yet surrendered the copyholdings.

The trusts in the marriage settlement of 23 February 1784 were to be transferred from (1) to (3), subject to (2)'s right of redemption.

Signatures and seals of (1) and (2).

Parchment 5mm.

SGD.54/72 14 April 1804

Abstract of title to Hollywell and Nafferton estates, Co. Durham 1623-1792. It includes an Opinion of Robert Hopper Williamson [sometime Recorder of Newcastle].

Paper 38ff.

SGD.54/73 14 May 1804

Lease for one year

1. Bridget Reed spinster, one of the three daughters and co-heirs of William Reed
John Coulthurst, husband of Margaret, another of the three daughters
Oliver Farrer of Bedford Sq., Middx.
James Farrer of Lincoln's Inn Fields
Robert Hopper Williamson, trustee of John Cookson deceased husband of Hannah
Jane Reed, the other of the three daughters
Samuel Castell of London, survivor of Chas. Wren of Newcastle, deceased
Laetitia Rudd inheritrix of James Wilkinson of Newcastle, deceased
2. William Russell of Brancepeth Castle

Premises: all three shares of Hallowell or Hollywell and Nafferton with appurtenances in Brancepeth parish.

Signatures and seals of (1).

Parchment 1m.

SGD.54/74 15 May 1804
Release

1. Hannah Reed née Reay of Durham City, widow of William Reed of Hollywell or Halliwell, Brancepeth
2. Bridget Reed of Durham City, spinster, one of the three daughters and co-heirs of William Reed of Hollywell, nephew and heir of John Reed of Framwellgate, Durham
3. John Coulthurst of Gargrave, Yorks, husband of Margaret one of the three daughters and co-heirs of William Reed
4. Oliver Farrer of Beford Sq. Middx.
James Farrer of Lincoln's Inn
5. Robert Hopper Williamson of Newcastle upon Tyne, trustee of the late John Cookson, husband of Hannah Jane Reed, the other daughter and co-heir of William Reed
6. Samuel Castell of London, survivor of Charles Wren of Newcastle, deceased
7. Laetitia Rudd of Chester, widow of William Rudd of Durham, heir of Thomas Rudd of Durham, survivor of James Wilkinson of Newcastle deceased
8. William Russell of Brancepeth Castle

Premises: All of Hollywell and Nafferton and appurtenances in Brancepeth parish subject to a rent charge to Sir Francis Twisden.

(1) - (7) release and confirm their several estates and interests in the premises, to (8) in fee, for various considerations.

Seals and signatures of (1) - (7).

Parchment 8mm.

SGD.54/75 16 August 1817

Letter from (?)I.W. Selby of Town Mallings [Kent] to J. Ward of Durham.

This concerns the Papillon family and farm-rents.

Signature of Selby.

Paper 2ff.

SGD.54/76 27 August 1817

Letter from (?)I.W. Selby of Town Mallings [Kent] to J. Ward in Durham.

The letter concerns farm rents and contains an abstract of a fine 12 September 49 George III [1809]

Charles Style, querent

Sir John Papillon Twisden and his wife Elizabeth, deforciant

Premises: farm rents at Ivesly or Iveston, Waterhouse, West Brandon, Willington, Quarrell Hill, Hollywell or Halliwell and Layton, all in Co. Durham.

Signature of I.W. Selby.

Paper 2ff.

SGD.54/77 5 September 1817

Abstract of title 1673-1811 with Opinion of William Williams of Durham.

Premises: farm rents at Ivesly or Iveston, Waterhouse, West Brandon, Willington, Quarrell Hill, Hollywell or Halliwell and Layton, all in Co. Durham

Paper 16ff.

SGD.54/78 22 November 1817

Conveyance of fee farm rents

1. Sir John Twisden of Brassbourn, Kent, heir of Sir John Papillon
2. Mathew Russell of Brancepeth Castle and Hardwick, son of the late William Russell

Premises: farm rents as in the abstract of title of 5 September 1817.

Seal and signature of Twisden.

Parchment 2ff. including schedule of earlier deeds.

SGD.54/79 11 September 1817

Copy of a letter from Rt. Taylor in Newcastle to -.

This concerns the sale of Sir John Twisden's fee farm rents on 31 May 1817, a memorandum of the agreement being included.

Paper 1f.

SGD.54/80 30 December 1817

Printed form of receipt and discharge for any specific, pecuniary or other legacy.

Estate of Sir John Papillon Twisden of East Malling, Kent.

Executor, Sir John Twisden of Manchester Sq., Middx.

Legatee, John Twisden.

Paper 1f.

SGD.54/81 16 October 1875

Conveyance of farm rents

1. John, Earl of Eldon
2. Gustavus Russell, Viscount Boyne

Premises: rents from Hoggs House and Mordon South Side farms, Co. Durham.

Signature and seal of (1).

Parchment 1m.

SGD.54/82 16 October 1875

Authorisation by Lord Eldon to Viscount Boyne to pay the consideration of £145 in respect of the conveyance of 16 October 1875, to his agents Mssrs. Bell Stewards & Co.

Signature of Lord Eldon over 1d. stamp.

Paper 1f.

SGD.54/83 31 May 1877

Receipt for fee farm rents at Sedgefield and Stokesley, Co. Durham [sic], paid by Viscount Boyne to Edm. Reeves.

Signature of Edm. Reeves over 1d. stamp.

Paper 1f.

SGD.54/84 31 May 1877

Receipt from Edm. Reeves (Receiver General of fee farm rents for Augustus Smith Esq.) for £95 received by him as purchase money from Viscount Boyne for fee farm rents at Sedgefield and Stokesley, Co. Durham [sic], purchased by Viscount Boyne from Smith.

Signature of Edm. Reeves.

Paper 2ff.

SGD.54/85 4 May 1691

Quitclaim of dower by Elizabeth Willkinson, widow of Thomas Wilkinson of Benknowle, Co. Durham, yeoman. Mark and seal of Elizabeth Wilkinson.

Parchment 1m.

SGD.54/86

Part of a jurors' presentment that John Chattoe of Hutton Henry, yeoman, did on 20 April 1749 take away 18 metal cramps from Hulam stone bridge, over Hulam Moor Beck, on the road between Hutton Henry and Hartlepool.

Paper 1f.

SGD.54/87

Three envelopes, one buff, two white with 3d. stamps, addressed to Mrs. M. Leybourne or M.J. Leybourne, Holywell Hall, Durham, dating from the 1960s.

These were found in the bottom of the box containing the Holywell etc. deeds.