THE FAMILY OF SWINTON.

Ten years ago Mr. J. H. Round contributed to *The Genealogist* a paper entitled "Odard the Sheriff," in which he showed us very clearly who this Odard was, and proved his forebears and some of his successors for at least two generations both ways, achieving this result by calling to the aid of a Northumbrian pedigree, three of the charters of Swinton in Berwickshire, which charters preserved formerly at Coldingham, now at Durham, are reproduced in *fac-simile* in the *National Manuscripts of Scotland*, and appear also in Raine's *History of North Durham* (Nos. IV, XII and XIII).

At this moment we need not refer to No. IV, but No. XII and No. XIII are as follows:—

C. Dđ reg̃ de ꝑra de Swyntun. xl. sol redđ moñ de Dunolñ.

D. Rex Scot ⁊ H. suus fili⁹. Om̃ib3 vicecomitib⁹ suis cunctis q̃ baronib⁹ francis ⁊ Angł Sał. Sciatis q̃d dedi ⁊ concessi huic meo militi Hernulfo. Swinton. in feudā sibi ⁊ heredi suo cū om̃ib3 hominib⁹ suis q̃ pecuniis Tenere bene ⁊ liƀe ⁊ honorifice sicut ullus ex meis baronib⁹ meli⁹ ac liƀi⁹ tenet. ⁊ q̃cq̃d ad cā ptiñ p casdē consuetudines p q^as Liulf⁹ fili⁹ edulfi. ⁊ Vdard⁹ fili⁹ suus tenuerūt. tenere de Sc̃o Cuthberto ⁊ de me. xl solidos reddente monachis de dunelmia sine om̃ib3 aliis serviciis. T. Wiłł filio dunecan. ⁊ Maduc ꝯsule. ⁊ comiť dunecan. ⁊ Radulfo Nuuel. ⁊ Marsel Marmiun. ⁊ Walꝑ fiť alani. ⁊ Herƀ Chāƀlein. ⁊ ada fiť edwardi. ⁊ Wiłł de lindesj. ad hadintunia. Vał.

C. reg̃ Dđ Arnulfo Militi ꝯcessa de ꝑra de Swyntoñ.

D. Rex Scottoꝝ. Comitib⁹ Baronib⁹ viĉ Ministris. ⁊ Om̃ib3 fidelib⁹ suis clericis ⁊ laicis toti⁹ ꝑre sue: sał. Sciatis me concessisse ⁊ dedisse Arnolfo isti meo Militi totā ꝑrā de Swintoñ cū pecunia ⁊ hōĩb⁹ ⁊ om̃ib3

[1] *Ibid.*, p. 295.

[2] "Bracton's Note Book," iii, 77. Compare the plaintiff's admission (iii, 593).

[3] Hodgson's Northumberland.

[4] I have discussed the Montfichet pedigree, in the twelfth century, in *Essex Archæological Transactions*, vol. v [N.S.], pp. 140–142.

reb^{9} juste ad eand̄ ꝺ̄rā ꝑtinentib^{9} In feudo ⁊ in Hereditate sibi ⁊ heredibus ita liḃe ⁊ q̄ete ⁊ honorifice teñe ⁊ habere sic̄ Vdardus vic̄ eā tenuit liḃius ⁊ quietius ꝑ illud seruitiū ind̄ faciendo Monachis Dunhelmie q̄d ipse Vdard^{9} eis ind̄ faciebat. ꝑsentibus testib^{9}. Willo nepoт̄ reg̃. ⁊ Madd̄ Comit̄. ⁊ Dunec̄ Com̃. ⁊ Hugone de Morvill̄. ⁊ Walᵽ fit̄ alan̄. Aꝑ. Traucoir.

Collating these two, Mr. Round showed us that Udard, the son of Liulf and grandson of Edulf, was also Udard the Sheriff, and went on to point out that Udard was the same person as Odard, Sheriff of the Northumbrians, and that from Odard descended a family which, from their long hereditary connection with the Shrievalty, adopted as a surname the title le Visconte or Viscount.

Hodgson has called Odard "the first Sheriff under the Crown on record," but in this he is surely wrong, for we find Liulf, his father, addressed as "Vicecomes" in two charters (Raine DCCXXIX and DCCLXXXV, 2nd), and the date of this last cannot be later than 1118, in which year Queen Matilda, who grants the charter, died. We can date him earlier than this also, for, to refer now to Raine's Charter IV, King Edgar's charter of Swinton, he appears in this, first as a former owner of the lands "Swintun sic̄ Liulf habuit," secondly as a witness to its transfer as Ligulf de Bebbanburch. Now Bebbanburch or Bamborough was the official seat of government in Northumbria, the old Earls were of Northumbria or Bamborough, the Vicecomes the same, and Liulf must then have been Sheriff; while the date of the charter cannot be later than 1107, in which year Edgar died, and was most probably 1098, the year in which he refounded the Priory of Coldingham.

One thing we must remember throughout, that in the times of which we treat the Tweed was no certain boundary line. The Scottish Kings claimed Northumberland, and David, before he came to the throne, and his son Henry, in later years, held sway south of the present Border. In 1139, Henry was definitely appointed Earl of Northumberland, and its Barons did him homage. He held Bamborough, and all the land was held under him (*vide* Hodgson, part i., page 248). For some time during the first half of the twelfth century the Sheriff of Northumberland was at least as closely connected with the Scottish as with the English Court, and not only does Liulf appear with King Edgar, but Odard with King David, and Adam, Odard's second son, with Earl Henry.

In the new *History of Northumberland* (vol. ii., page 10 and onward), Mr. Bateson has followed Mr. Round in exploring the le Visconte pedigree as carried on by John, Odard's third son, but, though the Swinton charters are made use of, we find no mention of the family primarily interested in them, who take their name from the Swinton lands, some small portion of which they have continued to hold from that day to this. The reason is obvious, for though a descent has always been claimed by them from Edulf through Hernulf, there was nothing but tradition and old pedigrees to go upon, and up to the other day no contemporary evidence beyond Charters XII and XIII had been discovered to show any certain relationship between Hernulf and Odard.

In the *Athenæum* of June 9th, 1894, one anonymous critic went so far as definitely to deny that such relationship ever existed, for in an article in the edition of Burke's *Landed Gentry*, published in that year, in which he rode rough shod over many of the older pedigrees, he said—

"Nor have they yet learnt that Ernulf, the alleged ancestor of the Swintons, was not descended from his 'Saxon' predecessors."

Now even then this was somewhat sweeping, for let us consider on what the claim rested. In these charters there may be no mention of relationship, but there is much of hereditary possession of the same lands under the same conditions, and if there was no blood connection surely it was curious to record not only the name of the previous owner but his pedigree. This is not done in the second charter, why should it have been thought necessary to do it in the first? I can find no Scottish charter containing such a pedigree save in the case of hereditary succession. Family tradition again, and pedigrees written out long after the dates to which they refer, are, of course, not proof, but that this particular tradition was not coined yesterday is shown by reference to a pamphlet, printed and published in 1690, in which John Swinton of Swinton, in pursuit of his successful attempt to have his father's "pretended forfeiture" reduced, says,

"During all which time, the true proprietars have been debarred from access, to an inheritance transmitted to them from their ancestors, by an uninterrupted succession of above 600 years."

Six hundred years from 1690 would carry us back through Hernulf to the time when we know that Liulf was holding Swinton. Lastly the opinions formed by experts must carry weight, and the pedigree has gone uncriticised up to now, while we have Alexander Sinclair writing in a manuscript preserved at Kimmerghame of "the old Saxon family of Swinton," and Sir Robert Douglas saying in the *Baronage*—

"And though in the above charters Hernulfus is not designed son of Udwardus, yet, as fees were then begun to be hereditary in Scotland, it is highly probable he was either his son or heir male; for certain it is, he was possessed of the same lands which were heretably enjoyed by the three preceding generations his predecessors."

Now remember that these opinions were given when there was nothing to prove that Udard had not died unmarried.

Mr. Round started us on the right track and helped us much when he identified Udard of Swinton with Odard of Bamborough, and, finding for him two sons, William and John, showed that in or about 1132 Odard was succeeded in all his lands by William. But it is from the new *History of Northumberland* that we get our last and greatest assistance. Following Mr. Round, Mr. Bateson has gone a step further as far as we are concerned, for he has not only called attention to the facts that the lands of Swinton were included in the inheritance of William, the son of Odard, but he has printed a document from the Durham Treasury, which shows that this William did not live long, and which adds two more sons to Odard's family.

Durham Treas. Cart. Misc. 6,895.

"Omnibus baronibus comitatus Northumb(rie) Francis quam Anglis et cognatis et amicis suis Adam Vicecomes Northumbrie (deed damaged) . . . fratrem meum Wilhelmum concessisse et dedisse Deo et Sancto

Cuthberto, propter elemosinam et (pec)uniam ipsius Sancti Arkil de Matefen cum tota substantia sua. Et ego Adam heres ejus hoc idem concedo pro anima fratris mei et heredum ejus et mea anima et heredum meorum, concedente Johanne fratre meo et Ernaldo fratre meo.

"Testibus: Bernardo clerico et Johanne presbiter de Weremuthe Elfvoldo de Trhokelau et Ricardo clerico et Fulcone P'ntuit et aliis multis."

Here surely we find what we want, for here is a brother of Adam and John, the sons of Odard, who, considering the way his name is introduced and the fact of his consent being required to grants of family inheritance, cannot well have been a half-brother or illegitimate, and therefore presumably himself a son of Odard, bearing the name of Ernald, and in spite of the difference in the sound there is no doubt whatever that Hernulf, Arnolf, Ernald and Arnoud are all nothing but a clerk's variations of the same name. Mr. Round has, I believe, proved this, and I am told at the Record Office that it is admitted.

But it is a crucial point, and we cannot have too much proof.

In the *Testa de Nevill* we find :—

Page 114. Willi fil Ernold in Nethercote.
Page 115. Willi fil Ernulphi in Nethercote.

In the *Liber Rubeus de Scaccario* :—

Date 1166. Simonem filium Ernulfi.
Date 1166. Simon filius Ernaldi.

And in the *Pipe Rolls* of this very County of Northumberland :—

Ernald de Morewic in the 7th year of Henry II.
Erñ de Morewic in the 11th year of Henry II.
Ærnulf de Morewic in the 14th year of Henry II.
Ernulf de Morewic in the 18th year of Henry II.

We can, moreover, show that our Hernulf or Arnolf of the Swinton charters was himself in Berwickshire written down as Ernald. The following must be identical :—

Grant of Swinton—"Meo militi Hernulfo," Raine, Ch. XII, date 1124 to 1153.
2nd Grant of Swinton—"Arnolfo isti meo militi," Raine, Ch. XIII, date 1124 to 1153.
"Ernaldo," Raine, Ch. CXII, date before 1166.
"Ernald milite," Raine, Ch. CXIII, date before 1166.
"Erñ de Swinet'," Cart. of Coldstream, date 1165.

These last three are the names of witnesses to three charters of Gospatrick, the Earl, who died in 1166, all about land marching with Swinton.

The name, however spelt, was evidently a most uncommon one north of the Tweed whatever it was in the south, and on the few occasions at that date on which we come across it, when not a priest, the reference is always almost certainly to the same man. With the exception of Charters XII and XIII, which were probably the work of a south country clerk, much of whose spelling was wrong, for instance, Vdard for Odard, we invariably find the name rendered as Ernald, Ærnald, or Arnald. Beyond that in no other of the 803 Coldingham Charters does the term "Miles" appear after a Saxon christian name without a surname, nor does it appear in Raine in conjunction with any other name at all, Saxon or Norman, during the twelfth century.

We can also, I think, show that Ernald, the son of Odard, was

himself on his part called Ernulf, for in the Red Book of the Exchequer, date 1166, we find John, the son of Odard, enfeoffing Ernulf, while in the Pipe Rolls of 1170 and 1171 we find "Ernald fr John Vic" (John son of Odard). This last is of great importance also as confirming Mr. Bateson's reading of the Arkil de Matefen Charter.

We may now say that we have arrived at this :—

South of the Tweed and close to it.	North of the Tweed (only three miles).
1st. We find an Ernald, also known a Ernulf.	1st. We find a Hernulf, more generally known as Ernald.
2nd. Brother of William, Adam, and John, the sons of Odard, grandsons of Liulf, owners of Swinton.	2nd. Holding heretably and by the same customs Swinton formerly owned by Liulf, son of Edulf | Odard | William (brother of an Ernald).
3rd. Interested in the disposition of their inherited possessions and in "Arkil de Matefen cum sua substantia."	3rd. There is abundant evidence in Raine of some special connection between Albcambus, a quite separate property in Berwickshire not included in Charters XII and XIII, and Swinton, fifteen miles away; and by comparing Raine, Charters CLXXXII and CCCCXXXI and reading the twenty-one charters of David de Quixwood (evidently by Charter CLXXXVI, a man of known and local descent) we may fairly presume that this Ernald also possessed some portion of Aldcambus, containing Liulf's Cleuch (Lyolvesclo), Charter CCLV and Arkile's Midhope, Charter CLXXX.
4th. John, son of John, Vicecomes, made grants to Farne (Raine, Charter DCCXIII, where, according to Reginald of Durham, two members of the family had been miraculously healed).	4th. The tithes of Aldcambus went to Farne (Raine, Charter DCCXII), forty miles away, and close to Bamborough.
5th. Of a family closely connected to King David and his family.	5th. From the wording of his charters in close connection with King David.
6th. Born before 1133 and living up to 1171, but apparently not in Northumberland, in whose Pipe Rolls he only appears in 1170 and 1171, nor anywhere else in England as far as can be traced. He only appears on the Northumberland scenes as brother of his distinguished brothers, well-known there.	6th. A grown man and "Miles" before 1153. Living at least up to 1165. Though he owns Swinton, he only once appears as de Swinton, generally as Ernald.

The names fit, the dates fit, the lands are the same. At that date the tendency to a very marked extent was to make everything hereditary. Not only land, but nearly every office went in a family. The question we have to answer is this. William, the son of Odard, the son of Liulf, died young, leaving no issue. Who succeeded him in the lands of Swinton which all three had possessed? Apparently an

Ernald, and if so, why not his own brother of the name? Odard's possessions were evidently split up. Mr. Hodgson has given it as his opinion that Adam eventually found a home in Cumberland. Mr. Round has shown us that John and his descendants remained in Northumberland, what more likely than that the third group of lands, north of the Tweed, which was then beginning to be considered a boundary between two nations, should fall to the share of the third brother. For why should King David have given lands long in possession of a family intimately connected with himself to an outsider. If he did so, would the charter have been worded as it is? Would not some clue as to who the outsider was, his father's name, his brother's name, have been put in to distinguish him from the man of the same name who must have been well known to the Coldingham Monks and all the country side, the son of the family to whom the lands had belonged for at least three generations?

Far from doing this a pedigree is put into his first charter recounting these generations.

The use of the verbs "do et concedo" might read like an entirely fresh grant were it not that we find that in the earliest Coldingham Charters these verbs were used in what was nothing more than a confirmation. In Raine, Charter xv, David uses them about the same lands which his brother Edgar had given to be held in perpetuity in Charters II, IV, V and VI.

I hope I have brought forward sufficient evidence to get over the difficulty in which we are placed by Charters XII and XIII making no definite statement as regards relationship.

Finally it would be of interest to know if Mr. Round or anyone following up the suggestion he threw out in "Odard, the Sheriff," has been able to identify Edulf, Odard's grandfather, with Edulf Rus, who in 1080 took the lead in slaying Walcher, Bishop of Durham, in vengeance for the murder of Liulf the Thane. There is a Swinton tradition, which I give for what it is worth, that the family have never prospered because in early days they had fallen foul of the Church.

Edulf Rus, Simeon tells us, was killed and buried at Jedburgh, so he had apparently retired north from Durham. As regards his descent, he was great-great-grandson of Waltheof, who held the Earldom in the reign of Ethelred, 969, and great-grandson of Uchtred, also Earl. For some reason, possibly because he was killed young, Cospatric, his grandfather, was passed over, and the Earldom went in the female line, but if the accepted pedigree is correct (Surtees, vol. iv, page 157), Edulf Rus was the male representative of the line of the older Earls.

It would be difficult to find any proof, but the following possible argument may be worth recording. After the overthrow of Robert de Mowbray, the Earldom was reserved. A Vicecomes was appointed, apparently in the person of Liulf, son of Edulf, and the office became hereditary in his family. There should be some explanation of a Saxon family so soon after the Conquest attaining to high hereditary rank.

At this time a great effort was being made to conciliate the old Saxon families. Hodgson says, part i, p. 196, "There was a great deal done in the way of compensation," and what is more likely than that

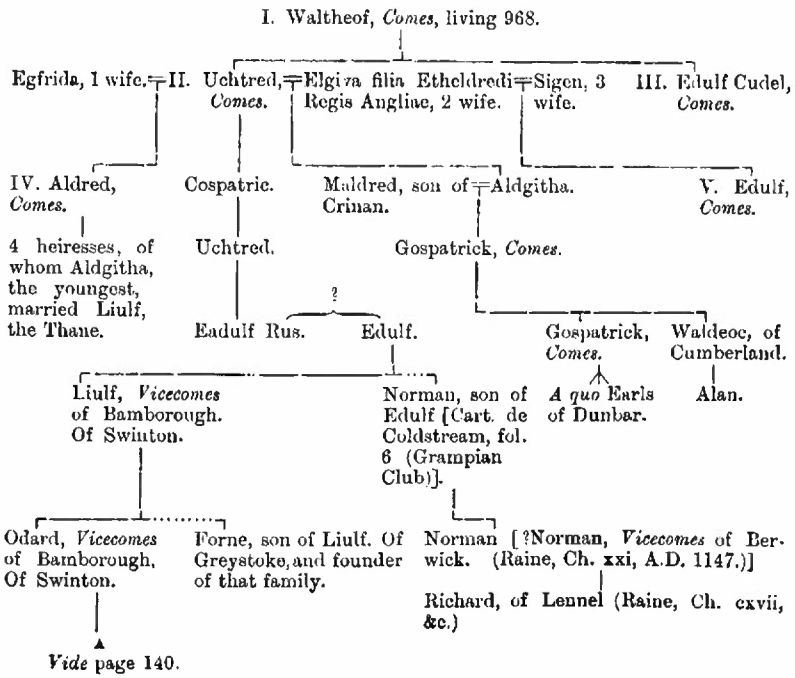
the King, seeking on whom he should confer the office of Vicecomes, should pitch upon the son of the man who had been a leader among the Saxons, the male representative of their old rulers.

In this connection it is significant to note that the name Cospatrick, so peculiar to the family of the Earls, appears in the Swinton tree.

If I had not already taken up too much space, I should like to dwell on the possible connection of some other families, much more notable than the Swintons, with the stem of Edulf. As it is, I shall content myself with putting in their names, under query, into the pedigree at the end of this paper.

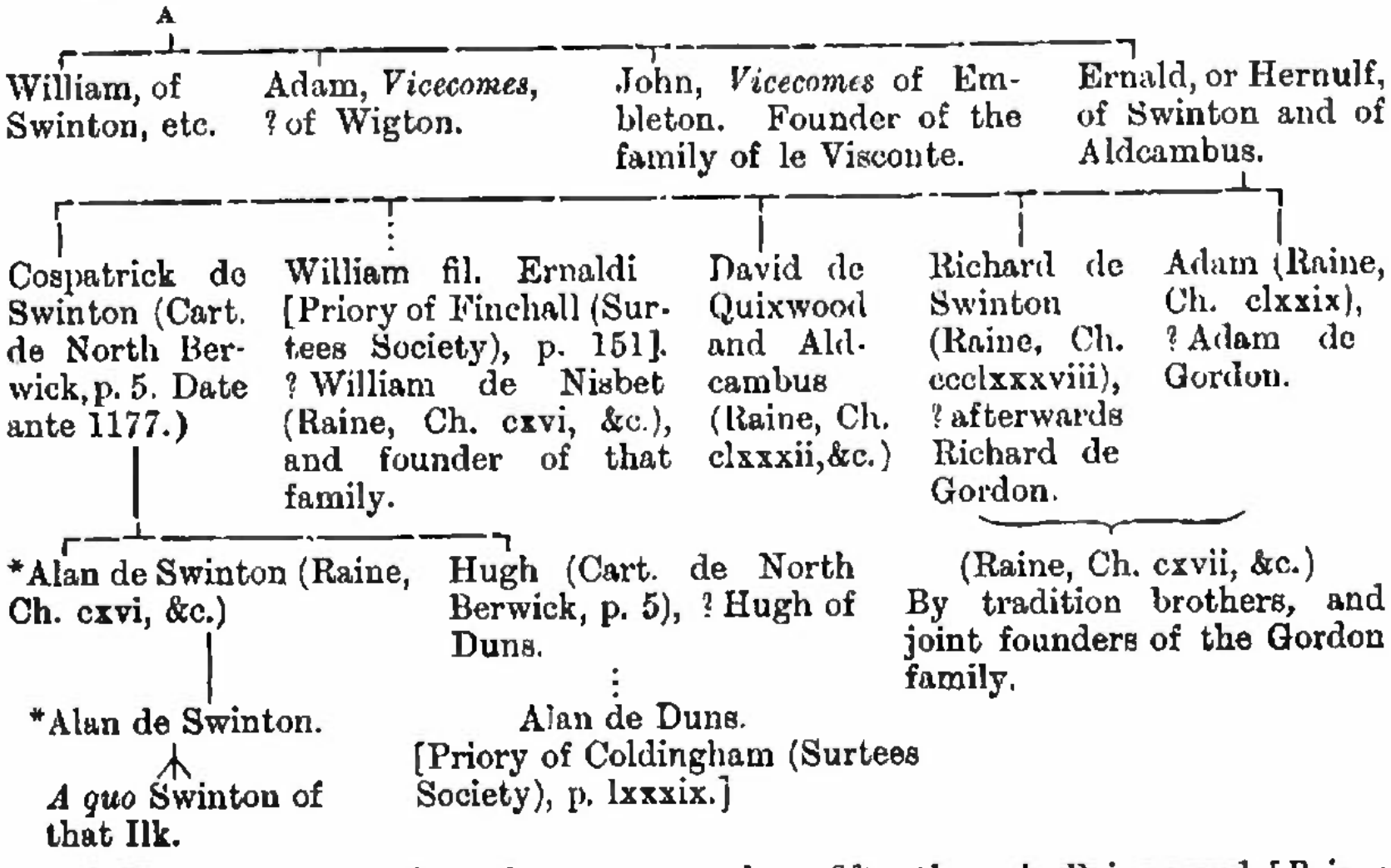
As regards Norman of Lennel, it would seem as if north of the Tweed the le Visconte family also held office. Forne, son of Liulf, was the first of a mighty race. Adam's claim to be Adam of Wigton, I must leave to the tender mercies of Mr. Round and the Archdeacon of Carlisle. For the rest, Nisbet in his *Heraldry* (vol. i, page 314) says, "I shall begin with the ancient families in the Shire of Berwick, of the Sirnames of Gordon, Nisbet, Swinton, Ridpath and Dunce, so named by their Baronies, which lie contiguous in that Shire, from which their different Sirnames were taken; and who all carry three Boars' Heads of different Tinctures; by which it seems that the Tradition is probable that they were originally of one Stock and Gens, and afterwards became the heads of Families of different Sirnames."

The Gordons are said to have sprung from two brothers, Richard and Adam, the Nisbets begin with a William, the Dunces, or Duns, with a Hugh. In every case the dates and names fit.



Vide page 140.

Vide page 139.



* These two Alans de Swinton appear above fifty times in Raine; and [*Priory of Coldingham*, p. 241 (Surtees Society)] this last Alan and his heirs head the list of those holding land under Coldingham *circa* 1235.

GEORGE S. C. SWINTON.

THE ORIGIN OF THE SWINTONS.

The article contributed by Captain Swinton to the last number of *The Genealogist* is of interest, not only as dealing with a family of great antiquity, but also as raising a question which presents itself very frequently in genealogical enquiry. It was shown to me before publication, but I felt very strongly that the author should put his own case in his own way, in order that genealogists might read it as it presented itself to him. I have tested its arguments very carefully since it has appeared in print, and it is, I believe, its author's wish that I should publish my opinion on the case.

On referring to my paper on "Odard, the Sheriff,"[2] it will be seen that I assign to Odard two sons, William and John. This I did on record evidence. It appeared subsequently that I had, quite unwittingly, ignored the family tradition of the Swintons, which is that "Ernulf," to whom Swinton was granted by David I, and whose parentage is nowhere mentioned, was a son of this Odard, the Sheriff. Captain Swinton now comes forward to uphold this family tradition, and produces in support of it an interesting charter discovered by Mr. Bateson, at Durham, and an argument derived from what I shall term the Aldcambus evidence. I propose to deal, in turn, below with the tradition, the charter, and the Aldcambus evidence; but it will be helpful to explain at the outset that it is now proved by two records that the above sons of Odard, the Sheriff, had a "brother" Ernald or Ernulf, who appears in connection with Northumberland. It is Captain Swinton's task to prove that this man was identical with the Ernald or Ernulf who obtained Swinton, in Berwickshire, from David I. This, it will be seen, is precisely such a problem as is often the *crux* of a doubtful pedigree.

It is frankly admitted by Captain Swinton that "family tradition and pedigrees written long after the dates to which they refer, are, of course, not proof." But he is naturally loth to abandon his own. His first point is that in 1690, John Swinton of Swinton claimed to have inherited his lands "by an uninterrupted succession of above 600

[1] Riddell's *Reply*, and authorities.
[2] *Genealogist* (N.S.), v, 25–28 (1888).

years." His second is that "the opinions formed by experts must carry weight, and the pedigree has gone uncriticised up to now."[1] I fear that genealogical experts have sad experience of the value of "tradition." Even when it only goes back for two or three hundred years—in an age of abundant records—it is all too often worthless. Are we to be really asked to believe that when it covers at a bound some five or six centuries, its evidence on a point of pedigree is really worth anything? As in history and in archæology, it will generally be found that the so-called tradition originates in the guess or assertion of some bygone antiquary. It is clear, I think, from the words of Douglas,[2] that, in the Swinton case, the tradition rested upon nothing but those very charters on which the controversy now turns.

I pass, therefore, to my second point, the newly-discovered charter.[3] This document shews us "Adam vicecomes Northumbrie" confirming the gift to the Monks of Durham, by his brother William (whose "heir" he states himself to be), of a serf or bondsman "Arkil de Matefen," with all his substance. This confirmation is sanctioned by his brothers John and "Ernaldus." Thus are added, as Captain Swinton says, "two more sons to Odard's family." We may, therefore, set them forth as follows :—

Odard, Sheriff of Northumberland, 1130.

William, son of Odard, heir to his father, 1133.	Adam, Sheriff of Northumberland, heir to his brother William.	John, son of Odard (*alias* Vicecomes), heir to his brother Adam.	Ernald.

This pedigree is only subject to the possibility of Ernald being not a whole but a uterine brother of John, who was certainly a son of Odard.[4] As "Ernaldus frater Johannis vicecomitis" appears also on the Pipe Rolls of 1170 and 1171, under Northumberland, his existence is well established.

But this important charter does more for us than this. It gives us a new Sheriff of Northumberland, and it certainly implies that the shrievalty was hereditary in this family. Moreover, the appearance of Adam's brothers as sanctioning his gift, implies that he had no heir apparent, and is thus in harmony with his brother being found in possession of the fief under Henry II.

But, instead of helping Captain Swinton, it appears to me to be destructive of one of his suggestions.

> "The question we have to answer is this. William, the son of Odard, the son of Liulf, died young, leaving no issue. Who succeeded him in the lands of Swinton which all three had possessed? . . . Odard's possessions were evidently split up. Mr. Hodgson has given it as his opinion that Adam eventually found a home in Cumberland. Mr. Round has shown us that John and his descendants remained in Northumberland" (pp. 137-8).

[1] p. 135 above.
[2] *Ibid.*
[3] pp. 135-6 above.
[4] There is no reason to suppose this, nor do I press it in any way, but as it is just *possible*, the affiliation of Ernald is not absolutely proved.

What Mr. Hodgson did was this. He found an Odard, Sheriff of Northumberland in "1131" and previously; and he found a Hildred, "Sheriff of Cumberland" the same year. He also found "Hildret et Odardus filius suus" on the Carlisle Pipe Roll of that year. He then proceeded to assume the identity of the two Hildreds and the two Odards, with the result that he made "Odard, the Sheriff" of Northumberland, son of his contemporary Hildred of Carlisle. Then, further, finding that the Cumberland Odard had a son Adam of Wigton,[1] he made the latter a son of the Northumberland Sheriff, and wrote :—

> Odard was the founder of two families of baronial rank. He was succeeded by his son Adam in the Barony of Wigton in Cumberland, and by John, who adopted the name of Vicecomes or le Vesconte, in that of Emeldon in Northumberland.[2]

Thus far, like Captain Swinton, Hodgson had simply identified, because they had the same Christian name, two men in adjoining counties. But observe that the newly-discovered charter seems, at first sight, to afford striking confirmation of his assumption, and to make his case far stronger than that of Captain Swinton. For it proves that as his Cumberland Odard had, admittedly, a son named Adam, so had the Northumberland Odard. And yet it can be shewn that even this is nothing more than coincidence.

In short, the new charter confirms my original conclusion that the Embleton and Wigton families were unconnected. There is nothing to support the suggestion, made by Captain Swinton, that the family estates were broken up on the death of William, the son of Odard. His brother Adam describes himself as his heir, and was succeeded in turn by John. He has nothing to do with Cumberland.[3] When, therefore, arguing from this division, Captain Swinton writes :—

> What more likely than that the third group of lands, north of the Tweed, which was then beginning to be a boundary between two nations, should fall to the share of a third brother,

his suggestion, as it seems to me, falls to the ground.

I pass to the Aldcambus evidence. Captain Swinton tells us (p. 137) that

> by comparing Raine, charters cxxxii and ccccxxxi, and reading the twenty-one charters of David de Quixwood (evidently by charter clxxxvi, a man of known and local descent), we may fairly presume that this Ernald [of Swinton] also possessed some portion of Aldcambus.

I have examined all these charters and can find in them no evidence that "David filius Ernaldi de Quikiswde," who held (and his father before him) lands in Aldcambus, was a son of "Ern' de Swinet[one]."[4] His grandson Patrick held, no doubt, some lands in Swinton as well as Aldcambus by inheritance in 1246, and quit-claimed them all to Coldingham; but this does not prove the identity. And until it is proved, we have not only one, but two Ernalds north of the Tweed.

[1] This is admitted by Canon Prescott (*Register of Wetherhal Priory*, p. 146).
[2] *Genealogist* (N.S.), v, 26.
[3] This is fully recognised by Canon Prescott, *ut supra*.
[4] Coldstream Cartulary.

But even if this identity were proved, it would not help Captain Swinton, who seems only to adopt it in order to suggest (p. 137) some connection between "Arkil de Matefen"[1] and "Arkile's Midhope" in Aldcambus, which can have no basis. He further urges, as a separate argument (p. 137), that the Northumberland family "made grants to Farne," and that the tithes of Aldcambus went to Farne (Raine, Charter DCCXII)." But these tithes were granted by the Prior and Convent of Durham:—"nos karitatis intuitu et de consensu capituli nostri dedisse," etc.—not by any family there resident. This argument, therefore, falls to the ground.

Those who have followed me will agree, I hope, that the problem is that, as I said at the outset, of identifying an Ernald who occurs in Northumberland, with a contemporary Ernald to whom Swinton (Berwickshire) had been granted. What is the proof of their identity?

I trust it will not be thought discourteous if I say that I can see none. The question must still turn as it did on the two charters of David I, printed by Captain Swinton at the beginning of his paper. The interpretation of their evidence is, frankly, matter of opinion. In his own opinion their evidence is for him; in mine, it creates a presumption to the contrary. Captain Swinton himself insists (p. 135) on the fact that the first charter records "not only the name of the previous owner, but his pedigree," namely, "Liulfus filius Edulfi et Udardus filius suus." It is inconceivable to me, as it has been from the first, that if Ernulf, the grantee, was a son of the above Udard, this very charter should style him only "huic meo militi Hernulfo," and should record the parentage of Udard without mentioning that he was father of Ernulf.

I maintain, therefore, in conclusion, as to Captain Swinton's case, not merely that it is "not proven," but that the Swinton charters, on which the issue turns, create an actual presumption against it—a presumption which can only be dispelled by actual proof. At the same time our readers, I cannot doubt, will have admired the skill with which he has marshalled every possible argument in favour of his contention.

For my own satisfaction I should like to find an explanation of David's grant of Swinton to Ernulf, his knight. Why were Odard's heirs, admittedly, deprived of it?[2] It is quite possible, as it seems to me, that Swinton had been held only on a lease for lives, a lease which had expired. But it is also possible that when David invaded Northumberland in 1137, the Embleton family opposed him (perhaps as Sheriff), and that he therefore forfeited their Scottish estate and bestowed it on a follower of his own.

One point more. In his valuable edition of Hodgson's *Northumberland*, Mr. Bateson, who has traced with special care the history of Embleton, asserts, on the authority of the *Testa*, that "the barony was given by Henry I to John, son of Odard, or John Viscount, as he was also called."[1] And in the chart pedigree on the opposite page, this statement is repeated. It is destructive, however, of the history of the barony; and the *Testa de Nevill* (p. 292 b) only states that Henry I gave it to the family ("*eos* feffavit"). Oddly enough Mr. Bateson himself has printed on the next page (p. 12), from a Duchy of Lancaster Roll, an entry of great interest, when its purport is explained, which clears the matter up. The entry runs:—

Littere Willelmi filii regis per quas testatur regem concessisse Odardo Vicecomiti terram quam tenet de rege pro herede suo ut teneat in feodo pro servicio trium militum.

These "letters" must have been issued before the death of the ill-fated William in 1120, perhaps in his father's absence from England, if he was acting as his representative. They seem to record the change from a life (perhaps an official) tenure to a tenure in fee by knight service. In any case they prove that Henry I gave the barony to Odard himself, who was already Sheriff at the date. It was not inherited till long afterwards by "John, the son of Odard." The evidence of this Duchy document is in perfect harmony with the *Testa* entry.

J. H. ROUND.

[1] Matfen was in the extreme south of Northumberland.
[2] Of this there is no question.

Pedigrees from the Plea Rolls.

By Major-General the Hon. GEORGE WROTTESLEY.

(*Continued from p.* 157.)

De Banco. Easter. 9. *Hen.* 4. *m.* 106.

London.—William Pershut and Katrine, his wife, sued the executors of Christine, formerly wife of John Blount, Chivaler, to deliver up to them a pyx containing the deeds of the manor of Beveresbrok.

John Blount. — Alianora.
|
John Blount, of Beveresbrok, Chivaler, ob. s.p. = Christine. — Agnes.
|
Katrine. = William Pershut.

Katrine claimed the deeds as heir of Sir John Blount, of Beveresbrok.

De Banco. Mich. 10. *Hen.* 4. *m.* 226.

Northampton.—The Abbot of Pypewell sued Philip, the Bishop of Lincoln, Thomas de Aylesbury, Kt., and others, for the next presentation to the church of Asshele.

[1] Vol. ii p. 10.