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# From A “strong Town Of War” To The “very Heart Of The Country”: The English Border Town Of Berwick-Upon-Tweed, 1558-1625

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# From A “strong Town Of War” To The “very Heart Of The Country”: The English Border Town Of Berwick-Upon-Tweed, 1558-1625

## **Abstract**

The English border town of Berwick-upon-Tweed provides the perfect case study to analyze early modern state building in the frontiers. Berwick experienced two seismic shifts of identity, instituted by two successive monarchs: Elizabeth I (1558-1603) and James I (1603-1625). Both sought to expand state power in the borders, albeit in different ways. Elizabeth needed to secure her borders, and so built up Berwick’s military might with expensive new fortifications and an enlarged garrison of soldiers, headed by a governor who administered the civilian population as well. This arrangement resulted in continual clashes with Berwick’s traditional governing guild. Then, in 1603, Berwick’s world was turned upside-down when James VI, king of Scotland, ascended the English throne. The turbulent borders were rechristened the “Middle Shires” of his united realm. Berwick was stripped of its border garrison, and relevance, by 1604; now, it was merely a regional market center. Its townspeople regained their pre-Elizabethan autonomy, but they faced the challenge of redefining their urban identity, so tied as it had been to the town’s militarized status. While Berwick’s leaders developed creative solutions to cope with the loss of employment and crown funds resulting from the garrison’s dissolution, ultimately the town declined without the border line to give it international significance.

Across early modern Europe, states engaged in concerted efforts of consolidation and centralization of their power. These efforts proved particularly difficult in the frontiers, which were often distant from the crown and near a hostile neighboring state. We cannot understand the process of state formation from the state’s perspective alone. This work tracks the changes in governance, economy, and identity of a town that found itself directly in the orbit of an expanding state. Crown policy as it was enacted on the ground elicited local responses, both cooperative and combative, that in turn shaped how the townspeople understood their community and themselves, and the power of the state.

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FROM A “STRONG TOWN OF WAR” TO THE “VERY HEART OF THE COUNTRY”: THE  
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A DISSERTATION

in

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Supervisor of Dissertation

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FROM A “STRONG TOWN OF WAR” TO THE “VERY HEART OF THE  
COUNTRY”: THE ENGLISH BORDER TOWN OF BERWICK-UPON-TWEED, 1558-  
1625

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Janine van Vliet

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## ABSTRACT

# FROM A “STRONG TOWN OF WAR” TO THE “VERY HEART OF THE COUNTRY”: THE ENGLISH BORDER TOWN OF BERWICK-UPON-TWEED, 1558- 1625

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Margo Todd

The English border town of Berwick-upon-Tweed provides the perfect case study to analyze early modern state building in the frontiers. Berwick experienced two seismic shifts of identity, instituted by two successive monarchs: Elizabeth I (1558-1603) and James I (1603-1625). Both sought to expand state power in the borders, albeit in different ways. Elizabeth needed to secure her borders, and so built up Berwick’s military might with expensive new fortifications and an enlarged garrison of soldiers, headed by a governor who administered the civilian population as well. This arrangement resulted in continual clashes with Berwick’s traditional governing guild. Then, in 1603, Berwick’s world was turned upside-down when James VI, king of Scotland, ascended the English throne. The turbulent borders were rechristened the “Middle Shires” of his united realm. Berwick was stripped of its border garrison, and relevance, by 1604; now, it was merely a regional market center. Its townspeople regained their pre-Elizabethan autonomy, but they faced the challenge of redefining their urban identity, so tied as it had been to the town’s militarized status. While Berwick’s leaders developed creative solutions to cope with the loss of employment and crown funds resulting from the garrison’s dissolution, ultimately the town declined without the border line to give it international significance.

Across early modern Europe, states engaged in concerted efforts of consolidation and centralization of their power. These efforts proved particularly difficult in the frontiers, which were often distant from the crown and near a hostile neighboring state. We cannot understand the process of state formation from the state’s perspective alone. This work tracks the changes in governance, economy, and identity of a town that found itself directly in the orbit of an expanding state. Crown policy as it was enacted on the ground elicited local responses, both cooperative and combative, that in turn shaped how the townspeople understood their community and themselves, and the power of the state.



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## **Introduction: “but one isle of Britain”: Berwick-upon-Tweed and state formation in the Anglo-Scottish borders, 1558-1625<sup>1</sup>**

On April 5, 1603, the little-used cannons in the garrisoned town of Berwick-upon-Tweed resounded in celebration, welcoming James VI of Scotland to England as James I. He had crossed the boundary line between his two kingdoms and made his first stop in Berwick, a small market port in the very northern reaches of England that happened to house England’s largest standing garrison and most impressive and modern fortifications. Many important nobles, and even the bishop of Durham, had come to Berwick to be among the first to greet their new king. The town hosted the king and his retinue for several days, during which he toured the fortifications and even demonstrated his own martial skills by firing a cannon.<sup>2</sup>

Berwick’s inhabitants recognized the significance of being the first to welcome James; they imagined that their fortified border community represented all of England, and their positive reception likewise indicated England’s as a whole. They “assur[ed] him, by his entrance into England at that little door, how welcome into the wide house his Excellence should be.”<sup>3</sup> Their welcome was even more symbolic: as a former Scottish burgh, Berwick had passed back and forth between the two antagonistic kingdoms until

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<sup>1</sup> *Basilikon Doron*, in James VI and I, *Political Writings*, ed. Johan P. Sommerville (Cambridge, 1994), 59; cited in Anna Groundwater, “Renewing the Anglo-Scottish Frontier: reassessing early modern frontier societies,” in Raingard Eßer and Steven G. Ellis, *Frontier and Border Regions in early modern Europe* (Hannover: Wehrhahn Verlag, 2013), 19-38, 19.

<sup>2</sup> “The True Narration of the Entertainment of his Majestie, from the time of his Departure from Edenbrough, till his Receiving at London; with all, or the most speciall Occurances,” in John Gough Nichols, ed., *Progresses, processions, and magnificent festivities of King James the First*, vol. 1, (London, 1828), 60-67.

<sup>3</sup> “True Narration,” in *Progresses*, 57-8.

its final conquest by the English in 1482; for “many a hundred years,” then, the garrisoned town had represented the deep enmity existing between the two countries. Now, James’ accession to the English throne transformed that identity. As “a king descended from the royal blood of either nation,” he was able “to make that town, by his possessing it, a harbor for English and Scots, without thoughts of wrong, or grudging envy.”<sup>4</sup>

James’ accession inaugurated a new era of Anglo-Scottish relations. Now, the fortunes of the traditional enemies were tied together by their shared monarch. This union, to the king, was a natural outcome of the proximity and likeness of his two realms. Before regnal union, English and Scottish peoples already made up “but one isle of Britain...joined in unity of religion and language.” Now, they would experience “the unity and welding of them hereafter into one, by all sort of friendship, commerce, and alliance.”<sup>5</sup> Indeed, from the earliest days as king of England, James made no secret of his desire for the closer union of his two kingdoms. The work of unifying the kingdoms began in the Anglo-Scottish border region, where cross-border violence and crime exemplified the persistent tensions between his realms. By pacifying this lawless area, James would indicate to England, Scotland, and Europe the king’s ambitions for his united kingdom at large. Berwick was at the center of this effort, as England’s largest garrison and the symbolic center of England’s security and defense. Rather than

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<sup>4</sup> “True Narration,” in *Progresses*, 63.

<sup>5</sup> *Basilikon Doron*, in James VI and I, *Political Writings*, 59; cited in Groundwater, “Renewing the Anglo-Scottish Frontier,” 19.

symbolizing strength, military preparedness, and defensive might, the border town now stood for the union of James' two nations.

The implications of James' plan could hardly have been more dramatic for Berwick and its people, but it was not the first instance of intensive and transformative crown involvement in the border town. His predecessor, Elizabeth I, had also carried out expansive and far-reaching state-building efforts in Berwick, steps she thought necessary to ensure the safety of the realm against potential invaders, but which seriously impinged on the chartered rights of the townspeople.

First, Elizabeth invested heavily in the town by refortifying Berwick with modern, Italian-style fortifications; the walls were built from 1558 to 1570, and comprised the most expensive building project of her reign.<sup>6</sup> To man the new fortifications, the queen enlarged the size of the standing garrison of royal soldiers from under two hundred to about nine hundred.<sup>7</sup> She also instituted the office of governor, who was granted authority not only over the garrison but over the civilian population of the town as well. The governor, along with a council of royal officials, accordingly became involved in jurisdictional conflicts, market regulation, field and meadow allotments, and other aspects of civil life, which had all been previously under the domain of Berwick's governing guild.

The queen's "new establishment," then, intensely ramped up earlier Tudor efforts to control the northern reaches of the realm by infringing on the privileges granted to

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<sup>6</sup> Colvin, H.M, and John Summerson, Martin Biddle, J.R. Hale, and Marcus Merriman, eds. *The History of the King's Works [King's Works]*, vol. 4 pt. 2, 1485-1660 (London: HMSO, 1982), 661.

<sup>7</sup> Andrea Shannon, "Projects of Governance: Garrisons and the State in England, 1530s-1630s" (PhD diss, Dalhousie University, 2013), 254-55.

Berwick's burgesses in its charter.<sup>8</sup> Ultimately, the queen's interventions were intended to confirm and extend crown control over the border region as a whole by imposing her will on a town strategically located in the periphery of the realm. Her financial commitment alone indicates Elizabeth's belief in Berwick's significance: right until her death, the queen sent £13,000 each year to pay the garrison, keep them fed, and preserve the fortifications in good working order. Elizabeth's institutions challenged the right of self-governance that the town had always possessed, despite a constant military presence, and Berwick's townsmen spent her reign fighting for the restitution of those rights.

As James surveyed his new kingdom from the ramparts of Berwick on that cold April day in 1603, he knew that Elizabeth's priority of security was now obsolete. His focus, instead, would be union, and Berwick was to be the "showpiece" of these efforts.<sup>9</sup> By the summer of 1604, the garrison had been reduced to one hundred footmen and the governor and council were disbanded. Berwick's leaders struggled to fill the vacuum of

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<sup>8</sup> Even while she was trying to save money, Elizabeth, like her father, undertook the "twinned projects" of subduing overmighty subjects and enforcing royal control in the north. Krista Kesselring, *The Northern Rebellion of 1569: Faith, Politics and Protest in Elizabethan England* (Basingstoke: Palgrave Macmillan, 2007), 46. See also Steven Ellis, *Defending English Ground: War and Peace in Meath and Northumberland, 1460-1542* (Oxford, 2015), 135. Her efforts were echoed in secondary garrisons along England's southern coast, where the queen was involved in the governance of much smaller forts at Plymouth and Portsmouth; in Berwick, however, royal involvement and intention was most clearly demonstrated. See Shannon, "Projects of Governance," on Plymouth and Portsmouth. Ireland is the obvious exclusion to any study of garrisons, for good reason: garrisoning was abandoned as a strategy early on under the Tudors, and very little energy or money was spent on fortifications. Rather, lord lieutenants of Ireland maintained the strategy of moving around the countryside with large armies. See Ciaran Brady, "The captains' games: army and society in Elizabethan Ireland," in Thomas Bartlett and Keith Jeffery, eds., *A military history of Ireland* (Cambridge University Press, 1996), 140-1.

<sup>9</sup> Michael Lynch and Julian Goodare, "The Scottish State and its Borderlands," in Lynch and Goodare, eds., *The Reign of James VI* (East Linton, Tuckwell Press: 1999), 188. The older, Anglocentric view of James' "indifference" to the English throne, which rendered him ill-prepared to deal with ruling multiple kingdoms and led to unrealistic expectations regarding the role of his Scottish entourage has been "effectively demolished" by Bruce Galloway in his *Union of England and Scotland*, according to Jenny Wormald. For her analysis of James and his understanding and expectations of union, see "James VI, James I, and the identity of Britain," in Brendan Bradshaw and John Morrill, *The British Problem, c. 1534-1707* (New York: St. Martin's Press, 1996): 148-171, quote on 149.

authority while also compensating for the loss of crown funds. To help the town deal with this loss, James granted Berwick a new charter in 1604, which gave to the corporation many former crown lands and fields and returned autonomy to the mayor and burgesses. The king dissolved the remnant of the garrison in 1611. By this time, he had committed to another local building project: that of a stone bridge across the Tweed, connecting Berwick to the rest of England. This scheme injected renewed vigor and employment into the town, even though the town was responsible for its costs for years at a time, an onerous burden in a time of economic struggle.

The new charter, however, did help soften the blow of the border town's diminished status. Even Berwick's guild leaders, thrilled at the return of autonomy, could not ignore that Berwick was no longer an exceptional and important town of war, but an obscure and increasingly impoverished market center. The townspeople of Berwick went from protesting daily infringements of the charter under Elizabeth, to reexamining and rebuilding their town's purpose and meaning under James.

This case study of a border town examines how the crown's project of state-building directly impacted a local community in its governance, economy, and society, forcing the urban community to redefine itself and to adapt continually. From the perspective of both monarchs, their different centralizing efforts succeeded admirably in Berwick. For Berwick's people, however, crown attentions had both negative and positive effects. Under the queen, the autonomy of the town was constantly threatened by the governor and council, while the townspeople had to deal with a military population that now made up a third of the town. This demographic shift reoriented the economy,

from one primarily concentrated on its market and port to one focused more on service industries, like inns, alehouse keeping, and victualling. The soldiers, and their families, permeated all parts of town and could cause friction with civilians and resident Scots.

By 1603, however, the town largely seems to have adjusted to the military presence and even the governor and council. Then, the dissolution threw that equilibrium out of order once more. Unemployment was rampant, and the governing guild felt burdened by the need to care for the erstwhile soldiers and their families. The guild rented out the land and buildings gifted to the town in the new charter, but the decades-long presence of the governor and military apparatus had diminished the traditional authority of the mayor, alderman, and bailiffs, who now had to fight to reassert it. Economic recovery was slow, and then stalled altogether once the dearth and war years of the 1620s set in across England.

Berwick's relevance as a border garrison, and its subsequent demotion from that status, were conditional on its border location and the monarch's ability to redefine that border and the role of the town in it. In doing so, Elizabeth and James elicited local responses, both cooperative and combative, that in turn shaped how the townspeople understood their community and themselves. Urban identity was fluid, in many ways contingent on state policies and negotiated with crown representatives who sought to impose royal sovereignty in the border region.

The early modern period was one of rapid centralization through projects of state-building largely enacted from the center. This study shows the limits of strictly analyzing, as historians have done, the goals and policies of various monarchs without also



examining how they were negotiated and implemented on the ground. Berwick provides an ideal site to examine that process in detail.

### *Borders, frontiers, and Berwick*

Given the symbolic and military significance of Berwick throughout this period, it is somewhat surprising that it has so little place in the scholarly literature of the past century. Border studies have proliferated as historians seek to understand the methods by which states extended their control in these volatile, unruly, and often distant regions over which they claimed sovereignty. In the latter half of the twentieth century, historians of Europe have turned away from teleological understandings of the rise of the nation state to study the piecemeal, often labored process of state building. This process occurred not only, or even in some cases, primarily at the center of power, but in the peripheries, where “successful integration was not just the conquest and absorption of the small by the large but also the coalescence and continuity of local and wider interests within a larger political framework.” Rulers recognized the need to work within the local system, accepting regional differences and working with local elites “in the process of forging new loyalties.”<sup>10</sup>

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<sup>10</sup> Mark Greengrass, “Introduction,” in Greengrass, ed., *Conquest and Coalescence: the shaping of the state in early modern Europe* (London: Edward Arnold, 1991), 6. Questions of state building in the periphery have, more recently, been incorporated into analyses of the growth of early modern empires all over the world. This is now a vast literature; for an overview, see Jane Burbank and Frederick Cooper, *Empires in World History: Power and the politics of difference* (Princeton University Press, 2010). Some excellent examples of this approach are: Karen Barkey, *Empire of Difference: Ottomans in Comparative Perspective* (Cambridge University Press, 2008); Michael Khodarkovsky, *Russia's Steppe Frontier: The Making of a Colonial Empire, 1500-1800* (Indiana University Press, 2002); Willard Sunderland, *Taming the Wild Field: Colonization and Empire on the Russian Steppe* (Cornell University Press, 2006); Daniel Power and Naomi Standen, eds., *Frontiers in Question: Eurasian Borderlands, 700-1700* (Basingstoke: Macmillan, 1999). In

The literature on the Anglo-Scottish border, more so than other border regions in Tudor and Stuart Britain and Ireland, has reflected these developments.<sup>11</sup> The boundary line that split England and Scotland was well-defined by the sixteenth century, with only a few patches of “debatable land” where the English and Scots did not agree on a border line.<sup>12</sup> The clear boundary line made this border region quite distinct from those on the continent, where various ecclesiastical and territorial jurisdictions overlapped and resulted in multifaceted and complex power struggles among different authorities.<sup>13</sup> Over the middle ages, a series of border laws agreed upon by both the English and Scottish monarchs had been instituted to facilitate the good governance of the six border

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the American context, see Christine Daniels and Michael V. Kennedy, eds., *Negotiated Empires: Centers and Peripheries in the Americas, 1500-1800* (Routledge, 2002).

<sup>11</sup> The lack of regional and frontier studies in other areas of the British Isles has been discouraged by specific historical contexts, which instead favor nationalistic approaches; how, for example, should historians analyze the “stateless Welsh nation” or the English Pale in Ireland that is no longer part of the British state? See Steven G. Ellis, Kieran Hoare, Gerald Power, William M. Aird, and Rhys Morgan, “Regions and Frontiers in the British Isles,” in Raingard Eßer and Steven Ellis, eds., *Frontiers, Regions and Identities in Europe* (Pisa: Plus-Pisa University Press, 2009), 19-36; quote on 24. Another issue is source material; northern England has the largest preserved cache of material, while the English administrative region around Dublin, the Pale in Ireland, has less material but enough to allow comparison between those two border regions. Other areas, like the Scottish Highlands or the Irish border lordships, are more difficult to analyze. See Steven G. Ellis, “Defending English Ground: the Tudor Frontiers in History and Historiography,” in Ellis and Raingard Eßer, eds., *Frontier and Border Regions in early modern Europe*: 73-93, esp. 75-76. For both a historiographical and historical account of Ireland under the Tudors, see Ellis, *Ireland in the Age of the Tudors 1447-1603: English Expansion and the End of Gaelic Rule* (Longman, 1998). On the Scottish Highlands, see Michael Lynch and Julian Goodare, “The Scottish State and its Borderlands,” and Michael Lynch, “James VI and the ‘Highland problem,’” in Lynch and Goodare, eds., *The Reign of James VI* (East Linton, Tuckwell Press: 1999); see also Jane Dawson, “The Gaidhealtachd and the emergence of the Scottish Highlands,” in Brendan Bradshaw and Peter Roberts, eds., *British Consciousness and Identity: the making of Britain, 1533-1707* (Cambridge University Press, 1998).

<sup>12</sup> It has recently been suggested that both governments may have purposefully dragged their feet on this matter, as neither country wanted the legal obligation of having to prosecute criminals who resorted to those regions, notably the border kinship groups of Elliots and Armstrongs. See Anna Groundwater, “Renewing the Anglo-Scottish Frontier: reassessing early modern frontier societies,” in Eßer and Ellis, eds., *Frontier and Border Regions in early modern Europe*, 25-6.

<sup>13</sup> See, for example, Cecilia Nubola, “Elections and Decision-Making on the Outskirts of the Empire: the Case of Trento,” in Rudolf Schlögl, ed., *Urban Elections and Decision-Making in Early Modern Europe, 1500-1800* (Newcastle: Cambridge Scholars Publishing, 2009), 34-51. See also the essays in Jason Philip Coy, Benjamin Marschke, and David Warren Sabean, eds. *The Holy Roman Empire, Reconsidered* (New York: Berghahn Books, 2010). An older, but still relevant collection, is Mark Greengrass, ed., *Conquest and Coalescence: the shaping of the state in early modern Europe* (London: Edward Arnold, 1991).

marches.<sup>14</sup> An important consequence of the border laws was that they ensured that the marches were governed in ways similar to each other and distinct from the rest of both Scotland and England. This perspective has carried through to historical studies on the region, which, until the post war period, focused on its violence, crime, and the failed efforts of the Scottish and English crowns (treated separately) to impose law and order.<sup>15</sup> While illuminating the administration of border law, this limited analysis lent support to the traditional understandings of the border region as both unusually violent and removed from the rest of the country (be it England or Scotland) by its legal distinctiveness and status as a cultural and religious backwater. By examining an urban community located in the border, this study approaches the border region from a very different perspective, that of the struggle of an urban community to uphold its chartered rights and privileges in light of increasing external pressures.<sup>16</sup>

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<sup>14</sup> See Map 1, Appendix A. For a comprehensive treatment of these developments, see Cynthia Neville, *Violence, Custom, and Law: the Anglo-Scottish borderlands in the later middle ages* (Edinburgh University Press, 1998).

<sup>15</sup> Charles Coulomb, *Administration of the English borders during the reign of Elizabeth* (New York, 1911), D.L.W. Tough, *The Last Years of a Frontier* (Oxford: Clarendon Press, 1928) and Thomas I. Rae, *The administration of the Scottish frontier, 1513-1603* (Edinburgh, 1966). For an administrative analysis of the English north-western border before and after 1603, see R.T. Spence, "Pacification of the Cumberland Borders 1593-1628," in *Northern History* vol. 13 (1977). See Ellis, "Defending English Ground," 80-93, for a recent review of the historically nationalist trend in historiographical developments that has made comparison between Tudor border regions difficult.

<sup>16</sup> Indeed, the expansion of the state through the early modern period has been analyzed as a source of conflict and tension in early modern cities. See, for example, Peter Clark's analysis of Kentish towns after the accession of James, when "outside pressure on towns remained as relentless as in the previous century," and was not helped by the centralization taking place on the county level as well. Peter Clark, *English Provincial Society from the Reformation to the Revolution: Religion, Politics and Society in Kent 1500-1640* (Hassocks: The Harvester Press, 1977), 307-313, quote on 312. See also the case studies explored in Catherine Patterson, *Patronage in Early Modern Europe: corporate boroughs, the landed elite, and the crown 1580-1640* (Stanford University Press, 1999). A similar historiography exists for European towns as well, where medieval cities declined in importance in the early modern period as they were "eclipsed" by the territorial state. For overviews, see Christopher Friedrichs, *Urban Politics in Early Modern Europe* (London: Routledge, 2000), 66-71 and Friedrichs, *The Early Modern City, 1450-1750* (London: Longman, 1995), 43-58, where he disagrees with this assessment. This historiography, too, is being challenged, for example by Philip R. Hoffmann-Rehntz, "Discontinuities: Political Transformation, Media Change, and

Historians have continued to treat the different border regions of the English and Scottish states individually rather than comparatively, but in recent decades have become much more attentive to the constant process of negotiation that occurred on the ground between royal representatives and the local population.<sup>17</sup> This approach has developed largely out of the new British history, which since the 1970s has encouraged a more holistic approach to the history of the British archipelago by emphasizing comparative examination, focusing on interactions between the different people and cultures inhabiting the British isles to understand the process of state formation from below rather than nation building from above.<sup>18</sup> In doing so, historians have attempted to move away

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the City in the Holy Roman Empire from the Fifteenth to Seventeenth Centuries,” in Jason Philip Coy, Benjamin Marschke, and David Warren Sabean. eds., *The Holy Roman Empire, Reconsidered* (New York: Berghahn Books, 2010), 11-34, esp. 12-15.

<sup>17</sup> The most important exception to this is the comparative work of Steven Ellis that addresses early Tudor state-building efforts in the “militarized border zones” of northern England and the English Pale in Ireland. Among many other works, see his *Tudor Frontiers and Noble Power* (Clarendon Press, Oxford: 1995) and *Defending English Ground*. Maureen Meikle’s study on the Scottish and English East Marches is also an important exception, though limited to questions of culture and identity rather than governance. Meikle, *A British Frontier? Lairds and Gentlemen in the Eastern Borders, 1540-1603* (East Linton: Tuckwell, 2004). Personal connections between the various border regions were a key element of Tudor policy across its peripheries; Jane Dawson reveals this relevance, and its connection to broader projects of a “British policy,” in her study of the Earl of Argyll: *Politics of Religion in the age of Mary Queen of Scots: the Earl of Argyll and the Struggle for Britain and Ireland* (Cambridge University Press, 2002). Recent, excellent studies still approach the border from either side. On Scotland, for example, Anna Groundwater has examined the Scottish Middle March in light of recent reassessments of Scottish government (cf. Julian Goodare, Michael Brown, and Jenny Wormald) and found that in many ways, landed border elite were directly and personally connected to the center of power in Edinburgh. Not only was the border close to the capital, but its elites were intimately involved in Scotland’s governance before and after James’ accession to the English throne. Anna Groundwater, *The Scottish Middle March, 1573-1625: power, kinship, allegiance* vol. 73 (Woodbridge, Suffolk: Boydell and Brewer, 2010); “From Whitehall to Jedburgh: Patronage Networks and the Government of the Scottish Borders, 1603-1625,” in *The Historical Journal*, vol. 53, no. 4 (2010). See also Michael Lynch and Julian Goodare, “The Scottish State and its Borderlands,” and Lynch, “James VI and the ‘Highland problem,’” in *The Reign of James VI*.

<sup>18</sup> Steven G. Ellis, “Region and Frontier in the English State: the English far north, 1296-1603,” in Eßer and Ellis, eds., *Frontiers, regions and identities*, 77-100, esp. 78, 80. Series editor’s preface in Steven Ellis and Christopher Maginn, *The Making of the British Isles: The state of Britain and Ireland, 1450-1660* (Harlow: Pearson Longman, 2007), viii. This “holistic” approach has been most forcibly put forward by John Morrill; see his “The fashioning of Britain,” in Steven Ellis and Sarah Barber, eds., *Conquest and Union: fashioning a British State, 1485-1725* (Harlow UK: Longman, 1995): 8-39, and “The British problem; c.1534-1707” in Brendan Bradshaw and John Morrill, eds., *The British Problem, c. 1534-1707: state formation in the Atlantic archipelago* (New York: St. Martin’s Press, 1996): 1-38.

from an Anglo-centric, triumphalist Whig approach to one that looks to developments across all three kingdoms (England and Wales, Ireland, and Scotland) to explain and trace state formation in the Tudor and Stuart periods especially.<sup>19</sup> Was England's involvement in Ireland, for example, a case of "internal colonialism," as put forth by Michael Hechter and Nicholas Canny, or a situation reminiscent of similar arrangements on the continent, where one ruler had sovereignty over multiple, discrete kingdoms, called "composite monarchies"?<sup>20</sup> New British history certainly has its fair share of critics, especially historians of Ireland, Wales, and Scotland, who see it as remaining Anglo-centric, an "overwhelmingly insular and introspective historiography."<sup>21</sup> Others

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<sup>19</sup> J.G.A. Pocock, who first called for this reorientation, used the term British history "to denote the plural history of a group of cultures situated along an Anglo-Celtic frontier and marked by an increasing English political and cultural domination." See his "British History: a plea for a new subject," in *The Journal of Modern History* vol. 47, no. 4 (December 1975): 601-28, 605. The most relevant strain of this historiography, for our purposes here, is that which tackles the question of the "British Problem," or how Tudor and Stuart monarchs managed their multiple realms and what, even, to call them. This question proved particularly fruitful in the 1990s, prompting various conferences and essay collections, including Ellis and Barber, eds., *Conquest and Union: fashioning a British State, 1485-1725*; Alexander Grant and Keith Stringer, eds., *Uniting the Kingdom? The making of British history* (London: Routledge, 1995); Bradshaw and Morrill, eds., *The British Problem, c. 1534-1707: state formation in the Atlantic archipelago*; Bradshaw and Roberts, eds., *British Consciousness and Identity*; Glenn Burgess, ed., *The New British History: founding a modern state, 1603-1715* (New York: St. Martin's Press, 1999).

<sup>20</sup> While the colonialism model seems to apply in the case of Ireland, it clearly does not hold for Scotland, an independent kingdom with separate law, church, and parliament; here, the model of multiple kingdoms, or "composite monarchy," seems more appropriate. See Michael Hechter, *Internal Colonialism: The Celtic Fringe in British National Development* (University of California Press, 1975); Nicholas Canny, *The Elizabethan Conquest of Ireland: a pattern established, 1565-76* (Hassocks, Sussex: Harvester Press, 1976); *Kingdom and Colony: Ireland in the Atlantic World, 1560-1800* (Baltimore: Johns Hopkins University Press, 1988); *Making Ireland British, 1580-1650* (Oxford, 2001). The similarities between the composite monarchy of Spain (a term put forward by J.H. Elliott, "A Europe of Composite Monarchies," in *Past & Present*, no. 137, *The Cultural and Political Construction of Europe* (Nov., 1992): 48-71) and Britain are delineated by John Morrill, "The Fashioning of Britain," in Ellis and Barber, eds., *Conquest and Union*, 8-39. Circumstances changed again, however, in 1707, when the Act of Union removed Scotland's parliament. Even after 1707, Jenny Wormald points out, Scotland retained many independent institutions that make the colonial model untenable, but the parliamentary union also renders the "composite monarchy" model less applicable. Jenny Wormald, "The Creation of Britain: Multiple Kingdoms or Core and Colonies?" in *Transactions of the Royal Historical Society*, sixth ser., vol. 2 (1992): 175-194.

<sup>21</sup> Allan Macinnes with Jane Ohlmeyer, "Introduction: Awkward neighbours?", in Macinnes and Ohlmeyer, eds., *The Stuart Kingdoms in the seventeenth century: Awkward Neighbours* (Dublin: Four Courts Press, 2002), 15. These historians seek to "widen the contextualization, not deepen the problematizing of the 'New British Histories'" by expanding their understanding to European issues and developments as well;

have questioned the existence of any British-wide central policy under the Tudors or early Stuarts, when arguably the English and Scottish states were both still in the process of developing their own centralized bureaucracies.<sup>22</sup>

Still, the new historiographic trend has encouraged more nuanced examinations of peripheral regions of the state. In these areas, the crown's efforts to exert its sovereignty "exposed latent tensions between traditional theories of governance and the demands of centralizing monarchy."<sup>23</sup> It is this tension, highlighted in particular by the work of Steven Ellis and Anna Groundwater, that makes analysis of these regions so illuminating. In England, the distance from London to the northern borders was a constant impediment to the implementation of crown authority there.<sup>24</sup> This problem was mirrored in the other

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Macinnes and Ohlmeyer, "Introduction," 23. See also Jane Ohlmeyer's review essay, "Seventeenth-Century Ireland and the New British and Atlantic Histories," in *The American Historical Review* vol. 104, no. 2 (April 1999): 446-62. Meanwhile, Keith Brown, a Scottish historian, has voiced similar concerns from the Scottish perspective. See, for example, his "Seducing the Scottish Clio: has Scottish history anything to fear from the New British History?" in Glenn Burgess, *The New British History*, 238-65. In the same collection, T.C. Barnard finds that "the main thrust of the new British history has forwarded that old familiar, political history" (213), at the expense of "topics vital to an understanding of Ireland" and its development over the early modern period (221). See his "British History and Irish History," in Burgess, *The New British History*, 201-237.

<sup>22</sup> Meikle, 1; Hiram Morgan argues that rather than there being an "integrationist" policy toward Ireland and Scotland, English policies had only a coherent "underlying purpose:" "to keep foreign powers out of the British periphery." See his "British Policies before the British State," in Bradshaw and Morrill, *The British Problem*, 66-88, quote on 66.

<sup>23</sup> Ellis, *Defending English Ground*, 8.

<sup>24</sup> The institution of religious reformation is the classic example of the crown's inability to exert its will in the borders; see Susan M. Keeling, "The Reformation in the Anglo-Scottish border counties," in *Northern History*, vol. 15 issue 1 (1979): 24-42; M. A. Clark, "Reformation in the far North: Cumbria and the Church, 1500-1571," in *Northern History* vol. 23 (1996): 75-89; Clark, "Northern light? Parochial life in a 'dark corner' of Tudor England," in K. French, G. Gibbs, and B. Kumin, eds., *The Parish in English Life 1400-1600* (Manchester University Press, 1997), 56-73, in which he states, "One would expect, in an area so remote from the reforming ferment of the south, to find conservatism, and so one does" (59). For the religious situation in the northern counties at the time of the 1569 rebellion, see Krista Kesselring, *The Northern Rebellion of 1569: Faith, Politics, and Protest in Elizabethan England* (Basingstoke: Palgrave Macmillan, 2007), 16-25. For a more recent reassessment of the role of religious culture in cultivating regional identity, see Diana Newton, "Saint Cuthbert, the *Haliwerfolc* and regional identity in North-East England," in Eßer and Ellis, *Frontier and Border Regions*, 121-38; and her "The Impact of Reformation on North-East England: a preliminary survey," in *Northern History* vol. 45 (March 2008): 37-49. The slow institution of reformation in northern England was contrasted sharply on the other side of the border by the

major Tudor frontier, Ireland, which also required heavy-handed royal involvement; both became “militarized border zones” under the Tudors.<sup>25</sup> Henry VIII experimented with various strategies to implement crown control in both these regions, where increasingly the “fragmentation of power” delegated to regional magnates was seen as an obstacle to law and order, a suspicion that played out in the rebellions in the north over the sixteenth century.<sup>26</sup> The crown’s response was to centralize authority by removing local elites from power; by Elizabeth’s reign, the regional magnates that had once wielded influence over vast tracts of land and the people therein had been removed and replaced by outsiders who served as border wardens. This in turn created the problem of the “decay of the borders,” or decline of military preparedness by its inhabitants, over the course of the sixteenth century.<sup>27</sup> James reversed Tudor policies, restoring authority in border matters to regional elites, especially once the borders were considered subdued after about

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Scottish kirk system, implemented in the borders beginning in the 1580s. See Groundwater, “Renewing the Anglo-Scottish Frontier,” 28. For a comparative analysis, see also Meikle, *A British Frontier?*, 197-226.

<sup>25</sup> Ellis, *Defending English Ground*, 22. The work of Steven G. Ellis comparing early Tudor rule in the English Pale in Ireland and the English north-west has been most illuminating here; his many comparative works comprise the best example of analyzing Tudor borderlands in tandem to obtain a broader understanding of state building under the early Tudors. Ellis points out the problem for Henry VIII, which in large part continued to plague Elizabeth: having the dual aims of reducing border violence while increasing civil society and royal government, and expecting borderers to mount their own defense and keep ready by maintaining weapons and horses with little assistance from the government. This resulted in a frequently-noted situation by contemporaries of the “decay of the borders.” Steven Ellis, *Defending English Ground*, 134-61, esp. 154-8. See also his *Tudor Frontiers and Noble Power*. See also S.J. Watts with Susan Watts, *From border to middle shire: Northumberland 1586-1625* (Leicester University Press, 1975), 113-131. A fruitful area for further comparative research on state-building projects is the administration of garrisons, both domestic and abroad, and other facets of military history – across the British Isles and in the Americas – throughout this period. See, for example, Andrea Shannon, “Projects of Governance,” on English domestic garrisons.

<sup>26</sup> Ellis, *Defending English Ground*, 19. Krista Kesselring, *The Northern Rebellion of 1569*, reassesses the conflict as a religiously-motivated one, rather than one prompted by “power struggles within the Tudor elite;” Newton, *North-East England*, 119, 118-22; and Anthony Fletcher and Diarmaid MacCulloch, *Tudor Rebellions* 6<sup>th</sup> ed. (Routledge, 2015).

<sup>27</sup> Ellis, *Defending English Ground*, 135; see 134-161 on early Tudor policy in Northumberland specifically.

1611.<sup>28</sup> For the Tudors and James, extending crown control into the borders occurred in a haphazard, trial-and-error way, which depended on much more than the will of the monarch alone.

The new British history has also encouraged studies of cross-cultural contact among the various groups inhabiting the British Isles, a pursuit which has led naturally to questions of identity: how did the people who lived in these regions understand themselves and their neighbors?<sup>29</sup> Identity formation is a prominent subfield of border and frontier studies as well; border regions, after all, are not only political and administrative units but also “social, economic, linguistic, religious, geophysical or cultural.”<sup>30</sup> If the frontier is considered as a “zone of interaction,” questions of identity formation can be addressed, and prove relevant to broader questions of state formation.<sup>31</sup>

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<sup>28</sup> Watts, *From border to middle shire*, 179-204; Newton, *North-East England*, 93.

<sup>29</sup> See Steven G. Ellis, “Introduction: the concept of British history,” in Ellis and Barber eds., *Conquest and Union*, 3; John Morrill argues that historians must examine not only the history of state building as a centralizing project but also the development of a “multicultural state,” see his “Fashioning of Britain,” in Morrill, 11.

<sup>30</sup> Meikle, *A British Frontier?*, 1. See Eßer and Ellis, “Introduction,” in *Frontier and Border Regions in early modern Europe*, 9-18, esp. 10-13; and Ellis, “Introduction: early modern frontiers in comparative context,” in Eßer and Ellis, eds., *Frontiers and the Writing of History 1500-1800* (Hannover: Wehrhahn Verlag, 2006), 9-20, esp. 11-16. On terminology, see Daniel Power, “Introduction: Frontiers: terms, concepts, and the historians of medieval and early modern Europe,” in Power and Standen, eds., *Frontiers in Question*, 1-12. Regional studies have similarly grown; north-east England was the subject of a series of funded studies between 2000 and 2005; the general conclusion was that “it was an incoherent and barely self-conscious region,” though she herself finds evidence for a “very distinct identity” persisting in the region of Durham in its veneration of local St. Cuthbert. See Diana Newton, “Saint Cuthbert, the *Haliwerfolc* and regional identity in North-East England,” in Eßer and Ellis, *Frontier and Border Regions*, 121. See also the introduction in her *North-East England, 1569-1625: governance, culture and identity* (Woodbridge: The Boydell Press, 2006), 1- 21.

<sup>31</sup> Cross-cultural interactions in the “frontier” is an area particularly well-developed in the historiography of early America; this literature can only be touched on here. One of the most influential of these works was Richard White, *The Middle Ground: Indians, empires, and republics in the Great Lakes region, 1650-1815* (Cambridge University Press, 1991); this study prompted a proliferation of works analyzing points of contact between native groups and Europeans. The *William and Mary Quarterly* revisited White’s work in a special volume in 2006: “The Middle Ground Revisited,” vol. 63, no. 1 (January, 2006). Another influential perspective was provided by Jeremy Adelman and Stephen Aron, “From Borderlands to Borders: Empires, Nation-States, and the Peoples in Between in North American History” in *American Historical Review* 104, no. 3 (June 1999). Similar exchanges are noted in the Asian, specifically Chinese,



How did people living in these border regions interpret their loyalties and identities in light of those competing jurisdictions on a day to day basis?<sup>32</sup>

In the context of the Anglo-Scottish border region in particular, historians have reassessed cross-border relations among rural landholding elites and determined that the border line was in many ways merely political, without any deeper significance to the local inhabitants. Maureen Meikle examines the English gentry and Scottish lairds of the eastern border marches in the most comprehensive cross-border study to date, concluding that these groups saw themselves as “borderers first and foremost and Scots or English second” through their common interests, cross-border friendships, and investment in local rather than national affairs.<sup>33</sup> Diana Newton, meanwhile, focuses on the elites of north-east England. While she does not analyze the Scottish counterpart, she concludes that “the border was often more imaginary than real to native inhabitants.” For example, she attributes the elites’ “lack of interest” in the process of dissolving the border after 1603 to “the simple reason that the borders were indeed more apparent than real, and if the concept of the borders was illusory when it was an undeniable political presence before

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context. See the works of Peter Perdue, most notably his *China Marches West: the Qing conquest of central Eurasia* (Harvard University Press, 2009) and “Coercion and Commerce on two Chinese frontiers” in Nicola Di Cosmo, ed., *Military Culture in Imperial China* (Harvard University Press, 2009): 317-38.

<sup>32</sup> The development of both state and identity formation was inspired, in large part, by Peter Sahlin’s influential work on the Pyrenees, *Boundaries: the making of France and Spain in the Pyrenees* (University of California Press, 1989). In the British context, see, for example, Bradshaw and Roberts, eds., *British Consciousness and Identity*; Norman L. Jones and Daniel Woolf, eds., *Local Identities in late medieval and early modern England* (Basingstoke: Palgrave Macmillan, 2007). For important continental comparisons, see the co-edited collections of Raingard Eßer and Steven G. Ellis; in particular, their “Introduction: Frontiers and Regions in Comparative Perspective,” in Eßer and Ellis, eds., *Frontiers, regions and identities* and the essays in Eßer and Ellis, eds., *Frontier and border regions in early modern Europe*. Regional histories in particular have returned to questions of identity formation in geographically contained areas smaller than the nation. See Eßer and Ellis, eds., *Frontiers, regions and identities*; Adrian Gareth Green and A. J. Pollard, eds., *Regional identities in North-East England, 1300-2000*, vol. 9, *Regions and regionalism in history* (Boydell Press, 2007); Diana Newton, *North-East England*.

<sup>33</sup> She finds furthermore that this group had a shared “frontier ideology.” Meikle, *A British Frontier?*, 3.

1603, the consequences of its dissolution were correspondingly inconsequential.”<sup>34</sup> While this statement may hold for the rural landholders scattered throughout the borders, it certainly does not apply to the urban community of Berwick, whose autonomy was constantly challenged by crown intervention, and for whom the dissolution was anything but inconsequential.<sup>35</sup>

These works contribute greatly to rebalancing interpretations of the border regions, especially in terms of the culture and religion of northern elites in the borders, and, in Newton’s work, in Durham and Newcastle.<sup>36</sup> In doing so, however, they have a tendency to minimize the role played by the boundary line between two kingdoms in favor of finding commonalities on either side.<sup>37</sup> Other historians have protested that this understanding of the “frontier zone” goes too far in its conclusion that, for the people living there, it was easy to act as though there was no border at all. Efforts to get beyond the political meaning of borders have skewed the perspective too far the other way by removing it altogether, argue Raingard Eßer and Steven Ellis. Their collaborative efforts have produced three conferences and resulting essay collections that address questions of

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<sup>34</sup> Newton, *North-East England*, 169, 171. Both Meikle and Newton, correspondingly, explain contemporary reports of disorder along the border as “deliberately manufactured accounts of its distress.” Newton, 114; Meikle, 227-8, 247-8.

<sup>35</sup> Berwick’s urban counterpart in the English West March was Carlisle, which was a cathedral city and the home base of the warden of the English West March. Carlisle did not experience the same levels of crown intervention as Berwick, and is not included in this study. Carlisle had a citadel and a castle, but only a negligible number of soldiers served in the town, who were sent over from Berwick. This was in large part because the hilly terrain of the borders made invasion from Scotland from the west unlikely. Berwick was thus the focus of royal attentions in the north. See Ch. 1, p. 40. On medieval Carlisle, see Henry Summerson, *Medieval Carlisle: the city and the borders from the late eleventh to the mid-sixteenth century*, extra series, vol. 25 (Kendal: Cumberland and Westmorland Antiquarian and Archaeological Society, 1993), vols. 1-2.

<sup>36</sup> See also Newton, “Saint Cuthbert, the *Haliwerfolc* and regional identity in north-east England,” in Eßer and Ellis, eds., *Frontier and border regions in early modern Europe*.

<sup>37</sup> On religion, education, friendship and marriage alliances, see Meikle, Ch. 1, 5, 6, 8 and Newton, *North-East England*, Ch. 5-7.

borders, regions, and identity formation comparatively across Europe in the early modern period.<sup>38</sup> Recently, they have called for historians to “reassess the role of politics in border studies.”<sup>39</sup>

This study of Berwick does just that through its examination of the governance of the border town and the interaction of the two groups, the garrison and the townspeople, and their leaders. In doing so, it confirms that there was a tangible understanding of the border that mattered to the people who lived in the town, even as they interacted with Scots on a daily basis. These conclusions align with the work of Anna Groundwater on the Scottish middle march. She finds that “the dismissiveness currently attached to borderlines that were ‘only’ political, fails to recognize that such a frontier represented ways in which it *was* seen contemporarily: even if it was only held to be *significant* by kings, governments and officials, it was *understood* by all.” Contrasted to the overlapping jurisdictions seen on the continent, the laws that governed the respective English and Scottish sides of the border were, in fact, English and Scottish – before and after the union of crowns.<sup>40</sup> Even the expression of protestant religion, seen to unite English and Scots in a “shared protestant culture,” was maintained by two very different state

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<sup>38</sup> See Eßer and Ellis, eds., *Frontiers and the writing of history* (2006); *Frontiers, Regions and identities in Europe* (2009); *Frontiers and border regions in early modern Europe* (2013).

<sup>39</sup> See Eßer and Ellis, “Introduction,” in Eßer and Ellis eds., *Frontier and Border Regions in early modern Europe*, 14. Indeed, even in the shadowy realm of “identity,” Mark Greengrass has argued that “political identities often survived, and may even have thrived, upon a plurality of identities, some local and regional, others broader or national, but each reinforcing the other in oppositional, but also complementary, ways.” Greengrass, “Introduction,” in Greengrass, ed., *Conquest and Coalescence*, 20.

<sup>40</sup> Anna Groundwater’s recent reassessment of the border region is especially helpful in outlining the benefits and shortcomings of the “zone of interaction” approach to the Anglo-Scottish borders; see her “Renewing the Anglo-Scottish Frontier” in Eßer and Ellis, *Frontier and Border Regions in early modern Europe*, 19-38. 26.

churches that did not agree and never became one, integrated whole.<sup>41</sup> Groundwater's own research has demonstrated that elite Scottish borderers were intimately involved in not only local government but national as well; "borderers were bound into the framework of government connecting the whole of the Scottish kingdom;" they correspondingly understood themselves as loyal Scots, participating in the royal project of governance in the borders.<sup>42</sup>

On the English side of the border, historians have found fewer direct connections from the inhabitants to the centers of political power.<sup>43</sup> A recent collaborative project traced the early developments of a regional identity in north-east England (a well-known construct in more modern times), concluding that "essentially, it was an incoherent and barely self-conscious region."<sup>44</sup> Diana Newton's work is placed firmly in this context, and remains preoccupied with the north-east as a region; perhaps unsurprisingly, she has found that overall, there was not as much a sense of regional identity but more a set of "kaleidoscopic" identities that "change and modify and reconstitute themselves according

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<sup>41</sup> Groundwater, 28-9; see Dawson, "Anglo-Scottish protestant culture and integration in sixteenth century Britain," in Ellis and Barber, eds., *Conquest and Union*, 87-114; for later manifestations of the importance of shared Protestantism, see Linda Colley, *Britons: forging the nation, 1707-1837* 5<sup>th</sup> ed. (New Haven: Yale University Press, 2012), 11-54.

<sup>42</sup> Groundwater, "Renewing the Anglo-Scottish Frontier," in Eßer and Ellis, *Frontier and Border Regions in early modern Europe*, 31.

<sup>43</sup> In the English West March, Andy Sargent has recently argued that the "military function of the border" was fading during Elizabeth's reign, and that during this period, martial identity was replaced by a civil identity "emanating from the city of Carlisle." Sargent, "A Region for the 'wrong' reasons: the far north-west in early modern England," in Eßer and Ellis, *Frontier and Border Regions*, 97-120, 112, 114.

<sup>44</sup> Newton, "Saint Cuthbert, the *Haliwerfolc* and regional identity in north-east England," in Eßer and Ellis, eds., *Frontier and border regions in early modern Europe*, 121.

to different circumstances and encounters.”<sup>45</sup> This is precisely the development seen in Berwick throughout the reigns of Elizabeth and James.

Berwick is not included in these studies, and rightly so; jurisdictionally, it was treated as an English-held Scottish town, populated by English subjects, by contemporaries, and thus was not formally part of Northumberland’s administrative or jurisdictional networks. But as a town in the borders, its examination is all the more worthwhile for the light it sheds on urban identity formation. Urban identity, just like other forms of identity discussed above, is a difficult and amorphous concept to reconstruct. Robert Tittler has examined the “tenor of urban life” from a variety of urban perspectives, from portraiture to architecture to reconstructing personal experiences in a variety of urban settings.<sup>46</sup> Other historians have approached the question from different vantages of city life: Joseph Ward has studied trade guilds in London and the creation of a “metropolitan community,” and David Harris Sacks has examined the commercial life of Bristol.<sup>47</sup> Sacks sheds particular light on the question of legitimization in the post-reformation period, when the authority of the church had been fundamentally shaken. The power vacuum created by this shift was filled, he finds, by the new understandings and sanctification of civic power.<sup>48</sup> Cities functioned as dual entities: the crown understood

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<sup>45</sup> She finds, for example, that the “gloomy image” of disorder in the north was in part manufactured by the elites themselves to safeguard “favorable financial arrangements they enjoyed with the crown, but also to excuse possible failures on their part as county officers.” Newton, *North-east England*, 7-8, 167.

<sup>46</sup> Robert Tittler, *Townspeople and Nation: English Urban Experiences* (Stanford University Press, 2001), 37. See also his *The face of the city: civic portraiture and civic identity in early modern England* (Manchester University Press, 2007) and *Architecture and power: the town hall and the English urban community, c. 1500-1640* (Oxford: Clarendon Press, 1991).

<sup>47</sup> Joseph P. Ward, *Metropolitan Communities: trade guilds, identity, and change in early modern London* (Stanford University Press, 1997), and David Harris Sacks, *The Widening Gate: Bristol and the Atlantic Economy, 1450-1700*. (Berkeley: University of California Press, 1991).

<sup>48</sup> See Sacks, 160-193.

them as necessary and important entities to instill law and order, while their inhabitants saw their society as a “moral community in which the head and body work together for common ends.”<sup>49</sup>

In Berwick’s case, sources allow for an investigation into the people’s collective urban identity, which centered on the town’s geographic location along the border. This position made the town one of war, and resulted in the need to negotiate, on a daily basis, with outsiders who could claim the authority of the crown. The sources, limited as they are to guild records, allow few glimpses into personal understandings of identity, and rarely illuminate religious or moral motivations.<sup>50</sup> It is possible, however, to reconstruct that “tenor of urban life,” especially as it was altered and affected by the garrison, the governor, and other forms of crown imposition. How did inhabitants understand connection between political and economic life, and the connection of their city to the realm at large?<sup>51</sup>

In the only modern scholarly consideration of Berwick, Krista Kesselring begins this investigation into the “local identity” of Berwick. She finds that Berwick’s burgesses self-identified as English probably more readily than their southern counterparts, because of the proximity of the border, but were often unable to leverage that understanding into greater autonomy. “While their attachments were first and foremost local,” she argues, “they sought to strengthen their ability to claim local resources by appeals to a national

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<sup>49</sup> Sacks, 9.

<sup>50</sup> See Ward, 7-26, where he uses sermons and pamphlets to examine “the variety of ideas of community in London.” (8)

<sup>51</sup> C.f. Sacks, who focuses on the town as part of the “integrated realm” (4).

identity.”<sup>52</sup> There were also conflicts among the townsmen, she finds, because of the rival authority of the governor, for “self-government was at the heart of town identity.” The interplay between national and local, therefore, confirms the layered and overlapping identities delineated in the work of Diana Newton for other northerners.<sup>53</sup> Kesselring echoes the conclusion drawn by Peter Sahlin in his seminal work on the early modern border region of Cerdanya valley between France and Spain: “national identity appeared on the periphery ‘less as a result of state intentions than from the local process of adopting and appropriating the nation without abandoning local interests, a local sense of place, or a local identity.’”<sup>54</sup> Her study, while illuminating, is merely a snapshot of the forces at play in Berwick, which need to be considered not only throughout Elizabeth’s reign but also during the dramatic transformation inaugurated by James’ accession and his project of union as it played out in the border town.

### *Medieval Berwick*

When Elizabeth came to the throne, Berwick’s people were no strangers to crown intervention through a military presence. She was the first monarch, however, to challenge directly the rights of the charter, which had slowly expanded throughout the medieval period. Berwick may have shifted from Scottish to English possession and back again, but both countries’ monarchs respected the charters, and built upon previous ones.

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<sup>52</sup> Krista Kesselring, “‘Berwick is our England’: Local and National Identities in an Elizabethan border town,” in Woolf and Jones, *Local Identities*, 92, 94. This article, the only sustained scholarly attention that Berwick has received in the last century, focuses on several prominent conflicts between the guild and army leadership to draw conclusions about the self-identification of the burgesses. The research presented here agrees with her conclusions, but does not focus on the question of identity alone.

<sup>53</sup> Kesselring, “‘Berwick is our England’,” 100, 108.

<sup>54</sup> Kesselring, “‘Berwick is our England’,” 94.

To understand the fundamental shift that occurred under Elizabeth through her institution of the governor and enlarged military presence, we must first briefly trace Berwick's medieval status and its historic interactions with the crown.

Berwick was a Scottish town originally; indeed, it was one of Scotland's first four royal burghs, towns granted charters by the crown as early as the twelfth century.<sup>55</sup> Its strategically positioned port made it the hub of the Scottish wool trade, and for a time it was Scotland's wealthiest and most influential burgh, likely spurring the codification of burgh laws into the *Leges Burgorum* in the twelfth century.<sup>56</sup> The town's location on the border, however, ensured that it was caught in the crossfires of Anglo-Scottish conflicts as they unfolded over the thirteenth and fourteenth centuries. It fell into English possession for much of the fourteenth century after its conquest by Edward I in 1296, becoming an English stronghold in Scotland from which Edward could attack or make overtures of peace.<sup>57</sup> Berwick returned to Scottish rule after the military successes of Robert Bruce in 1318, but was reconquered in 1333 by the English king Edward III for a period of over one hundred years. During this period of English occupation, a "pale" was

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<sup>55</sup> The other three burghs were Edinburgh, Roxburgh, and Stirling until 1368, when Berwick and Roxburgh had fallen into English hands and were replaced by Linlithgow and Lanark. Alan R. Macdonald, *The Burghs and Parliament in Scotland, c. 1550-1651* (Aldershot: Ashgate, 2007), 6. Medieval Scottish burghs were either royal burghs, like Berwick (directly chartered by the crown, with extensive legal jurisdiction and control over internal and foreign trade), or burghs of barony (authorized by the crown but created by lay or ecclesiastical landowners, without rights to foreign trade). T.M. Devine, "Scotland," in Peter Clark, ed. *The Cambridge Urban History of Britain, II: 1540-1840* (Cambridge, 2000), 153. On the origins and early years of Scottish burghs, see Richard Oram, *Domination and Lordship: Scotland 1070-1230* in *The New Edinburgh History of Scotland* (Edinburgh University Press, 2011), 265-94.

<sup>56</sup> Oram, 272.

<sup>57</sup> See John Scott, *Berwick-upon-Tweed: the history of town and guild* (London, 1888), 28. Its legal jurisdiction, however, remained unusual. Berwick was a "separate and independent town, a kind of conquest of England, yet lying in Scotland beyond the boundaries of the southern kingdom." The townspeople would use this status in the sixteenth century to dispute jurisdictional rights claimed by, for example, the King's Council in the North (in York).



created around Berwick to protect it from the Scots; now Berwick was itself within English territory and the Anglo-Scottish boundary line relocated four miles north. In 1461 the Scots conquered the town once more, only to lose it for the final time in 1482.<sup>58</sup>

In both England and Scotland, a royal charter defined the corporation's relationship to the crown: in exchange for a degree of self-governance (especially important was the town's ability to regulate the economy and to act as a legal entity) and autonomy from other jurisdictions (such as county justices of the peace in the English context), the town collected royal taxes and provided a civic militia that would be ready to serve the crown whenever necessary.<sup>59</sup> Charters had been issued to Berwick since the thirteenth century at least, and the rights detailed therein were still in practice during Elizabeth's reign.<sup>60</sup> By the 1560s, the guild possessed seven charters or confirmations that it kept safely locked in the town chest and used for defense of the town's rights in outside courts.<sup>61</sup>

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<sup>58</sup> Scott, 55-56. This pale, of course, mirrored the "English Pale" in Ireland, or the region of the four counties surrounding Dublin, which represented the limits of English sovereignty for much of the early modern period. There was also a "pale" around the garrison of Calais while it was held by the English. See Steven G. Ellis with Christopher Maginn, *The Making of the British Isles: The state of Britain and Ireland, 1450-1660* (Harlow: Pearson Longman, 2007), 8, 15.

<sup>59</sup> Patterson, *Patronage in Early Modern Europe*, 165-66. See also Phil Withington, *The Politics of Commonwealth: citizens and freemen in early modern England* (Cambridge University Press, 2005), 8-10, on the process of incorporation and its meaning in the English context.

<sup>60</sup> The earliest extant charter is a confirmation by the English king Henry V, which was issued in 1415 but confirmed – and therefore cited in full – earlier confirmations issued in 1302, 1336, and 1356. The first recorded confirmation, of 1302, was issued by Edward I after the first English conquest of Berwick in 1296. Berwick Record Office [hereafter BRO], A1/1 (original charter); BRO, 160 (transcript of charter). See also Scott, 245-8. For Edward III's confirmations, see also *Rotuli Scotiae in Turri Londinensi et in Domo Capitulari Westmonasteriensi Asservati* (London, 1814), 1:428-9, 791-2. Tudor confirmations of Berwick's charter were issued in 1486, 1510, 1547, 1554, and 1559; see Martin Weinbaum, ed., *British Borough Charters 1307-1660* (Cambridge University Press, 1943), 88. For Elizabeth's confirmation, *APC* 7:27. The Berwick Record Office today houses seven charters prior to James I's charter of 1604 (BRO, A1/1-7), issued in November 1415; February 1483; November 1486; April 1510; June 1547; April 1554; and May 1559.

<sup>61</sup> For example, see BRO, B1/1, f. 103v. James I's charter, issued in 1604, would be the last granted to the town; see BRO, A1/8 and Scott, 314-329.

Berwick's early charters confirmed very typical rights granted to market towns, without any mention of a military presence. The earliest recorded charter is that of Edward I in 1302; it confirmed the offices of the mayor and four bailiffs who were elected annually by the burgesses and granted the guild authority to regulate the market and oversee trade.<sup>62</sup> This was a typical arrangement, though Berwick was unusual in that this governing guild was the only one. In most towns, there existed multiple guilds organized along occupational lines, but in Berwick, men of all occupations joined the one guild in order to practice his trade or craft.<sup>63</sup> Berwick's self-government extended to judicial matters, a right fiercely defended by the guild in the sixteenth and seventeenth centuries.<sup>64</sup> Burgesses, furthermore, were exempt from paying customs on their goods, a valuable benefit in a border port town, as well as tolls on highways and bridges. Certain revenues still belonged to the crown, including customs on wool and hides. The town administered the local mills (and their profits) as well as the common lands and fisheries, the latter of which were very profitable; in exchange, the town paid the crown an annual rent, called the *firma* or *ferme*, and later, fee-farm.<sup>65</sup> Like other towns, Berwick's charter stipulated military duty as a responsibility of the burgesses; however, rather than drilling as a civic militia, as was typical in early modern towns, townsmen only took turns serving on watch along the town ramparts and walls each night. This may hint at the

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<sup>62</sup> BRO, 160, pg 1-3.

<sup>63</sup> In the early years of James' reign, the guild finally authorized the creation of a specific guild for the tailors. See Ch. 5, p. 269.

<sup>64</sup> BRO, 160, pg. 2. The burgesses "shall not plead or be impleaded elsewhere than within the same borough before the aforesaid mayor and bailiffs."

<sup>65</sup> By the sixteenth century, the crown had reclaimed the fisheries, which were now rented to wealthy burgesses or to the guild itself through long-term leases. Scott, 247-8, from a confirmation of 30 March 1307 that is not recorded in Henry V's charter (BRO, A1/1).

presence of the garrison, which would have made militia drilling of the townsmen unnecessary. It is also possible that, like their fellow borderers in the countryside, Berwick's inhabitants were expected to be in a constant state of readiness, anticipating an invasion at all times, in exchange for certain financial exemptions from the crown.<sup>66</sup>

The governance of the town and its market was detailed in two other important documents, the *Leges Burgorum* and the *Statutae Gildae*. These medieval documents were recorded in the thirteenth century, when burghs were growing and sought to standardize rights and obligations of their burgesses.<sup>67</sup> The *Leges Burgorum*, for example, established regulations for all trading towns; they demonstrate that both the king and the burgesses were concerned with standardizing trading rights of townsmen as well as other privileges accompanying burgess status.<sup>68</sup> The *Statutae Gildae*, recorded in Berwick in 1249, served a similar function, codifying guild rules for burghs across Scotland.<sup>69</sup> It established the rights held by burgesses and stallengers, or non-free

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<sup>66</sup> Over Elizabeth's reign, the enduring peace with Scotland resulted in a "decay" of the state of defense across the borders, to the consternation of the queen's advisors. Ellis, *Defending English Ground*, 135. On town militias, see Sybil M. Jack, *Towns in Tudor and Stuart Britain* (New York: St. Martin's Press, 1997), 128; this occurred in Dublin as well, see Colm Lennon, *The Lords of Dublin in the Age of Reformation* (Blackrock, 1989), 121. Lord Grey, the army's first governor appointed by Elizabeth, issued orders for the watch of the town in 1561: each evening, townsmen and labourers were expected to repair to the market place with their weapons, where eighteen would be chosen to "watch nightly" (Scott, 155-56). This arrangement helped obfuscate the respective roles of the garrison and town regarding the town watch; see Ch. 1, p. 68-9.

<sup>67</sup> Oram, 272. An older argument presumes the creation of the *Leges Burgorum* by David I (r.1124-1153) – rather than the burghs themselves – in the mid-twelfth century; see C. Innes and R. Renwick, eds., *Ancient Laws and Customs of the burghs of Scotland* vol. 1 1124-1424 (Edinburgh: Scottish Burgh Record Society, 1868). The laws are listed from pgs. 4-60, and introduced as "the laws of the burghs of Scotland made and ordained by the king David," 3.

<sup>68</sup> Oram, 274. See also Macdonald, *The Burghs and Parliament in Scotland*, 5-6.

<sup>69</sup> Innes and Renwick, eds., *Ancient Laws and Customs of the burghs of Scotland*, vol. 1, 64-89. See also Scott, App.VII, *Statutae Gildae*, 467-69, for a slightly shorter version. For background on *Statutae Gildae*, see Scott, 241-245. Oram distinguishes between two kinds of guilds: guild merchants, who were "associations of all who lived by trade," and merchant guilds, "associations of long-distance traders." In Berwick they were joined together. Oram, 281.

residents, and regulations for the general governance of the guild.<sup>70</sup> Both documents, then, signified the growing autonomy of towns vis-à-vis the crown.

Despite constant incursions, the town's governance by the merchant guild changed very little (on paper) after the codification of these regulations by the thirteenth century. The mayor was assisted in his work by an alderman, four bailiffs, and a variety of posts filled by the burgesses.<sup>71</sup> Within the hierarchy of the guild, the mayor, alderman, and bailiffs – all elected annually in the fall, at Michaelmas – were the most powerful.<sup>72</sup> The mayor was assisted by the “fearing men” of the “private guild,” the “most discreet and wisest men of our guild.” These men were former mayors, aldermen, and generally important and wealthy members of the community.<sup>73</sup> Throughout the sixteenth century, they numbered between sixteenth to twenty-four men; during Elizabeth's reign, the guild comprised about seventy freemen out of about two thousand inhabitants.<sup>74</sup> The mayor,

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<sup>70</sup> The term stallenger comes from the Latin *stalagarius*, or “stallholder,” meaning someone who was entitled to trade but did not share in all the privileges of burgess status; this term was in use as early as the twelfth century, in Inverness. See Oram, 277; OED, “stallenger.” <http://proxy.library.upenn.edu:2526/view/Entry/188850?redirectedFrom=stallenger#eid>. Accessed 3 March 2016.

<sup>71</sup> The office of mayor evolved from that of the *prepositus* or administrative officer, was responsible for collecting the fee-farm due to the king. This official was originally appointed by the king, but over time this power was devolved to a burgess of the town, and the *prepositus* became the provost of the burgh, or “the elected head of the burgess community”: the mayor. Oram, 279-80. See Robert Tittler, *Townpeople and Nation: English Urban Experiences* (Stanford, 2001), 25-26, for a clear breakdown of the *cursus honorum*.

<sup>72</sup> *Ancient Laws and Customs [Leges Burgorum]*, 34.

<sup>73</sup> These men were not elected, but chosen by the mayor, and consisted mostly of the same influential burgesses from year to year. *Ancient Laws and Customs [Statutae Gildae]*, 81; Scott, 468. BRO, B1/4a, f. 3v has the chief guild “appointed” for the year, but doesn't say by whom. The *Leges Burgorum*, alternatively, calls for the mayor to choose twelve men. *Ancient Laws and Customs [Leges Burgorum]*, 54.

<sup>74</sup> In 1584, there were seventy-one: BRO, B1/4a, f. 1r; in 1600, sixty-nine: BRO, B1/4, f. 44r. The general population estimate: *CBP* 1: 240. “Petition of the Mayor of Berwick etc.,” June 1584. See also *SP* 59/22, f. 244r. All freemen were members of the general guild. In return for the privilege of trading or producing goods in town, they paid various assessments and taxes – some regular, but many (especially during the early seventeenth century) one-off contributions to fund various needs of the guild. They also voted in the annual election and in special surveys; lastly, they could fulfill a number of needed roles in town. These were typically annual appointments – from packing or gaging (measuring) salmon, to monitoring ships coming

fearing men, aldermen, and bailiffs were the most prominent members of the community, who, during Elizabeth's reign, would speak or write on behalf of the corporation to Berwick's governor or even the queen.

The men in power constituted an oligarchy of power, a concept many historians note is unseemly to modern minds, but one that functioned very well in the early modern context. Tittler finds oligarchy an "effective and arguably even appropriate" form of governance that depended on "gaining the deference, and hence obedience, essential for political stability."<sup>75</sup> He points out, as other historians have, that men who were able to hold high office in communities needed funds, a good reputation, and local influence.<sup>76</sup> David Harris Sacks also sees a shift in how social hierarchy was understood and facilitated in the Elizabethan period. "In contrast to the social vision of the late medieval community, whose hierarchical structure was mediated by a series of ritualized exchanges and mocking reversals of role," he argues, "this new model of society [under Elizabeth] was a military one, with sharply defined ranks, rigid organization, and harsh discipline."<sup>77</sup> In the annual ritual of mayoral inauguration in Bristol, for example, emphasis lay on the mayor's civic duty to the city and his obligation and connection to

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in and out of the harbor, to surveying the boundaries of fields or meadows belonging to the town. See Ch. 2, p. 95-6.

<sup>75</sup> Tittler, *Architecture and Power*, 98.

<sup>76</sup> See also Phil Withington's discussion of oligarchy, where he complicates the "blanket paradigm" of oligarchy by emphasizing democratic involvement in the governing process. He concurs, however, that largescale incorporation of English towns brought "the promulgation of aristocracy as the preferred form of civic governance," which he attributes to the need for individual wealth – both to seek incorporation and to serve as mayor. See *The Politics of Commonwealth*, 52-3, 67-68. Christopher Friedrichs agrees with this assessment in the European context, noting the inherent tension in city government: on one hand, power was granted to a small group of men to make decisions on behalf of the city, while on the other, "the entire body of citizens had to be reassured that their voices would be heard." Friedrichs, *The Early Modern City*, 48.

<sup>77</sup> In Bristol, he sees that a sense of civic responsibility increasingly outweighed that of Christian obligation, the prevailing medieval worldview. Sacks, *The Widening Gate*, 180-193; quote on 191.

the crown. The royal sense of duty was strengthened during Elizabeth's reign, when "those who held authority were no longer merely citizens of their borough," but also "agents of royal rule" in the new order of the "larger commonwealth."<sup>78</sup> The guild of Berwick utilized this language of "duty" towards the queen; the connection was, for the border community, even easier to make than it would have been for other towns because the mayor was on the queen's payroll, rather than being paid by the corporation.<sup>79</sup>

This connection emphasized the deference required on the part of the citizens of a town, for to show disrespect to the mayor was to show it to the queen, since it was through her will that the mayor had any power in the town at all.<sup>80</sup> Physical markers, such as the mayor's ceremonial dress and mace, as well as special furnishings in town chambers, encouraged deference and obedience. These were complemented by symbolic indicators such as strict regulations governing speech towards the mayor.<sup>81</sup> In Berwick, for example, the mayor carried a white staff of authority; the medieval *Leges Burgorum*, furthermore, called all towns to hold freemen accountable for speeches against their mayor.<sup>82</sup>

The mayor and bailiffs were responsible for maintaining law and order; to this end, they presided over a biweekly court where a jury of twelve "sufficient burgesses"

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<sup>78</sup> Sacks, 192-93.

<sup>79</sup> See, for example, the payroll of 1576: Scott, 464; *SP* 59/19 f. 218r-v.

<sup>80</sup> This was a very common understanding of authority; see Sacks, 175, for a description of the mayor's authority coming from his status as the crown's "viceregent" in Bristol.

<sup>81</sup> Tittler, *Townpeople and Nation*, 106-109. These indicators, Robert Tittler argues, became much more important after traditional markers of deference, such as funerary monuments, prayers for the dead, and physical gifts to the church, were destroyed with the Reformation, see Tittler, 93-96.

<sup>82</sup> *Ancient Laws and Customs [Leges Burgorum]*, 49. For reference to the mayor's "white staff of authority," see State Papers Online [henceforth SPO], *State Papers* [henceforth *SP*] 59/22, f. 255v.

heard cases of debt and other complaints of the townspeople.<sup>83</sup> The administrative tasks of the guild leadership were onerous, and during Elizabeth's reign additional offices like assistants would be created to alleviate their burden.<sup>84</sup> Often the guild employed a recorder, or lawyer, from outside of town to help determine "doubtful causes" in the mayor's court.<sup>85</sup> During Elizabeth's reign, the court and those who presided over them would be constantly challenged by the army administration, which utilized its own marshal's court and insisted on the soldiers' immunity from civil prosecution.

The bailiffs were charged with monitoring the town and did so through regular neighborhood inquests, where they would survey the four quarters of town and report any infringements of property, misuse of town resources, illegal brewing and baking, and rubbish or "dunghills" that needed to be removed. This was a common feature of early modern towns, where town leadership ensured not only that law and order was maintained, but also that the town was kept clean, neat, and orderly, as a physical reflection of the political stability and economic prosperity the leadership sought to convey.<sup>86</sup> In Berwick, cleanliness was also connected to the town's security: often, the

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<sup>83</sup> *CPB* 1: 240, where the townsmen list the duties of the mayor in one of their petitions to the governor. "Petition of the Mayor etc," June 1584. See also *SPO*, *SP* 59/22, f. 246v.

<sup>84</sup> In 1582, six assistants were added to the yearly elections to aid the alderman and guild "at needful times when they shall be called upon." *BRO*, B1/3b, f. 48r.

<sup>85</sup> See, for example, *CPB* 1:240 where the mayor's petition mentions Laurence Mears of York. "Petition of the Mayor etc," June 1584; also in *SPO*, *SP* 59/22, f. 252v. See also *BRO* B1/3a, f. 63r, for an example in 1579. The recorder, "usually a professional lawyer who advised the mayor on legal matters," became common in the sixteenth century. This office was considered outside of the *cursus honorum* and thus the recorder often served for years at a time, and did not need to reside in the town. See Tittler, *Townspeople and Nation*, 25.

<sup>86</sup> Friedrichs, *The Early Modern City*, 261-266.

dumping of rubbish or dung occurred on the ramparts, which of course needed to be kept clear for ease of access to the walls.<sup>87</sup>

Fearing men, who were influential and visible members of the community, served in certain public roles. The town was divided into four quarters, each served by a bailiff, a churchwarden, and a quartermaster. There was just one parish, with one minister and an assistant. In Berwick, the mayor always served as one of the quartermasters, and the head alderman as a churchwarden. Until James' accession to the English throne in 1603, the guild also appointed comburgesses, usually chosen from among the fearing men, to serve as hosts for visitors. Presumably these men had lodgings ample enough to host guests comfortably; while these visitors were most often visiting Scots, they might also be ambassadors, diplomats, or travellers on the road between Edinburgh and London.

The work of Berwick's leaders was complicated and compromised by the military presence in the town. Neither the charters nor the burgh law codes, from which the townsmen derived their power, made any mention of the garrison stationed there or the crown appointed captain who presided over it. There had been a continuous military presence in Berwick, however, since the first English conquest of 1296. After this victory, Edward I instituted the office of border warden, who was granted five hundred soldiers and one hundred forty horsemen to guard the border and administer a growing body of border laws.<sup>88</sup> A Pipe Roll account from 1334, soon after Berwick returned to English hands, notes payments to "soldiers for guarding Castle of Berwick" and to Henry

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<sup>87</sup> For example, see BRO, C1/1, Common Council Minutes [henceforth CCM], f. 8v-9r, 102v; B1/8, p. 95.

<sup>88</sup> Scott, 27. For the creation of the office of border warden, see Neville, *Violence, Custom and Law*, 19-24.



Percy, “as Governor of Berwick on account of his annual fee.”<sup>89</sup> In 1337, there were two hundred ninety soldiers stationed there.<sup>90</sup> A grant of Edward III, issued to Berwick in 1357, made the first royal mention of the “soldiers in the garrison under the command of the governor,” ordering that in trials of soldiers against citizens, the mayor, governor, and bailiffs were to hear the cases as one body.<sup>91</sup>

Throughout this period, the crown – whether English or Scottish – remained invested in Berwick’s maintenance and growth. In 1356 and 1357, Edward III issued confirmations of Berwick’s charter following heavy losses sustained during a Scottish invasion of Berwick. Concerned with maintaining the viability of the town, Edward provided generous concessions to his subjects still living there. In 1356, he ordered the customs collector to be resident in the town at all times, “so that merchants shall not be delayed or hindered in the delivery of their wares by the absence or want of such officers.”<sup>92</sup> The burgesses were also given the rights to additional customs, meant to pay for the repairs and maintenance of the port.<sup>93</sup> To boost population, he allowed anyone living in Berwick who could pay the admission fee to be admitted to the guild (rather than leaving admission to the discretion of the guild), and additionally to claim ownership of the houses they occupied in town.<sup>94</sup> Despite Edward’s efforts, poverty became rampant

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<sup>89</sup> Scott, 251. Percy was also a border warden, as were many of his descendants, the earls of Northumberland. See Neville, 21, 34, 36.

<sup>90</sup> Scott, 65.

<sup>91</sup> Scott, 253. This confirmation of 1357 is not mentioned in Henry V’s charter, and Scott does not list his source.

<sup>92</sup> BRO, 160, pg. 7.

<sup>93</sup> Scott, 253.

<sup>94</sup> Given the ongoing violence and war, it is likely that many houses in Berwick stood empty, and were then occupied by soldiers or others coming into the town for employment or security. A similar situation arose at the beginning of Elizabeth’s reign, when soldiers and laborers were forced to build temporary housing

and by the late 1300s, continual war had initiated a “period of gradual restoration of the frontier” throughout the countryside, where “settlement in the Borders was receding in the face of wilderness, in which farms were abandoned and cultivation on marginal land gave way to pastoralism.”<sup>95</sup>

The Tudors would continue to utilize Berwick as the crown’s military base of operations in the north. In 1483, the Duke of Northumberland, as the Warden of the East Marches and the Keeper of Berwick town and castle, was charged with keeping six hundred soldiers at Berwick for England’s defense.<sup>96</sup> In the sixteenth century, tensions escalated under Henry VIII, whose preoccupation with subduing Scotland militarily brought many more soldiers and munitions north. Still, the number of men permanently stationed in Berwick was well under two hundred in the early 1530s.<sup>97</sup> During Edward VI’s brief reign, his uncle Protector Somerset continued these efforts in 1547 with a new strategy to establish an “English pale” in the Scottish borders.<sup>98</sup> In practical terms, these efforts focused attention on Berwick, where a small royal force had been garrisoned for decades.

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along the edges of town outside the new fortifications; Elizabeth then sold or granted the lots to them in the 1570s. See Ch. 3, p. 161-70.

<sup>95</sup> Anthony Goodman, “The Anglo-Scottish Marches in the Fifteenth Century: a frontier society?” in Roger Mason, ed., *Scotland and England 1286-1815* (Edinburgh 1987), 22.

<sup>96</sup> Ellis, *Defending English Ground*, 81. Scott, 101-102. On early Tudor policies and developments in the borders, see also Neville, 152-83.

<sup>97</sup> The actual number of soldiers stationed there, however, varied significantly – the town was inundated with troops whenever border security was threatened or when invasions were planned into Scotland, especially under Henry VIII. Shannon, “Projects of Governance,” 254-55.

<sup>98</sup> Paul Hammer, *Elizabeth’s Wars: war, government and society in Tudor England, 1544-1604* (Basingstoke: Palgrave Macmillan, 2003), 24-5, 34-43. Even Mary, who did not focus much military attention on the north, made Scotland England’s enemy when she joined England’s forces to those of Spain, who were fighting Scotland’s ally France, in 1557; 46-53.

Elizabeth's reign inaugurated a time of peace in England that was coupled with an intensification of military preparations in Berwick. Her efforts brought with them continual challenges and disputes in the locality of the border town, even as the townspeople learned to adapt to the large presence of soldiers in their midst. The garrison's dismantling in 1603 proved even more jarring, and throughout James' reign, the town struggled to adjust to its new identity. Although the border persisted in the minds and hearts of James' subjects, his union efforts were not merely rhetorical. For those outside Berwick, the symbolism of the queen's walls was demolished with that of a unifying bridge. Yet for its people, Berwick was diminished; from a town of war with international significance, it became an impoverished market center with limited regional importance. Berwick's people would continue to adapt and to adjust to the town's new status through James' reign.

The townspeople recognized in 1603 the dual nature of their welcoming the new king – as a town, and as all of England. This duality is still relevant today, where a study of the town's governance and day-to-day life demonstrates not only the unique nature of a garrisoned border town, but also the goals and efforts of Elizabeth and James, to protect her borders and unify his kingdoms, respectively. While these forces interacted on the local level, highlighting for historians the continued relevance of urban studies, the careful attention paid to Berwick by the monarchs reveals its significant place in their respective state-building projects in the peripheries of the realm.

## **Chapter 1: The “Chief Key of her Realm”: Elizabeth’s New Establishment and jurisdictional confrontation, 1558-1603<sup>99</sup>**

### *Introduction: state building in the borders*

In 1593, the inhabitants of Berwick-upon-Tweed submitted to Queen Elizabeth a list of abuses and offenses committed by the army establishment stationed there, from the governor down to the common footmen. The town’s location on the Anglo-Scottish border meant that its residents were accustomed to a military presence, but the queen had greatly enlarged the garrison between 1558 and 1560.<sup>100</sup> The small regular contingent of soldiers was bolstered to a fighting strength of nine hundred men, while a governor and council were instituted to govern not only the large retinue of soldiers but also the non-military population of the town. The men in the queen’s pay and their families, then, about equalled the town’s civilian population of 1,500 to 2,000 people. Clashes regularly occurred between these groups, but for Berwick’s townspeople, the governor and his council were much more problematic. The governor’s authority over town affairs, granted by the queen, directly challenged the power of self-government granted to Berwick’s mayor, bailiffs, and burgesses through their long-standing charter. Over the course of Elizabeth’s reign, resentment between the two sets of leaders built and relations between the two groups soured, resulting in the town taking recourse in petitions to the absentee governor, and then the queen herself, by the 1580s and 1590s.

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<sup>99</sup> *Calendar of State Papers Foreign [CSP For], Eliz I, 1558-1589*, vol. 2, 1559-1560. No. 467. “Noailles to the Queen Dowager,” 21 December 1559.

<sup>100</sup> The term garrison refers to the population of soldiers, rather than any physical barracks or separate living quarters for soldiers, of which there were none in Berwick until the eighteenth century.

In the 1593 petition, the mayor and guild brethren of Berwick, knowing it might be considered “impertinent” to address the queen with the failings of her own institution, defended their stake in the town’s safety. As long-time inhabitants of the border, the townspeople had a greater investment in its defense than the queen’s hired soldiers. They explained that

When it shall be considered that Berwick is our England, that ourselves, our wives and children, are bred and brought up in it, that all the possessions we have are included within her walls, that we have no country nor hope without her gates: the wise will judge that our interest for the safety thereof, is greater than the soldiers, who if it were lost (as God forbid) could serve and live in any other place.<sup>101</sup>

This claim gave the townspeople the right – indeed, the duty – to report mismanagement and corruption directly to the queen herself. The townspeople sought a restitution of their rights, in many ways purely local concerns that had little to do with national security, but framed their complaint in language the queen would pay attention to: that of invasion, security, and defense. This self-identification of the civilians as Berwick’s rightful defenders was also calculated to appeal to Elizabeth’s prevailing anxiety over the security of England’s northern border. Elizabeth remained unmoved; having established her governor and council, she left it to them to rule the town and garrison and to resolve local conflicts.

The queen’s willingness to violate the chartered rights of the town points to its unique role in English security and state-building efforts of the crown. While earlier Tudors had also kept a contingent of soldiers in the border town, royal involvement

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<sup>101</sup> *The Border Papers: Calendar of Letters and Papers relating to the Affairs of the Borders of England and Scotland [CBP]*, ed. Joseph Bain (Edinburgh, 1896), 1: 806.

intensified under Elizabeth. Developments of the 1550s ensured that Berwick was now the “chief key” of her realm, the lynchpin upon which the security of her kingdom relied. The town was considered the gateway into England and thus the focal point for the defense of the northern border. Military presence in Berwick was not unprecedented, but Elizabeth’s immense building project of the fortifications and the greatly enlarged garrison made her involvement in Berwick more significant than that of any other monarch since the town became English permanently in 1482.

Berwick was simultaneously a small market town and port, like thousands of others across England. Its inhabitants were merchants and craftsmen, alehouse keepers and fishermen. They were also intensely aware of the proximity of the border, and of the importance of their town in securing the kingdom. Berwick’s inhabitants identified themselves as England’s defenders, as noted above, yet they were excluded from participating in its protection by the army. The queen went even further, undermining the townspeople’s chartered rights by granting ultimately authority to her governor and council. The guild functioned as it had always done, but was now constantly challenged by the governor and council. The construction of the fortifications brought in large amounts of money, but town leaders were excluded from participating in the management of the project or the administration of funds where, under previous Tudors, they had been involved.<sup>102</sup> Instead, Elizabeth relied on her own officers who were for the most part unfamiliar with the north. Berwick’s people were constantly reminded of their reduced

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<sup>102</sup> See, for example, BRO, 1380/4, “A Booke of Chardges of the kinges majetes works,” 1552-53, for the town’s records of payments distributed to laborers working on royal projects in Berwick.

status, and their loss of autonomy to the crown's representatives. Their petitions represent an effort to reclaim their identity as urban defenders of the English border.

Elizabeth's state-building efforts in Berwick were sustained throughout her reign at great financial cost, and from her perspective succeeded admirably. The borders were kept in good order, if not pacified completely, and the fortifications were never tested by invasion. Her "project of governance" in the borders, however, cannot be evaluated without also considering their manifestations locally.<sup>103</sup> In Berwick, the ideals of crown policies met the messy reality on the ground, where negotiations between competing authorities took place daily. Jurisdictional lines were frequently blurred and the army apparatus, from the governor down to the common footman, violated the privileges of the corporation and of individual burgesses, and, most importantly, those of Berwick's annually-elected mayor. Over the course of Elizabeth's reign, Berwick's guild leaders fought what they viewed as infringements on their control over the town, from field grass allotments to the withholding of the nightly watchword from the mayor.

These conflicts were only occasionally resolved in the town's favor, but their protests to the royal governor and the queen herself were still relevant. The townspeople responded regularly and vocally to Elizabeth's state-building efforts, forcing the governor and queen to consider the petitions and defend their decisions. The protests, over time, also helped the townspeople articulate their unique urban identity, one that was rooted in Berwick's border location. The very presence of the soldiers, and the governor, confirmed the national significance of their small town and gave the people easy access

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<sup>103</sup> "Project of governance" borrowed from Andrea Shannon, "Projects of Governance: Garrisons and the State of England, 1560s-1630s," (Ph.D. diss., Dalhousie University, 2013).

to powerful advisors of the queen, and even to the queen herself. Ultimately, however, while the townspeople saw themselves as the rightful guardians of the queen's realm – with more authority and claim to the town's defense than the soldiers – they struggled in vain to regain their autonomy during Elizabeth's reign, demonstrating the ability of the crown to impose its will, even in distant fringes of the realm.

### *Elizabeth's New Establishment*

Elizabeth's new establishment of Berwick, instituted in 1560, introduced more direct crown involvement than her Tudor predecessors, but could be seen as the culmination of royal policies begun under Henry VIII. All monarchs in early modern Europe relied on subjects to administer the crown's will in the local sphere. The farther away the territory, the weaker crown control and the more important it was to have loyal, influential subjects ruling in the crown's name. This central dilemma of early modern rule, "the problem of the borderlands," made these distant borders serious sites of state building, rendering them "in many ways a good deal more fundamental to the development of British political culture and the Tudor state than the much more familiar story of the struggle for power at court."<sup>104</sup> Since the 1530s, the nature of rule in the northern reaches of England had come much more fully under crown control when Henry VIII instituted new authorities who had no local clout or influence, and were entirely

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<sup>104</sup> Steven G. Ellis, *Tudor Frontiers and Noble Power: the making of the British state* (Oxford: Clarendon Press, 1995), 271. Julian Goodare and Michael Lynch nuance this view; see "The Scottish State and its borderlands," in their *Reign of James VI* (East Linton: Tuckwell Press, 2000), 189-90.



dependent on the funds and resources of the crown.<sup>105</sup> This practice continued during the reigns of Henry VIII's children. For example, Edward VI appointed Nicholas Strelley of Nottingham captain of Berwick. During his time in Berwick, he found that "the burgesses chosen by the freemen [as MPs] little regard the profit of the soldiers," and suggested a southern man serve as recorder, or legal advisor of the town, since he would be more "impartial."<sup>106</sup> While Mary I reinstated local Catholic magnates that had been disgraced under Henry VIII, this was only a temporary return of power to local gentry.<sup>107</sup>

Berwick was not England's only garrisoned town, though others were much smaller. All fortifications, along the southern coast or northern border, for example, tended to be overlooked by the crown until there was fear of invasion. Then, there would be a flurry of crown money, building, and reinforcements that then lapsed once the threat had subsided.<sup>108</sup> This resulted in fortification construction that was often piecemeal and

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<sup>105</sup> Ellis, *Tudor Frontiers and Noble Power*, 261. Henry's efforts also included a reorganization of the king's councils in the marches of Wales, in the North, and in Ireland. Ellis, 267. See also Steven Ellis, "The Tudors and the origins of the modern Irish states: a standing army," in Thomas Bartlett and Keith Jeffery, eds., *A military history of Ireland* (Cambridge University Press, 1996), 116-35.

<sup>106</sup> Regarding MPs, Strelley argued that the captain, council, and garrison ought to choose a burgess for Parliament, "as done in Calais." His view regarding southerners was a belief held by the crown as well. SPO, *Calendar of State Papers Domestic [CSP Dom] Eliz, 1601-1603, Add 1547-1565*, vol. 4, no. 31, "Articles devised by Sir Nicholas Strelley," 1552.

<sup>107</sup> William Vavisor was made captain in May 1555; he may have been connected to the noted recusant family of York. *Calendar of Patent Rolls, Mary and Philip, 1554-55*, p.299. See Richard Rex, 'Vavasour, Thomas (d. 1585)', Oxford Dictionary of National Biography [DNB], Oxford University Press, 2004 [<http://www.oxforddnb.com/view/article/53524>, accessed 8 May 2017]. Thomas Wharton was appointed next, in December 1555. In 1557, the Earl of Northumberland was rehabilitated, and he and Wharton shared the responsibilities of warden of the east and middle march, as well as the captaincy of Berwick. *Cal of Pat Rolls Mary and Philip, 1554-1555*, p. 182. Joint commission: *Cal of Pat Rolls Mary and Philip, 1557-1558*, p. 194.

<sup>108</sup> "The government worried about [Berwick] when it had to and forgot about it whenever it could." H.M. Colvin, John Summerson, Martin Biddle, J.R. Hale, and Marcus Merriman, eds. *The History of the King's Works [King's Works]*, vol. 4 pt. 2, 1485-1660 (London: HMSO, 1982), 617. There were exceptions to this rule; Henry VIII implemented a "device" for building up the coastal defenses in 1539, and enacted through to his death in 1547; altogether about £376,500 was spent during this period, far more than was spent on non-military works (374). After the fall of Calais, southern garrisons in particular experienced a flurry of activity; see Paul Hammer, *Elizabeth's Wars: war, government and society in Tudor England, 1544-1604*

in need of repair. Along the southern coast, Plymouth, Portsmouth and the Isle of Wight were the most important sites of crown defense.<sup>109</sup> In the north, Carlisle was Berwick's counterpart in the English West March. Carlisle was a less likely point of attack than Berwick, however, for it was farther from Edinburgh across rough terrain. The Anglo-Scottish border marches west of Berwick quickly become hilly and elevated, a geological feature extending all the way west to the sea, making the transportation of artillery and munitions infeasible.<sup>110</sup> Berwick's proximity to Edinburgh, and its position along the main highway connecting that capital to London, also made it preferential as the primary military base.

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(Basingstoke: Palgrave Macmillan, 2003), 50-3. Rumors of attack were reported from every corner of the realm. From Newcastle, the Earl of Westmorland related a report from the Spanish ambassador to Scotland, who found that "the chief mark whereat [the Scots] shoot is Berwick," but that they were unwilling to try for it without the aid of France. SPO, *SP* 15/8 f.150r. Also, *CSP Dom, Eliz, 1601-1603, Add. 1547-1565*, vol. 8, no. 81. In Ireland, too, rumors circulated of French forces joining Irish rebels; SPO, *CSP Ireland, 1509-[1603]*, vol. 2, no. 10.

<sup>109</sup> Many of the castles and fortifications along the southern coast had been updated or amended during the reign of Henry VIII, but were still ill-equipped to confront the full range of artillery and gunpowder weapons. See Colvin, *King's Works*, 369-376. By 1542, there were 255 gunners and soldiers stationed along the southern coast of England, manning various castles, forts, and other fortifications. This number would drop over the course of Elizabeth's reign. Andrea Shannon, "Projects of Governance," 42. See also Tim Thornton, *The Channel Islands 1370-1640: between England and Normandy* (Woodbridge: the Boydell Press, 2012). Other garrisons were established temporarily on the continent, as when Elizabeth provided men and arms to the Dutch rebels beginning in 1585 to garrison the towns of Brielle and Flushing; see Hammer, 120-1.

<sup>110</sup> This was especially true from the sixteenth century onwards, when the "military revolution" in gunpowder weaponry reached England. The literature on the much-contested "military revolution" is vast; see Geoffrey Parker, *The military revolution: Military innovation and the rise of the West, 1500-1800* (Cambridge University Press, 2003) 7<sup>th</sup> ed. For a reassessment of the English military, which has traditionally been understood as lagging behind its continental counterparts, see James Raymond, *Henry VIII's Military Revolution: the armies of sixteenth-century Britain and Europe* (London: Tauris Academic Studies, 2007) and also Mark Charles Fissell, *English Warfare, 1511-1642* (London: Routledge, 2001). For a recent review of regional studies on northwest England, see Andy Sargent, "A Region for the 'Wrong' Reasons: the far north-west in early modern England," in Raingard Eßer and Steven G. Ellis, eds., *Frontier and Border Regions in early modern Europe* (Hannover: Wehrhahn Verlag, 2013): 97-120. On medieval Carlisle, see Henry Summerson, *Medieval Carlisle: the city and the borders from the late eleventh to the mid-sixteenth century*, extra series, vol. 25 (Kendal: Cumberland and Westmorland Antiquarian and Archaeological Society, 1993), vols. 1-2. On southern garrisons, see Andrea Shannon, "Projects of Governance."

Under Elizabeth, crown involvement became much more intense in defensive sites across her realm. The queen and her council believed that fortifications, existing as they did to protect the realm at large, needed to be governed by one whose interests lay first and foremost with the state, rather than those with local and private interests.<sup>111</sup> She maintained and intensified the practice her father had instituted: instead of depending on the kinship power networks of local gentry, she appointed trusted men from her court to serve as governor or captain in various sites of defense.<sup>112</sup> At the same time, Elizabeth faced a very different situation than her father or siblings had. Her reign inaugurated a long period of peace, both with Scotland and on the continent. She actively sought to avoid costly conflicts with England's neighbors; an endeavor made possible on the international stage, by the peace concluded between Spain and France, and their respective allies England and France, in 1559.

Peace encouraged a new "insular mentality" that emphasized England's land border with Scotland and opened up possibilities for cooperation between the two nations in troublesome Ireland.<sup>113</sup> Relations with Scotland had improved since the days of Henry VIII, helped along considerably by the religious reformations in each country that produced a "shared protestant culture," along with a cultural and linguistic one, in Lowland Scotland and England.<sup>114</sup> The new Anglo-Scottish affinity was cemented in the

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<sup>111</sup> Shannon, "Projects of Governance," 79-80.

<sup>112</sup> On influential families in northern England and their importance in York's functioning, see David Palliser, *Tudor York* (Oxford, 1979), 14-21. Ellis, in *Tudor Frontiers and Noble Power*, describes the influence and power of the local noble family of the West March, the Dacres, and their subsequent decline under Henry VIII.

<sup>113</sup> Jane Dawson, *The Politics of Religion in the Age of Mary Queen of Scots: the Earl of Argyll and the Struggle for Britain and Ireland* (Cambridge University Press, 2002), prologue; quote on 3.

<sup>114</sup> Jane Dawson, "Anglo-Scottish protestant culture and integration in sixteenth-century Britain," in Steven G. Ellis and Sarah Barber, eds., *Conquest and Union: fashioning a British state, 1485-1725* (New York:

Treaty of Berwick in 1560, signed between Elizabeth and the protestant Lords of the Congregation. This document was extraordinary in many ways; forgoing the Auld Alliance of France, Scottish nobles enlisted the help of the English monarch, who, unusually, agreed to support their efforts against their (in her view, divinely-appointed) queen with men and arms.<sup>115</sup>

Yet despite Elizabeth's pacific tendencies and the improved state of Anglo-Scottish relations, Berwick's role as a military base was amplified in the latter half of the sixteenth century, in part as a consequence of England's loss of Calais, its last stronghold in France.<sup>116</sup> The French reconquering of Calais in 1558, ten months before Elizabeth's accession to the throne, ensured that henceforth, Berwick became the focus of English defensive spending and investment. Calais and Berwick were closely linked in the minds of the English crown and people. The two towns, indeed, had many similarities; "Calais, along with the northern border, was one of the twin *foci* of English politico-military culture."<sup>117</sup> Both towns were English acquisitions in territories that had formerly belonged to an enemy, and both were situated in an "English Pale," or small territory, that separated the garrison from the nearby enemy. They both served as a home base for

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Longman, 1995). Examples of studies that examine reformation in a British context include Clare Kellar, *Scotland, England, and the Reformation 1534-1561* (Oxford: Clarendon Press, 2003) and Felicity Heal, *Reformation in Britain and Ireland* (Oxford University Press, 2003).

<sup>115</sup> This was a seminal moment in Anglo-Scottish relations, during which the mentality of both kingdoms' leaders shifted to a "triangular approach" that incorporated Scotland, England, and Ireland, a place where the English had been traditionally hostile to the Scottish presence. Now, a new "British context" would inform English and Scottish foreign policy, prompting cooperation and replacing the Auld Alliance with France. Dawson, *The Politics of Religion*, 1-2.

<sup>116</sup> Paul Hammer argues that the mid-Tudor "struggles" in Scotland and the continent resulted in "psychological scarring" that affected Elizabeth's policies throughout her reign. The loss of Calais was one of those definitive events. Hammer, 236-7.

<sup>117</sup> David Grummitt, *The Calais Garrison: War and Military Service in England, 1436-1558* (Woodbridge: The Boydell Press, 2008), 1.

outlying castles, fortresses, and other fortifications controlled by the crown in the marches. Both required concerted effort on the part of the crown to keep them well supplied and manned, though in this sense Calais was the easier of the two, being situated so much closer to London.<sup>118</sup> Lastly, both were symbolically relevant; in the case of Calais, its possession allowed the kings of England to claim their status as kings of France as well, and also oriented English foreign policy toward the continent, where it already had this stake.<sup>119</sup>

Other enduring issues of Elizabeth's reign made England's northern border a continuing concern. Her protestant settlement of 1559 made the threat of Catholic invasion, even from the northern border, a constant possibility. Most importantly, the queen did not marry and, as she grew older, refused to name her successor to the throne. This reticence rendered Scotland a continual concern to the crown, for the Catholic Mary, Queen of Scots, was the strongest contender for the English throne.<sup>120</sup> After her return to

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<sup>118</sup> Calais had been English since its capture in 1347. Calais' proximity to London, however, did not mean it was cheap to maintain; it still consumed vast amounts of royal funds. By Mary's reign, the cost of defending the English Pale around Calais was about £20,000 per annum; her annual income was over £200,000. Grummitt concludes that "the defence of Calais was well within the financial resources of the English crown." His work provides a welcome reassessment of Calais in light of the historiographical tradition that has understood the loss of Calais teleologically as a benefit to English finances. Grummitt, 141-57; 165.

<sup>119</sup> Dublin was another English holding, surrounded by a pale, in a hostile territory. Here, however, fortification building was not practiced to the same extent it was in Calais and Berwick. Instead, the military focused on financing large roving bands of soldiers. See Ciaran Brady, "The captains' games: army and society in Elizabethan Ireland," in Bartlett and Jeffery, eds., *A Military History of Ireland*, 136-159, especially 140-2.

<sup>120</sup> Mary's grandfather James IV had married Henry VIII's sister Margaret in 1503. There is a growing body of literature on the ramifications of the "succession question" and its resulting problems for Anglo-Scottish relations generally, and Elizabeth and James' relationship specifically, spear-headed by the work of Susan Doran. See her *Elizabeth I and her Circle* (Oxford University Press, 2015), Ch. 4 on James and Elizabeth; Doran and Paulina Kewes, "Introduction: a historiographical perspective," and "The Earlier Elizabethan Succession question revisited," in Doran and Kewes, eds., *Doubtful and Dangerous: the question of succession in late Elizabethan England* (Manchester University Press, 2014); "Loving and Affectionate Cousins? The Relationship between Elizabeth I and James VI of Scotland 1586-1603," in Doran and Glenn Richardson, *Tudor England and its Neighbours* (Basingstoke: Palgrave Macmillan,

Scotland in 1561, Mary proved a constant threat to Elizabeth, especially after Pope Pius V excommunicated Elizabeth in 1570, effectively encouraging English Catholics to commit treason, possibly even assassination. Rumors of Catholic plots swirled around Mary, culminating in her execution in 1587. Elizabeth's advisors and people breathed a sigh of relief but still, the succession question endured. Mary's son James was the next obvious candidate, but he and Elizabeth had a fraught relationship (not least because she had authorized his mother's execution). Border skirmishes repeatedly prompted accusations of blame on either side, and general feelings of distrust and suspicion persisted between the two monarchs.<sup>121</sup> It was only in the final years of Elizabeth's life that relations between them improved, as James became more confident of his status as her heir.<sup>122</sup>

All of these factors contributed to Berwick's increased significance, especially in the early years of Elizabeth's reign and indeed immediately preceding her accession to the throne. In the months after the loss of Calais, Mary I initiated building projects in southern garrisons like Portsmouth and Plymouth, but these paled in comparison to those underway in the north, where she employed noted military engineer Richard Lee to survey and design new fortifications for Berwick.<sup>123</sup> Fortifying Berwick and the northern

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2005); "Three Late Elizabethan Succession Tracts," in Jean-Christophe Mayer, ed., *The Struggle for the Succession in late Elizabethan England: Politics, Polemics, and Cultural Representations* (Université Paul-Valéry Montpellier 3, 2004).

<sup>121</sup> Ultimately, Elizabeth believed that "James was almost as untrustworthy as his mother," and therefore might preempt her death if he knew himself to be the successor. Doran, "Loving and Affectionate Cousins?," 206.

<sup>122</sup> For an extended discussion of the above, see Ch. 4, p. 201-4.

<sup>123</sup> In the 1530s, Lee also modernized Calais' fortifications. See Marcus Merriman, "Lee, Sir Richard (1501/2–1575)," *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [http://www.oxforddnb.com/view/article/16303, accessed 19 Oct 2017]

border may seem like a strange reaction to events occurring on the European mainland, but in fact it was a reasonable response; at this point, before the Scottish Reformation, France's close ties to Scotland coupled with their success against the English at Calais, might have emboldened them to try an invasion into England from the north, or at least to "annoy the Borders."<sup>124</sup>

With this possibility in mind, Elizabeth approved the building of Berwick's new fortifications immediately upon her accession in November 1558. This constituted a major financial investment that signaled the parsimonious queen's serious commitment to defense.<sup>125</sup> Berwick's dilapidated medieval walls were replaced with modern, Italian-style ramparts and bastions, built to withstand the now-ubiquitous weaponry of cannons and artillery. The walls, built between 1558 and 1570, were the "costliest single work" of her whole reign, even though they were never completed according to the original design (See images below).<sup>126</sup> Estimates as late as 1561 optimistically put the total cost at £50,245 11s; in those twelve years, the queen actually spent £128,648 5s 9 ½ d on the

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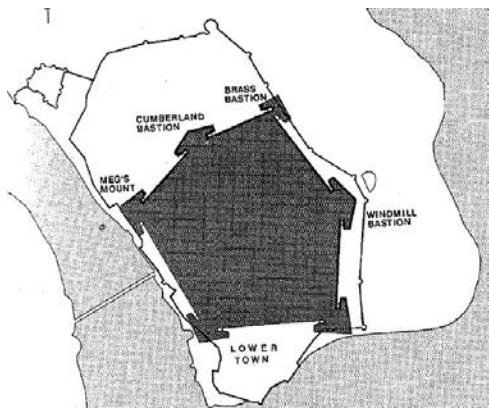
<sup>124</sup> SPO, *CSP Dom, Eliz I, 1601-03, Add. 1547-1565*, vol. 8, no. 63, "The Council to the Earl of Northumberland," 8 January 1558.

<sup>125</sup> For a detailed analysis of the construction and costs of the walls, see Colvin, *King's Works*, 613-664; Iain MacIvor, *The Fortifications of Berwick-upon-Tweed* (London: HMSO, 1975) and MacIvor, "The Elizabethan Fortifications of Berwick-upon-Tweed," in *The Antiquaries Journal*, vol. 45 (1965).

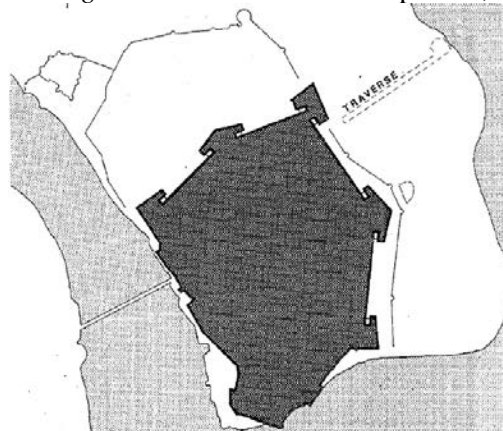
<sup>126</sup> Colvin, *King's Works*, 664.

fortifications, an average of £9900 per year.<sup>127</sup> In reality, this sum was front loaded; after 1565, the amount dropped considerably to £1000-£2000 per year.<sup>128</sup>

*Image 1: Original Plans for the Fortifications*



*Image 2: Fortifications at Completion, 1570*



Source: Iain MacIvor, *The Fortifications of Berwick-upon-Tweed* (London: HMSO, 1975), 11-12.<sup>129</sup>

Even after construction had been completed, the queen's financial commitment continued through her maintenance of the fortifications, demonstrating her firm belief in Berwick's relevance. Storms constantly battered and damaged the walls and towers,

<sup>127</sup> Colvin, *King's Works*, 664; 1561 estimate, 655. The cost of fortifications, as well that of as armies that were raised and sent to Berwick in times of war, fell outside the "ordinary" charges of the garrison, or the cost of maintaining the soldiers stationed in Berwick permanently. For example, from 1558 to 1560, Elizabeth spent £257,738 in the northern region. The National Archive [TNA], E351/3472, "Works (Military) and Fortifications," 1560-1563. My calculations from the E351 records tally a larger sum, but repairs of fortifications at Holy and Ferne Islands are included in the accounting; altogether, from 1558 to 1570, Elizabeth spent over £133,146 on works and fortifications alone (TNA, E351/3471-3479, "Works (Military) and Fortifications," 1558-1578). For the figures in this chapter, records used are the Exchequer records, "Works (Military) and Fortifications," the E351 set housed at The National Archives. These were accounts submitted by the Treasurer in Berwick, recording money received and money disbursed, submitted anywhere from every year to every five. Another set of records, "Auditors of the Imprest and Commissioners of Audit: Declared Accounts, Works (Military) and Fortifications" (AO 1/2400-2500, various rolls) were also sent to London by the Treasurer in Berwick. The difference between the two sets is unclear, but some of the slight discrepancies between my accounting and that of Colvin and the writers of the *King's Works* may come from their use of the AO records.

<sup>128</sup> Colvin, *King's Works*, 661.

<sup>129</sup> Image 1 shows the original design of the walls. Meg's Mount, Cumberland Bastion, and Brass Bastion represented the new limits of the town, leaving exposed Castlegate and the greens within the old, dilapidated medieval walls. Image 2 shows the final product. The medieval walls along the Tweed and around the southern side of the town were never rebuilt; instead, an earthen mound, or traverse, was meant to stop land invasion from the north and around the town to access these weaker areas.



while the sea air corroded the iron works.<sup>130</sup> For the rest of Elizabeth's reign, she spent on average £1200-£1500 each year on the repairs at Berwick.<sup>131</sup> These repairs were handled by royal agents rather than the town leadership. A 1586 "book of payments" records amounts paid to laborers fixing the iron gates, the bridge over the Tweed, and other infrastructure projects, but everyone in charge was related to the garrison. Former captain John Crane confirmed the payments, which were overseen by William Acrigg, surveyor of the works. All the work was done by order of the council and governor.<sup>132</sup>

To man the new fortifications and to bolster the defensive capability of the whole border region, Elizabeth introduced a much larger establishment of permanent soldiers to Berwick. The garrison, upon Elizabeth's accession to the throne, was still quite small (though much larger than other domestic garrisons).<sup>133</sup> A muster taken in December 1558

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<sup>130</sup> See, for example, *CBP* 1: 944, on the state of the iron gates.

<sup>131</sup> From 1574 to 1583 (for which a continuous record exists), the queen spent £10,951 altogether, or just under £1217 per year, which fits with the general averages tallied for the latter part of the reign. Colvin, *King's Works*, 663. From 1597 to 1603, I tallied £11,466 spent on repairs and upkeep in E351 records; TNA, E351/3480-3482, "Works (Military) and Fortifications." As a point of comparison, a report in 1555 found that under Henry VII and in the early years of Henry VIII, the cost of maintaining Calais and the other fortifications in the English Pale, like Guînes and Hammes, "had not exceeded £9,000." Now, that number was £15,000. *SPO, CSP Dom Mary I, 1553-58*, no. 234, "Report on possible reduction in charges of certain offices." The normal costs of the garrison were supplied by the English wool staple, which had been moved to Calais in 1399. Grummitt finds that this system worked quite well for much of England's possession of Calais. Grummitt, 160-61. See also Susan Rose, *Calais: An English Town in France*, (Woodbridge: The Boydell Press, 2008), [].

<sup>132</sup> BRO 1380/5, "The perticuler book of payements of all and singuler the Quenes chardges there growne due, for diverse and sondrie buildinges and reparacions....," 1586.

<sup>133</sup> Under Mary, Berwick's permanent retinue had remained at around one hundred and fifty men, the number to which Henry VIII had reduced it in 1531 (Shannon, "Projects of Governance," App. A, pg. 253-4). This number was regularly increased by additional, "extraordinary" troops levied in times of war. For example, in July 1558, 9,211 soldiers and workmen were counted in Berwick. Monthly wages alone totaled almost £11,000 a month, and were owed back to April. The troops consisted of: 2,275 horsemen; 5,499 footmen; 1,203 workmen; 183 victuallers; 51 masters of the ordnance; of those, 705 were singled out as Northumberland men. *SPO, SP* 15/8, f.224. "Memorial of the state of the garrisons and fortifications in the Northern parts over against Scotland," 10 July 1558. Evidently, the estimates tallied the month before, which had allocated £70,000 to the whole northern region for the five months to come, had been too optimistic. The southern ports were allotted £5,000. *CSP Dom, Mary I, 1553-1558*, no. 783, "Estimate of charges of the war for 5 months to October 31 following," 18 June 1558.

listed two hundred and forty men in in pay; these included footmen, gunners, horsemen, and constables.<sup>134</sup> Elizabeth implemented the new establishment in 1560, adding about seven hundred men to the permanent garrison; over the course of her reign, there were usually eight to nine hundred soldiers there.<sup>135</sup> The increase in number of soldiers, of course, meant higher costs of wages and food. From 1560 to 1563, the queen spent on average £19,760 per year on her garrison.<sup>136</sup> The next four years saw a slight decrease, down to £16,274 per year. From 1570-1571, the first year after the construction on the walls ceased, wages were down to £12,722.<sup>137</sup> This number remained fairly consistent throughout the rest of her reign; on average, the wages of the garrison cost about £13,000 per year.<sup>138</sup>

Elizabeth's attention to Berwick brought to the rural outpost a large influx of people, effectively doubling the population in the border community. In 1565, at the height of the wall building, there were almost 3500 people living there altogether.

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See, for example, Shannon, "Projects of Governance," App. A for the sizes of Plymouth and Portsmouth garrisons.

<sup>134</sup> SPO, *CSP For, Eliz I (1558-1589)*, vol. 1, 1558-1559, no. 169. "Garrison at Berwick," 1558. See also SPO, *SP 59/1*, f.61, "Garrison at Berwick, 1558," cited in Shannon, "Projects of Governance," App. A, 255. This number, though small compared to her New Establishment, was much larger than other domestic garrisons; the garrison at Plymouth increased from fifty to one hundred men in 1596. At Portsmouth, numbers early on in Elizabeth's reign remain unclear, but in the 1590s the garrison was increased to one hundred men, at which number it remained. See Shannon, "Projects of Governance," App. A, 248, 251-2.

<sup>135</sup> In 1599, for example, there were about 900 men in service there (*CBP 2:636*).

<sup>136</sup> TNA, E351/3471, "Works (Military) and Fortifications," 1558-1560 and E351/3472, "Works (Military and Fortifications)," 1560-1563. For the two years between her accession and the implementation of her "new establishment," wages for the garrison cost a total of £11,233. *SPO*, *SP 59/1*, f. 61; see also Shannon, "Projects of Governance," App. A, pg. 255.

<sup>137</sup> TNA, E351/3472 (1560-1563), /3473 (1563-1567), /3474 (1567-1570), and /3475 (1570-1571), "Works (Military) and Fortifications."

<sup>138</sup> For example, in 1577-1578, wages cost £13,115 and when the records pick up again in 1597, £12,498 was disbursed. TNA, E351/3479 (1577-1578), /3480 (1597-1598), "Works (Military) and Fortifications." This was in stark contrast to the budget of Henry VIII, under whose rule the cost of Berwick's garrison was calculated at £2,012 7s 8d per annum *CBP 1:537*. Of course, total expenditures along the border probably exceeded this amount during times of war.

Table 1: Inhabitants of Berwick, June 1565

<b>Garrison</b>	
Chief officers and retinues	100
Captains and officers of bands	60
Pensioners	42
Soldiers	800
Gunners	70
Horsemen	88
The old garrison	42
Workmen, artificers, and laborers	845
<b>Town</b>	
Freemen and their servants	248
Stallengers and their servants	203
Women servants and widows	275
Children under the age of 14 years	251
<b>Both</b>	
Men's wives of all sorts	507
<b>Total</b>	<b>3411 [sic]<sup>139</sup></b>

About 2,000 inhabitants, then, had ties to the garrison as soldiers or laborers. About eight hundred of these, at least, were employed by the crown temporarily for the construction of the fortifications, and after 1570 they were released from the queen's pay. Only a few artificers were maintained on the payroll, to provide repair and maintenance. As for the civilian population, later guild rolls record about seventy burgesses, so many of the two hundred forty-eight listed here were probably servants.<sup>140</sup> In 1584, a petition to the queen recorded "two thousand or thereabouts" people who "do live and are maintained and kept

<sup>139</sup> My addition comes to 3431. SPO, SP 59/9, f.131. "Inhabitants of Berwick," 8 June 1565. Krista Kesselring quotes D.L.W. Tough's on these numbers, miscounted to 3511. Kesselring, "'Berwick is our England': Local and National Identities in an Elizabethan border town," in Norman L. Jones and Daniel Woolf, eds., *Local Identities in late medieval and early modern England* (Basingstoke: Palgrave Macmillan, 2007), 93; D.L.W. Tough, *The Last Years of a Frontier* (Oxford: Clarendon Press, 1928), 26-7.

<sup>140</sup> SPO, SP 59/9, f.131. The number of soldiers stationed in Berwick remained fairly constant; in 1599, there were about 900 men in service there (CBP 2:636). For guild memberships: see, for example, BRO B1/4a, f. 1r, where the guild roll numbers seventy-one men; in 1600, there were sixty-nine men. BRO B1/6, f. 44r.

under the name and privilege of the corporation,” excluding the army.<sup>141</sup> 3,000 people seems a likely estimate of the total population of the town throughout this period.<sup>142</sup>

This large number of men in the crown’s pay obviously required a greater administrative infrastructure to ensure law and order, a need which prompted Elizabeth to institute the office of governor. The governor was a crown appointee who would be charged with the governance not only the garrison, but also the town itself. He was the crown representative in Berwick and the head of the army; he also served as the warden of the east marches, making him the military commander of northern border affairs (though he could delegate this office).<sup>143</sup> When in Berwick, he resided in the governor’s palace, but he was often absent in London. He was assisted in his local work by a group of royal officials called the queen’s council, or the common council, which consisted of the marshal, treasurer, gentleman porter, chamberlain, and master of the ordnance – all men who were outsiders to Berwick.<sup>144</sup> The marshal was the most important office besides the governor – usually, the marshal served as deputy governor during his absence. The victualler was charged with the massive task of transporting food to the

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<sup>141</sup> SPO, *CBP*, 1: 240. June 1584, “Petition of the Mayor of Berwick etc.” See also SPO, *SP* 59/22, f. 244r.

<sup>142</sup> Tough agrees, also taking into account baptisms, which numbered about one hundred annually during Elizabeth’s reign. See Tough, 27.

<sup>143</sup> John Scott, *Berwick-upon-Tweed: the history of town and guild* (London, 1888), 101-2. Also in Elizabeth’s New Orders: governor was to act as warden of the east marches “for the present,” Scott, 455. Hunsdon was appointed governor of Berwick in 1568 and warden of the East Marches in 1571; after his appointment to the Privy Council in 1577, he delegated these responsibilities to different men: his son Robert often held the post of warden during the following two decades. See Wallace T. MacCaffrey, ‘Carey, Henry, first Baron Hunsdon (1526–1596)’, *DNB*, Oxford University Press, 2004; online edn, Sept 2014 [<http://www.oxforddnb.com/view/article/4649>, accessed 27 June 2016].

<sup>144</sup> I use both terms, queen’s council and common council, to refer to this group. The minutes of their meetings are recorded in BRO C1/1 [CCM]; these minutes share C1/1 with another source, the bailiffs’ court findings, which I record simply as C1/1. The men of the common council were all allotted “retinues” of servants, footmen, tipstaves, and clerks which added both to the cost and number of the garrison in Berwick. See Scott, 462 and SPO, *SP* 59/19, f. 218r.

town and maintaining storehouses for the use of the garrison; he often also filled the role of treasurer, handling tens of thousands of pounds.<sup>145</sup> In town, the governor could accept advice from men of the town or marches, but these men were “not to be accepted as our councillor of the town.” Historically, the captain had been involved in town politics occasionally; these new orders greatly expanded his purview.<sup>146</sup> Altogether, the queen’s council and governor usurped the traditional rights of the mayor and civil governance in town, who had historically understood themselves as being a part of the military defense of the borders, and who now saw their sovereignty removed.

The first two governors of Berwick had short-lived tenures. Lord William Grey died in 1562; he was succeeded by the second Earl of Bedford, Francis Russell, who reluctantly served from 1564 to 1568, when he was finally permitted to return to court.<sup>147</sup> In 1568 Elizabeth appointed her cousin Henry Carey, Lord Hunsdon, to the post. He was governor until his death in 1596, but his appointment to the privy council in 1577 ensured his frequent absences from Berwick, although the queen required him to return to Berwick four times, the last being the Armada years 1587-88.<sup>148</sup> During his frequent absences, Hunsdon appointed a deputy governor. From the early 1580s until his death in

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<sup>145</sup> The victualler directly impacted the wellbeing of the community, especially in times of dearth or when he mismanaged funds and let the storehouses go empty – all of which frequently occurred during Elizabeth’s reign. See Ch. 2, p. 136-7.

<sup>146</sup> Involvement by the military captain was noted as early as 1505. *HMC Report on Manuscripts in various collections [HMC Berwick]*, vol. 1 (London 1901), 5, 11.

<sup>147</sup> Wallace T. MacCaffrey, ‘Russell, Francis, second earl of Bedford (1526/7–1585)’, *DNB*, Oxford University Press, 2004 [<http://www.oxforddnb.com/view/article/24306>, accessed 19 March 2015]. Grey had been Somerset’s right-hand man in the north during his protectorate. Berwick’s mayor in 1593 looked fondly on that time, contrasting the present decayed state of the town to “the bright son of prosperity which shone on this town under ...the late earl of Bedford.” (*CBP* 1: 797).

<sup>148</sup> Scott, 151. In 1577, Hunsdon was appointed to the privy council, resulting in his move from Berwick to London, though he made several brief trips back to the borders in the 1580s. For bibliographic details see their respective Oxford *DNB* articles. MacCaffrey, ‘Carey, Henry, first Baron Hunsdon (1526–1596)’, Oxford *DNB* [<http://www.oxforddnb.com/view/article/4649>, accessed 19 March 2015]

1593, this was Henry Widdrington, the marshal of the garrison and a member of a Northumberland gentry family. Hunsdon's sons also became very involved in the daily administration of Berwick from the 1580s on. Robert served variously as warden of all three marches during the 1590s. John Carey, Robert's older brother, was chamberlain of Berwick from 1585 on and acted as deputy governor for his absent father. He was also appointed marshal at various times: in 1593, from 1596 to 1598, and again in 1603.<sup>149</sup> Sir Peregrine Bertie, lord Willoughby, a military man with experience on the continent, was appointed Berwick's last governor in 1598 until his death in 1601.

Elizabeth was aware of the upheaval her new establishment could cause in the small border town. Reluctant to grant the townsmen a new charter, she did take steps to confirm Berwick's exceptional status as a fortified garrison town by renewing longstanding royal statutes of the town and issuing new written orders, both in 1560. The *Ancient Statutes*, instituted by Henry VIII, emphasized general principles of loyalty and preparedness on the part of the soldiers, as well as the need for good behavior and obedience among the troops. The soldiers were not to "intercommune" with the Scots, or to "trouble, hurt, or annoy" Scots who were in Berwick legally to trade. Soldiers were also, importantly, forbidden from engaging in trade themselves. The militant nature of the town was emphasized in such directives as that which ordered soldiers to be armed with a bill or an axe at all times, including when they went "to the church or market."<sup>150</sup>

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<sup>149</sup> Scott, 181; *CBP* 1:269, "Memorandum of Berwick," lists early appointments up to 1587; *CBP* 1:476, John Carey made marshal; *CBP* 2:158, death of Lord Hunsdon; *CBP* 2:524, Lord Willoughby appointed governor; Scott, 181.

<sup>150</sup> BRO, B7, p. 6; Scott, 447-48, 450-51.

These general guidelines were elaborated upon by Elizabeth's *New Orders*, which were necessary for several reasons. The ancient orders, it argued, were "neglected," resulting in the "very evil estate" of the town. The garrison, furthermore, "is at the present far greater than ever was indeed or ever meant upon the making of the first ancient laws."<sup>151</sup> The *New Orders* emphasized the need for religious instruction and regular church attendance by all in the queen's pay. They also detailed more clearly the limitations of the relationships between the soldiers and the townspeople, who would now be rubbing shoulders much more frequently. The crown hoped, in vain, to keep the respective groups separated into their own spheres of soldiers, Scots, and townspeople.<sup>152</sup> Elizabeth was evidently aware of the tensions inevitable in the confines of the town because of the increase in population, and sought to prevent the worst of the abuses before they occurred.

#### *Disputes of Sovereignty in Elizabethan Berwick*

The queen did not take similar pains to draw the jurisdictional lines between crown officials and town leaders, creating tensions that were further complicated by challenges the guild encountered from other quarters, especially from the regional court of the Council of the North in York, and from burgesses within its own ranks. Indeed, individuals caused the most trouble for the guild when they took their dispute to outside

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<sup>151</sup> BRO, B7, p. 11; Scott, 454.

<sup>152</sup> Scott, 454-5. The soldiers were forbidden from trading or producing goods ("handicrafts"); men from the four northern counties furthermore, were forbidden from joining the garrison. Soldiers who "disturbed" any town officer who was performing his "duty" would be "taken as a rebel" and imprisoned, and the same punishment was imposed on men who took part in frays and the "drawing of blood."

courts, like the Council in the North. These conflicts undermined the guild's authority and further complicated relations between the guild and the army, and by association, the queen as well, as the guild sought to assert its sovereignty in multiple realms.

The Council in the North was an administrative and judicial body housed in York that was created by Henry VII to establish a crown presence in the northern reaches of England. It was vested with greater power by Henry VIII in 1525, and by 1537, the Council had jurisdiction over the five counties of the north: Yorkshire, Durham, Northumberland, Cumberland, and Westmorland. In 1561, Elizabeth extended that jurisdiction to include Berwick and Carlisle.<sup>153</sup> Officially, the Council acted as a court that handled offenses, both civil and criminal, that were without precedent in common law. In practice, however, the Council heard most cases committed in the region under its authority; during Elizabeth's reign, its court had a good reputation for its convenience and speed in dealing with cases.<sup>154</sup> The Council in the North remained for the most part outside of Berwick's governance and functioning; Berwick already had a royal court, that of the queen's common council, and thus the Council's involvement was usually considered improper interference.<sup>155</sup>

The fact that there existed competing jurisdictions on the local level was not unique to Berwick; indeed, the sixteenth century marked a period of increased royal

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<sup>153</sup> Rachel R. Reid, *The King's Council in the North* (London, 1921), 108, 316.

<sup>154</sup> Claire Cross, *The Puritan Earl: the life of Henry Hastings, third earl of Huntingdon 1536-1595* (New York: St Martin's Press, 1966), 161, 184. Reid notes that "the governing bodies of corporate towns, close oligarchies as they usually were, were too often nests of petty tyrants who ruthlessly sacrificed the rights of their poorer neighbours to their own advantage or to private animosity," thus making the Council more appealing to a broader segment of the population. See Reid, 316.

<sup>155</sup> Among the guild's important documents that were kept in the town chest was a parchment from the Council at York that confirmed the mayor's authority in holding pleas of land within the town. Reid, 316, 333.



interference in localities.<sup>156</sup> This process is most often noted in the lowlands, but the crown also made concerted efforts to exert its control in peripheral areas of the realm through regional councils, such as the Council in the North or its counterpart in the west, the Council of the Marches of Wales.<sup>157</sup> Royal appointees could also preside over a cluster of cities, such as the lord warden of the Cinque Ports.<sup>158</sup> Both the lord warden and lord president in York were administrative and judicial offices, with jurisdiction over many towns in their region.<sup>159</sup> By the sixteenth century, however, the office of warden in the Cinque Ports had become primarily an office of patronage as his military importance decreased. The crown's governor along England's northern border, by contrast, was granted greater power under Elizabeth.

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<sup>156</sup> Steven Ellis, "Appendix 2: Commentary from a British Perspective," in Peter Blicke, ed., *Resistance, Representation, and Community* (Oxford, 1997), 54-56. Because a charter could be revoked at any time, the crown had great power over towns and cities, a reality which towns could not ignore; Catherine Patterson, *Patronage in Early Modern Europe: corporate boroughs, the landed elite, and the crown 1580-1640* (Stanford University Press, 1999), 165-67. Ian Archer describes the traditional interpretation, which is that the crown slowly increased its influence on localities throughout the early modern period; other historians now emphasize the crown's efforts to cooperate and compromise with corporations. See Archer, "Politics and Governance," in Peter Clark, ed., *The Cambridge Urban History of Britain, II: 1540-1840* (Cambridge University Press, 2000), 235-38.

<sup>157</sup> On the Council in the North, and the long career (1572-1595) of the earl of Huntingdon, its most important Elizabethan lord president, see Reid and Cross. The earl of Huntingdon frequently interfered with the towns under his jurisdiction, especially York. In 1576 and 1578, for example, he issued articles for peace-keeping in the city at a time of mounting unrest caused by rampant poverty. Cross, 172, and Reid, 322-328. Elizabeth's instructions to the Council in 1561 encouraged this sort of involvement, for the lord president was now required to live in York or another location in the northern region. He was privy, then, to the affairs of the council, as well as the day-to-day running of the city of York; see Reid, 188 and Cross, 200-207. His power as military leader extended to all northern counties, but Berwick's unusual status as lying outside of Northumberland created a grey zone of jurisdiction that the townspeople took advantage of; Reid, 316, 333.

<sup>158</sup> Historically, these towns had supplied ships and men for the realm's naval defense in exchange for tax relief and trading privileges, though their military importance diminished over the course of the sixteenth century as naval operations moved to the southern coast. Patterson, 123. See also Patricia Hyde and Michael Zell, "Governing the County," in Michael Zell, ed., *Early Modern Kent 1540-1640*, The Kent History Project Series 5 (Kent: The Boydell Press, 2000), 10.

<sup>159</sup> In both cases, the townsmen under their authority could choose to take advantage of the judicial courts. Patterson, 123-26.

While Berwick's leaders acknowledged the authority of the Council in certain respects, throughout Elizabeth's reign they insisted on the town's judicial prerogative, despite her 1561 decision.<sup>160</sup> This tension was not resolved until 1600, when the queen and her privy council became involved in a conflict between Berwick and the Council, to settle at last the issue of authority. In the summer of 1600, Thomas Norton escaped to Berwick after being imprisoned by the Council of the North in York for inciting rebellion. He was caught and detained in the town prison, but the mayor, Matthew Johnson, "standing upon points of their privilege," refused to hand him over to the sheriff of Northumberland, as the Council ordered.<sup>161</sup> The Council did not have jurisdiction in Berwick, Johnson claimed, and so he was under no obligation to deliver the prisoner to him. Incidentally, Governor Willoughby agreed with this decision; he informed Burghley that "my government was out of [the Lord President's] jurisdiction."<sup>162</sup> "While the matter was debated to and fro," the bailiff Henry Eaton neglected his duties and Norton escaped into Scotland, beyond the queen's jurisdiction. The queen's ire was only raised when both Johnson and Eaton refused to appear before the Council in the North at York to account for their actions. This incident revealed the queen's difficulty in imposing her will in her border regions, a problem not unfamiliar to English monarchs.<sup>163</sup> She ordered

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<sup>160</sup> For example, see BRO, B/4a, f. 3v, 15r. In 1577, the town received a writ from the Council in the North to deliver a felon. The guild leaders refused, maintaining that the charters issued by the crown had "established a corporation within this town...and therefore never [its inhabitants] were nor are liable to the execution of any writ or process directed ...against any of this corporation." A writ of exigent commanded a sheriff to summon a defendant indicted for a felony, who had failed to appear in court, to deliver himself up upon pain of outlawry or forfeiture of his goods. BRO, B1/3a, f. 47v.

<sup>161</sup> John Roche Dasent, ed., *Acts of the Privy Council of England vol. 31, 1600-1601 [APC]* (London: HMSO, 1906), 143-44. Whether Norton had any connection to Berwick is unclear.

<sup>162</sup> *CBP* 2:1269; Reid notes that with Willoughby's death in 1601, the town lost a "stout champion of the liberties of Berwick." Reid, 335.

<sup>163</sup> See Ellis, *Tudor Frontiers*, Conclusion.

the privy council to review the town's charter and the Council's documentation to determine where sovereignty lay.<sup>164</sup> Perhaps unsurprisingly, in July 1601 the privy council confirmed that Berwick "shall be subject to the jurisdiction of the [Council in the North] in all civil causes as the other parts of the North are." The marshal of Berwick was ordered to send both Johnson and Eaton to York to answer the Council's charges.<sup>165</sup>

Serious tensions within the guild were rare, but could have major ramifications concerning the guild's authority. Over the course of Elizabeth's reign, one case in particular demonstrates the precarious nature of the guild's authority, especially when outside courts became involved. Martin Garnet was a wealthy merchant who often appeared in the guild book as the plaintiff in cases of debts of salmon.<sup>166</sup> He was first enfranchised in 1564 and quickly climbed the *cursus honorum*, serving as alderman in 1570 and one of Berwick's two members of parliament for over a decade beginning in 1572.<sup>167</sup> His relationship with the guild was fraught, however. In 1573, Garnet was brought before the guild for having "diverse times stubbornly neglected his duties to our mayor being the queen's officer, and hath offended the same mayor not only by opprobrious words but also in disobedience contrary his duty."<sup>168</sup> The cause of such offensive behavior remains unrecorded, but Garnet clearly had a personal problem with

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<sup>164</sup> APC 31:143-44.

<sup>165</sup> APC 32: 9-13, quote on 10-11. See also Reid, 334-35. The ultimate resolution of this case would have been recorded in the Council in the North's records, which are not extant.

<sup>166</sup> See, for example. BRO, B1/3a, fols. 71v-72r. Also Scott, 293.

<sup>167</sup> BRO, B1/1, f. 113r for his admission to the partial freedom, without trading rights to the staple (wools, hides, or fells). He was admitted fully in 1568 (BRO, B1/1, f. 144r). Election as alderman: BRO, B1/2, f. 16v. For examples of other freemen owing him debts, see BRO, B1/2, f. 3r, 43v, 60r, 85v. Made MP, BRO, B1/2, f. 32r.

<sup>168</sup> BRO, B1/2, f. 42r.

Robert Bradforth, a fellow merchant serving as mayor.<sup>169</sup> When they met in the street, Garnet would not acknowledge Bradforth and instead “did shoulder him with his cap on his head.” He also refused to serve on court when he was called by the mayor and constantly spoke “contemptuous word[s]” to him, as well as to other burgesses – all of which violated his “duty” and oath as a freeman, which bound him in “allegiance unto the queen’s majesty.”<sup>170</sup> This allegiance was questioned when he challenged her appointed authority figure, the mayor.

Garnet’s crimes were already considered “heinous” by the guild, but he went beyond the realm of personal dislike or malice when he took his complaints to an outside court. He “passed to Newcastle and there did give in supplication to the right honorable the Lord President and counsel [of the North] alleging that he was damaged by the corporation one thousand marks.” Berwick’s leaders were then “forced of their charge to send [someone] to answer the same which was untruth.” These actions were “contrary to the queen’s majesty charter and grant,” and resulted in the “break[ing] our liberties in bringing down process against certain of this corporation to their molestation and trouble.”<sup>171</sup>

The guild lost no time in disenfranchising Garnet for violating his oath as a freeman. The limitations on the guild’s power, however, were revealed the following year when Hunsdon and the queen’s council in Berwick, clearly working with the Council in

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<sup>169</sup> BRO, B1/2, f. 35r. The two men had a history; in October 1569, Garnet had filed an unspecified complaint with the guild against Bradforth and George Morton, another prominent merchant, which the guild refused to hear because Garnet was, at that time, disenfranchised (BRO, B1/2, f. 14v).

<sup>170</sup> BRO, B1/2, f. 41r-v; later, Garnet’s lawyer was also ordered to be warded for offending the mayor, B1/2, 51v.

<sup>171</sup> BRO, B1/2, f. 41v. The court could travel regionally, including to Newcastle, though by Elizabeth’s reign it was mostly stationed in York.

the North, ordered that he be readmitted.<sup>172</sup> The lord president of the Council, Huntingdon, also asserted himself as the arbiter of the case, taking on the responsibility for resolving the conflict between Garnet and “[his] neighbor Bradforth.”<sup>173</sup> Garnet’s reinfranchisement was accompanied by his profuse apologies, also ordered by the lord president.<sup>174</sup>

Garnet did not change his ways, but his repeated contempt of the mayor’s authority and the guild’s prerogative never resulted in a permanent disenfranchisement.<sup>175</sup> In April 1579, for example, Garnet had been imprisoned for contempt toward the town when he sued the town for debt.<sup>176</sup> The guild leaders then received letters from the president and Council at York, authorized by the queen, to release him. Despite the order coming from the highest authority, the town maintained that “our liberty is absolute within itself and exempt from all other counties of England and that the order, judgement, answer, and final determination of all causes, pleas, and

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<sup>172</sup> Garnet’s apology, BRO, B1/2, f. 55v. In September 1575 the governor and council ordered that Garnet be reinfranchised upon submission to guild and mayor (BRO, C1/1, CCM f. 18v).

<sup>173</sup> BRO, B1/2, f. 55v.

<sup>174</sup> The following October, Garnet was once more among the twelve fearing men and also served as comburgess for the year; BRO, B1/2, f. 56v. Garnet’s feud with Bradforth was not finished; in July, 1579, the two came to blows, drawing their daggers in the council chamber – a sanctified civic space. BRO, B1/3a, f. 69v.

<sup>175</sup> In 1575, he was disenfranchised for unspecified behavior toward the mayor and corporation; BRO, B1/2, f. 63r-v. As a stallenger, he then unlawfully detained in London two burgesses, Anthony Temple and Anthony Anderson, whom he claimed owed him money. Rightfully, these debts should have been tried in Berwick, the burgesses argued, “according to our charter and order of our borough.” BRO, B1/2, f. 66r. In September of the same year, however, he was readmitted to the freedom by order of the governor and council; BRO, C1/1 CCM, f. 18v.

<sup>176</sup> The details of the case are unclear, but may have had something to do with a bond of £2000 that Garnet demanded in December 1578; Charles Haslop was to bring in the bond and the guild consider “whether it be discharged yea or no.” BRO, B1/3a, f. 57r. Haslop had been the farmer of customs in 1577, when Garnet was mayor. BRO, B1/3a, 28r.

matters within this town do rest to be here decided, heard and ended.”<sup>177</sup> Rather than release Garnet, the guild sent a representative to York to argue the town’s case.<sup>178</sup>

It is difficult to explain Garnet’s continued enfranchisement by the guild throughout this period, except to say that the Council in the North and Berwick’s governor were able to impose their will on the guild, despite its insistence on the supremacy of its own jurisdiction. Garnet was an important merchant in the area, as his involvement in local lending attests; this made him attractive to the guild as a freeman. At the same time, however, he cost the town dearly, both in actual money, in the need to defend its chartered rights, and in terms of the town’s reputation.<sup>179</sup> He was able to prosecute cases successfully at the Council in the North, at least to the extent that the Council ordered his reinfranchisement.

Martin Garnet was an egregious example of disharmony among Berwick’s burgesses, but he was the exception to the rule.<sup>180</sup> Recently it has been argued that the

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<sup>177</sup> BRO, B1/3a, fols. 64r-65v. 69r – June, Peter Fairley sent to York to defend the town’s case against Garnet.

<sup>178</sup> Unfortunately, the conclusion of this case is not recorded.

<sup>179</sup> Scott claims that “Garnet’s haughty and overbearing conduct frightened [the guild] from [undertaking] extreme measures.” Scott, 295.

<sup>180</sup> Only one other freeman caused the guild similar trouble several decades later when he took recourse in an outside court. Henry Brearley, an outsider to Berwick, became wealthy through his employment by Nicholas Pindlebury, a London merchant with many economic ties to the garrison at Berwick (BRO, B1/6, f. 34r). He became a burgess in March 1595 and in 1598 was elected alderman (BRO, B1/4b, f. 84v for enfranchisement; BRO, B/6 f. 1r for aldermanship). In May 1600, however, he was fined £100 for collaborating in a business venture with a non-freeman, John Harding, who had also been employed by Pindlebury (BRO, B1/6, f. 34r, 37r). Instead of paying the fine, Brearley brought the case to the court of the King’s Bench in London. When he returned to Berwick with a writ against the town, he was disenfranchised and imprisoned in close ward (rather than the more lenient option, confinement to the tollhouse) for five months (BRO, B1/6, fols. 40r, 41r, 42r). When he was released it was to house arrest; he only gained his full liberty when the town was required to release him so that he might appear before the King’s Bench (BRO, B1/6, f. 47r). The town, too, had to prepare for the King’s Bench appearance, and gathered a tax to that effect in January 1601. The court case altogether cost the town over £126; the guild was still collecting dues from the burgesses to this end in October (BRO, H2/1, “Annual Account Book, 1603-1610,” p. 8). Brearley was readmitted in April after agreeing to pay restitution to the town of over

military apparatus created tensions within the town leadership that resulted in greater factionalism than was typically seen in early modern towns;<sup>181</sup> for the most part, though, the guild brethren seem as a whole to have cooperated with one another as much as could be expected among competing merchants and craftsmen in the close quarters of the walled border town. The friction between the army and town leadership, however, only worsened over Elizabeth's reign. Tensions originated in perceived violations of authority, but were often also exacerbated by personal dislike. By the 1580s, the guild's infighting was redirected toward vocalizing grievances against the military establishment.

#### *Petitions and Grievances*

The queen's orders gave the governor ultimate authority over the town and garrison, but his involvement in town affairs were interpreted as interference by townsmen throughout her reign. Despite the governor's mandate, the townsmen continued to regard the realms outside of the queen's garrison, such as the regulation of the market and access to the fields, as their rightful jurisdiction, as per the terms of their charter. The most fundamental and symbolic problem, however, was that of respect and authority. The members of the queen's establishment, from the governor down to the common footman, disregarded the mayor's authority and challenged his jurisdictional rights.

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£46, as well as the town's fees to the King's Bench of £20. He finally paid off his debt to the town in August, and was elected a fearing man that same October (BRO, B1/6, fols. 53r-v, 61v, 64r).

<sup>181</sup> Kesselring, 100-101.

Every town dealt with rogue freemen and civilians, whose disregard or contempt for authority was dangerous to any early modern community; in Berwick, however, the permanent addition of the garrison, and more importantly, the governor, made the assertion of the power of Berwick's guild leaders especially difficult. The resulting tensions negatively affected relationships, both those within the guild and those of the town and its governor and queen, but at the same time helped the townspeople articulate their sense of identity. The 1580s were marked by continual squabbling between the guild leaders and Hunsdon's deputy, Widdrington. Hunsdon, from London, corresponded with both groups; his reaction to the same events was expressed differently to the two parties, revealing his understanding of his own power and the extent to which he believed he needed to work with the guild leaders. His interactions with the local leaders, then, also point to understandings of the project of state-building occurring in the borders, and the degree to which negotiation and adaptation was necessary.

There were, it must be said, instances of cooperation between the governor or his deputy and Berwick's guild leadership. Despite the restriction of the council membership to army officials, the mayor was regularly included in their deliberations, and sometimes other prominent guildsmen were present, as evidenced from their signatures affixed to orders or proclamations.<sup>182</sup> It was common also for the governor and council to make a proclamation whose implementation relied on the oversight of the mayor and bailiffs. These orders usually concerned the cleanliness of the community and the keeping of the

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<sup>182</sup> For example, see BRO, C1/1, Common Council Minutes [CCM], f. 42r, for a council meeting in June 1580 that included Anthony Anderson, mayor, William Morton, alderman, and Thomas Moore, alderman for the year. For other examples of the mayor sitting in on the council deliberations: BRO, C1/1, CCM fols. 4r, 6v, 54r, 82v, 99r.



peace. In 1578, the governor made one of many proclamations regarding the “excessive” number of alehouses and brewers and bakers. To reduce the number of alehouses to “a convenient number and due order,” the governor ordered, “no person shall ... keep any alehouses within the limits of this town without the license of the mayor and his brethren.” The licensed brewers and bakers, furthermore, were to pay “reasonable sums of money” to the mayor, who was to put those funds to “the use of the queen.”<sup>183</sup> The following year, Hunsdon issued a set of orders concerning market regulations and other concerns “at the especial request of Edward Mery, mayor of the said town, and the burgesses thereof, [their] petitions in that part to the Lord Governor aforesaid.”<sup>184</sup> The mayor recognized that the guild needed the clout of the military establishment to reinforce town orders, probably because so many soldiers were involved in the violations the guild sought to curb.

Public acts of defiance by individual soldiers were not uncommon. In one notable case in 1573, soldiers caused disruption in the church when they sat in the designated aldermen’s bench during service. Berwick’s only church was not only very old and dilapidated, but it was too small for the population of the town; this had been the situation since Henry VIII had dismantled the newer parish church for stone to build his fortifications. For all Elizabeth’s emphasis on divine services in her “new orders” of 1560, the church was simply too small to house everyone, and soldiers were only expected to attend services once a month. This rotation removed church attendance as a point of solidarity between soldiers and townspeople, a noted “binding force” in other

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<sup>183</sup> BRO, C1/1, CCM f. 38r.

<sup>184</sup> BRO, C1/1, f. 38v.

urban communities.<sup>185</sup> Brothers Jenkin and John Story, a soldier and horseman respectively, disturbed the alderman Robert Jackson when they “with force broke open [his] pew door with many unseemly words.” The queen’s council warned Captain Pickman “to see his soldier in this part reformed,” but the next Sunday it occurred again, “to the disturbance of the whole audience.” The men would not vacate the bench until the acting governor, Valentine Brown, came and “pacified the matter.” The men were warded in the military prison, Haddock’s Hole, in irons for six days, and then discharged; the governor himself, rather than Captain Pickman, would choose their replacements.<sup>186</sup> The army leadership handled this issue entirely; the mayor and guild did not have a say in the punishment of the soldiers. Incidents such as these undermined the authority of such venerated figures as the alderman, especially when the guild was not permitted to have a say in their resolution.

Confrontations initiated by army leadership were all the more damaging to the town leaders’ reputation. Most of the grievances expressed by the guild centered on Hunsdon’s representative in his long absences: Henry Widdrington, marshal and deputy governor of Berwick until his death in 1593. Henry Widdrington arrived in Berwick around 1580 as Hunsdon’s marshal, and sometimes deputy governor. Unusually, Widdrington was from a local Northumberland family.<sup>187</sup> Hunsdon’s choice of him as deputy marshal points to another concession made on the ground: while Elizabeth clearly

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<sup>185</sup> Kesselring, 99.

<sup>186</sup> BRO, C1/1 CCM, f. 7r.

<sup>187</sup> S.J. Watts with Susan Watts, *From border to middle shire: Northumberland 1586-1625* (Leicester University Press, 1975), 67, where Widdrington is identified as a “Northumberland gentleman,” and 107; see also Scott, 175. This violation of Elizabeth’s orders led some to question his loyalties, as Robert Arden did in 1587. See Claire Cross, “Berwick on Tweed and the neighbouring parts of Northumberland on the eve of the Armada,” *Archaeologica Aeliana*, 4<sup>th</sup> ser., xli (1963): 123-34.

preferred southerners whose demonstrated loyalty to the crown, Hunsdon chose Widdrington likely because of his local origins, hoping he would be able to exert influence on the townspeople. Unfortunately, this did not transpire; nothing could endear him to the people of Berwick, where he had a reputation of incompetency and corruption. Both of these characteristics were only exacerbated in the years when he became debilitated by illness before his death in 1593.<sup>188</sup> The poor example set by the army leadership was reflected down the ranks; in 1582, Berwick's leaders claimed that "the meanest and worst in [the queen's] pay almost in all the town will openly make comparison with and above the mayor and the best of us and will neither show duty, reverence, nor obedience any way."<sup>189</sup>

From 1584 on, written communications between the townsmen, Hunsdon, and Widdrington were a revolving door of complaints and rebuttals, which were sometimes reinforced by personal audiences of Berwick's members of parliament before Hunsdon or the queen in London. While traditionally the army and the guild had each chosen one MP, during Hunsdon's long absences the guild elected both, in an effort to reassert its power. In 1584, William Morton and Thomas Parkinson were elected; both were important townsmen who served as mayor repeatedly in the 1580s.<sup>190</sup> In 1586, Parkinson again served and in 1589 Morton served alongside William Selby junior, who was related to John Selby, the gentleman porter (and thus an army nominee). They were also

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<sup>188</sup> Scott, 175.

<sup>189</sup> TNA, WO 55/1939, f. 7r.

<sup>190</sup> *History of Parliament online*, <http://www.historyofparliamentonline.org/volume/1558-1603/constituencies/berwick-upon-tweed>. Accessed 18 September 2017. See also P.W. Hasler, ed., *The History of Parliament: the House of Commons 1558-1603* (London: HMSO, 1981).

outspoken critics of the army's authority in Berwick; many of the confrontations recorded in the guild book and in Hunsdon's correspondence occurred under their leadership.<sup>191</sup>

The first major confrontation occurred in 1584, beginning in January and building up to the guild's submission of a formal petition to Hunsdon in June. The town's grievance lay mostly with William Widdrington, brother to the deputy governor Henry and acting marshal whom the town accused of being a "busy meddler" and a chief source of "discord and strife" between Henry and the corporation. In January 1584, according to Thomas Parkinson, the mayor, William burst into his home (violating the sanctity of the mayor's home and privacy) and proceeded to insult him openly.<sup>192</sup> When Parkinson inquired "in a friendly manner" why William had abused one of the bailiffs while he was performing his duties, the deputy marshal "contemptuously and disobediently did above a dozen times call [him] scab and ... a shitten scab." He then refused to leave Parkinson's home until the mayor "sen[t] to Mr. Marshal to require his aid." This too, ultimately proved ineffective; while Henry Widdrington ensured his brother left Parkinson's home, he refused to use his power as deputy governor to curb William, forcing Parkinson to report the incident to Hunsdon himself.<sup>193</sup>

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<sup>191</sup> Parkinson would be instrumental in obtaining the town's new charter in 1604; see Ch. 5, p. 254-7. He served as mayor in 1583, 1584, 1589, 1594-97, 1600, 1604, 1614, and 1618. William Morton was mayor in 1574, 1581, 1585, 1588, and 1592.

<sup>192</sup> BRO, B1/3b, f. 62r. Throughout 1583, the town leaders had engaged in a prolonged dispute first with Hunsdon's deputy, then with the governor himself regarding their chartered monopoly on trading in retail. In January, the guild had passed regulations reiterating the restriction on Scots merchants to sell by gross, not by retail. The governor challenged this regulation, prompting an argument over jurisdiction and the rights of the charter that dragged on into the new year. See BRO, B1/3b, f. 54v and Ch. 2, p. 108-13 for a discussion of this controversy.

<sup>193</sup> TNA, WO 55/1939, f. 22v-23r.

This confrontation occurred in the privacy of Parkinson's home in the evening, but it was not long before it had been "so bruited [reported] through the town" that Parkinson felt his authority and credibility had been utterly compromised. Unable to "account himself an officer," Parkinson told Hunsdon, he now doubted that "any will obey him any way unless your good Lord reform this abuse in [William Widdrington]." While the alderman and burgesses informed Hunsdon that they did not want "overmuch [to] trouble you," the episode was serious enough that they would be forced to turn to their next recourse, the queen herself, should Hunsdon fail to address this problem.<sup>194</sup>

Hunsdon recognized the seriousness of the affront to the mayor's person given the significance of maintaining mayoral authority and respect, even while he maintained the preeminent right of the queen's officials. In a private letter to Widdrington, Hunsdon harangued him about his and his brother's conduct. The incident was, he found,

a thing unfit to be done to any man in his own house, and much more unfit to be used to the mayor of that town, who, for the government of that town, hath much authority as either you or I have for the garrison and therefore not to be suffered that any men within that town, no not yourself, to misuse the queen's principle officer in that sort.<sup>195</sup>

Hunsdon ordered Widdrington to hold a council meeting with the mayor and his brethren, and if they could prove the specifics of the incident, William Widdrington was to be imprisoned immediately. Either way, Henry needed to find a new deputy marshal.

Hunsdon here acknowledged the dual nature of governance in the border town. Even though there existed another, dominant power structure in town, the mayor's

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<sup>194</sup> TNA, WO 55/1939, f. 23r-v.

<sup>195</sup> TNA, WO 55/1939, f. 24r.

position still demanded respect. For the governor, the line between those two authorities was clearly drawn. From London, perhaps, he was able to see the issue in black and white, but for those living in Berwick the line was anything but clear. After this initial success, the guild discovered Hundson's hard line rarely favored their perspective. Their next complaint, submitted just weeks later, focused on the deputy governor's withholding of the watchword from the mayor. Berwick's leaders considered the granting of the watchword, the closely-guarded password required for access to the town walls, an important symbol of the mayor's office. Indeed, "the mayor is and hath been used and taken as the second person, and hath been so known by his white staff of authority, his fee, the watchword brought nightly unto him by the clerk of the watch, [and] his known meadow."<sup>196</sup> The guild leadership understood that the mayor was "bound in duty" to the queen to monitor the state of the watch and the walls, and had always held this right. This argument, based on ritual and tradition, was proof enough to the guild that the mayor ought to be among the privileged few who received the watchword each night.<sup>197</sup> The governor undermined the mayor's authority, based not only in the letter of the law, but also in tradition.

Parkinson, excluded from the watchword, claimed he still felt duty-bound to notify Hundson that Widdrington was careless of the nightly watch. The deputy permitted

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<sup>196</sup> SPO, *SP* 59/22, f. 255v. "Petitions of the Mayor of Berwick, &c.," June 1584.

<sup>197</sup> Berwick's inhabitants also had an obligation to watch the walls, detailed in reissued orders of 1576: "...And that by our defense of the same town the said mayor, burgesses and corporation thereof do enjoy their livings, It is ordered that the Lord Governor and the council shall cause a muster yearly to be made of the whole number of the men of that town being under the government of the mayor and not bound by ordinary wages to keep watch and ward with the rest of the garrison, and being between xvi and lx years of age, and shall thereupon limit them to find such a convenient number to watch every night" once every fortnight, "until the fortifications there shall be further advanced and the town better closed." (BL, Cotton MS Titus C XIII, f. 9r.)

the clerk of the watch to appoint too few men to watch the walls each night. Parkinson knew this because he himself had personally inspected the walls in his capacity as mayor, “who,” he argued, “in office and duty is deeply sworn and charged to the safety of this town.”<sup>198</sup> When the corporation notified Widdrington of this oversight, he forbade Parkinson from further investigating the matter. The mayor took great offence to this, citing the fourteenth article of Elizabeth’s orders for Berwick of 1560 – which details the responsibilities of the clerk of the ward, but does not give the mayor himself any authority in this realm.<sup>199</sup> Again, he fell back on the argument of tradition, asserting that he “knew more in that matter at that time than the council did.” Parkinson asked Hunsdon to ensure that Widdrington did not exclude him from his rightful jurisdiction.<sup>200</sup>

Hunsdon did not respond favorably to this request. Despite his earlier admittance to Widdrington that the mayor’s role was to be respected, Hunsdon now sought to disabuse the mayor of the notion that he had a right in the watch and ward of the town. The watchword, rather, was to be delivered only to members of the queen’s council, “whereof,” Hunsdon stated bluntly, “you are none.” Just as “you find great fault if any of the garrison do intermeddle in any matter of your corporation,” he continued, the mayor and corporation were not to “meddle” in affairs of the army, including “any matters of the watch.”<sup>201</sup> Hunsdon claimed that he was willing to listen to the guild’s complaints regarding corruption or abuse by the queen’s officers, but that Parkinson had overstepped

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<sup>198</sup> TNA, WO 55/1939, f. 25r.

<sup>199</sup> Scott, 448-49. Three articles (13, 14, and 15) discuss the rules for the watch of the walls and the responsibilities of the Clerk of the Watch. The fourteenth provides that if the Clerk of the Watch does not call every soldier by his name on the nights of his watch, but spares them because they are friends, or for gain, he is to be put in ward and forfeit 20s, and be punished at the captain’s (i.e. governor’s) pleasure.

<sup>200</sup> TNA, WO 55/1939, f. 25r.

<sup>201</sup> TNA, WO 55/1939, f. 26r.

his authority in attempting to consult on an aspect of governance that fell without question within the realm of military rule.<sup>202</sup> Hunsdon found the townsmen petty: “it appears to be of mere malice that you bear at the marshal and his provost [the Widdrington brothers],” he concluded, “and not of any other care that have had for the safety of the town ... and therefore do not intrude yourself into any part of my charge no more then I do with your corp[oration].”<sup>203</sup>

For Hunsdon, a clear division of authority existed that the town sought to violate. The lines of demarcation, however, were not so clear to the guild leaders, who did not back down. Both the incident with William Widdrington and the debate over the watchword were indicative of larger, unresolved issues. A few months later, they submitted another set of grievances focused on Henry Widdrington’s violations of power as deputy governor. Not only did Widdrington permit his brother William to “misuse, revile, and miscall the mayor and townsmen,” but Henry himself also “railed upon” town officers by calling them “villains, knaves and rascals, and in his fury and misgovernment he hath openly said, that he would take the staff of authority from the mayor, and put him in prison, and ... that the soldiers should take the townsmen by the ears in the streets, and he would ... begin with the first.” This verbal abuse was accompanied by a clear overstepping of his duties. In one case, the guild tried a man for murder and found him guilty. Though the town’s charter authorized the mayor and bailiffs to have “the punishment of all bloodwights, malefactors and felons,” Widdrington took the accused

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<sup>202</sup> TNA, WO 55/1939, f. 27r.

<sup>203</sup> TNA, WO 55/1939, f. 26r-v. Hunsdon did, however, ask Widdrington by what right the mayor claimed to have authority over the watch and also whether the town had been fulfilling its obligation to provide men to help with the watch (TNA, WO 55/1939, f. 27r).



murderer from the mayor's custody and gave him "such countenance and liberty as the like hath not been seen in that town." Widdrington also threatened to discharge and banish the members of the inquest, who were "sworn for the queen." These actions both "discourage[d]" the townsmen and hindered the mayor from performing his royally-appointed duties.<sup>204</sup>

This correspondence continued through the first six months of 1584, and finally in June the guild leaders sent a formal petition to Hunsdon, which revealed longstanding frustrations of the town concerning the conduct both of the marshal and of the army apparatus in general.<sup>205</sup> The petition of June 1584 was the first of two such complaints sent from the guild to the (absent) governor and Privy Council; the second was in 1593.<sup>206</sup> The writing of petitions was a very common feature of government in early modern Europe, particularly in the cities of the Dutch Republic and the imperial cities of the Swiss confederacy and the Holy Roman Empire; they were commonly understood to be an important and necessary aspect of governance, since they gave voice to the everyday citizen.<sup>207</sup>

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<sup>204</sup> SPO, *SP* 59/22, f. 224. "Complaints against the Marshal of Berwick," May 1584. The murderer (or victim) may have been a soldier, in which case the marshal would have claimed jurisdiction; the details are unrecorded.

<sup>205</sup> *CBP* 1:230 and SPO, *SP* 59/22 f. 223-224 for the May complaint; *CBP* 1:240 and SPO, *SP* 59/22 f. 243-265. "Petition of the Mayor of Berwick, etc." June 1584.

<sup>206</sup> Hunsdon was both governor of Berwick and a member of the Privy Council after 1577, which meant that he had close and personal access to both the queen's most trusted councilors and to the queen herself. While the burgesses recognized the benefits of this direct access, they knew that Hunsdon could – and did – use his influence to advise against their requests.

<sup>207</sup> Friedrichs, *Urban Politics*, 38. Thomas A. Brady Jr. confirms this trend for German and Swiss cities; see his "Cities and State-building in the south German-Swiss zone of the 'urban belt'," in Blickle, *Resistance, Representation, and Community*, 243. See also H.F.K. van Nierop, "Popular Participation in Politics in the Dutch Republic," in Blickle, *Resistance, Representation, and Community*, 272-90. See also Lex Heerma van Voss, "Introduction," in van Voss ed., *Petitions in Social History* Supplement 9, *International Review of Social History* 46 (2001), 1-10, 1: A traditional German saying: "Everybody is free to write petitions and have a drink of water."

The 1584 petition covered numerous complaints, including those pertaining to authority and respect. The question of authority was raised in the guild's request that the mayor be titled, officially, "the second person in council for the affairs of that town."<sup>208</sup> The guild again fell back on the argument of tradition; the mayor "is and hath of ancient time been reputed, taken, and known to be" second in command after the governor. An official designation, however, would help considerably in his work. Since he was not so named in the queen's book of establishment, it "giveth great occasion sundry times to the lewdest sort of people and to diverse malefactors and others, to discountenance, disobey, and misuse the mayor and to withstand and repugn as it were his office and government, to the great discouragement of the mayor in the execution of his office and authority."<sup>209</sup>

This request reveals the symbolic importance attached to a title; the guild believed that a statement from Hunsdon clarifying the mayor's place in the town's hierarchy would tangibly improve his claim to authority in the town and elicit greater respect and deference from everyone. Hunsdon, too, recognized that this was a serious request with many ramifications, and refused it. In January, he had been willing to acknowledge privately the importance of the mayor's authority for Berwick's smooth governance and stability. He was reluctant, however, to formalize that authority or extend it in any way that he perceived would jeopardize the jurisdiction of the army officials. As he had stated to the town just that past February, "you are of those that if one give you an inch you will

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<sup>208</sup> This was not the first time the town had made a request regarding the position of the mayor. In 1582, the guild had sent a representative to petition Hunsdon for an unspecified "augmentation" of the mayor's power. See TNA, WO 55/1939, f. 7r.

<sup>209</sup> SPO, SP 59/22, f. 246r-v; see also f. 261v. "Petitions of the Mayor of Berwick, &c," June 1584.

take an ell.”<sup>210</sup> The Privy Council agreed in its final deliberation as well; the the mayor was, for the time being, “to enjoy that place that he hath been accustomed to take.”<sup>211</sup>

Other requests also relied on the argument of tradition. The mayor and bailiffs were unable to “impeach or hinder” soldiers who illegally participated in trade because of a “lack of that authority and jurisdiction that the mayor heretofore had and ought to have.” A similar difficulty prevented the mayor from prosecuting soldiers’ debts in the town court, which “time out of memory of man” had been the procedure.<sup>212</sup> The pastures and meadows around the town, also, were “by ancient usage, privilege, and prescription” free and common to all inhabitants; this land had been encroached upon by the victualler.<sup>213</sup> The Privy Council addressed the guild’s complaints, but their resolutions, even when made in the favor of the guild, were difficult to implement on the ground. It was resolved that soldiers ought to be restrained from trade, but the victualler, Robert Vernon, was granted the field he had encroached upon, and townsmen were required to prosecute debts in the marshal’s court (which was held infrequently). These issues would resurface throughout the rest of Elizabeth’s reign.

Just two years later, Hunsdon permanently revoked the town’s access to the watchword after he received reports from Vernon that the mayor, William Morton, had made a practice of walking the walls once or twice a week with a servant “who was a mere Scot born and bred, hired with him but for a year.”<sup>214</sup> This clear abuse of

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<sup>210</sup> TNA, WO 55/1939, f. 26r.

<sup>211</sup> SPO, *SP* 59/22, f. 249r, 265r. “Petitions of the Mayor of Berwick, &c,” June 1584.

<sup>212</sup> SPO, *SP* 59/22, f. 243r. “Petitions of the Mayor of Berwick, &c,” June 1584.

<sup>213</sup> SPO, *SP* 59/22, fols. 244r-v. “Petitions of the Mayor of Berwick, &c,” June 1584.

<sup>214</sup> *CBP* 1:870; see also 1:827, 847. This was a very serious violation of the town rules. The Rules of the Town and Garrison of Berwick, laid down in 1560, note that “Also if any englishman lead any Scotch borne person or other alien upon the walls of the said town by day light or within the ditches he for his so

Elizabeth's orders (forbidding Scots on the walls) easily justified the mayor's exclusion from the watchword. There was no love lost between Hunsdon and Morton, whom Hunsdon believed to be "as lewd a man as lives."<sup>215</sup> At the same time, Vernon had learned of the incident from Robert Bradforth, another burgess, and it was well known that he and Morton harbored "enmity" against one another, so Hunsdon ordered Widdrington to determine the veracity of the reports.<sup>216</sup> In this case, Hunsdon's suspicion proved correct: it was discovered that Bradforth "cannot prove his accusation against William Morton, late mayor."<sup>217</sup> Hunsdon ordered the guild to disenfranchise Bradforth, and the guild duly revoked his freedom the following October.<sup>218</sup> Despite the discrediting of his report, however, the mayor was not readmitted to the watchword.

Hunsdon felt justified in taking any action he felt necessary to preserve the security of the town, which at times muddied the water of his stance on the dual nature of governance in Berwick. In 1586, he interfered with the guild elections when he heard that Crawforth – probably John Crawforth or his son John, who were both active as merchants and burgesses – was the presumptive mayor elect.<sup>219</sup> He wrote to Widdrington that "they

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conducting to lose all his goo[ds] and to be banished the town for ever, and if he do any such thing by night he to be taken as a traitor" (BRO, B7, p. 9).

<sup>215</sup> Relations would continue to sour several years later when Morton submitted a complaint in person to the queen regarding the army's misappropriation of Berwick's fields – see below, p. 77. TNA, WO 55/1939, f. 53v-54r. On Hunsdon and Morton's mutual dislike, see also Kesselring, 104.

<sup>216</sup> TNA, WO 55/1939, f. 53v-54r. On Hunsdon and Morton's mutual dislike, see also Kesselring, 104.

<sup>217</sup> TNA, WO 55/1939, f. 61v.

<sup>218</sup> BRO, B1/4a, f. 72v. They found him to be "a very great disturber and disquieter of the corporation...and yet nevertheless in hope of his amendment, and upon his great submission heretofore made with his oath and faithful promise to become a new man" he was reinf franchised. Now, however, "he hath ...accused, slandered, disobeyed and evil used in words, writing, and deeds the mayor for the time being especially in both the years last past to the great hurt, discredit, and indamage of the whole corporation."

<sup>219</sup> Both John Crawforths were active as merchants and appear frequently through the guild records, and in proved wills [i.e. that of Thomas Jackson, 1573 DPRI 1/1573/J2/1] as plaintiffs or defendants in cases of debt involving salmon. John Crawforth elder was alderman in 1566 [BRO, B1/1, f. 123v], and served variously as churchwarden, comburgess, and fearing man throughout the 1560s. His son John became a

mean to make Crawford mayor, whom I know to be a busy varlet and one that hath been the chiefest inventor and maintainer of all these lewd actions that hath been.” He ordered

Widdrington

to call for Anthony Anderson and some others of the honester sort, and let them understand from me that I am advertised that they have such an intention, and that I require them to have good consideration therein, for if they make choice of him to be mayor when they do present him unto you, you shall not accept of him, nor he shall not execute his office until I have acquainted her majesty’s privy council therewith, and besides, I will not only forbear them in their suit to her majesty but I will hinder him all I can.<sup>220</sup>

The town leadership responded to Hunsdon’s threat; it was clearly not an empty one. At the end of September, Anthony Anderson was elected mayor.<sup>221</sup> The guild understood that their access to Hunsdon, an important privy councillor and advisor to the queen, was a two-way street. They could complain to him, and expect a response, but he too could make demands of them, even while in far-off London.

At the same time, Hunsdon also seemed to recognize the shortcomings of his deputy and remained in close contact with Widdrington throughout the 1580s.<sup>222</sup> In 1589, William Morton, who was currently serving as mayor, was in London for a session of parliament. He used the opportunity to present a complaint to the queen regarding the encroachment of the army in the common meadows where animals were pastured. The queen, however, was too busy to see him. Even though the mayor did not take the

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freeman in 1574 [BRO, B1/2, f. 54r]. The yearly guild elections thereafter usually list a John Crawford, but rarely specify elder or younger. One of them is elected alderman in 1581 [BRO, B1/3b, f. 30v]. In January 1593 John Crawford’s widow seeks restitution of her husband’s death; this was probably Crawford the younger – after this no more John Crawfords appear in the records. BRO, B1/4b, f. 50v.

<sup>220</sup> TNA, WO 55/1939, f. 54r. The source of Hunsdon’s dislike of Crawford is unclear.

<sup>221</sup> BRO, B1/4a, f. 47r.

<sup>222</sup> He always remained protective of Widdrington, however, when the queen considered dismissing him, as occurred in 1584. TNA, WO 55/1939, f. 24v.

complaint to Hunsdon, the latter took the opportunity to write Widdrington, whom he suspected of negligence in this area. For, he reminded Widdrington, “good orders have heretofore been set down by myself and the rest of the council there for bettering of the estate of the burgesses and townsmen there.” It was the “want of their due execution” that hindered the townsmen now, “contrary to our good meaning,” and Hunsdon ordered Widdrington to ensure that the previous orders regarding the sheep’s grass were implemented.<sup>223</sup> Even while Hunsdon sought to ensure good order, he separately castigated the townsmen for their ungrateful attitude toward the garrison, “by whom you chiefly live, and without whom you are not able to live but very poorly, and yet you cannot be contented to let them enjoy some small help amongst you.”<sup>224</sup> The jurisdictional line between the army and civilian populations was not so easy to draw, after all, and tensions would continue to climb in the final decade of Elizabeth’s reign, when resources, from meadow space to food, became even scarcer in the drought years of the 1590s.

In 1593, the town submitted another petition to the queen, which focused mainly on economic issues. Again, however, these problems related back to the mayor’s authority and symbols of that authority, namely, the watchword. William Morton, again serving as mayor, reported to the queen that, having heard reports that the walls were “left naked” and the money meant to hire watchmen “put into the marshal’s purse,” he “searched the walls diverse times in his own person” as “became him both in duty and

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<sup>223</sup> TNA, WO 55/1939, f. 77r. No complaints are recorded in the guild minutes or the Common Council minutes.

<sup>224</sup> TNA, WO 55/1939, f. 82r.

nature of the statutes of the town.” After presenting his findings to the governor, “he received bitter letters of rebuke, and that note of infamy to have the watchword taken from him, as a man unworthy of any credit or trust.”<sup>225</sup> Hunsdon had also “taken the staff of authority out of the mayor’s hand” – another of the symbols of the mayor’s authority, noted above, “for contradicting his will bent to violate our charter.”<sup>226</sup> The 1593 petition contained many other grievances directed against the victualler and marshal of Berwick. Many of the complaints were moot points by the time the mayor and the delegation arrived in London in March, since Widdrington had finally died, after having been bedridden for months.

The most striking feature of the petition was its preface, wherein the mayor and burgesses lay claim to Berwick’s identity as a border town, and their obligation, as its inhabitants, to the safety and security of the town and the realm at large. For, “if it should be suddenly assailed by any puissant enemy,” “the discreter sort will think that we have been too unmindful of our duties to your majesty, careless of our own estates, and too long silent.” Indeed, the burgesses, claimed, they only wrote now because “the revealing of a Spanish practice in Scotland and the fear of sudden invasion ... stirred up our spirits, dull and almost dead with twenty years continual calamities.”<sup>227</sup> Previous grievances had not resulted in desirable responses, and here the burgesses chose to appeal directly to what they knew to be the queen’s major concern: the security of the northern border. In doing so, they connected their local identity to the national as borderers trying to perform

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<sup>225</sup> SPO, *SP 59/28*, f. 15r. “The Mayor of Berwick to the Queen,” 14 March 1593. When this confrontation occurred is not noted; it could have been the same incident of 1584 noted above.

<sup>226</sup> SPO, *SP 59/28*, f. 15r. “The Mayor of Berwick to the Queen,” 14 March 1593.

<sup>227</sup> SPO, *SP 59/28*, f. 12r. “The Mayor of Berwick to the Queen,” 14 March 1593. See also p. 34-5, above.

their duty as Englishmen; inhabitants of the border, they argued, had a greater claim to protecting the realm than some soldiers who were not personally vested in its security.

The argument presented by the burgesses contradicted decades of Tudor policy, which understood borderers to be self-interested and ungovernable, and therefore requiring royal deputies from outside the region to instill law and order. The burgesses here separated their reputation from that of borderers at large; in Berwick, at least, it was the soldiers and the army administration who flouted laws and endangered the safety of the realm. This approach was a gamble; while it might appeal to the queen, it would hardly endear the townsmen to the army administration with whom they had been squabbling for decades.

The petition was successful, in that it elicited a response from the queen; her actions, however, demonstrated that Elizabeth remained unconvinced by any argument that privileged the townspeople above the soldiers. Instead, she commissioned John Carey, Hunsdon's son, to go north in April 1593 to investigate the grievances in the official capacity of deputy governor. To the guild, this was a counterproductive choice, to say the least. Like his father, Carey had little respect for the townspeople and, they believed, was "wrathfully bent against [them]." No one, wrote Edward Mery, the deputy mayor, would be willing to "avouch the truth against the Lord Governor or any of his sons, they being present in the government."<sup>228</sup> After several weeks of Carey's investigation, the mayor and guild wrote that "we stand dangerously with my lord governor and his sons;" John Carey, in particular, "we find...a little touched with the

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<sup>228</sup> *CBP* 1: 818.



spleen [ill-tempered].”<sup>229</sup> By the end of the summer, Carey had, according to the townsmen, dropped all pretense: “he tells us flatly he will do us no favor...and that he will do his best to shake our privileges, and wished that there were no corporation in this town.”<sup>230</sup>

Carey, as might be suspected, found little evidence to support the various claims of the petition. He did, however, admit that before his death, Widdrington had been wholly incompetent, and Vernon, the victualler and treasurer, was nearly as bad.<sup>231</sup> Indeed, Vernon was so inept that the town had been offering repeatedly to take over his victualling duties.<sup>232</sup> Carey, unsurprisingly, did not recommend this course of action to the queen; despite their claims of loyalty and reliability, he found that

The truth is it were the best way to overthrow both town and garrison and deceive the Queen mightily. I speak from daily experience of [the townsmen], and find them very proud and poor, careless of their credit, cunning and not to be trusted... I have more complaints against them than any others. The garrison I can rule, but can do no good amongst them, and I am exclaimed against for lack of justice, which I cannot help, for they never think but how to get into their hands. So I can never consent to their having anything to do with her Majesty's stock or store. It would set them all together by the ears, who should be chief, and they would never agree.

In 1595, the victualling was finally granted to Peter Delavel, a merchant of London, whom Carey found to be “a gentleman well qualified, sober, discreet, very careful, honest, and well experienced in such affairs.”<sup>233</sup>

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<sup>229</sup> *CBP* 1: 825.

<sup>230</sup> *CBP* 1: 876.

<sup>231</sup> *CBP* 1: 824.

<sup>232</sup> *CBP* 1: 841. The town argued that it would keep the storehouses full, and “the payment being so sure to the town by the receivers, would enrich the town, enlarge men’s credit, and give rise to general flourishing.” This general flourishing would save the queen money, ultimately. See *CBP* 2: 7.

<sup>233</sup> *CBP* 2: 9. It does not appear that Delavel ever moved to Berwick permanently; he made no appearances in the guild records.

While Carey was unwilling to admit serious fault among the army leadership, he cooperated with the guild to address minor concerns of the townspeople. In April, Carey, along with the gentleman porter John Selby, the mayor William Morton, and “sundry others, the aldermen assistants to the said council,” issued regulations for maintaining the ramparts, keeping the town clean and the roads clear of cattle, and other concerns regarding cleanliness.<sup>234</sup> A bailiffs court was held that consisted of forty-eight jurors and four inquests; among the jurors were not only burgesses but also “garrison men and commoners,” speaking again to cooperation across the town-army divide.<sup>235</sup> Carey also held a general assembly of both the army and town leadership to lay bare all other grievances, but he found that the only complaints being brought forward were those of debt (perhaps verifying the guild’s worries that no one would speak against the Carey family).

The problem of debt and credit in Berwick was not an insignificant one. One of the major problems presented in the 1593 petition was the inability of the guild to prosecute soldiers in the town’s court.<sup>236</sup> Since they claimed immunity from civil law, garrisonmen could be tried only in the marshal’s court; holding the marshal’s court, however, was one of the duties Widdrington shirked due to his illness. He had not held these regularly – or perhaps even at all – as his instructions mandated.<sup>237</sup> Carey, who was

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<sup>234</sup> *CBP* 1: 822. See also Captain Strelley’s articles of 1552, in which he lists the need for paving the roads to be a responsibility of the townsmen. The regulations are also laid out in C1/1, CCM fols. 102r-104r.

<sup>235</sup> BRO C1/1, f. 26r; *CBP* 1: 825. It is unclear whether the guild was forced to include garrisonmen as jurors.

<sup>236</sup> Neither Elizabeth’s orders nor the Ancient Statutes of Berwick dictated explicitly that soldiers be tried only in the marshal’s court, but this arrangement was typical in early modern England, despite the guild’s constant assertion of its own prerogative in this area.

<sup>237</sup> Carey reported that Widdrington had been incapacitated for the previous four years; see *CBP* 1:824. For Widdrington’s death, *CBP* 1: 952.

openly angling to replace him, refused to hold the marshal's court until the queen finally appointed him deputy marshal in September. The townsmen presented over two hundred actions, some of which dated back seventeen years. Holding the court, however, was not enough; so many army men owed debts, Carey found, that imposing the standard fortnight deadline for repayment would result in the imprisonment of "many, both soldiers and officers."<sup>238</sup>

Little changed in the final years of Elizabeth's reign. The death of Hunsdon in 1596 affected the town very little; John Carey had been his deputy governor since 1593 and he continued in that role. Despite his repeated hints, the queen declined to make him the official governor, though it is unclear why.<sup>239</sup> The queen's lack of endorsement affected Carey's ability to govern the town. In August 1597, the mayor Thomas Parkinson wrote to Burghley that a formal governor was sorely needed; "I will forbear to complain of the intolerable abuses and this year more than ever," he stated, and predicted "nothing towards the poor town and country but ruin by oppression." A governor was also needed, the town argued, to restore certain rights that had been confirmed by the privy council in 1594 and even back in 1585, after the first petition.<sup>240</sup> The victualler still monopolized a certain field granted to the town, the soldiers "made handicrafts," fished, and kept hostels – all privileges reserved for the burgesses. None of these issues were

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<sup>238</sup> *CBP* 1: 896.

<sup>239</sup> Indeed, she was reticent even to appoint him the official marshal of Berwick after Widdrington's death in 1594 despite all his work for the crown. *CBP* 1: 952.

<sup>240</sup> *CBP* 2: 725, 823.

new, and clearly the army leadership was unwilling to enforce these regulations, but the guild persisted all the same.<sup>241</sup>

The queen finally appointed Berwick's last governor, Sir Peregrine Bertie, lord Willoughby, in 1598, when the garrison numbered eight hundred men.<sup>242</sup> He had served in the Low Countries as a soldier and then as a general there and in France until 1590, and his military career greatly informed his interpretation of his role as governor.<sup>243</sup> Willoughby was an attentive leader, noting misconduct among the townsmen; the customer, for example, permitted Scots into Berwick "without my knowledge," thus allowing potential contraband to pass through the town unexamined.<sup>244</sup> He was also critical of Berwick's walls, and submitted plans to the privy council for their completion.<sup>245</sup> Willoughby's idea of reform, however, did not sit well with the town council: he sought to gather more power to the person of the governor, whose "voice should prevail in all questions, as a general in the field." He also advocated for a stricter adherence to martial laws, more like "the Spanish nation." "I like it better," he explained, "when a man can justify himself by law and reason, than in an antique visard of some custom, whence derived, unknown."<sup>246</sup>

These sentiments hardly could have endeared Willoughby to the townsmen, and he was barely better regarded among army men. The master of ordnance, Richard

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<sup>241</sup> *CBP* 2: 892.

<sup>242</sup> *CBP* 2: 950.

<sup>243</sup> *CBP* 2: 920. See D. J. B. Trim, "Bertie, Peregrine, thirteenth Baron Willoughby of Willoughby, Beck, and Eresby (1555–1601)," in *DNB*, Oxford University Press, 2004, <http://www.oxforddnb.com/view/article/2275> (accessed July 22, 2016).

<sup>244</sup> This was not a requirement of the customer, who worked with the town officials rather than the army leaders to gather money for the queen.

<sup>245</sup> At this late date, it is hardly surprising that they were ignored. Colvin, *King's Works*, 663.

<sup>246</sup> *CBP* 2: 1152.

Musgrave, grumbled that Willoughby appointed unfit gunners and tried Musgrave (for unmentioned crimes) before a “council of war.”<sup>247</sup> The gentleman porter, William Selby the younger, notified the queen’s council that Willoughby had taken to calling himself the “chancellor of Berwick,” and had assumed the mayor’s prerogative in the trial of civil suits.<sup>248</sup> The crown was, for the most part, disinterested – both in these conflicts and in Willoughby’s call for repairs and reinforcements to the walls and fortifications of Berwick. Tensions were mounting when Willoughby died of fever in Berwick in June 1601; his duties were taken over by the ever-present John Carey until Elizabeth’s death in 1603.

### *Conclusion*

Notwithstanding her seeming disinterest, Elizabeth clearly considered Berwick an important symbolic and practical site of state building. Money speaks volumes, and Elizabeth continued to pour funds into the garrison even after her initial investment in the new fortifications. When her cousin James came to the throne in 1603, Elizabeth’s government had been consistently sending north over £13,000 per annum. This was no small sum to the queen, who was reluctant to contribute any funds at all to other domestic garrisons like Portsmouth or Plymouth.<sup>249</sup> She clearly considered Berwick well worth its maintenance costs, even as the possibility of a Scottish invasion became almost non-existent and her attention was diverted west to Ireland.

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<sup>247</sup> *CBP* 2: 1252, 1253. For what crime, Musgrave does not record.

<sup>248</sup> *CBP* 2: 1267.

<sup>249</sup> See Shannon, “Projects of Governance,” Ch. 3-4, and Colvin, *King’s Works*, 407.

The queen's actions make clear that the northern border was a crucial site of English security and therefore of crown control. Yet, by necessity, the work of carrying out the queen's centralizing efforts was delegated to others, who modified her ideals and plans as they saw fit, in order to institute the crown's will in the distant border region. Hunsdon in particular, as Berwick's longest serving governor, interpreted and implemented the queen's plans in ways he thought would be best for the garrison. He allowed captains to enlist northern men, and appointed Widdrington, from Northumberland, to rule in his stead as deputy governor. It was usually Hunsdon, rather than the queen, who dealt with the discontent townsmen and who made decisions regarding Scots trading in town or which fields the soldiers could appropriate. His approach was authoritative but distant, preferring to work through his deputy. Then, Willoughby came to Berwick and attempted to reform the garrison into a more disciplined fighting force. His interpretation of the governorship created tensions in Berwick until his death in 1601.

Hunsdon, his son John, his deputy Widdrington, and Willoughby all encountered difficulties when they tried to implement their specific understanding of their role in the border town. The case study of Berwick demonstrates the need for historians to move past investigating what the centralizing goals of the monarch were to how they were carried out, and by whom – especially in the borders. Authority in early modern Europe was highly personal: the person in charge could dramatically affect the nature of their office. From London, Berwick was stable, peaceful, and well-maintained. On the ground, interactions were rarely simple and often antagonistic.

While the queen and her officials implemented their interpretations of crown control in the borders, the people of Berwick also had to contend with the advent of the governor and council. Ultimately, Elizabeth's new establishment necessitated the vocalization of what they had long considered to be inherent rights and privileges. In their various expressions of discontent to the governor and queen, Berwick's people unwittingly detailed their understanding of their collective urban identity. This understanding was based on Berwick's status as a border town of war: its people saw themselves as defenders of English sovereignty and security. Traditionally – "since Berwick was English" is a common reference point – the townspeople had been involved in its military endeavors, most especially the nightly watch. The mayor had been the acknowledged leader of the community, and had exercised sovereignty over all the town's inhabitants, soldier or civilian. The town leadership, furthermore, recognized the necessity of the soldiers, and, in turn, the need for an apparatus of crown control to govern them. "For our two states [garrison and town]," the townsmen explained to the queen in 1593, "have such affinity betwixt them as that the one cannot be hurt without the harm of the other."<sup>250</sup>

Elizabeth's new establishment challenged the authoritative military identity of the town, and forced its people to engage in daily negotiations on all levels of society. At the same time, the burgesses recognized their unusual position of power: even while their rights were violated, the small town of 2,000 people had the ear of the queen's cousin and privy councillor, and even of the queen herself. Berwick's leaders justified their

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<sup>250</sup> SPO, *SP* 59/28, f. 14v. "The Mayor of Berwick to the Queen," 14 March 1593.

grievances in language increasingly associated with their duty and obligation to the queen as her representatives in the border. This shift is reminiscent of developments in other Elizabethan towns, where the connection between civic and royal duty became more closely connected.<sup>251</sup> In 1584, the guild had relied on the argument of tradition: as “God is our witness,” its petition claimed, “it is not our dryft [plan] to seek the displacing of the garrison as is alleged, but only to have the town maintained in one uniform law as hath been used in times past.”<sup>252</sup> In 1593, however, the guild used a different reasoning to defend its “impertinent” complaints. Berwick’s leaders professed fear that they could be faulted for being “too unmindful of our duties to your Majesty, careless of our own estates, and too long silent.”<sup>253</sup> Now, the guild directly connected the grievances of the townspeople to the very welfare of the English realm. Elizabeth remained unmoved by arguments of the guild, lending weight to the townspeople’s fear that the mismanagement of the garrison in Berwick “hath settled an opinion in the hearts of the wiser sort that this place is not in that reputation with your majesty and council as it hath been in times past, but [is] either of less importance or less service for this realm then heretofore adjudged to be.”<sup>254</sup> It was left to the inhabitants of the border town to muddle through both the increasingly crowded streets and the contested sites of authority.

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<sup>251</sup> By the 1610s, “as privileged functionaries of the crown, [burgesses] were meant to ensure that the rational will of the sovereign was enacted locally.” See Phil Withington, *The Politics of Commonwealth: citizens and freemen in early modern England* (Cambridge University Press, 2005), 65-6.

<sup>252</sup> SPO, SP 59/22, f. 252v. “Petitions of the Mayor of Berwick, &c,” June 1584.

<sup>253</sup> CBP 1:806.

<sup>254</sup> SPO, SP 59/28, f. 16r. “The Mayor of Berwick to the Queen,” 14 March 1593.



## Chapter 2: The economy of the border town & the role of outsiders, 1558-1603

### *Introduction*

While the queen's officials and Berwick's guild disputed jurisdictional rights and local prerogatives, life went on for the inhabitants of the border community, even as it was inundated with temporary laborers and resident soldiers. Central to the life of the town, as in all early modern communities, was its economy. Berwick's charter contained the standard language that granted to the guild control over the market; this involved, to name a few duties, regulating trade, licensing foreign merchants, and monitoring the transport of goods into and out of England by land or sea. In this realm, as in that of governance, the border community keenly felt the presence and influence of the queen's council and governor. Hunsdon acknowledged that economic responsibilities fell squarely in the domain of the guild, but he and other royal officials inevitably became involved in market affairs when Scots traders and soldiers were involved.

These were important concerns, for Berwick's market was small but significant, nestled as the town was in such a remote region of the country. Berwick was one of only seven market centers in Northumberland; Newcastle, to the south, was by far the most important commercial center in the region.<sup>255</sup> Indeed, out of all the counties in England, Northumberland had the least dense distribution of market centers; as late as 1673, Alan Dyer calculates an average distance of 337 square miles between each of its market

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<sup>255</sup> S.J. Watts and Susan Watts, *From Border to Middle Shire: Northumberland 1586-1625* (Leicester, 1975), 51. The others were Alnwick, Morpeth, Wooler, Bellingham, Haltwistle, and Hexham, which were all much smaller than Berwick. Alan Everitt also calculates Berwick as one of eight, including Newcastle in Northumberland. See Alan Everitt, "The Market Towns," in Peter Clark, ed., *The Early Modern Town, a reader* (New York, 1976), 169-70.

centers.<sup>256</sup> Berwick was even more relevant as a port; salmon and unfinished wool were shipped from it destined for northern European markets. At the beginning of Elizabeth's reign, Berwick and Carlisle were included among twenty-two major seaports for customs purposes. Neither town was a major seaport, like Hull, Newcastle, Bristol, or Chester, but they were crucial for the traffic of overland trade with Scotland.<sup>257</sup>

Given Berwick's regional significance, there was a constant influx of people from the surrounding countryside – both English and Scottish – who came to Berwick to buy and sell goods. The guild restricted trade to burgesses, or freemen of the guild, who paid admittance to the guild as well as annual and occasional dues. Scots and outsiders could pay to obtain temporary trading licenses, and non-freemen were charged higher rates for exporting or importing goods. One of the biggest preoccupations of the guild was protecting the guild members' monopoly on trade, and ensuring that no trade occurred outside of market hours or the market place itself by non-freemen, the biggest populations of which were soldiers and Scots.<sup>258</sup>

Berwick, of course, was not unique in its population of outsiders; the presence of foreigners was, in fact, one of the defining feature of European towns, especially market centers and ports. Like their fellow townsmen across Britain, those of Berwick possessed a certain suspicion of outsiders – English or otherwise – who could bring into the

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<sup>256</sup> Alan Dyer, "Small Market Towns 1540-1700," in Peter Clark, ed., *Cambridge Urban History of Britain [CUHB]*, vol. 2, 1540-1840, 431. Dyer calculate this figure based on there being six markets in Northumberland; it is unclear whether he does not count Berwick, as technically it lay outside the county bounds, or if he does not count one of the market centers listed by Watts.

<sup>257</sup> The designation of these cities was to discourage smuggling by transporting goods in and out of other ports. David Harris Sacks and Michael Lynch, "Ports, 1540-1700," in Clark, ed., *CUHB*, vol. 2, 387. See pg. 384 for a list of populations of the principal English towns and ports from 1520-1700; this table puts cities with 5,000 inhabitants in 1600 at the bottom of the list.

<sup>258</sup> Christopher R. Friedrichs, *The Early Modern City 1450-1750* (London, 1995), 96.

community not only loose morals or bad habits, but also disease. On the other hand, outsiders could contribute resources, skills, or needed labor to a town's economy.<sup>259</sup> Berwick's leaders weighed these issues carefully, especially since the community was very remote, and thus often faced the dual problems of shortage of resources and competition for goods and labor.

The guild's ability to determine which outsiders to permit and which to exclude, however, was severely curtailed by the town's border position and role as a garrison. Both Scottish and English farmers and peddlers frequented Berwick's market, but the presence of Scots was always contested. To the inhabitants of a region of scarcity, the Scottish presence was welcome: Scots provided the market with needed fresh victuals, supplies, and labor. For much of Elizabeth's reign, therefore, the guild leaders acknowledged their usefulness and traded with them, even as the bailiffs duly noted Scots living illegally in Berwick in their yearly neighborhood surveys. To the military apparatus, however, Scots were always under suspicion for their possible subversion or espionage. In times of stress, the townspeople too could echo this sentiment, employing the rhetoric of the "dangerous Scot" to attract the attention of the absentee governor or the queen herself.

Soldiers, unlike the Scots, were a real and constant problem for the town. They added little economic benefit to the community and served instead as a source of competition that usurped resources, goods, and credit from the townspeople. Berwick's leaders, however, rarely felt able to complain publicly regarding the soldiers, since the

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<sup>259</sup> Marjorie K. McIntosh, "Locals, Outsiders, and Identity in English Market Towns, 1290-1620," in Norm Jones and Daniel Woolf, eds., *Local Identities in late medieval and early modern England* (New York, 2007): 71-91.

queen herself felt their presence to be a necessity along her northern border. Rather, they framed complaints regarding the garrison around its mismanagement by the army leadership, particularly Robert Vernon, the victualler (and sometimes treasurer) throughout much of Elizabeth's reign.

Considering the presence of Scots and men in the queen's pay, the army establishment could not help but be involved in Berwick's economy, despite the dictates of Berwick's charter and Hunsdon's own belief that the economy was squarely in the domain of the guild. While the guild leaders constantly sought to preserve their liberties and control over the market, the governor could and did interfere. Soldiers and Scots presented different challenges to the town leadership, but a common thread running throughout these struggles is their intensification during the 1590s, a decade of hardship felt across England. Competition for resources, from jobs to fields to foodstuffs, correspondingly increased during this period; the resulting grievances voiced by the townspeople in the 1590s reflect their growing desperation. The economy of Berwick, while ostensibly controlled by the guild, was another arena in which the reality of living in a border town was daily felt by all its inhabitants, both members of the community and outsiders. The queen's efforts to bring the border region under her direct control inevitably affected not only the jurisdictional prerogative of the town but also its economic functioning, threatening Berwick's very identity as a self-regulating burgh.

### *Berwick's Economy*

Before and during Elizabeth's reign, Berwick's market served rural inhabitants of both England and Scotland. Its port was in decline after its medieval heyday as the hub of the Scottish wool export trade, but it was still in constant use. From day to day, Berwick's market and port functioned like that of most early modern English and Scottish market communities, but Elizabeth's governor, his deputies, and the soldiers were constant reminders of Berwick's border location and the reduced power of its civilian leaders, even in the realm of the market.

Berwick's main exports were salmon, fished along the Tweed outside the town walls, and raw wool, which was brought in from the countryside and from Scotland. The wool produced in Northumberland was not included in the London-based Company of Merchant Adventurers' monopoly because of its inferior quality. This allowed Berwick merchants to ship the raw wool at a lower cost directly to markets in northern Europe.<sup>260</sup> Much of the land in Northumberland was designated pastureland since the soil was poor, especially in the west. Cultivation was limited to hay for winter fodder for livestock and subsistence agriculture of oats and barley. Along the coast, soil conditions were better, but in this region, cross-border raiding affected the ability of inhabitants to raise a dependable crop each year.<sup>261</sup> Thus much of the land in Northumberland was used for pasturing sheep, cattle, and horses, the latter prized for their usefulness in war.<sup>262</sup> Given the lack of sources recording the details of goods shipped out of Berwick (or transported

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<sup>260</sup> Watts, 51.

<sup>261</sup> Watts, 41-50.

<sup>262</sup> See Robert Newton, "The Decay of the Borders: Tudor Northumberland in transition," in C.W. Chalklin and M.A. Havinden, eds. *Rural Change and Urban Growth 1500-1800: Essays in English Regional History in honour of WG Hoskins* (London, 1974): 2-31, especially 17 on the effect of long peace on agricultural practices: people turning away from horse-rearing and holding weaponry for war to invest in cattle and sheep.

out on foot to Scotland), there is little more to be said regarding the cloth trade through the town. What the guild records do reveal is the large number of Scots living in Berwick as laborers, often in the wool industry: spinning, weaving, or knitting in the homes of burgesses and stallengers (non-free inhabitants).

More can be said regarding the salmon trade, despite limited quantitative data. Fishing occurred on both sides of the Tweed, and was controlled by Berwick for some miles outside of the town itself.<sup>263</sup> Historically, the fishing waters had belonged to the king of Scotland on the north side, and the bishop of Durham on the south side. By Elizabeth's reign, the bishop's waters had been taken over by the crown, who now controlled both sides of the Tweed around Berwick. On both sides, sections of water had been rented to individuals, usually merchants in Berwick or landed gentry in the region, sometimes for forty-year leases.<sup>264</sup> The fishing waters were numerous, and often subdivided and subleased.<sup>265</sup> Salmon served as both a traded good (with many barrels shipped south to London) and a form of currency. Wealthy merchant families who were very involved in Berwick's guild governance, like the Mortons, Bradforths, and Parkinsons, were also leaders in the salmon trade. Debts between guild brethren, as well

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<sup>263</sup> John Scott, *Berwick-upon-Tweed: the history of town and guild* (London, 1888), 261, has the town's monopoly extending to Horncliffe, which today is five miles from Berwick.

<sup>264</sup> Scott, 425-430. Some conflict could arise over the demising of these fisheries; in 1570, depositions were conducted by the King's Remembrancer to determine the veracity and details of a twenty-one year lease supposedly granted by Edward VI of a section of the King's Waters to burgesses of Berwick. The National Archives (TNA), E134/13Eliz/East9.

<sup>265</sup> The 1562 survey of Berwick includes 19 different fisheries on the south side, and eight fisheries on the north side, and measures them by how many cobs or boats are employed on each one. Scott, 429. It is difficult to determine whether these fisheries were further subdivided in subsequent years or were kept in complete form as these twenty-seven, though in 1572 a list of the "waters payable for service of her majesty's fish yearly" included the same number on the north and south sides, see BRO B1/3a f. 31v.

as special taxes or collections levied by the town, were often calculated and paid in barrels of salmon.<sup>266</sup>

Freemen had a monopoly on the salmon trade. They alone were able to lease sections of the waters, to “let and set” them to other freemen, and to sell salmon either by retail or gross. The preparation of salmon for shipping, through salting and packing, was a practice restricted to freemen.<sup>267</sup> The guild restricted fishing during “kipper time,” or while the male salmon were spawning during October and November, and implemented an annual “close time” until Candlemas (early February).<sup>268</sup> Salmon was to be washed outside of town, along the riverside, for “avoiding of corrupt air and other noisome diseases.”<sup>269</sup> In 1602, the guild, with permission of the governor, forbade fishing on Sundays, “for avoiding of the profanation of the Sabbath day.”<sup>270</sup>

The queen was entitled to a royalty of all the fisheries in the Tweed, which the town paid annually in the form of salmon. She received a subsidized rate for any additional salmon. In 1566, for every “last” (approximately twelve barrels of salmon) shipped out of Berwick, one barrel went to the queen.<sup>271</sup> In 1577, a more detailed account exists of the royal share of the fishing. For the fishing waters leased by individuals from

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<sup>266</sup> See, for example, BRO B1/4a, fols. 8r-v, 66v.

<sup>267</sup> BRO B1/1, f. 120v, 1566: only freemen to sell salmon in the market as retailers; B1/3b, f. 50r, for a confirmation of a previous order that only freemen to be involved in letting and setting of waters, 1582. There was a “deed or grant touching the assize of salmon barrels and other things” included in the town chest among other important documents held by the town, but the actual document is never explained. See, e.g., BRO B1/2, f. 3v. Scots did, however, fish in the river as well. See BRO B1/1, f. 116r.

<sup>268</sup> DSL, <http://www.dsl.ac.uk/entry/dost/kipper>, accessed 8 December 2015. BRO B1/1, f. 116r; B1/4b, f. 39r [1591]; 83r [1595]. See also Scott, 261.

<sup>269</sup> BRO C1/1, f. 4r [1568], repeated f. 23r [undated inquest, 1580s] and f. 32r [1592].

<sup>270</sup> BRO B1/6, f. 75r. No mention is made in earlier Elizabethan guild records regarding a Sabbath prohibition, though it seems likely this would have been the case earlier than 1602.

<sup>271</sup> BRO B1/1, f. 121v. Scott finds that a total of five lasts were sent to the queen that year at only £2 6s 8d per last, compared to the market rate of £30 per last. Scott, 262.

the queen, a certain number of barrels was made available to the queen's service at a reduced rate (10 groats, or 3s 4d, less per barrel). In total, the queen was entitled to sixty barrels of salmon at the reduced rate.<sup>272</sup> The price of salmon barrels fluctuated with the market and also depended on the time of year (and therefore the size of the salmon); in 1567, George Morton paid £7 6s 8d for two barrels of salmon, while in 1596 Mrs. Moore, a widow, owed half a barrel of salmon to Richard Anderson which was equated to 30s, or £1 10s.<sup>273</sup> In 1576, "for the more better furnishing of her highness," two barrels of every last of salmon were taken for the queen.<sup>274</sup> These barrels were shipped south for the queen's use, not retained for the victualling of the garrison.<sup>275</sup>

The importance of the salmon trade in Berwick necessitated the creation of certain town offices to oversee preparation, packing, and shipping of the barrels.<sup>276</sup> Annual guild appointments included teams of packers and gagers, the latter ensuring that the barrels were filled to the right weight. In 1580, the head packer, William Wray, also held the gaging irons, which were used to mark barrels "that [they] may be known as sufficient."<sup>277</sup> Merchants, both burgesses and foreigners, were charged either per last of

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<sup>272</sup> BRO B1/3a, f. 31r-v. A groat was a four penny piece in old money (12d = 1s, 20s = £1); 10 groats, therefore, equaled 40d or 3s 4d. Thanks to Steven Ellis for these calculations. *Dictionary of the Scots Language* [DSL], [http://www.dsl.ac.uk/entry/dost/grote\\_n\\_1](http://www.dsl.ac.uk/entry/dost/grote_n_1). Accessed 8 December 2015.

<sup>273</sup> BRO B1/1, f. 132v; B1/4b, f. 20r. It was not uncommon for widows to continue their husband's trade. Mrs. Moore was probably the widow of Thomas Moore, a prominent merchant who served as fearing man on the guild council throughout the 1570s and 1580s, as mayor in 1593, and died in 1595. BRO B1/4b, f. 62r [for election as mayor], B1/5, f. 5r [for death].

<sup>274</sup> BRO B1/2, f. 83v; also B1/3a, f. 44r, 1578; also B1/4a, f. 61v, 1587.

<sup>275</sup> In 1586, soldiers' daily rations included bread, beer, and beef and mutton, totaling 5 ¼ d per day; on "fish days", the men received butter and cheese along with the bread and beer, and the meat was replaced with cod or herring. The source of the fish is not recorded. *CBP* 1:459. See also *CBP* 1:1001, for rations in 1594 – mentions "saltfish," along with red and white herring.

<sup>276</sup> Penelope J. Corfield, "East Anglia," in Clark, ed., *CUHB*, vol. 2, 38.

<sup>277</sup> BRO B1/3b, f. 3v. During Henry VIII's reign, it was decreed that all barrels were to be marked by the assiser's mark; salmon could only be packed after it had been assised by the common sessors. BRO B1/1, f. 9r [1538].



salmon or per barrel for these services, and in general fees increased during this period. In 1557, packers charged freemen 8d for packing a last of salmon, while foreigners paid 18d.<sup>278</sup> In 1572, these rates had been raised: freemen were charged 12d for packing a last and 4d for gaging it, while a foreigner owed 2s to pack and 6d to gage.<sup>279</sup> In 1580, a fee was introduced for the shipping of salmon itself. Now, each barrel of salmon, whether owned by freeman or foreigner, was charged 4d to leave Berwick by ship.<sup>280</sup> This toll for salmon was incorporated into the town revenues, along with other tolls, rents and fees collected annually by the town.

Like other towns, Berwick's leaders collected money from a variety of sources each year to pay for the maintenance of town buildings and other periodic fees such as sending members of parliament south to London.<sup>281</sup> Each year the guild leadership rented out collection of the town's revenues to one or several prominent members of the guild; this farmer then paid a fee quarterly to the town chest for the privilege of collecting tolls and rents due to the town. This could be the mayor, as it was in 1538,<sup>282</sup> or the bailiffs, a frequent occurrence during Elizabeth's reign. In exchange for a rent fee, which during this period ranged from £25 and £35, the farmer collected (and kept) all tolls and rents

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<sup>278</sup> BRO B1/1, f. 80r. A last was a measure of weight equal to 24 meils, the imperial equivalent of which is uncertain. In 1567, however, the guild records note that 25 barrels of salmon made up 2 lasts owing to the queen, so it was approximately 12 barrels of salmon. BRO B1/1, f. 130v. The same year, a freeman's debt of one half a last of salmon was accounted as equivalent of £13 (BRO B1/1, f. 132r). BRO B1/4a, f.10r: in 1585, 12 barrels of salmon was accounted as half a last. DSL, [http://www.dsl.ac.uk/entry/snd/last\\_n2](http://www.dsl.ac.uk/entry/snd/last_n2) accessed 8 December 2015. In 1565, the rate changed to apply to individual barrels; now, for every barrel of salmon packed, the packer to receive 4d. BRO B1/1, f. 19r; these amounts were repeated in 1566, B1/1, f. 120r. In 1568 a packer earned 7d per last of salmon packed for a freeman and 2s from a foreigner, while the gager was entitled to 4d from a freeman and 6d from foreigners per last. BRO B1/2, f. 1v.

<sup>279</sup> BRO B1/2, f. 35v.

<sup>280</sup> BRO B1/3b, f. 3v, repeated B1/6, f. 14r, 1599.

<sup>281</sup> See, for example, Everitt, "The Market Towns," in Clark, ed., *The Early Modern Town*, 185.

<sup>282</sup> BRO B1/1, f. 8r; Scott, 264.

due to the town by land and water. By land, these included petty tolls from the market, shop rents, and customs. By water, fees were collected for anchorage and fines related to packing and gaging of salmon. The high cost of the rent ensured that a wealthy member of the community took on the role of farmer, and sometimes more than one man shared the duty, as in 1579 when it was split among the four bailiffs.<sup>283</sup> Rents of properties owned by the town, such as shop rents in the tollbooth, could be included in the farmer's collections, or be collected separately. In 1598 the order granting the farming to Robert Morton specified that the rents of the measurehouse and the battery, let to two townsmen, were to go to the town coffers directly rather than to the collector.<sup>284</sup>

Because the mayoral accounts are not listed each year, it is difficult to trace annual profits collected by the town. For example, in 1562 and 1563 (the mayor accounts for both years at once), Anthony Temple collected £11 8d from tolls, anchorage of ships, and debts to the town, while he laid out £14 7s 1d for unspecified costs.<sup>285</sup> In 1569, however, the mayor collected over £19 from the quarterage and petty tolls.<sup>286</sup> The quarterage, or quarterly tax placed on all burgesses, was still unusual at this point, and was not established as an annual practice until 1601, when the guild introduced it among the burgesses.<sup>287</sup> In 1568, a "winter account" lists anchorage fees for seventeen ships and

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<sup>283</sup> BRO B1/3a, f. 74v.

<sup>284</sup> BRO B1/6, f. 2v.

<sup>285</sup> BRO B1/1, f. 102r.

<sup>286</sup> BRO B1/2, f. 10v.

<sup>287</sup> The quarterage was based on a graded scale calculated on service in office: 15d quarterly for all who had not served as bailiff; for bailiffs or past bailiffs, 2s 6d quarterly; for every alderman who had not served as mayor, 3s 9d quarterly; and mayors or former mayors to pay 5s quarterly. The income from this new tax was not to go to the farmer, however, but to four "indifferent" collectors. BRO B1/6, f. 65r.

eight “Scots boats,” totaling 41s 6d. Thirteen ships still owed anchorage fees to the town, including nine “which came to Mr. Treasurer [of the garrison].”<sup>288</sup>

The profits that came in to the town’s coffers from rents of lands and fishing waters provided the bulk of its income. In 1556, the guild collected rent from eleven shops housed under the tollbooth.<sup>289</sup> In 1585, the town paid over £52 for a twenty-one year lease of the King’s Waters along the Tweed, which it then let to various members of the guild for annual leases paid in barrels of salmon.<sup>290</sup> The next year, the guild leased the King’s Waters, Broad and Orrett for five years to Thomas Burrell in exchange for services rendered by him for the town.<sup>291</sup> After 1603, this system of leases and rents continued, though now George Home, Earl of Dunbar and close advisor of James I, held the deeds for all the fisheries around Berwick. He in turn sold or leased them to individuals. By the mid-seventeenth century, his son-in-law had sold them outright back to a few merchant families of Berwick, who built a monopoly on the salmon trade.<sup>292</sup>

The mayor’s accounts note his disbursements as well, which also demonstrate Berwick’s typicality as a market center. These mostly consisted of various repairs to town buildings and roads, or repaying debts to individuals for loans or for their trips to

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<sup>288</sup> BRO B1/2, f. 2v-3r. The price for anchorage was usually 20d; the eight Scots boats were only charged 5s 4d all together. The ships for the treasurer were presumably delivering victuals to the garrison and necessary supplies for the fortifications.

<sup>289</sup> Scott, 265. The rents varied from 7s to 40s annually.

<sup>290</sup> BRO B1/4a, f. 11v-13r.

<sup>291</sup> BRO B1/4a, f. 11v-13r, 34r. The mayor and aldermen put in an obligation for this lease, standing bound to Thomas Burrell for £500 as a guarantee of the fishing waters. The fishing waters may have been payment for a “silver sault” that Burrell gave to the town in 1585 that cost £11 5s 2d. See BRO B1/4a, f. 24r and 31v [for a bond of £60 given in to the town chest by Burrell as another part payment of the lease of the waters].

<sup>292</sup> Scott, 430.

parliament, for example.<sup>293</sup> In 1562, the guild raised funds to pay Anthony Temple for his trip to London as MP for Berwick through fines for freedom and a general collection laid on all burgesses.<sup>294</sup> After the hardships of the 1590s, the guild decided on some cost cutting measures in 1601, reducing the number of annual mayor's feasts to two from five and adding the £6 savings to the town chest. The alderman's four feasts were reduced to one, and again the £6 went directly to the town chest. These measures were to stand for the next ten years.<sup>295</sup>

Berwick, along with Carlisle, was designated a center of royal customs collection because of its location on the border. Only these two towns were authorized as official crossing points for goods passing into England from Scotland, or vice versa, by land or sea. All travelers, merchants, or peddlers needed to register their goods with the town guild before continuing on. Goods entering Berwick through its port also owed customs. This, of course, was the ideal; as one historian notes, "if a merchant's first concern was the safe arrival of his cargo...his second was the evasion of customs."<sup>296</sup> The waters were policed by the water bailiff, who was authorized to make arrests on the water and to report the arrival of ships to the chamberlain who would then determine the customs duties due.<sup>297</sup> During Elizabeth's reign, he took on the responsibility of customs

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<sup>293</sup> See Scott, 266. One very detailed account book is extant from Thomas Parkinson's trip to London in 1601 for a case heard in King's Bench regarded another burgess (since disenfranchised), Henry Brearley. See BRO H2/1, 4-19, "Annual Account Books, 1603-1610."

<sup>294</sup> Scott, 266.

<sup>295</sup> BRO B1/6, f. 65v.

<sup>296</sup> N.J. Williams, *The Maritime Trade of the East Anglian Ports, 1550-1590* (Oxford, 1988), 25.

<sup>297</sup> Water bailiffs were common appointments in other cities such as Liverpool and King's Lynn: George Chandler, *Liverpool under James I* (Liverpool, 1960), 71; Williams, 280-82. During Edward VI's reign, two water bailiffs were appointed and paid £20, but in subsequent years, and throughout Elizabeth's reign, no fee is listed like that of the farmer of the town revenues. See BRO B1/1, f. 32r. BRO B1/1, f. 6r, 9v [1539]. The chamberlain, or treasurer, was an officer of the queen's council, and was usually filled as a

collection. Since the job required such specialized knowledge, the same man was often reelected; from 1577 to 1599, Robert Morton served as the water bailiff and beginning in 1601 Thomas Parkinson took over.<sup>298</sup>

The actual process of cataloguing and collecting customs fees is unclear for much of this period, as are the actual amounts brought in through customs.<sup>299</sup> In 1558, the guild recorded customs dues on imports coming into Berwick: a tun, or barrel, of wine was charged 8d, a tun of beer 4d, and a last of soap 12d. All other goods were charged 2d per pound.<sup>300</sup> In June 1591, the guild issued new regulations for the recording of customs collection which created much more paperwork for the men involved; perhaps there was increase in trade, or the guild had some reason to believe the customers were not doing a satisfactory job. The guild appointed Peter Fairley, who was also the town clerk, to keep a register of all the goods coming into Berwick. The merchant was to report to him for a certificate of entry, which the merchant was then to deliver to Thomas Parkinson, appointed collector, to whom he would pay customs fees. Both men were to appear before the guild with their records to make account for their collections every quarter.<sup>301</sup> The following December, Thomas Parkinson made his account of the customs before the

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secondary role. For example, John Carey was titled the chamberlain when he returned to Berwick in 1593. See BRO C1/1 CCM, f. 102r.

<sup>298</sup> Chandler, 68. Though Robert Morton was suspended from the office in 1595 after his “contempt and abuse” of the mayor; BRO B1/4b, f. 84r. He was reappointed at the annual elections of September 1597, B1/5, f. 28v. For Thomas Parkinson’s election, BRO B1/6, f. 62r.

<sup>299</sup> Chandler, 71, has some examples of the customs duties brought in at Liverpool in 1603, and rates introduced in 1613 (p. 169-70). For an overview of customs collection on the national stage, see Michael J. Braddick, *The Nerves of State: Taxation and the Financing of the English State, 1558-1714* (Manchester, 1996), 49-67.

<sup>300</sup> BRO B1/1, f. 84r. Burgesses were exempt from paying customs on timber coming into Berwick, which was used for “their building and beautifying” of the town. BRO B1/5, f. 37v, 1598.

<sup>301</sup> BRO B1/4b, f. 30v. Chandler, 71, reports a similar increase in paperwork in Liverpool 1610 – owners of ships were to return a certificate of the invoice of goods brought into the port.

guild and was granted the office of customer again for the next year. For the privilege, he paid the town £25 and the queen £20 quarterly, totaling £180 per annum.<sup>302</sup> In 1599, in what was probably a reflection of the devastating effects of poor harvest on Berwick and the region, the guild instituted new customs, including those on corn and salmon shipped out of Berwick and beaconage for every ship entering Berwick's port.<sup>303</sup> The rent for the town revenues accordingly increased to £45. The mayor, who had been collecting the customs dues of 2d on every boll of corn leaving Berwick for Scotland, as well as 2d for every horse and cow sold in the market, voluntarily renounced these tolls to be "annexed to the town's revenues."<sup>304</sup> Revenues for the town were greatly increased after 1603 and the granting of the new charter by James I.<sup>305</sup>

As in other incorporated English and Scottish town, the men of Berwick's guild council regulated the market as one of the key privileges of the charter.<sup>306</sup> All features of Berwick's economy discussed above, from the monitoring of the market and the collection of rents and fees due to the town to the protection of the rights of the guild members to trade, were common in market towns throughout Britain. The position of Berwick on the border, however, inevitably drew the governor and his council into

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<sup>302</sup> BRO B1/4b, f. 38r.

<sup>303</sup> Beaconage was a toll paid for the maintenance of beacons. OED, accessed 1 February 2016, <http://proxy.library.upenn.edu:2526/view/Entry/16457>

<sup>304</sup> BRO B1/6, f. 14r-v.

<sup>305</sup> See Ch. 5.

<sup>306</sup> See Dyer, "Small Market Towns, 1540-1700," in Clark, ed., *CUHB*, vol. 2 444-449, for differences between incorporated and non-incorporated towns. For specifics on common regulations and market officers employed in market towns across England, see Everitt, "The Market Towns," in Clark ed., *The Early Modern Town*, 180-191. For similar practices in Europe, see Friedrichs, *The Early Modern City 1450-1750*, 261-71.

market affairs because of the involvement and interference of two groups of outsiders, Scots and soldiers.

*Scots in the Market*

Berwick's proximity to the border resulted in a large influx of Scots merchants and peddlers who traveled to Berwick on market days, or who lived in the community more permanently as laborers and servants. An absence of towns in the eastern borders on the Scottish side encouraged Scots to utilize Berwick's market, and the English crown in principle did not object because these foreigners brought with them customs revenue for the royal purse.<sup>307</sup> Historically, both Scottish and English parliaments had encouraged trade coming into Berwick from the north in an effort to improve the economy of the town during centuries of intermittent warfare and attacks of the plague. In the fourteenth and fifteenth centuries, wool, hides and skins from Scotland were taxed at a much lower rate than those originating south of the Tweed. While the Scottish wool trade out of Berwick declined during the fifteenth century, there continued to be a steady stream of foodstuffs across the border travelling in both directions after Berwick became English permanently in 1482.<sup>308</sup>

During Elizabeth's reign, Scottish involvement in the economy became another point of contention between the governor and the guild. However innocuous, even Scottish peddlers represented the very security threat the governor was there to protect

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<sup>307</sup> 22 Edward IV.

<sup>308</sup> Anthony Goodman, "The Anglo-Scottish Marches in the fifteenth century" in Roger Mason, ed. *Scotland and England 1286-1815* (Edinburgh, 1987), 24-25. Meikle, 260-61.

against. From the perspective of the guild, meanwhile, Scots contributed essential goods to the market, but at times their involvement could seem more like unwanted competition. The guild recognized the dual nature of the Scottish presence in Berwick and responded differently depending on the circumstances. At times the guild sought to protect its economic privileges by allowing Scots to trade in Berwick against the wishes of the governor. At other times, especially during the 1590s, the guild took recourse to invoking language of national security and the “dangerous Scot.” Berwick’s leaders gambled that Elizabeth would be more responsive to their complaints when they raised the specter of invasion that could threaten the security of her border garrison.<sup>309</sup>

These invocations, however, seem to have been designed merely to attract the attention of the queen so that she would attend to other, more serious grievances of the guild concerning the army. The occasional representation of dangerous Scots was contradicted by the reality on the ground. The guild’s records reveal that, during much of Elizabeth’s reign, Berwick’s merchant leaders did not consider Scots to be the dangerous element the governor and crown assumed they were. In fact, the inhabitants’ approach to Scots was not one of outright hostility and suspicion, as might be expected considering their status as outsiders and foreigners, but one of mutual cooperation and benefit. The garrison, too, recognized the benefits of Scottish involvement in trade. Both the guild and the governor also experienced the futility of trying to eject Scots from town completely,

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<sup>309</sup> This traditional account of the borderers persists even in modern historiography. See, for example, the traditional accounts of D.L.W. Tough, *The Last Years of a Frontier: a history of the Borders during the reign of Elizabeth I* (London, 1928); Charles Coulomb, *The Administration of the English Borders during the Reign of Elizabeth* (New York, 1911); Thomas Rae, *The Administration of the Scottish Frontier 1513-1603* (Edinburgh, 1966). Other historians have begun to correct this view of violence; see Anna Groundwater, *The Scottish Middle Marches: Power, Kinship, Allegiance* (Woodbridge, UK, 2010) and Maureen Meikle, *A British Frontier?*



pointing not only to the difficulty of that task but also to their ultimate unwillingness to banish useful, contributing members of the community.

Indeed, there were times when Scottish trade proved essential to the town's survival. In the 1590s especially, the town was dependent on Scots victuals in a time of dearth and scarcity throughout England. War with Spain during the 1580s had strained the resources of the country at large, and though harvests were plentiful in the years between 1587 and 1593 (with the exception of 1590), these plentiful years were followed by four of the worst harvests of Elizabeth's reign. Most affected were the counties of Cumberland and Westmorland, in northwestern England.<sup>310</sup> Small farmers (with under forty acres or so) had suffered from depressed prices during the years of plenty; beginning in 1594, both producers and consumers felt the shortage. The crisis in food production was exacerbated by the spread of disease in years following these poor harvests.<sup>311</sup> Plague, the most devastating disease, was recorded in Newcastle in 1588-89 and 1596-97, when it spread south from Scotland across northern England.<sup>312</sup>

The guild records of Berwick do not make any mention of plague in the town during this time, but even if plague skirted the town itself, Berwick's economy suffered from the decrease in trade.<sup>313</sup> Meanwhile, the persistent demands of war continued, even

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<sup>310</sup> Andrew B. Appleby, *Famine in Tudor and Stuart England* (Stanford: Stanford University Press, 1978), 109-132.

<sup>311</sup> Peter Clark, *English Provincial Society from the Reformation to the Revolution: Religion, Politics and Society in Kent 1500-1640* (Hassocks, Sussex: 1977), 228-229. See also Paul Slack, *The Impact of Plague in Tudor and Stuart England* (London, 1985), 73.

<sup>312</sup> Slack, 62, 68, 74; 64-65 on methodology for calculations. See also Appleby, Ch. 7-8, for analysis of years of "demographic crisis" in Cumberland and Westmorland, 1587-88, 1597-98, and 1623.

<sup>313</sup> Burial registers, used by Appleby to track mortality across the northern counties, are not extant for this period in Berwick.

after the Spanish threat subsided, when Ireland erupted in rebellion in 1595.<sup>314</sup> In April 1595, the town was destitute and out of food. John Carey, the deputy governor for his absentee father Lord Hunsdon, found that “unless some present order or other course be taken out of hand...this poor town will be utterly undone...already many of the poorer sort and many housekeepers are fain to give over housekeeping and themselves and family to go abegging.” The situation would have been worse, but for the Scots: “we shall have nothing but what we shall have from the Scots out of Scotland.”<sup>315</sup>

As long as Scots merchants abided by the regulations governing their presence in Berwick, these activities were legal and appreciated. Regulations for Scottish merchants had been established under Henry VIII, who was especially concerned with the Scottish border during times of war. Stranger and foreign merchants “in amity” with England were permitted to enter Berwick freely, but all such Scots required a license granted by the captain (under Elizabeth, the governor).<sup>316</sup> This license allowed them to be in Berwick for the day, but they had to leave by the closing of the gates in the evening. With special permission, however, Scots could spend the night with specified hosts, called *comburgesses*, who were elected yearly along with other town officers. These men, chosen by the town but approved by the captain, would “answer to the said captain for the good abearing of the Scottishmen for the time of the lodging with the town.” Scots were to be in their hosts’ houses when the watch bell rang in the evening, and not to

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<sup>314</sup> See John B. Nolan, “The Militarization of the Elizabethan State,” in *The Journal of Military History* vol. 58 No. 3 (July 1994): 391-420, 404-407 and 414-415.

<sup>315</sup> State Papers Online (henceforth SPO), *SP* 59/30, f. 5r-v. “John Carey to Burghley,” 8 April 1595.

<sup>316</sup> Scott, 471. These orders are repeated at various points through the sixteenth century; see for example BRO C1/1 CCM, f. 37r [1578] and the guild records BRO B1/2, f. 36r-v [1572].

depart in the morning before the ringing of the bell.<sup>317</sup> Elizabeth retained these regulations, perhaps even more important now with so many more people living in Berwick.

Many Scots also lived in Berwick permanently – and thus illegally – in the homes of various residents: burgesses, stallengers, and even soldiers. The governor tried to control this population with yearly (and therefore probably ineffective) proclamations, as in 1575 and 1581, when he ordered that all Scots “and other vagabonds” leave the town within eight days.<sup>318</sup> In 1588, on one of his infrequent trips to Berwick, Hunsdon declared that no one living in Berwick “shall at any time hereafter receive or take into their houses or service...any manner of Scotsborn person” without special license from the governor and common council.<sup>319</sup>

The guild rarely made proclamations of the same kind against Scots, although the town’s own statutes forbade Scots living in Berwick. The four elected bailiffs, along with an appointed jury of townsmen and soldiers, held periodic inquests throughout the town, checking neighborhoods for illegal brewers and bakers, messy causeways or dunghills, and problem inhabitants, from scolds and idle people to resident Scots. They catalogued these illegal Scots and reminded the leaders of the town – the mayor and alderman, and the queen’s council – that “it is contrary [to] the ancient orders and security of this town to suffer Scots men or Scots women to dwell or be residents in the same.” These mild

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<sup>317</sup> Scott, 472. BRO C1/1, f. 22v, 1592: bailiffs want mayor and council to make sure Scots stay with comburgesses, which they had not been doing. BRO C1/1, f. 53r reiterates watch bell as curfew.

<sup>318</sup> BRO C1/1 CCM, f. 18v, 45r.

<sup>319</sup> Common council was an alternative term used for the queen’s council. BRO C1/1 CCM, f. 66v. This order was signed by all the prominent council members: John Denton (mayor), Henry Witherington (marshal), Robert Bowes (treasurer), and John Selby (gentleman porter). This order was reissued by Governor Willoughby in 1598, see BRO C1/1 CCM, f. 128r.

injunctions did little to press the leaders into action, and in reality the Scots remained unbothered.<sup>320</sup>

In fact, the bailiff inquests reveal that employing Scots was a very common practice in the small community throughout Elizabeth's reign into the 1590s, when three of the four extant Elizabethan inquests took place. The leaders of Berwick recognized the usefulness of the Scottish population in certain occupations: as servants, spinsters, knitters, and nurses. In 1588, Hunsdon found that "sundry of the inhabitants of this town as well soldiers as townsmen do receive into their houses Scotsborn persons, especially Scots women as well for nurses as for spinning, carding, and other hand labor."<sup>321</sup> Indeed, labor could be hard to come by in the remote community, and even very prominent members employed Scots despite orders against it. In the earliest surviving inquest from the late 1560s, Rowland Burrell and Robert Morton, both members of wealthy merchant families who served on the guild council in the 1560s and 1570s, employed Scottish women as nurses.<sup>322</sup>

The guild could, and did, protest against Scots in certain occupations; Scottish shepherds, for example, were prohibited throughout the 1590s because they spent time in the bounds (fields) of the town and stole hay, a commodity already in high demand among the townspeople and soldiers.<sup>323</sup> In 1572, the bailiffs presented a complaint submitted by "sundry artificers [such] as carpenters, joiners, masons, wallers, thatchers, and other things" from in and around Berwick who found "themselves grieved and not

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<sup>320</sup> BRO C1/1, f. 19r [1592]; see also f. 27v [1594].

<sup>321</sup> BRO C1/1 CCM, f. 66v.

<sup>322</sup> BRO C1/1, f. 9r.

<sup>323</sup> BRO C1/1, f. 25r [1592], 39r [1594], 59v [1600].

able to live by reason of Scots born persons that come and other strangers in taking their work which they should live upon.”<sup>324</sup> It still proved difficult, however, to enforce regulations, even when the guild sought these measures. The number of Scots in Berwick did not diminish significantly after these concerns were expressed by the bailiffs; in 1572, the bailiffs recorded fifty Scots living and working in Berwick, and in 1594 there were forty-seven.<sup>325</sup>

Scots could also be found living in Berwick and practicing a craft (often working out of a shop), though this was more unusual and presented more direct competition to the burgesses.<sup>326</sup> In the neighborhood checks, many professions were noted. James Ramsey, a Scottish cobbler with a shop in Marygate (on the market square), was mentioned in 1592 and again in 1594. He seems to have gotten around the residency restriction by living in Tweedmouth, on the south side of the River Tweed across from Berwick, though having a shop in Berwick was still illegal.<sup>327</sup> This was not an uncommon practice: in 1568, Hunsdon had estimated that about two hundred Scots, like James Ramsey, lived in Tweedmouth; many of these may have worked in Berwick.<sup>328</sup> Another cobbler, William More, appears in 1592, 1594, and 1599, three consecutive extant inquests. Other professions included tailors, weavers, smiths and liners.<sup>329</sup>

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<sup>324</sup> BRO B1/6, f. 122v. It is not noted whether or how this complaint was resolved.

<sup>325</sup> BRO B6/1, f. 120r-123v; C1/1, f. 26r-27v.

<sup>326</sup> See BRO B1/2, f. 36r-v for a reiteration of this order in 1572; not allowed to live in Berwick: BRO C1/1, f. 53r, 1600.

<sup>327</sup> BRO C1/1, f. 14r, f. 27r.

<sup>328</sup> *HMC Salisbury*, i, 374. Meikle mistakenly identifies these Scots as living in Berwick itself, see Meikle, 265. In 1589, Hunsdon acknowledged that since he was also in charge of the liberties of Norham, he was therefore allowed to permit whomever he would like to live and work there, but it seems that Scots would be undesirable. Here, he was referring to a wealthy London merchant Nicholas Pindlebury, whom the guild did not want to enfranchise. TNA, WO 55/1939 f. 80v.

<sup>329</sup> BRO, C1/1, f. 7r-11v; C1/1, f. 13r-17v, f. 26r-27v; C1/3, f. 3r-11v.

The presence of Scots who were tacitly allowed to live and work in Berwick suggests that they were providing services needed by the community's inhabitants and did not provide competition that threatened the livelihood of freemen. While the guild was content, for the most part, to tolerate Scots living in Berwick as nurses, spinsters, and servants, Berwick's leaders monitored closely Scots' involvement in trade. Scots who had been granted a license to trade were prohibited from coming into town too early, staying after the watch bell had been rung in the evening, or wandering away from their stalls during the day.<sup>330</sup> They also were excluded from selling their goods at retail to ordinary townspeople; rather, they were to sell their goods to freemen only, and in gross, as per the stipulations of Berwick's charter. Freemen then redistributed the wares by selling them retail.<sup>331</sup> Scots were expressly prohibited from buying staple wares, or wool, hides, and skins, though they were allowed to sell it (after paying their customs dues).<sup>332</sup> Even freemen were not permitted access to the staple as a matter of course, but were required to pay a greater entrance fee to the guild if they sought this privilege.<sup>333</sup> Scots

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<sup>330</sup> The town also found it necessary at times to remind the Scots that they needed to remain with their goods in the market, and not to sell anything before the opening of the market at 9 am – called forestalling the market. See BRO, C1/1 CCM, 98r-v, Nov. 1592; C1/1 4r. See BRO C1/1 CCM, f. 37r, for Hunsdon's orders that Scots were to "remain and keep themselves with their said wares and victuals at such convenient and appointed places as are accustomed...unto them for their standing." They were not to leave their goods and wander around; they were also charged with bringing hides and skins with them if they are bringing any meats.

<sup>331</sup> See *SP* 59/22, f. 243v. "Petition of the Mayor of Berwick, etc.," June 1584.

<sup>332</sup> See BRO B1/2, f. 83r for list of goods; when the staple is mentioned, it usually refers to goods associated with animal skins or hides; in 1579 tallow was included BRO B1/3, f. 67v. Many of the same restrictions were placed on salmon fishing and trading; freemen were not to buy salmon from non-free foreigners, nor were they to let any waters of the Tweed to them. See, for example, BRO B1/3b, f. 55r.

<sup>333</sup> See, for example, guild admissions in 1564: BRO B1/1, f. 113r, where Martin Garnet and Hugh Fuelle came in by redemption (ie paid for it, rather than because they were sons of freemen). These men, who later became very important members of the guild leadership, later paid 40s to obtain staple rights – for Garnet, see BRO B1/1, f. 144r [1568] and for Fuelle BRO B1/2, f. 17r [1570].

were also forbidden from renting space along the river for fishing; while some burgesses petitioned to change this ruling, the guild confirmed it in 1582.<sup>334</sup>

Actual day-to-day interactions did not always follow these injunctions, and the staple was one area constantly violated by the townsmen's exchanges with Scots.<sup>335</sup> This is hardly surprising, for the staple was very profitable, and both burgesses and Scots sought to avoid customs while obtaining the best price for their goods.<sup>336</sup> The guild was not unaware of these violations: in 1576 and 1578 it fined freemen guilty of selling staple wares to the Scots, including the mayor himself, Martin Garnet, members of the prominent merchant family Morton, and other guild members who served variously as aldermen, council men, or bailiffs.<sup>337</sup> These violations continued even after 1586, when the guild decided to take advantage of the illicit staple trade with the Scots by legalizing it and demanding customs dues. Scots were still prohibited from trading in the staple on their own initiative, but now a freemen could request that a Scot be involved in the staple; this would be granted, according to the guild, in situations where "they think it convenient for the profit of the town...to tolerate the selling and passage of the same commodities in Scotland."<sup>338</sup> In 1591, all freemen had to take an oath before the mayor

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<sup>334</sup> BRO B1/3b, f. 39r.

<sup>335</sup> Meikle, 260-61. The Scots were supplying Berwick's market, both the garrison and the town, with fresh meat, and therefore hides and skins; they do not seem to have been restricted from selling staple wares, but only from buying them.

<sup>336</sup> Avoiding customs was a common practice in the market for non-staple goods as well; for example, in 1580 freemen who took foreigners and their packs into their homes were to be fined, BRO B1/3b, f. 11r.

<sup>337</sup> BRO B1/3, f. 50r. Fines were determined by the amount that had been traded; according to the order, any goods traded illegally were forfeit.

<sup>338</sup> BRO B1/4, f. 36r.

and alderman to follow these restrictions;<sup>339</sup> violations continued, however, and in 1602, some of the same violators from 1578 appeared on another list of staple violators.<sup>340</sup>

As much as the military presence in Berwick might have wished differently, Scots were clearly an integral part of the local economy, relied upon by both the garrison and the residents of Berwick to service the needs of the small, remote town. Their importance to the garrison is clearly illustrated in a conflict that arose over Scots selling retail wares in the marketplace. It is hardly surprising that Scots violated the condition to sell their goods only in gross, despite this provision in Berwick's charter, but it was not until 1583 that the guild leaders took action against this abuse. In January, the guild received complaints from burgesses that Scots came to the market "with diverse and sundry kinds of commodities as in retailing as well linen as woolen cloth and many other commodities." Before the guild committed to keeping Scots out of the retail market, however, it called for "so many of the burgesses as are willing and disposed to intermeddle and deal in such traffic and trades as the Scots and foreigners do... [to] make their provisions and store of the same commodities, and to set forth and keep their open standing every market day above the tollbooth as the Scots now doth." Only if there were enough burgesses would the mayor, alderman, and bailiffs restrain Scots from "intermeddling" in retail trade.<sup>341</sup> Clearly the Scots provided a significant contribution to the town's maintenance, and the guild was reluctant to forbid their participation in retail sales.

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<sup>339</sup> BRO B1/4b, f. 31v.

<sup>340</sup> BRO B1/6, f. 80v.

<sup>341</sup> BRO B1/3b, f. 54v.



The issue became more complicated when the governor stepped in after he discovered that the Scots were not only selling retail goods to townsmen, but also to the soldiers. This market was clearly very important to the garrison. The victuals brought in by the Scots was fresh, and appeared regularly, which could not be said for the garrison victualler's infrequent and insufficient shipments of supplies from the south. The guild, without reference to the common council, implemented its new policy and began restricting Scots to gross trade only. In October, Hunsdon wrote from afar to his deputy and the marshal of the garrison, Henry Widdrington, to "give order that the same be broken and that the Scottish peddler [sic] may sell their wares by retail as they have done heretofore." For, Hunsdon stated, "I am not ignorant what great harm and inconvenience will grow there of not only to the whole garrison but also to the country."<sup>342</sup> He dismissed the guild's reference to the town's charter, fearing that given a monopoly on retail trade, the townsmen would raise prices dramatically, despite their promise that "they offer to serve all things as good cheap as the Scottishmen shall do."<sup>343</sup>

The guild did not respond well to its liberties being violated, especially those defined by that most holy of documents, the charter. The town pressed its case in a letter hand-delivered to the governor in December 1583, and Hunsdon was forced to acknowledge that "although it be true, that they may [restrict Scots from retail] by their charter... it hath been omitted so long as I think no man can remember" it being put into practice. The guild pleaded its economic state, arguing that "they are utterly undone unless the Scottishmen be restrained," while the town as a whole suffered from the large

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<sup>342</sup> TNA WO 55/1939, f. 17r.

<sup>343</sup> TNA WO 55/1939, f. 19r.

amounts of English money leaving Berwick.<sup>344</sup> While the guild conceded that “Scots peddlers have been suffered in times past to retail pedlerly ware at Berwick against the will of the burgesses,” their numbers had increased “from 4 or 5 unto 50 or 60, and from uttering of small pedlerly ware to the venting of great store of all merchandise.” The burgesses also argued that the freemen would better serve the market, at more reasonable prices, and that Scots merchants would happily sell their goods to Berwick’s freemen in gross. This would also enable the guild to prosper because “it will be a cause of stay and continuance for sundry young men of the corporation of Berwick, that otherwise for want of trade are ready to leave the town.”<sup>345</sup> Notably absent in these arguments of the early 1580s is any mention of dangerous Scots; rather, in this situation the town drew on its privilege and economic necessity.

While still wondering “why they should more greedily seek it now than they have done heretofore,” Hunsdon authorized Widdrington to restrict retail to freemen, but on a trial basis that could be recalled if the townsmen “enhanced” prices.<sup>346</sup> By the following June, it seems that Widdrington had not yet implemented the trial, for the guild again requested the restriction of Scots merchants in their 1584 petition to the governor and privy council.<sup>347</sup> Hunsdon’s fellow privy council members found in favor of the town’s charter, and finally in October 1585, Hunsdon sent new orders to the mayor and his deputy which included the provision that no “merchant strangers” were authorized to sell

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<sup>344</sup> TNA WO 55/1939, f. 19r.

<sup>345</sup> SPO, *SP* 59/22, f. 253v. “Petition of the Mayor of Berwick, etc.,” June 1584.

<sup>346</sup> TNA WO 55/1939, f. 19v.

<sup>347</sup> SPO, *SP* 59/22, f. 248r. “Petition of the Mayor of Berwick, etc.,” June 1584.

goods by retail in Berwick's market.<sup>348</sup> Whether this order was every implemented is hard to know; the townsmen made a similar complaint in their 1593 petition.

In the hard-hit 1590s, the previously lenient attitude towards Scottish laborers resident in Berwick shifted. In the two bailiff inquests extant from before 1590, the bailiffs catalogued the resident Scots but made no mention of enforcing the law to expel them from town. In 1592 and 1594, however, the inquests invoked language of security to remind the leadership of the town that the Scots were not to reside in town as a matter of national security. Scots living in town, the guild argued in 1592, would “espionage and view the secrets of the town, and use filthy and ungodly [speeches] and meetings at undue times.”<sup>349</sup> In 1594, following the first of a series of terrible harvests across England, the bailiffs reported that

We find it against the orders and security of this town that any Scots born person should dwell or remain in service here, for by suffering of Scots nurses and other Scots women, they acquaint themselves with the secrets of the town, and further we find that no Scots man ought to be suffered to go abroad, either with sword or pistol about him, because it hath heretofore and may hereafter breed trouble and disquietness to this place.<sup>350</sup>

Here, the problems associated with the Scots are presented as those of safety and peacekeeping; any Scot in the town, even an elderly nurse or spinner of wool, could be acting as a spy – a common narrative – and Scottish men were an even greater threat because of their weapons.

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<sup>348</sup> SPO, *SP* 59/22, f. 264r-v. “Petition of the Mayor of Berwick, etc.,” June 1584. BRO C1/1 CCM, f. 58r-v. The issue resurfaced again, however, in March 1593 in a petition the town leaders sent to the queen following the Book of Complaints, that list of military abuses in Berwick. They used the same argument: Scots, by selling retail, stole profit from freemen and were able to acquaint themselves “more fully with the state and strength of the same town” (*CBP* 1:810).

<sup>349</sup> BRO C1/1, f. 19r.

<sup>350</sup> BRO C1/1, f. 27v.

This language of spies and trouble would have found a ready audience with the governor and his council in Berwick, and with the queen and her council in London. Until now, however, the town leaders had not seemed terribly eager to use it. While this language served to attract attention, economic concerns were at the heart of the bailiff's report. In a time of increasing scarcity, more people meant more mouths to feed, in addition to the economic competition Scots provided.

While it may seem a far cry from the town's previous attitude toward the Scots, this language also makes sense in light of a petition sent to the privy council in March 1593.<sup>351</sup> Berwick's leaders focused here on the mismanagement of the army leadership, but framed their grievances in language of safety and security as a way of justifying the town's concerns. The petition focused on the many abuses of the military leadership, most especially those of the victualler. It did include a clause on "Scottish gentlemen and others of that nation banished for murders [who] are suffered to go about here armed;" even here, though, the true problem was the marshal, who took no action against these dangerous Scots, which in one case, resulted in the murder of a townsman.<sup>352</sup> The rhetoric of dangerous Scots represented in fact another way that the army apparatus was failing in its duties to protect the queen's town.

John Carey arrived in Berwick, upon the queen's orders, to redress the grievances of the petition in April 1593. One of Carey's first actions was to banish "all the Scots servants, who were many, and also some Scots inhabitants."<sup>353</sup> He, too, recognized that

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<sup>351</sup> Discussed briefly in Ch. 1, p.76-8.

<sup>352</sup> *CBP* 1: 806.

<sup>353</sup> *CBP* 1: 826. This was in all likelihood an exaggeration, considering the numbers listed above. He did not, he stated explicitly, expel the Scottish wives of soldiers; see Ch. 3, p. 176-77.

the queen and her advisors understood the Scots as representing a danger. Again in 1596 and 1598, the queen's council called explicitly for expulsion of all Scottish employees by their employers.<sup>354</sup> In doing so, the council cited the practical problem of "sundry inconveniences and disorders [that] do arise and grow by lodging of Scots persons in houses not licensed."<sup>355</sup> In 1601, the governor found that "lewd and idle persons," from both the countryside and Scotland, "may call themselves nurses or spinsters but have such bad behavior that they dare not stay in their own country, [being] prone to felons and also to whoredom."<sup>356</sup> These concerns, of course, were at the heart of the town's complaints as well, along with economic issues. Idleness and moral laxity were sins all the more unforgiveable in a time of scarcity and drought.

Scots, then, like outsiders in towns across England, were a contested group. They provided much needed victuals and goods to the remote and overpopulated town, yet also created a point of friction for the competing jurisdictions of the governor and guild through the perceived threat of danger that they represented. Berwick's leaders had recourse to a language of national security because of its position on the border; the queen's building projects and establishment of the garrison tangibly supported the accepted rhetoric of the dangerous Scot. This language, however, was utilized sparingly, and in certain notable situations, as a way of presenting other, less acceptable grievances to the queen regarding her appointed officers and victuallers.

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<sup>354</sup> BRO C1/1 CCM, f. 121v; Willoughby's proclamation, 127r.

<sup>355</sup> BRO C1/1 CCM, f. 121v.

<sup>356</sup> BRO C1/1 CCM, f. 145v.

While the border was ostensibly defended through walls, watches, and arms, the perceived enemy permeated the town easily and regularly. Implicitly, through their daily exchanges with the Scottish other, the inhabitants of the town – burgesses, stallengers, and soldiers alike – recognized the necessity and benefit of Scottish labor, trade, and goods in the remote border community.

### *Soldiers in the Market*

Soldiers, unlike Scots, were more of a problem than a benefit to the town, especially as the threat of Scottish invasion lessened over the course of Elizabeth's reign. By their sheer numbers – they easily made up one third of the town's population of approximately 3,000 – it is not surprising that soldiers had a serious impact on Berwick's economy. Garrison men and their families were outsiders to the community, excluded from its economic sphere by virtue of their employment in the garrison. Practically, in fact, the situation on the ground was more complicated. Many violated the queen's orders by making crafts or running alehouses, or in other ways becoming involved in the market. This is hardly surprising, given their long tenure in Berwick and the usual predicament of payment in arrears.

Soldiers presented two central problems: first, they competed with the townspeople for resources, from hay to housing to jobs. Secondly, as men in the queen's pay, soldiers were immune from prosecution through civil law. This problem was compounded by that of infrequent or insufficient payment, an issue not uncommon in

other militarized areas of Elizabeth's domain, such as Ireland.<sup>357</sup> Soldiers without pay accrued outstanding debts (which affected the credit of local merchants) and were motivated to seek other means of employment through Berwick's market.

The competition created by the additional population is unsurprising, given the general scarcity of resources in an isolated region like Berwick. The bigger problem, for the town guild, was the administration of the garrison more generally. Its mismanagement was evident in two areas especially: that of soldier debt and bad credit, resulting from infrequent or insufficient payment; and the incompetent provision of victuals and necessities by Robert Vernon, victualler for much of this period. Unlike the Scots, however, who could be singled out and blamed for any number of problems when it suited the town leadership, open complaints regarding soldiers were restricted by their protected status and the crown's obvious belief in the necessity of their presence along the border. The town's responses were limited, then, to grievances regarding the mayor and bailiffs' inability to prosecute soldiers' crimes (including debts) and the enduring corruption and mismanagement of the army leadership. Despite the mandate that soldiers be tried only in the infrequently-held marshal's court, interactions between the soldiers and townspeople were handled by the common council and the mayor and bailiffs court, both of which met weekly.<sup>358</sup>

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<sup>357</sup> See John McGurk, *The Elizabethan Conquest of Ireland: the 1590s crisis* (Manchester University Press, 1997), 195, 200-203.

<sup>358</sup> There were also separate courts for pleas of debts and land, which met perhaps monthly or even less regularly. The records for the courts of pleas of debt and land are the least detailed and extant for only parts of this period: the books for the pleas of debt survive from 1560-63 and 1598-99, while those for pleas of land survive from 1605 on. There are no separate surviving records for the marshal's court.

Resources were a major source of conflict among the inhabitants of the town, especially access to the fields and meadows around Berwick which were used for pasturing livestock and growing hay. These lay mostly to the north and west of the town, which comprised the “bounds” of Berwick, or a small area a few miles square that the English had taken with the town in 1482 to provide a buffer zone between it and enemy territory – creating something of an “English Pale” for the defense of the town. The fields and bounds of the town, however, were overtaxed by the number of livestock and the demand on the yearly supply of hay for the winter.

The large number of soldiers needed meadow and pasture access, and the governor often partitioned parcels of land among men in the queen’s pay according to rank. This was not the custom of the town, which for centuries had held a “running day” each spring. This communal event involved all the men of town registering their horses and then gathering at a predetermined day and time to race for their claim to a plot of land and its share of hay. The townsmen preferred this method, as it seemed a more fair allocation of field space, especially when the alternative was to have the governor assign meadow land.<sup>359</sup> In times of dearth, punishments could be inflicted for violating the rules laid down for meadow use; this occurred in 1592, when soldiers and townsmen alike were accused of cutting hay which was allocated to provide winter food for the cattle.<sup>360</sup>

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<sup>359</sup> Although it limited access to the fields to men with horses. Scott calls this practice “a very curious custom.” See Scott, 282. See BRO C1/1 CCM, f. 2r, 88r. In 1595, for example, running was reinstated by the queen’s council because people did not obey partitioning (116r-117r). Rules for mowing day were reiterated in 1581 and 1586 (C1/1 CCM, f. 46r; fols. 61v-62r); In 1598, the meadows could not be run for because it was too late in the year, so they were cut according to orders of the queen’s council (f. 134v). See also TNA, WO 55/1939, f. 50r-v: mayor’s letter to Hunsdon in July 1586 arguing for the town’s right to run for Gainslaw and Baldersbury fields, and again in August 192 (fols. 157v-158r).

<sup>360</sup> BRO C1/1 CCM, f. 94r.



One way to monitor the fields was through the appointment of poinders, who maintained the fields, checked the enclosures, and reported unauthorized livestock. Throughout Elizabeth's reign, the common council appointed the poinders, whose number varied from two to six, though the group always consisted of at least one garrisonman and often a stallenger.<sup>361</sup> Despite the efforts of the council, the fields and bounds of Berwick were often "overcharged" with animals. In 1594 and 1595, the queen's council ordered that unauthorized animals were to be removed from the fields. After two weeks, they would be forcibly taken and sold, and the proceeds given to the poor.<sup>362</sup>

Competition for resources was not limited to physical space. Soldiers also violated the terms of their orders by becoming involved in trade, a problem that had been anticipated by the crown before Elizabeth's reign. The Ancient Statutes, in force at least since "the time of [Elizabeth's] dear father, brother, and sister,"<sup>363</sup> called for no soldier to work "with his own hands any vile occupations or commonly fishing of any white fish or salmon."<sup>364</sup> Preliminary orders for Berwick in May 1559 noted that if soldiers were allowed to trade in goods or foodstuffs, "there should be but one kind of people within the town, for all soldiers would become merchants, and merchants soldiers."<sup>365</sup>

Elizabeth's New Orders, proclaimed October 1560, maintained the same; they did not,

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<sup>361</sup> For example, see BRO C1/1 CCM, f. 60v, 63v, 66r. 14r: six poinders chosen in 1574. The custom of appointing a soldier contradicted the bailiff's understanding of poinders, expressed in 1599: "no soldier ought to be a poinder within the fields." See BRO C1/1, f. 54v.

<sup>362</sup> BRO C1/1 CCM, f. 107v, 118v.

<sup>363</sup> BL Cotton MS Titus C XIII, f. 6r.

<sup>364</sup> Scott, 450. See also BRO B7 [Rules of the town and garrison of Berwick], p. 4. White fish could refer to cod, haddock, whiting, or other such white-fleshed, fresh water fish. See the OED, "whitefish," <http://proxy.library.upenn.edu:2946/view/Entry/228594?redirectedFrom=white+fish#eid>, accessed 21 September 2017.

<sup>365</sup> SPO, *SP* 59/1, f. 195. "Orders for Berwick," May 1559. Thanks to Catherine Kent for the reference.

however, forbid soldiers from becoming burgesses, or freemen with trading rights. The New Orders stated that “no captain nor soldier hereafter appointed ... [is] to have any freehold within that town...neither shall any of the same exercise any handicrafts within that town except he be a burgess, or flesher, or maker of hand guns or other instruments for war.”<sup>366</sup> Both the Ancient Statutes and the New Orders seem to have served as general guidelines at best. As time went on, the threat of Scottish invasion lessened and there was little for the soldiers to do outside of their watch duty and other garrison obligations. As in other Tudor garrisons, the soldiers in Berwick served long tenures, often residing in the town for thirty or forty years.<sup>367</sup> In their free time, they married, settled down in town to raise children, and took on occupations to supplement their soldiers’ pay, despite the orders and occasional proclamations by the governor.<sup>368</sup>

Some soldiers took advantage of the opportunity to become burgesses, though the guild was reluctant to grant this privilege to outsiders. During Henry VIII’s reign, Berwick had required that the soldiers becoming freemen renounce their position in pay.<sup>369</sup> Under Elizabeth, however, this stipulation was not enforced. Richard Pindelbury, a sergeant in the army, was granted the freedom in 1581; this was likely a calculated step

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<sup>366</sup> Scott, 455. A copy of the 1560 New Orders for Berwick is also found in BL Cotton MS Caligula B X, fols. 117r-142v. This specific order is on 137v. Also in BL Cotton MS Titus C XIII, f. 9r. The New Orders were reissued in 1576, see BL Cotton MS Titus C XIII, f. 6r-11v.

<sup>367</sup> See Grummit, *The Calais Garrison*, 83.

<sup>368</sup> See Ch. 3, p. 148-9. In 1559, crown authorities worried that allowing soldiers to marry would take up precious housing resources in the town (not to mention, require higher pay) and discourage able-bodied men to come and live in Berwick, thus providing the crown with a civilian force as well as a military one. SP 59/1, f.195. “Orders for Berwick,” May 1559. For other proclamations by Hunsdon, see TNA, WO 55/1939, f. 82r and BRO C1/1 CCM, f. 39r.

<sup>369</sup> BRO B1/1, f. 14v. See also the Grant of Henry VIII in 1533 that forbids anyone in pay from becoming a freeman, Scott, 471. In 32 Hen 8, Nicholas Denton “refuse[d] his soldiery...to take his freedom according his othe mayd.” B1/1, f. 18r.

taken by the guild, for Richard's brother was Nicholas Pindlebury, a merchant draper of London who traded frequently in Berwick and provided goods for the garrison.<sup>370</sup> Though few wills remain of soldiers who died in Berwick, some reveal the secondary occupation of soldiers. Martin Shell, a cannoneer of the great ordnance whose sons would also join the garrison, left to his son Rowland "all my tools, the which I wrought withal in my smith's shop."<sup>371</sup> George Sheile, a pensioner, was admitted to the guild in 1605 for his skills as a bowyer, or bowmaker.<sup>372</sup> Thomas Wray, a soldier who travelled to Flanders, called himself a "weaver and soldier" in his will, while William Simpson, another soldier, owned a spinning wheel and no weapons at the time of his death in 1586.<sup>373</sup> Perhaps the most influential admission was that of Henry Brearley, a "late soldier," in 1595.<sup>374</sup> Brearley was, even at his admission, a very wealthy merchant who would go on to be disenfranchised and reinf franchised multiple times over his partnership with a nonfreeman and general contempt towards the guild, costing the guild hundreds of pounds in a lawsuit he brought to the King's Bench in 1600.<sup>375</sup>

Soldiers, like townspeople and Scots, acted as forestallers of the market, selling goods outside of the appointed place and time of the weekly market. In an undated bailiff inquest, probably from the late 1560s, a list of fourteen forestallers of the market included

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<sup>370</sup> For Richard Pindlebury's will, see Durham Archives and Special Collections [hereafter DASC], DPRI/1/1587/P9/1-2; for admission, see BRO B1/3b, f. 20v; for Captain Carvell, BRO B1/7, f. 31v.

<sup>371</sup> DASC, DPRI/1/1584/S4/1.

<sup>372</sup> DASC, DPRI/1/1612/S5/1-2; at the time of his death he was also in the possession of "three old brewing tubs." See BRO B1/7, f. 58v for his admission. His work as a bowyer was permitted, as bows and arrows counted as "instrument[s] of war." Scott, 455.

<sup>373</sup> Thomas Wray: DASC, DPRI/1/1584/W10/1; William Simpson, DASC, DPRI/1/1586/S9/1-2.

<sup>374</sup> BRO B1/4b, f.84v.

<sup>375</sup> See Scott, 295-300, for a sketch of Brearley's involvement in the guild. For an account of the guild's costs in London due to Brearley's lawsuit, see BRO H2/1, 4-14.

three soldiers and their wives.<sup>376</sup> Individual soldiers as well as “common victuallers,” employed by the victualler to supply the garrison with food, were guilty of buying up foodstuffs in town brought in either from Northumberland or from incoming ships. They then sold the goods to soldiers by retail, or, even worse, to Scots, who carried off needed victuals from town into Scotland, “causing a great and needless dearth yearly.”<sup>377</sup> In 1580, the guild ordered that, having found Vernon and soldiers selling corn to Scots,

all corn, merchandise, or other commodities that shall from henceforth be taken as foreign bought and sold within this town contrary our liberties, in whose hands soever it be, it shall be lawful to the bailiffs or to any others to seize upon the same and that it shall be forfeit, the one half to our Sovereign Lady the queen and the other to the taker thereof.<sup>378</sup>

The guild, of course, sought to preserve its liberties against not only forestallers but also soldiers more generally.<sup>379</sup> Several specific complaints surfaced in the 1584 petition it submitted to the privy council. The first noted that “all men in pay within Berwick as also the surveyor of the victuals...[ought to] be restrained from using the feat or trade of merchandise.”<sup>380</sup> Berwick’s leaders also reminded the council that soldiers were excluded from fishing; the guild’s monopoly on fishing did not come cheap, but cost the town about £60 per annum.<sup>381</sup> The townspeople further requested that men in pay “be restrained from exercising any handicraft or farming of fishing and from keeping tipling houses or hostelry within Berwick and from the use and benefit of the fields.”

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<sup>376</sup> BRO C1/1, f. 1v.

<sup>377</sup> BRO C1/1, f. 2r, 3r.

<sup>378</sup> BRO B1/3b, f. 8r.

<sup>379</sup> See, for example, BRO C1/1, f. 23r, from a bailiff’s inquest of 1592: “Item we find and present that none except the burgesses ought to lodge or [keep] corn to sell it within this town as very many now do neither ought any (except the townsmen) to deal in any trades nor to be artisans nor keepers of hostelry, which things are now commonly used by those in pay to the hurt and damage of the said townsmen.”

<sup>380</sup> SPO, *SP* 59/22, f. 243r. “Petition of the Mayor of Berwick, etc,” June 1584.

<sup>381</sup> SPO, *SP* 59/22, f. 245r. “Petition of the Mayor of Berwick, etc,” June 1584.

Again, the guild argued that the soldiers' interference had "greatly impoverished and hindered the townsmen and commonalty" since they "have almost all the whole use of those qualities [hostelry and handicrafts] in their own hands." If soldiers persisted in acting as townsmen, the guild argued, perhaps they should become freemen rather than playing both roles. Then, at least, by "liv[ing] only upon their lands, occupations, hostelry, and cattle," they would "better serve" the queen (presumably by saving her the cost of their wages). More importantly, Berwick itself would be "the better empeopled and strengthened, and [its] men of occupations maintained."<sup>382</sup> Hunsdon denied any knowledge of violations, and acknowledged the town's right to those monopolies.<sup>383</sup>

In 1589, the town complained to Hunsdon about garrisonmen keeping "hostelry," or acting as innkeepers. By now, Hunsdon's patience with the townsmen was beginning to wear thin. He responded testily that the men doing so numbered "under forty" and therefore had little impact to the business of the burgesses; innkeeping, apparently, was a profitable occupation for many.<sup>384</sup> He also warned the townspeople against antagonizing the eight captains in charge of the soldiers, reminding them of the interdependence of the army and civilian populations: "for since you will live so absolutely of yourselves and stand so precisely upon your privileges they are likewise to do the like for themselves."<sup>385</sup> At the same time, the common council in the same year ordered that anyone in pay who was found violating the queen's orders – meddling in brewing,

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<sup>382</sup> SPO, *SP* 59/22, f. 245v. "Petition of the Mayor of Berwick, etc," June 1584.

<sup>383</sup> Though he did make a caveat, that the soldiers with wives and families were to be provided for, implying that a soldier's wage was not enough to feed a whole family. *SP* 59/22, f. 248r-v; 265r. "Petition of the Mayor of Berwick, etc," June 1584.

<sup>384</sup> TNA, WO 55/1939, f. 81r.

<sup>385</sup> TNA, WO 55/1939, f. 81v.

baking, selling of corn and other merchandise, or keeping a hostelry house – was to be discharged from pay and “delivered over to the mayor’s power and jurisdiction to be punished and corrected at his pleasure.”<sup>386</sup>

While the bailiffs and jurors catalogued soldiers who violated the terms of their service, it is difficult to know what kind of punishment was meted out. In 1594, Reginald Field was accused of buying up “horse loads” of grain coming in from the countryside. He then sold the grain privately to Scots, who carried it off into Scotland, causing prices to rise and general dearth to prevail. The inquest blamed this partly on the house where the goods were brought, for “the Scotts are so acquainted and conversant there that it is no fit house to lodge or receive any victuals or victuallers that come to this market.”<sup>387</sup> Five years later, Field was found guilty of similar crimes. This time, the bailiffs found that he forestalled the market of goods “coming forth of Scotland” and “likewise of salt, by means whereof he causeth oftentimes a needless dearth, being contrary to the establishment of this town and the orders set down in the council book.”<sup>388</sup> Yet again, no punishment is described. Soldiers were also accused of forestalling corn, selling candles, and retailing woolen cloths and groceries.<sup>389</sup>

Although the intrusion of individuals soldiers in the market was clearly felt by the burgesses, the guild was unable to enforce the regulations created by both the town and the queen. Scarcity of resources was accepted as a reality, and ultimately the complaints

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<sup>386</sup> BRO C1/1 CCM, f. 82v; see also 75r.

<sup>387</sup> BRO C1/1, f. 36v.

<sup>388</sup> BRO C1/3, f. 4v. He was also found, in that same inquest, lodging a Scots woman in his home, f. 5v in 1592, he was found lodging two Scotswomen. BRO C1/1, f. 13r.

<sup>389</sup> BRO C1/1, fols. 28v, 43v; C1/3, f. 24r.

of the guild fell on deaf ears. Berwick's leaders seem to have accepted the soldiers' involvement in the market; rather than fight small battles with individual men on this account, they blamed the army leadership for allowing corrupt practices to continue.

Debt incurred by individual soldiers, however, had broader implications for the town at large. In the 1580s, Berwick became known across England as a notorious haven for debtors; this opprobrium severely damaged the national reputation both of creditors and traders living in Berwick and of the queen's army establishment. Debtors were drawn to enlist in the army for the protection afforded to soldiers by martial law, for "by the pretext of the privileges which are due to those that are there employed in her Majesty's service," debtors "have procured themselves to be there protected from all actions of suits." Thus the "liberty of that place" was "abused and [its] subjects ... greatly wronged."<sup>390</sup> This fact was well-known, and complaints of theft and debt came to the queen and council from local merchants and people wholly unconnected to Berwick.

The main problem for the soldiers and the community was that their pay was usually years in arrears. Wages were to be sent north from London and gathered from northern creditors twice yearly. The garrison as a whole – ranging from the governor and officers to garrison soldiers, pensioners, laborers, surgeons, and other men in pay – cost over £13,000 per annum in 1578<sup>391</sup> and over £15,420 in 1590.<sup>392</sup> Occasionally, there

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<sup>390</sup> *APC* 32: 326.

<sup>391</sup> *CBP* 1:29. This fits with other accounts; in 1576, the garrison cost £12,734 19s 2d (Scott, 462-65).

<sup>392</sup> *CBP* 1:687. Michaelmas, 1590. See also *CBP* 1:735 for a list of payments of September 1591, totaling £14,353; and *CBP* 1: 859 for payments at Berwick July 1593. Over the course of Elizabeth's reign, annual costs averaged between £13,000 - £15,000. See Ch. 1, p. 48-9. Foot soldiers, like those in Ireland, made 8d per day. Gunners made 6d a day until they were granted a 1d raise in 1576, and arquebusiers of the new garrison were paid 8d a day (Scott, App. VI, 462-465). See also BRO B7, "Rules of the Garrison and Town of Berwick 1560-1577," 25-30. For the experience of soldiers in the Irish army, who were also supposed to receive pay at 6-month intervals, see McGurk, *Elizabethan Conquest*, 195.

were valid reasons for a delay in this schedule; for example, in 1586, wages could not be paid out because of unforeseen costs to the maintenance of the fortifications.<sup>393</sup> The next year, Hunsdon reported to Burghley that Berwick's garrison was owed wages of two cycles, or a full year's pay.<sup>394</sup> It was not uncommon for wages to be sent from London years in arrears, and corruption ensured that the men were rarely paid regularly or the full amount they were due.

This had serious consequences for the community. Even a delay on the half years' pay could be very costly. In 1589 "the whole town, as well garrison as others, cannot in fit time before the winter doth come, make their needful provisions for the winter time."<sup>395</sup> Timely payments became even harder to come by in the 1590s. In 1590, the marshal and captains requested payment of Hunsdon, claiming that they were owed two years of payment and were, at this point, dangerously impoverishing the town and surrounding countryside, "who have given so long credit to the garrison."<sup>396</sup> In May 1590, Hunsdon sent money up for the half year's pay to Berwick, but acknowledged that much more was owing. So much was owing, in fact, that he was forced to acknowledge the debt to the queen, who was "offended" and promised to "take order presently for the payment thereof."<sup>397</sup> While the treasurer paid the garrison when he could, the town could

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<sup>393</sup> TNA WO 55/1939, f. 44r.

<sup>394</sup> The one hundred or so soldiers stationed at Carlisle were also owed "at the least" £300. *CBP* 1: 556.

<sup>395</sup> *CBP* 1:655. In 1593, the mayor blamed shortages and mounting debt on the fact that Vernon and Bowes were paying soldiers once annually, instead of twice; see *CBP* 1:797. At Michaelmas 1589, the garrison altogether was owed £2818; these debts were not paid until Michaelmas 1590 (*CBP* 1:648, 656).

<sup>396</sup> *CBP* 1:692. "Widdrington and others to Hunsdon," 30 Oct 1590.

<sup>397</sup> TNA WO 55/1939, f. 90v-91r. In June 1591, Hunsdon obtained "with much ado" £3,000 toward the two years' pay owing to men in Berwick; f. 137r.



complain in 1592 that “the lack of the remain of the two years’ pay is a very great hurt, damage, and undoing to a great number in this town.”<sup>398</sup>

From the town’s perspective, these debts injured both the town’s reputation and its economic vitality. They also exacerbated tensions between the mayor and governor, for the marshal of the army was the only man authorized to prosecute soldiers for crimes of any kind. Dissatisfied with the marshal’s inactivity, the mayor in 1584 suggested that jurisdiction be handed over to himself and the four bailiffs to recover the debts. Even merchants in London, the mayor bitterly reported, accused Berwick of harbouring debtors.<sup>399</sup> He argued that from “time out of memory of man,” the mayor and bailiffs had held courts of record for all debts within the town, “til of late years, restrained for doing the law against the men in pay [in the army].” The mayor was not exaggerating; this was indeed a right granted to chartered towns, but martial law prevailed. Lord Hunsdon immediately denied this request, placing responsibility on himself and the army council to “force” the marshal to hold court.<sup>400</sup>

Hunsdon’s defense of the separation of civil and martial law, however, did not mean he was unaware of the dangers of debt in Berwick. He himself advocated for individuals who were owed money by soldiers in town. Edward Mery, for example, was a wealthy merchant who had been enfranchised in 1576 in exchange for cancelling the town’s debt to him of £53. In 1583, he complained to Hunsdon of “sundry that are in pay” who were indebted to him and refused to pay their debts, despite that he had

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<sup>398</sup> BRO C1/1, f. 20v.

<sup>399</sup> *CBP* 1: 240 [1584 Book of Complaints]

<sup>400</sup> *CBP* 1: 240.

“forborne” them a long time.<sup>401</sup> Hunsdon directed his deputy and marshal Widdrington to help Mery with “your uttermost friendship.” This was vital because Mery himself owed debts that he needed to pay off.<sup>402</sup>

Hunsdon also received many complaints from prominent Englishmen outside of Berwick who sought restitution of debts from men who had fled north. In 1585, Hunsdon wrote to Widdrington regarding David Bulliver, who owed £140 to George Pleasance of Norwich, among other debts, and had come to Berwick “intending thereby to defraud his creditors.” Widdrington was to imprison him until he satisfied his debtors.<sup>403</sup> This problem became even more prevalent during the final decade of Elizabeth’s reign. In 1601, a distressed Mr. Henry Chippenham of Hereford reported to the crown that his servant, Walter Aubrey, had been sent to the Exchequer with a payment of over £248. Instead of travelling to London, however, Aubrey made for Berwick, where “[Chippenham] can have no due remedy against him.” Once in Berwick, Aubrey presumably joined the army, thereby gaining immunity and an effective hiding place. The privy council told Carey that “so great lowness besides that deserveth in justice to be severely punished,” so he was “to have special care for the apprehending of the said Walter Aubrey.”<sup>404</sup> The privy council also noted the frequency of these occurrences, “having been heretofore oft troubled with sundry complaints concerning a common practice used by diverse ill-minded persons, who to avoid to be answerable to justice and

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<sup>401</sup> Scott, 287. This enfranchisement is not found in the guild records, but Edward Mery was elected head alderman in 1577 and mayor in 1578; BRO B1/3a, fols. 28r, 53r.

<sup>402</sup> TNA WO 55/1939, f. 15v.

<sup>403</sup> TNA WO 55/1939, f. 39r.

<sup>404</sup> APC 32:326-7.

wickedly to defraud many whose money they had gotten into their hands, have retired themselves into that town.”<sup>405</sup>

Not only did the bankrupt men damage the credit of the town, but they also brought families, who then became a burden on the limited and dwindling resources of the town or, alternately, a source of competition. In 1592 and 1594, the bailiffs’ inquest reported that

there come daily bankrupt and other evil disposed people into this town, and many gets into pay, being unfit and unapt to be soldiers, and many households come hither and sets up house and inhabits here and become usurers and lieth upon the market and make all kinds of victuals now far dearer then of late years.<sup>406</sup>

Even if these bankrupt men were able to obtain a soldier’s position, the wages of a soldier were not sufficient to feed a whole family; this fact was well-known by the army administration, who had attempted to prohibit soldiers from marrying at all.<sup>407</sup> Soldiers’ wives were involved in the marketplace, and especially in the victualling trade by hosting illegal alehouses.<sup>408</sup>

The bailiffs had other concerns regarding the bankrupt men. By 1599, the bailiffs found that not only were there “great numbers of strangers and bankrupts with their families [who have] come hither and have bought pay and served as soldiers,” but also that “there be a great number of others that served as hired men in soldier’s room...whereof a great number or most part of all the stallengers are become hired into pay instead of soldiers to the great weakening of the town’s people and of the town.”<sup>409</sup>

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<sup>405</sup> *APC* 32:326.

<sup>406</sup> *BRO* C1/1, f. 19v and 38r.

<sup>407</sup> For example, see Hunsdon’s reiteration of such orders in *WO* 55/1939, f. 74r; the town knew it well too; see *CBP* 2:1 for a mayor’s complaint on the subject.

<sup>408</sup> See Ch. 3, p. 178-87.

<sup>409</sup> *BRO* C1/1, f. 52v. See also C1/3, f. 12r for a repeat of the order months later.

Stallengers were residents of town, and thus ineligible to serve as soldiers, yet they were paying for positions to obtain the status of a soldier; in this case, corrupt captains were to blame for accepting bribes in exchange for a soldier's place.<sup>410</sup> It was altogether too easy to escape one's debts in a border town.

The queen was not ignorant of the problems that arose, both for the reputation of her army and the health of the town. It was not until July 1600, however, that orders were sent to Berwick declaring that "no bankrupt or indebted person, soldier or other, shall be suffered to retire to or hide himself in Berwick, to defraud or avoid his creditors."<sup>411</sup> This order was repeated the following March, when Willoughby, the governor, was ordered to expel all bankrupts living in Berwick, so as to avoid further damaging the economic situation of the town.<sup>412</sup> By the summer of 1602, the common council, too, took up the fight. In June, they heard the case of James Mayne and his wife, who were owed 26s 8d by John Ludley. This case stretched back to March 1601, when the mayor's court of debt had ruled in favor of the Maynes and required Ludley, then a stallenger, to pay the debt. Soon after this ruling, however, Ludley joined the garrison and was thus protected from civil action. The council ordered Ludley to be imprisoned until he satisfied the debt, "for it is against conscience and justice that men arrested for debt before they were in pay should dishonestly cover themselves with the privilege of a soldier to the intent to defraud their creditor."<sup>413</sup>

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<sup>410</sup> Hunsdon complained frequently to Widdrington regarding the corrupt practices of the captains who were taking payment for soldiers' places. See TNA WO55/1939, 17v, 76r, 92r, 141r.

<sup>411</sup> *CBP* 2:1207.

<sup>412</sup> *CBP* 2:1343.

<sup>413</sup> BRO C1/1 CCM, f. 143r. The outcome of the case was, unfortunately, unrecorded.

Despite the injunctions that the town stay out of martial affairs, soldiers did appear in the town courts as defendants and, occasionally, plaintiffs. No records remain of the marshal's court, but it is clear that the marshal held it infrequently, especially in the 1590s during Widdrington's last years as marshal, when he was very ill.<sup>414</sup> It is difficult to determine how many soldiers appeared in the town's court for their debts, as the records do not list occupations of plaintiffs and defendants. The men who were to pay their debts "at the next pay day," however, numbered twenty out of 158 recorded cases between 1560 and 1563.<sup>415</sup> The common council, with its combination of army and town leadership, was also a popular alternative for soldiers who sought restitution immediately instead of waiting for another marshal's court. Alternatively, soldiers could seek redress before the common council when a sentence meted out by the marshal's court was not being upheld. In 1573, William Walker brought a complaint to the council against Randall Davis, who owed him the cost of a corselet and pike from ten years earlier. While the matter had been determined in the marshal's court, now Davis "did contempt" that order. The council ordered that Davis be imprisoned for breaking the sentence of the marshal's court, and that, after paying the debt, he was to be dismissed from pay.<sup>416</sup>

Even within Berwick, though, it could be difficult to force restitution of debts after the long-awaited pay days. In 1592, the bailiffs complained that captains did not

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<sup>414</sup> *CBP* 1:824, 826; see also the example of York, where the sheriff's courts were very corrupt (David Palliser, *Tudor York* [Oxford: Oxford University Press, 1979], 65); this does not seem to have been the case in Berwick – there were no recorded complaints and soldiers used Berwick's town court regularly.

<sup>415</sup> See BRO C2/5, Court book for pleas of debts, 1560-63. These included seventeen soldiers and three laborers. Because the occupations are not listed, it is impossible to know whether the plaintiff was a soldier or townsman. The court book for pleas of debts, 1598-99, does not specify any debts due at the next pay day.

<sup>416</sup> BRO C1/1 CCM, f. 5r.

make pay days public, thus delaying the payment of their “credits and tickets.”<sup>417</sup> Individuals wholly unconnected to the army had little recourse to force restitution of debts by soldiers. In March 1593, John Saterfrett, a burgess and trader, was in such dire straits that he petitioned Burghley himself. He explained that his trade was limited to “a little Yorkshire cloth, which he taketh on credit and selleth upon trust to sundry in pay,” who now refused to pay their debts. His “six or seven” motherless children were suffering as a result; all told, Saterfrett reported that he was owed over £174 by victuallers and captains of soldiers’ bands, while another £40 rest due in smaller amounts by men in pay.<sup>418</sup> Saterfrett was not alone; the following July, the soldiers finally received payment that was years in arrears, but the creditors clamoring for repayment were put off for two months because there was no marshal in Berwick to force the soldiers to pay. Finally, the crown authorized John Carey to act as temporary marshal in order to hold court. Carey did so, only to report that he would need more assistants in order to imprison all the men who were now refusing to pay their debts.<sup>419</sup>

### *The Army Administration*

All of these problems were compounded by the corrupt and incompetent army leadership. William Morton, the town’s mayor in 1593, attempted to explain the causes of

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<sup>417</sup> BRO C1/1, f. 20r. Perhaps this reticence to announce the payday is understandable in light of Widdrington’s report two years earlier that “to prevent the garrison conceiving any doubt of the coming of the two years’ pay...we caused the trumpets and drums to sound about the town, declaring to the garrison, town, and country, both her Majesty’s bountiful care and your lordship’s great good will,” only to then have the pay delayed once more. *CBP* 1:692.

<sup>418</sup> *CBP* 1: 811.

<sup>419</sup> *CBP* 1: 857, 863, 896. Carey requested multiple times to be made marshal after his return to Berwick in 1593; see *CBP* 1:824, 826, 830.

the town's poverty to the queen, which might be difficult to imagine, in light of the townspeople's possession of the fields and fishing, and the funds sent to pay the garrison yearly. The mayor explained, however, that "the chief commodity of the fields is taken away by the Lord governor, the marshal, the surveyor of the victuals, and the captains. And that a great part of the commodity of our salmon fishing is cut off by the exaction used against us by the Lord governor in the Sundays fishing, and by the decay of the river." Ironically, the biggest problem for the town was the "the coming of this treasure," or the queen's wages sent north to pay for the garrison. This money "hath been the principal cause of our undoing" because it was expected but not delivered. The mayor found "that we, taking up ware of Londoners on credit, to the pay days, those days failing, and consequently our credit (being the merchant's only stay) cracked our estate [and] is almost quite quailed." All of these problems, he concluded, could be traced back to the "want of good government in this place."<sup>420</sup>

Robert Vernon, the victualler and acting treasurer from the mid-1570s on, was the focus of many particular complaints.<sup>421</sup> Vernon was, by all accounts, terrible at his job. Of course, it was far from easy: he gathered money from receivers across northern England as well as London;<sup>422</sup> organized shiploads of supplies that sometimes sank;<sup>423</sup>

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<sup>420</sup> SPO, *SP* 59/28, f. 15v-16r. "The Mayor of Berwick to the Queen," 14 March 1593.

<sup>421</sup> Scott, 173. Scott, 183. *CBP* 1:23, for Vernon's appointment between 1574 and 1576. The treasurer, Robert Bowes, was also appointed the same time, upon the retirement of Valentine Brown, who had served both roles until then. Robert Bowes also served as the English ambassador to the Scottish court, and therefore was often absent from Berwick for long periods of time. In his absence, Vernon acted as treasurer as well as victualler. See Williams, *The Maritime Trade of the East Anglian Ports 1550-1590* (Oxford, 1988), 154-158 for details on grain shipments going to Berwick from East Anglian ports, particularly King's Lynn.

<sup>422</sup> *CBP* 1: 687.

<sup>423</sup> See *CBP* 1:665 [March 1590]; also in August 1591, *CBP* 1:719.

arranged for garrisonmen to have their detailed daily rations; and was charged with keeping the queen's "palace," or storehouse of provisions, well-stocked in case of emergency. He also served as acting treasurer during the long absences of Robert Bowes, who was the queen's ambassador to Scotland and spent most of his time in Edinburgh.<sup>424</sup>

Vernon's ineptitude, which the guild complained of throughout his tenure as victualler, came to a head in the distressed decade of the 1590s.<sup>425</sup> A common complaint was that Vernon allowed his soldiers to sell needed provisions to Scots, and indeed himself traded with their northern neighbors. The general shortage of resources in Berwick, ranging from coal and lime to bread and corn at various points, occurred in large part, according to Berwick's guild leaders, because the army allowed Scots to carry large quantities of these goods back into Scotland.<sup>426</sup> The town accused Vernon particularly of selling corn, tallow, and cattle to Scots, while allowing them grazing land in the common bounds.<sup>427</sup>

Vernon had gone so far as to create a ticket system, doling out tickets instead of pay or food which could then be exchanged in the marketplace or queen's storehouse for needed goods. While this system had its uses, Vernon's habit of paying off the tickets with the Scottish Atkinson, a coin "which our misery hath made current in this place," had proved troublesome: by weighing the Scottish coin too heavily against the English, the town explained in 1593, Vernon was able to effect "his great gain...and utter

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<sup>424</sup> *CBP* 1:669. This could result in confusion over who owed whom money, and Bowes and Vernon accused each other of owing the debt; see *CBP* 1: 696, 811.

<sup>425</sup> For an example of grievances, see *CBP* 1: 240.

<sup>426</sup> Coal: BRO C1/1, f. 5r, 21v, 37v, 55r; lime: 3v, 22v, 38v; bread: 2r, 20v, 36v, 56r.

<sup>427</sup> BRO C1/1, f. 3r, 19r-v.



impoverishing of the garrison, and townsmen especially.”<sup>428</sup> The horsemen, for example, had been forced to accept tickets as a holdover while they waited on two years’ backpay; in the market, they lost 7s for every 20s they spent.<sup>429</sup>

An account of Vernon’s activities in 1593 spoke very poorly of his sixteen years as victualler. His debts were legendary: the mayor reported that Vernon owed individual merchants sums ranging from £50 to £600.<sup>430</sup> As a victualler, Vernon was also irresponsible. His predecessor, Valentine Brown, had left “a whole year’s provision of grain” in the storehouses; Vernon could barely manage “a month’s store of wheat, sometimes scarcely a fortnight.” He also bought up the army’s needed “provision of wheat and oats,” from the area immediately surrounding Berwick, rather than farther afield, thus “rais[ing] prices and forestall[ing] the markets.”<sup>431</sup> The town argued that the governor, through his absenteeism, contributed to this mismanagement. When John Carey arrived in 1593 to address concerns of the townspeople, he found their complaints regarding Vernon to be in large part true. “I am sorry that in honesty I may not hide this poor gentleman’s faults...for if continue it will endanger the town. The victual is so low there will soon be none at all. He is so poor and his credit so broken, that his own men in the palace will not take his tickets.” Vernon was not even present when Carey was making this assessment, which made Carey’s job redressing his debts impossible.<sup>432</sup> Four

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<sup>428</sup> *CBP* 1:797; see also 1: 803, 805.

<sup>429</sup> *CBP* 1: 826.

<sup>430</sup> Merchants in Berwick were, of course, an important source of loans for the queen’s administrators in the north. In January 1560, the army had borrowed £500 from Berwick merchants to pay the force of over 1,600 men quartered in the borders. Meanwhile, the garrison stationed in Berwick permanently was owed between £9-10,000. *HMC Salisbury* vol. 1, pg. 167 [no. 592].

<sup>431</sup> *CBP* 1: 797.

<sup>432</sup> *CBP* 1: 824.

years later, the best Carey could say was that “Mr. Vernon is a very honest gentleman... [but] while he enjoys the office, we shall be fed here only with bills and answers.”<sup>433</sup>

The mayor and burgesses offered to take over the role of victualling that Vernon had botched so badly. If the town obtained the “purveyor’s place” upon the removal of Vernon, the guild leaders wrote to Burghley in April 1593, they would discharge debts of £2,000 due to them from Vernon, “besides many other good services.”<sup>434</sup> They repeated this offer the next year when they sought to “show her Majesty how their former prosperous condition and ability to serve her Majesty” had been ruined by the victualler’s incompetence in wasting stock, letting the garrison starve, and neglecting his duties.<sup>435</sup>

These offers came to naught – possibly because John Carey was vehemently opposed to the town being in charge of victualling:

the truth is [this idea] were the best way to overthrow both town and garrison and deceive the Queen mightily. I speak from daily experience of them [the townspeople], and find them very proud and poor, careless of their credit, cunning and not to be trusted. ...I can never consent to their having anything to do with her Majesty’s stock or store. It would set them all together by the ears, who should be chief, and they would never agree.<sup>436</sup>

Army officials, then, were often responsible for the dire economic situation of the soldiers. Corruption in the army was not a story unique to Berwick, but has been observed in many early modern military endeavors. John McGurk’s study of Elizabeth’s efforts in Ireland during the 1590s reflects the same set of problems: in Ireland’s case, of course, the physical distance between the crown and its administrators on the ground presented even greater difficulties. The crown had such trouble enforcing its will that “in

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<sup>433</sup> *CBP* 2: 448.

<sup>434</sup> *CBP* 1: 827.

<sup>435</sup> *CBP* 1: 996. The offer was repeated in January 1595, *CBP* 2:1.

<sup>436</sup> *CBP* 2: 9. For background on Carey’s relationship with the townsmen, see Ch.1, p. 79-81.

effect, the military company was a private enterprise, and its captain an entrepreneur serving his own interests as well as the public service.”<sup>437</sup> Soldiers in Ireland were theoretically paid a small weekly sum, while the balance of their annual pay was doled out every six months. McGurk notes that while the Elizabethan government usually provided enough money to cover these costs, the money arrived intermittently and the system was open to abuse by all levels of army officials, resulting in payments in arrears.<sup>438</sup> Soldiers without pay, unsurprisingly, went on to forage and extort food from the people with whom they were billeted, often leaving their captains with their bills when they moved on to a new location.<sup>439</sup> Indeed, Colm Lennon notes that in Dublin, merchants were expected to give massive loans to the crown by paying for munitions and food for the army; in the same way, families fed the soldiers who were billeted with them in expectation of repayment from the crown. Money owed both to merchants and families prompted a serious confrontation between the mayor and the governor during the Nine Years’ War in the 1590s.<sup>440</sup>

In Berwick, the soldiers lived among the townspeople permanently and were thus unable to exploit their circumstances quite so brazenly. Their long-term residence in Berwick also allowed the queen’s government to keep better tabs on the influx of money to Berwick, and to follow up on inconsistencies when they heard reports of corruption, usually from the townspeople. In 1591, the Privy Council investigated the distribution of

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<sup>437</sup> McGurk, 197.

<sup>438</sup> McGurk, 195.

<sup>439</sup> Indeed, in 1576 Elizabeth charged the marshal of Berwick to resolve the cases of debt in the army where men owed the treasurer, Valentine Brown, money (*APC* 9:167-8).

<sup>440</sup> Colm Lennon, *The Lords of Dublin in the Age of Reformation* (Dublin, 1989), 122-3.

£3000 it had sent north “to be paid unto the captains and companies of Berwick.” Instead, the council learned that William Selby, gentleman porter at Berwick, and William Read, an army official, “ha[d] detained to [their] own uses of the money aforesaid more than was apportioned unto [them].” They were ordered to pass on that money to Robert Vernon, in order to distribute payments – described as in arrears.<sup>441</sup>

### *Conclusion*

In 1589, Hunsdon reminded the guild that the soldiers living in town made up the “poor garrison, by whom you chiefly live and without whom you are not able to live but very poorly.”<sup>442</sup> This declaration may not have rung true to Berwick’s non-military inhabitants, who were constantly jostling for access to resources and goods among the eight hundred soldiers living amongst them. While Scots often alleviated the pressures put on the land and resources of the remote border community, they too constituted competition and a threat to the trade monopoly of the freemen.

Neither of these populations was unique to Berwick, or to border towns more generally. The city of Dublin, for example, served as the center of English military efforts in Ireland. This community, too, was often beset by soldiers needing food, lodging, and provisions. In 1582, the city’s leaders petitioned Elizabeth for recompense for over 2,000 households who had provided food and lodging for soldiers “in time of the late rebellion.”<sup>443</sup> Historians of Tudor Ireland have noted, however, that the crown’s

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<sup>441</sup> APC 21: 458-9.

<sup>442</sup> TNA, WO 55/1939, f. 82r.

<sup>443</sup> SPO, SP 63/95 f. 109r. “Petition of the city of Dublin to the Queen,” 15 September 1582; referenced in Lennon, 95. The rebellions were in Munster and Leinster.

prevailing concerns in Ireland transitioned in the late 1570s from being primarily economic to military and political. As crown attention shifted toward the military threat posed by Ireland – both its internal rebellion and its potential use as a landing ground for an offensive attack on England by Catholic Europe – its economic benefit for England became less important.<sup>444</sup> Along England's northern border, on the contrary, the military anxieties decreased while economic concerns became more pressing, especially during the 1590s.

Berwick's border position shaped the nature of the interactions experienced among the various groups, from the large number of soldiers coexisting long-term with the townspeople, to the Scots travelling in and out of Berwick daily. These outsiders strained the resources of the remote community at the best of times, and during times of dearth they presented even more difficulties to the town leadership, who were faced with the same concerns and responsibilities as town councils across England and Scotland regarding the regulation of the market. The regular interference of the governor, however, resulted in constant negotiations over who was permitted to participate in the market, and in what capacity. The guild's efforts to maintain Berwick's credit nationally and its market locally were undermined by the corruption and incompetence of the army leadership itself, which further imperiled the border community's ability to sustain itself in the last decade of Elizabeth's reign. The queen's efforts to bring the border region under her direct control, meanwhile, inevitably affected not only the jurisdictional

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<sup>444</sup> Lennon, 106.

prerogative of the town but also its economic functioning, threatening Berwick's very identity as a self-regulating burgh.

### Chapter 3: “But one kind of people within the town”: Soldiers and civilians in Berwick-upon-Tweed<sup>445</sup>

#### *Introduction*

When the queen and her advisors were developing plans for Berwick’s greatly enlarged garrison, they understood that citizens and soldiers would interact constantly. This was not altogether a negative prospect; civilians could provide military support, so that “the prince may have a force of inhabitants as well as of their garrison” to defend the realm in case of attack. The other way around was beneficial too; soldiers, known to be violent and bellicose men, would do well to imitate civilians in their quest for a peaceful and stable urban community. Ultimately, however, officials in London sought to preserve the distinct spheres of soldier and civilian, fearing that “there should be but one kind of people within the town, for all soldiers would become merchants, and merchants, soldiers.”<sup>446</sup> This development would be undesirable to Berwick’s guild leaders, who fiercely guarded the merchants’ monopoly on trade, but also to the queen and her officials, who required their garrison to remain focused on the task at hand: the defense of the border. To that end, the queen specified that the soldiers admitted to her garrison be from the south, therefore restricting access to the garrison to men with no loyalties or ties to northern families. Her soldiers would be professionals, undistracted by family, outside employment, or local obligations.

The reality on the ground in Berwick demonstrates the difficulty of enforcing crown will on the borders, in the periphery of the realm. Elizabeth’s orders were

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<sup>445</sup> SPO, *SP* 59/1, f. 195r. “Orders for Berwick,” May 1559.

<sup>446</sup> SPO, *SP* 59/1, f. 195r. “Orders for Berwick,” May 1559.

negotiated and compromised on the ground from the very beginning, when “the article against Northumberland etc. men was strongly opposed at first publishing ...by the ancient captains...and so was never put in force.”<sup>447</sup> By 1598, over two-thirds of the soldiers hailed from the northern border counties. Many soldiers, then, were men local to the region who came from families with long histories in Berwick and the surrounding countryside. The garrison was treated as a center of employment for men looking for a career, where they could settle down and raise a family, rather than an opportunity to go campaigning and adventuring abroad. Elizabeth’s ideal of the professional soldier was thwarted by the decisions of her own officials, from the governor who did not enforce the orders down to the captains of the footmen and constables of the horsemen who accepted the northern men enlisting.

An examination of the integration of soldiers into the social fabric of the town reveals that this compromise enabled the peaceful coexistence of soldiers and townspeople. The two groups lived cheek-by-jowl within the small confines of the town, where interactions inevitably took place constantly. These daily exchanges were facilitated by many soldiers’ northern origins and in many ways, there was no distinction between soldiers and townsmen. Soldiers and their families were integrated into Berwick’s social fabric, as seen by their home ownership, their involvement in local society, and their participation in providing services such as alehouses. Townspeople and soldiers alike, furthermore, sat under protestant preaching; Elizabeth’s attention to Berwick’s spiritual needs resulted in a cultivation of the protestant faith in the border

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<sup>447</sup> *CBP* 2:949.



town, nuancing contemporary and modern understandings of the northern region as a firm Catholic stronghold. The involvement of Scots in local society, meanwhile, is harder to track in the day-to-day life of the town. While their presence was recorded in the periodic neighborhood surveys conducted by the bailiffs, they appear infrequently in other records. It is clear, however, that while both soldiers and Scots could be singled out for violence or moral laxity, overall, both groups coexisted peacefully with Berwick's civilian population, working and living together in the volatile environment of the border.

Economic and social historians of early modern Britain to date have devoted little attention to armies and their interactions with civilian populations. Instead, the study of soldiers and soldiering has been relegated military historians alone.<sup>448</sup> A common reason for this neglect is the professionalization of the army, and therefore the perceived separation of soldiers from the rest of society, that occurred during the sixteenth and seventeenth centuries. As Keith Thomas states, "even before the great mobilization of the 1640s, there existed a cadre of professional soldiers, constituting a separate military subculture and, in some ways, estranged from the rest of the population." Soldiers, he argues, were "jealous in honor, sudden and quick in quarrel, they had their own standards

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<sup>448</sup> Phil Withington, "Introduction – Citizens and Soldiers: the Renaissance Context" *Journal of Early Modern History* 15 (2011): 3-30, 13. He makes a similar argument regarding the concept of corporatism, which in the early twentieth century was condemned as a backwards hindrance to social progress and reform that assisted in the rise of the centralized and bureaucratic state. Indeed, before the 1970s, "corporations and militias were not simply archaisms; they were archaisms specific to discrete social worlds. The one buttressed the 'urban community,' the latter the 'county community,' and never the twain shall meet." Corporatism has only recently been rehabilitated by historians like Robert Tittler (Withington, 10-11, 20). Other historians have undertaken similar work for soldiers in the European context; for example, Fernando González de León argues against the modern view of Spanish soldiers as old fashioned and unwilling, for example, to learn how to use firearms. He uses tracts published in the 1590s about the "military arts." See his "'Doctors of Military Discipline': Technical Expertise and the Paradigm of the Spanish Soldier in the Early Modern Period," in *Sixteenth Century Journal*, vol. 27, no. 1: 61-85.

and conventions, marked by extreme touchiness at the slightest imputation of cowardice, a penchant for violence, and a distinct contempt for lawyers and courts.”<sup>449</sup> These negative characteristics were commonly attributed to soldiers by early modern contemporaries as well.

It has recently been demonstrated, however, that the perception of separation between the spheres of soldier and civilian is not, in fact, an accurate representation of their respective roles in early modern English society. Phil Withington argues that the roles of soldiers and civilians actually overlapped quite a bit, particularly in the British context, which he attributes to the long duration of, and attachment to, the idea of civic militias (rather than a standing army) in the British Isles vis-à-vis the continent. This attachment resulted in “the force and longevity of the ‘citizen-soldier’ (and ‘soldier-citizen’) [becoming] a defining feature of early modernity in England, Scotland, and Ireland.” “Civic militarism,” he contends, “was an endemic feature of English society at precisely the moment that society was supposed to be experiencing peaceful and industrious seclusion.”<sup>450</sup> Civilians, then, were still expected to take up arms in defense of their town and country, to act as soldiers and to embrace military culture. Men who joined garrisons, in turn, were not necessarily professional soldiers, but rather “soldiers of

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<sup>449</sup> Keith Thomas, *The Ends of Life: Roads to fulfillment in early modern England* (Oxford, 2009), 63. See also Ben Lowe, “Religious Wars and the ‘Common Peace’: Anglican Anti-War sentiment in Elizabethan England,” in *Albion* vol. 28, no. 3 (1996).

<sup>450</sup> Phil Withington, “Introduction,” 6, 22. See also Roger B. Manning, *Apprenticeship in Arms: The Origins of the British Army 1585-1702* (Oxford, 2006), 128: “the militia was not the best system of defense for England, but it was the only one which was compatible with English political culture before the Wars of the Three Kingdoms. The reception of Machiavellian and Tacitean thought was extensive and had reinforced an ungovernable prejudice in the political nation against standing armies and mercenary soldiers.” B. Ann Tlusty has come to similar conclusions for the people of early modern Germany; see her *The Martial Ethic in Early Modern Germany: Civic Duty and the Right of Arms* (Basingstoke: Palgrave Macmillan, 2011).

convenience” who enlisted as young men before learning a craft or trade, or who were forced to join by economic necessity. This recent work on military culture in the British context has focused on the civil wars of the 1640s and the concomitant increase in civilian-military interactions.<sup>451</sup>

In Elizabethan Berwick, where soldiers lived among civilian populations for extended periods of time, the blurring of roles between civilian and soldier was even more pronounced. Not only did soldiers become involved in the economy of the town, but they also lived and worked among the townspeople. While Berwick’s people at times protested overlaps of civil and military spheres, the records indicate that they were practical about the soldiers’ presence, and were able to coexist peacefully. The integration of soldiers and their families into the social fabric of the town also confirmed and strengthened the close link between Berwick’s border location and the urban identity of the townspeople. Berwick’s people saw themselves as the guardians of the border, the queen’s first line of defense; living among soldiers validated this understanding of the importance of the town and its people. The townspeople took the large influx of soldiers and their families in stride – coexisting and cohabiting out of necessity. Ultimately, the queen was content with the version of her policies that was implemented by the governor, his deputy, and the captains; it kept the peace and did not impinge on her state-building project in the borders.

### *Identity of the soldiers*

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<sup>451</sup> See, for example, the special issue on “Citizens and Soldiers” in the *Journal of Early Modern History* 15 (2011). Shannon, “Projects of Governance,” is an exception to this pattern.

Elizabeth's new establishment of 1560 increased the number of soldiers in Berwick from about two hundred to well over one thousand. After 1564, however, that number dropped to about eight hundred, and remained at about that number throughout the rest of her reign.<sup>452</sup> The most complete muster that remains is one taken in 1598, which lists the 797 serving men by name, age, county of birth, and years of service.<sup>453</sup>

Elizabeth's New Orders were clear in their restrictions as to who was eligible to serve, but these orders ultimately served as mere guidelines. They instructed that "there shall be no captain, officer, nor soldier hereafter appointed within the garrison that shall have any freehold within the town, or that shall be borne within the counties of Northumberland, Westmorland, or the bishopric of Durham."<sup>454</sup> This restriction ensured that inhabitants of the sparsely populated border counties did not congregate in Berwick, but lived throughout the border region as the first line of defense against invasion from the north. It was also thought that "inland men" had "less acquaintance, practice, and

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<sup>452</sup> Shannon, 259. This number was periodically dramatically increased, especially in the early 1560s, when an English contingent of soldiers was stationed in Berwick before heading north into Scotland. See H.M. Colvin, ed. *The History of the King's Works*, vol. 4, 1485-1660 (part 2) (London: HMSO, 1982), 614. In 1562, for example, 1,331 men were counted (*Calendar of State Papers Foreign, Elizabeth [CSP For], 1558-1589*. Vol. 4: 1561-1562, no. 1071); In 1563, only 858 men were counted in July, but by October this number had jumped to 1,583 (*CSP For. Eliz., 1558-1589*. Vol. 6: 1563, nos. 1013, 1264). This jump may have been preemptive preparation for anticipated border skirmishes; in September, Elizabeth and Mary Queen of Scots concluded a treaty of peace "in consequence of the disorders of the borders." *Calendar of Documents relating to Scotland*, vol. 8, no. 62. This peace treaty was followed by a border commission held in the West March (*CSP Scot*, 1547-1603, vol. 2: 1563-1569, no. 31). In 1565, this number was 1,443 (*CSP For, Eliz., 1558-1589*. Vol. 7: 1564-1565, no. 34).

<sup>453</sup> SPO, SP 59/37, fols. 79r-97r. "Muster book of Berwick," 10 June 1598. Musters were to be taken quarterly (see, for example, *Calendar of Border Papers 1560-1603*, vol. 1: 1560-1594, no. 537). This one, the most complete that survives, was taken by Peregrine Willoughby, the new governor, and was probably held as a response to his dissatisfaction of a muster taken in May where only the names of the men were recorded, rather than their counties of origin, the color of their horses, and other information that Willoughby, a life-long army man, considered pertinent. *CBP* 2:936.

<sup>454</sup> BRO, B7 "Rules of the Town and Garrison of Berwick," pg. 22. This injunction is listed under "Other Orders Universal," commissioned in 1563; John Scott lists it with Elizabeth's "New Orders" of 1560; see his *Berwick-upon-Tweed: the history of the town and guild*, (London, 1888), 455. It was clearly a law of long-standing.

conferment with the Scots than the borderers.”<sup>455</sup> Men from the southern counties, from Wales, and even from Ireland, could serve as soldiers, while the crown also reassigned soldiers from Calais to serve in Berwick after its fall in 1558.<sup>456</sup>

The ideal soldier was also an upstanding, unattached member of society. In England, as on the continent, the crown preferred single soldiers to married ones. Families put an extra strain on the resources of the army, and it was commonly believed that men with families would not fight as passionately as those without.<sup>457</sup> In 1559, orders for Berwick noted that “if some restraint were not made of the soldiers’ marriage, [they] would so pester the whole town, that none other should have space there to inhabit nor resort.”<sup>458</sup> It is difficult to determine how many soldiers were married. Soldiers tended to join the army quite young, while in their teens or early twenties, earlier than the average age of marriage in sixteenth-century England.<sup>459</sup> In Berwick, however, the long residence of the soldiers combined with the absence of active war would have

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<sup>455</sup> SPO, *SP* 59/1, f. 195, “Things speciallie considered in thorders of this establishment” (May 1559).

<sup>456</sup> BRO B7, pg. 18. Men who lived in the border region were considered to owe the queen military duty already, and were charged with supplying the first line of defense should the north be invaded (this was in exchange for tax relief). On Calais soldiers to Berwick, see, for example, several places where this idea is suggested: *CSP Scot 1547-1603*, vol. 3 1547-1563, no. 829 and *CSP For. 1558-1589*, vol. 3 1560-1561, no. 228. Both state that “If agreed that her army retire, 2000 of her tallest and best appointed men shall be placed in Berwick beyond its ordinary garrison, to be a good encouragement to the lords of Scotland.”

<sup>457</sup> In 1586, for example, the Earl of Leicester pleaded with Walsingham to ensure that no married men were sent in the reinforcement troops deployed to his army in the Low Countries. Cited in Tallett, 86.

<sup>458</sup> SPO, *SP* 59/1, f. 195: “Things speciallie considered in thorders of this establishment” (May 1559).

<sup>459</sup> The average age of marriage for men fluctuated between 27.6 and 29.3, and for women between 26 and 26.8, between 1550 and 1700. See Ilana Krausman Ben-Amos, *Adolescence and Youth in Early Modern England* (Yale University Press, 1994), 32. Robert Chaboche examined the records of l’Hôtel des Invalides which cared for soldiers from 1670-1691. He also found the average age of enlistment of French soldiers serving in Thirty Years’ War to be quite young – twenty-four. 24% were under twenty years old, and only 14.5% were above thirty. Almost half of soldiers were married, and half of these had been married in their county or town of origin before they left on campaign, though some men did not know their marital status, for they couldn’t be sure their wife was still living. Robert Chaboche, “Les soldats français de la guerre de Trente Ans, une tentative d’approche,” *Revue d’histoire moderne et contemporaine* (1973, no. 1): 10-24, 18, 20.

encouraged soldiers to settle down. There was no explicit rule against married soldiers in Elizabeth's New Orders or Berwick's Ancient Orders. Hunsdon, Elizabeth's cousin and governor of Berwick for most of her reign, vehemently opposed the hiring of married soldiers, insisting to Widdrington that orders prohibiting their enlistment were indeed found in both the queen's establishment and "our orders set down in council there."<sup>460</sup> The ideal soldier also was a good citizen; any degeneracy on the part of the soldiers reflected poorly on the queen and institutions of the crown.<sup>461</sup>

These specifications of the crown, laid down clearly and sent north to be implemented, ought to have been carried out by Elizabeth's representatives in the border town. From the beginning, however, her orders did not represent the actual composition of the garrison. The discrepancy between the queen's orders and the garrison itself demonstrates powerfully the inability of the crown to exert its will in the far-off borders. Men voluntarily enlisted in the garrison of Berwick,<sup>462</sup> and the decentralized nature of the military system meant that the task of recruiting and vetting potential soldiers fell to the eight captains, though Hunsdon could also recommend individuals to be given a soldier's place.<sup>463</sup> By 1598, six captains led bands of fifty footmen and two led one hundred.

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<sup>460</sup> TNA, WO 55/1939, 74r. Neither source in their extant form confirm his assertion.

<sup>461</sup> For example, see TNA, WO 55/1939, f. 140v.

<sup>462</sup> This was the most common method of enlistment in early modern Europe; see Frank Tallett, *War and Society in Early Modern Europe, 1495-1715* (Routledge, 1992), 69-71. The other popular method in Europe was contracting troops. Elizabeth did not hire troops because it was too expensive and she had contempt for professional soldiers, but Henry VIII and Somerset both made use of them (Tallett, 74).

<sup>463</sup> The captains did not control the horsemen who made up the old garrison, which was already in place before Elizabeth instituted her new establishment in 1560. This cadre of military men was led by four constables. These men, constables and horsemen, hailed mostly from the northern counties, which were acknowledged to produce the best horsemen and horses, which the horsemen were required to supply themselves. See Maureen Meikle, *A British Frontier? Lairds and Gentlemen in the Eastern Borders, 1540-1603* (East Linton: Tuckwell, 2004), 101.

Captains, themselves appointed by the governor, usually came from outside of town – in 1598, seven captains were from the south, while John Selby, member of the local gentry family, served as the eighth.<sup>464</sup> They were powerful men who often integrated into town society. Captain Pickman, for example, married Phyllis, the daughter of George Morton, sometime before 1575.<sup>465</sup> Robert Carvell of Dorsetshire became a captain in 1588 upon the death of his brother John; both before and after his appointment, he was also very involved in town affairs.<sup>466</sup> After the dissolution of the garrison in 1604, he joined the guild for a fee of silver plate, and in the annual election the following month, he was made bailiff.<sup>467</sup>

The crown tried to check the power of the captains by having new recruits confirmed by a crown official, though it is clear from Hunsdon's frustrations that no such official was in place in the 1580s, at least. The captains had the power to enlist whomever they wished; the system, then, was rife for corruption, a phenomenon seen in Ireland and on the continent as well.<sup>468</sup> It was common for captains to accept a bribe for a soldier's

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<sup>464</sup> BRO, B7 pg. 13, for captains being appointed by the governor. SPO, SP 59/37, fols. 79r-97r. "Muster book of Berwick," 10 June 1598.

<sup>465</sup> See George Morton's will, DASC, DPRI/1/1575/M3/1. Pickman appears as a captain on the payroll of 1560 to 1563; see TNA, E351/3472, f. 5v, unfortunately, his place of origin is unlisted.

<sup>466</sup> SPO, SP 59/37, f. 83r. "Muster book of Berwick," 10 June 1598, for his county of origin. Space forbids elaboration here. John Carvell was listed as a captain in the 1560-63 payroll; see TNA, E351/3472, f. 6r. Robert Carvell acted as a representative for a burgess, Thomas Lordesman, a plaintiff in a case of debt against Thomas Burrell, another burgess and merchant, in 1573 (BRO C1/1 CCM, f. 1r, B1/1 fols. 83v, 95r). In the same year he also served as a supervisor administering the will of Thomas Jackson, a prominent merchant burgess of town (DASC, DPRI/1/1573/J2/1). During this time, he also amassed property holdings through grants from the crown in the late 1570s. These were scattered throughout town: two were along Marygate, another on Briggate, one on Sandgate, and the last in the Greens. In all these grants, Carvell is identified as a gentleman (BRO B6/9, f. 22-24, 30, 31). The three granted in 1578 were burgages (rather than wastes), though one lot on Marygate was granted on condition of the current habitation being levelled and another built in its place. The grant of 1580 was for a waste lot in Sandegate.

<sup>467</sup> BRO B1/7, f. 31v and 35r.

<sup>468</sup> Tallett, 114. For the freedom – and corruption – of captains in Ireland, see Brady, "The captains' games: army and society in Elizabethan Ireland," in Bartlett and Jeffery, *A Military History of Ireland*, 136-159, 144-51. See also C.G. Cruickshanks, *Elizabeth's Army* (Oxford, 1966), 2<sup>nd</sup> ed, 54-55, 281-2; also Paul

place from men who were unqualified for the post. They also discharged soldiers without reason, withheld pay, and misallocated supplies and food.<sup>469</sup> These practices in Berwick were longstanding despite the governor's protestations; in 1589, the captains argued that they had been allowed to "place and displace [soldiers] at their pleasure" since the Earl of Bedford's governorship, immediately following Elizabeth's accession to the throne.<sup>470</sup> Captains also did not distribute pay often enough, even when they were in possession of funds from the crown. In October 1591, soldiers of Captain Case, who had died the previous summer, were owed two years' pay; Hunsdon ordered that the money was to be obtained by selling Case's goods, implying that Captain Case had been granted pay money from the crown but had failed to distribute it to his men.<sup>471</sup>

Because captains were easily bought by men seeking a soldier's place, many men ended up in the garrison who ought not have been there. This occurred when bankrupt men fled to Berwick and joined the garrison, for example.<sup>472</sup> Captains employed their own family members as well. In 1589, Hunsdon received reports that Captain Pickman's lieutenant had been forced out of his position, and in his place Thomas Scarisbridge had been hired. Scarisbridge, as it happened, was a townsman and Pickman's newly-minted

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Hammer, *Elizabeth's Wars: War, Government, and Society in Tudor England, 1544-1604* (Basingstoke: Palgrave Macmillan, 2003), 71, on English captains in Ireland and France exploiting their position.

<sup>469</sup> Brady, "The captains' games: army and society in Elizabethan Ireland," in Bartlett and Jeffery, *A Military History of Ireland*, 136-159, 144-5, 151. See TNA, WO 55/1939, fols. 141r-v [Oct 1591].

Hunsdon complained not only of captains selling positions without the marshal's approval but also of them not paying their soldiers and instead living well themselves. See also TNA, WO 55/1939, fols. 11r, 17v, 56r, 63r, 80v, 137r-v, 141r-v.

<sup>470</sup> TNA, WO 55/1939, f. 76r. Hunsdon did not agree, see WO 55/1939, fols. 63r, 76r, 136v.

<sup>471</sup> TNA, WO 55/1939, f. 136r, 145r. No mention is made in the local or national records about desertion efforts or numbers from Berwick's garrison.

<sup>472</sup> See Ch. 2, p. 130-1.



son-in-law.<sup>473</sup> Having himself married a daughter of a prominent merchant burgess, Pickman's family became further integrated into local society when his daughter Marjorie married Scarisbridge, who had been admitted to the freedom in 1585.<sup>474</sup> One can almost hear Hunsdon's exasperation as he reminds Widdrington that "it is not the manner of that town that freemen should enjoy soldiers' places."<sup>475</sup> Still, Scarisbridge continued in his place, and was still serving as a lieutenant in 1598 to Captain Robert Yaxley.<sup>476</sup>

The most common violation of the queen's orders was the enlistment of men born in northern counties.<sup>477</sup> Out of the 797 men recorded, a total of 549, or 68.9%, came from the northern counties (see Figure 3.1).<sup>478</sup> Over a fifth, 178, were from Berwick itself.

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<sup>473</sup>Herbert Maxwell Wood, ed. *The Registers of Berwick-upon-Tweed in the County of Northumberland*, vol. 2: Marriages, (Newcastle, 1907), 9. They married in October 1588.

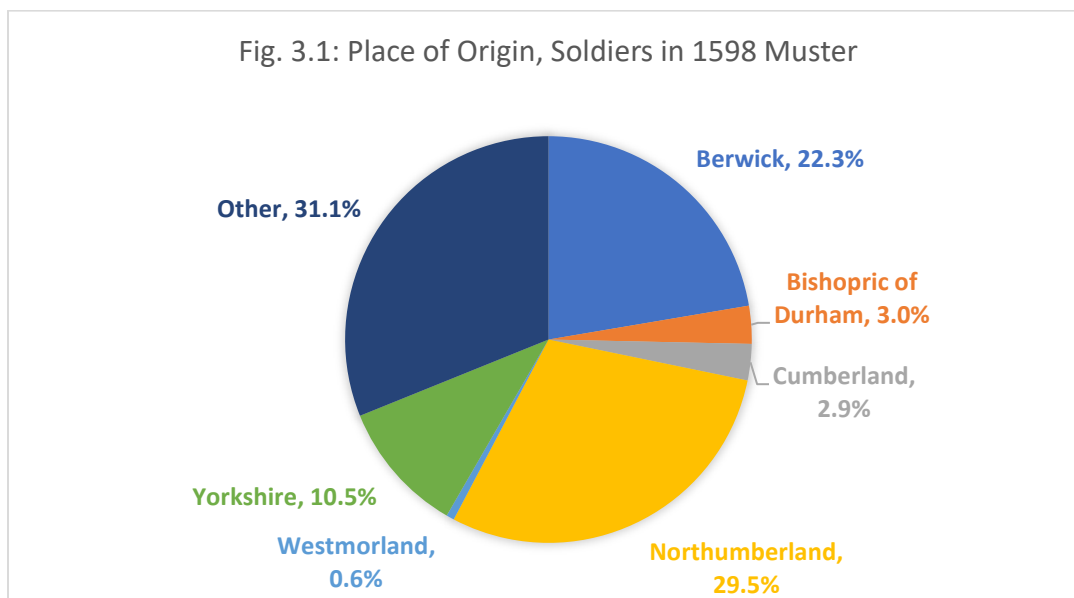
<sup>474</sup> BRO B1/4a, f. 9v.

<sup>475</sup> TNA, WO 55/1939, f. 76v.

<sup>476</sup> SPO, SP 59/37, f. 86r. "Muster book of Berwick," 10 June 1598. In 1598 Scarisbridge was forty years old and had served with the garrison for 20 years; he was originally from Lancashire. Captain Pickman is not listed in the 1598 muster; he may have died in the intervening nine years.

<sup>477</sup> Although inhabitants of the northern counties made up a large percentage of the garrison in Berwick, it is interesting to note that between 1585 and 1602, no men from the northern counties (Cumberland, Westmorland, Northumberland, and Durham) served in the English theaters of war in Ireland, France, or the Netherlands. Yorkshire supplied 2,610 men, most of whom were destined for Ireland. (Cruikshanks, Appendix 3, 291). Having men from the north was not a new violation; in 1560, the queen sent orders to Berwick regarding the discharging of the "extraordinary bands" in order to create funds to pay for the walls. She ordered that among those to be discharged were "such as are inhabitants of the town or born in Northumberland and the frontier counties, and who be discharged may live there." *CSP For Eliz, 1558-1589*. Vol. 3: 1560-1561, no. 466.

<sup>478</sup> SPO, SP 59/37 f. 96r-v. "Muster book of Berwick," 10 June 1598.



Origin	Number of Men
Berwick	178
Bishopric of Durham	24
Cumberland	23
Northumberland	235
Westmorland	5
Yorkshire	84
All other origins	248
Total	797

Though Hunsdon called for Widdrington to discharge all soldiers born in the north, as per the queen's orders, there was little he could do from afar to enforce them.<sup>479</sup> In March 1598, the queen attempted to reinstate this law. In response, William Selby, the gentleman porter, told the new governor Lord Willoughby that "this dead law" was "never put in force;" indeed, he thought it likely that "the most of them [the soldiers] never heard of the law or establishment," which would make it very difficult to try to

<sup>479</sup> For example, see TNA, WO 55/1939, f. 74r.

enforce now.<sup>480</sup> And there seems to have been little attempt to do so; the muster noted above took place just months later, in October.

Berwick's captains not only took on soldiers from northern counties, but violated the orders in other ways as well. Many soldiers, for example, were married. The problem of married soldiers was one that plagued Hunsdon throughout his tenure as governor. In 1568, he and the queen's council banished all Scots living in Berwick, including Scottish wives of soldiers, and declared that "no soldier shall marry without special license of the governor or his deputy for the time being upon pain of the loss of his wages and banishment."<sup>481</sup> Soldiers with families had greater financial need and were less adaptable when payments fell in arrears, as they often did. These military families, then, would be a greater burden on the resources of the town than a single soldier would have been. The families of soldiers also took up precious room; often widows and children were found living in temporary housing at the edges of town. This issue persisted, however, and in 1589 Hunsdon revealed his frustration to Widdrington:

I am sorry to understand that neither the queen majesty's establishment, nor all our orders set down in council there, can take no better place nor be no better observed longer than I am there, which showeth a small care you have of your duty to her majesty's service and as little care of the good government of the town; for, notwithstanding anything I can do or say, especially your Master Marshal do [*sic*] in suffering it continually, as in suffering the soldiers to marry, which will be the only undoing of the town. And not withstanding my finding fault and forbidding the same at my being there, I am credibly given to understand that there hath been a number married since my coming away.<sup>482</sup>

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<sup>480</sup> *CBP* 2:949.

<sup>481</sup> *BRO* C1/1, f. 62r-v.

<sup>482</sup> *TNA*, WO 55/1939, f. 74r. In this same letter Hunsdon berated Widdrington for not discharging the soldiers born in the northern counties; his frustration was evident, as was his inability to enforce any of these orders without being physically present.

Not all married soldiers needed to be displaced, however, as Hunsdon later clarified: only “the married folk (such as are not indeed bettered by their said marriage) I charge and require you to displace them and disburden the town of them, putting others in their places.”<sup>483</sup>

By the late 1590s, the crown was much less concerned with keeping Berwick’s ranks young and prepared for action, as relations with Scotland improved and Elizabeth’s cousin James VI of Scotland was increasingly understood to be her successor. In 1598, the average age of the garrisonmen was forty-three, and the average length of service just over thirteen years. Men aged without losing their place, and even retained full pay, well into their eighties.<sup>484</sup> Throughout her reign, however, the prevalence of the married soldier native to the region points to an important fact regarding the Berwick garrison: it was understood as a center of employment, a rare place of opportunity in an impoverished, rural environment.

Both soldiers and civilians were also monitored by town authorities in their efforts to maintain a physically clean and morally pure community. Soldiers were included in the regular bailiff checks conducted throughout the town, when bailiffs and elected freemen surveyed neighborhoods in search of malefactors, illegal residents, and rubbish or dungheaps that blocked alleys or doorways. These surveys reveal that while soldiers certainly showed up on the lists of malefactors, their crimes were, for the most part, negligible. The stereotype of soldiers as violent and belligerent that existed in sixteenth-

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<sup>483</sup> TNA, WO 55/1939, f. 76r. Captain Pickman’s marriage, discussed above, would almost certainly have fit these qualifications, as the Morton family was very wealthy.

<sup>484</sup> In 1598, seven 80-year-old men were listed, as well as one 82-year-old. Twenty-seven, meanwhile, were in their seventies.

century Berwick and among historians today seems to have described only a small percentage of the military population in Berwick. Reported cases of violent crime are, in fact, almost nonexistent in the local records. They would have been recorded, since the guild insisted that the mayors had “authority by charter, and ever have had the punishment of all bloodwights, malefactors, and felons” in town, including offending soldiers.<sup>485</sup> In their 1584 complaints against the marshal, the townsmen found that he had freed a murderer after the case was found to be one of “willful murder” by the coroner’s inquest; it is left to the reader to infer that the accused must have been a garrisonman.<sup>486</sup> In another case, John Lorimer, a soldier, was found dead, “cast up by rage of waters out of a mill pool.” He was known to have had altercations with the wife of Rowland Mill, a horseman, who was now suspected of his murder. Mill was put out of pay, but he was out of town and so neither the queen’s council nor the guild could question him.<sup>487</sup> Few other cases of murder were recorded.<sup>488</sup>

While incidents of violent crime may have been lacking, soldiers appeared frequently in extant bailiff surveys for immoral behavior. In 1599, the bailiffs listed seven men accused of being “nightwalkers, and drinking after...unlawful times in the night.” Of these, six appeared in the 1598 musters. All were in their twenties, and three were from

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<sup>485</sup> *CBP* 1: 230. See also *BRO C1/1*, f. 22v and repeated on 38v: “we find and present that all bloods and frays and the fines and punishment thereof from the watch bell be ceased in the morning until it ring at night belongeth to Mr Mayor being conservator of the peace within this town.”

<sup>486</sup> *CBP* 1:230.

<sup>487</sup> *BRO C1/1*, *CCM* 7v. November 1573.

<sup>488</sup> It is possible that violence was not noted simply because of its prevalence in border society, though this view threatens to assume the worst of border societies, much as historians have done throughout its treatment in the historiography. It is also possible that those records were kept in a different volume that has not survived.

Berwick.<sup>489</sup> Bailiffs' lists of "Whoremongers and whores" in 1594 and 1599 implicated men suspected of impregnating local women. In 1594, seventeen alleged cases were presented. Out of these, nine involved soldiers or their families. In 1599, out of twenty cases of illegitimate births or suspected pregnancies, fifteen implicated soldiers. Some soldiers made multiple appearances in 1594, Robert Reveley, a foot soldier, was reported for impregnating a Scottish woman. Then, in 1599, he was listed twice: his "maid [had] gone away with child" and he himself was accused of impregnating the servant of Robert Walker, another garrisonman.<sup>490</sup>

In several cases, it appears that soldiers sought to protect these women by keeping them employed within the social world of the garrison. In 1594, Peter Lucas, a foot soldier, impregnated a servant of Quentin Stringer, a lieutenant under John Carey.<sup>491</sup> The woman in question at the time of the inquest was working as a nurse in the home of Thomas Brown, another garrisonman.<sup>492</sup> A similar situation occurred in 1599, when Thomas Rooke, a young gunner from Berwick, impregnated his mother's maid. By the

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<sup>489</sup> SPO, *SP 59/37*, fols. 86v [Richard Ocklethorpe]; 79r [Thomas Corke]; 81v [John Shorte and John Coxsen]; 82r [Steven Saltonstall]; and 90r [John Kendrow]. "Muster book of Berwick," 10 June 1598.

<sup>490</sup> These two Robert Reveleys are very likely the same man, since the bailiffs made no effort to distinguish between the two of them in the same list, though there were two Robert Reveleys in the 1598 musters; one was thirty and from Berwick, the other was fifty and from Northumberland. While there were several prominent Reveleys who served on the guild council, none was named Robert (BRO C1/1 f. 16r [1592], 26r [1594], 51r [1599]. *SP 59/37*, fols. 81v, 85r. "Muster book of Berwick," 10 June 1598). A Robert Reveley appeared in the 1592 survey as well; here, he is noted because his wife brewed ale and they lodged a Scot. It is possible that this Robert Reveley is different than the one that appeared in the subsequent surveys, because the latter surveys do not mention Reveley having a wife (and therefore committing adultery rather than fornication).

<sup>491</sup> In 1599, another servant of Stringer's had gone away pregnant.

<sup>492</sup> BRO C1/1, f. 26r. References to soldiers in the 1598 musters: *SP 59/37*, fols. 89v, 79r, 93v. "Muster book of Berwick," 10 June 1598.

time the news of her pregnancy had spread and been reported to the bailiffs, she had switched employment and was working as a nurse in the provost marshal's home.<sup>493</sup>

Soldiers were also connected to unruly households. Nicholas Eastmarch, a footman of the old garrison, was from Berwick and had served in the army for twenty-six years in 1598. His daughter, it was rumored in 1594, was pregnant.<sup>494</sup> Edward Gates was a soldier from Hertfordshire. In 1599, the bailiffs noted that his wife was "suspected [to be] a bad woman of lewd life."<sup>495</sup> Michael Wapley, a soldier under Captain Thompson, was accused of "haunt[ing] and follow[ing] the company of a young woman" despite the fact that he himself was already married.<sup>496</sup> Raphe Smith, son of William, impregnated his father's maid; both men had been born in Berwick and served in the garrison.<sup>497</sup> In 1599, the wife of Richard Swynborn, a soldier from Northumberland, was accused of dealing "with three several women witches for the bewitching of one William Law garrisonman" in order to do him harm. In the end, Swynborn's wife admitted, "she had gotten a man witch for her purpose" since the women witches "could not hurt him."<sup>498</sup> In 1594, one watchman by the name of Chapman, who did not appear in the 1598 muster, was found to be "a very bad and drunken lewd fellow, and he married one as bad as himself, and he and she dwell not together. She is one of those that abuseth the town as a

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<sup>493</sup> BRO C1/1, f. 51r. SPO, *SP* 59/37, f. 89r. "Muster book of Berwick," 10 June 1598.

<sup>494</sup> BRO C1/1, f. 26r; SPO, *SP* 59/37, f. 93v. "Muster book of Berwick," 10 June 1598.

<sup>495</sup> BRO C1/1, f. 51r; SPO, *SP* 59/37 f. 82r. "Muster book of Berwick," 10 June 1598.

<sup>496</sup> BRO C1/1 26v; SPO, *SP* 59/37 f. 84r. "Muster book of Berwick," 10 June 1598.

<sup>497</sup> BRO C1/1 f. 51r; SPO, *SP* 59/37 fols. 86r and 88v. "Muster book of Berwick," 10 June 1598. Raphe was twenty-five in 1598, and William seventy-one.

<sup>498</sup> BRO C1/1 f. 51v; SPO, *SP* 59/37 fols. 81r [Swynborn], 88v [Law]. "Muster book of Berwick," 10 June 1598. Unfortunately, this is the only reference to this intriguing case of bewitchment; we are left to wonder who the male witch was and how he was able to inflict harm on Law, as well as who brought forward this report.

broker to sell and pawn goods.”<sup>499</sup> Townsmen could also be accused of housing idle people, or allowing immoral behavior in their households, but soldiers dominated these cases, at least in the 1590s.<sup>500</sup>

A particular area of concern for the bailiffs was not Berwick itself but Tweedmouth, the small community on the south side of the river Tweed. Geographically, it was protected by Berwick itself and by the river from Scottish incursions. It was thus increasingly an area built up as a suburb of Berwick.<sup>501</sup> From Tweedmouth, individuals could travel easily to work in Berwick, or forestall Berwick’s market by buying goods from people headed into town, including salmon fished along the south side of the Tweed. In one report, “one Johnson a Scotsman and his wife” lived in Tweedmouth and bought up goods in Berwick’s market for resale, making them forestallers.<sup>502</sup> In 1594, James Ramsey, a Scottish cobbler, kept a shop in Berwick but lived across the river in Tweedmouth.<sup>503</sup> Tweedmouth was also known for its immoral activities, and soldiers were often implicated in frequenting it to gamble or meet with “lewd” people (described as coming from Scotland).<sup>504</sup> In an early, undated bailiff court, the bailiffs found that “it is against the orders and statutes of this town that any man in pay within the same, should dwell or inhabit without this town, and to lie nightly forth of the same either in

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<sup>499</sup> BRO C1/1 28v, 1594. Acting as a broker to pawn goods was illegal without a license from the town; see BRO C1/1, f. 22r.

<sup>500</sup> See, for example, BRO C1/1 50r [1599].

<sup>501</sup> Little is known of Tweedmouth’s early development; see Catherine Kent, *Beyond the Defensible Threshold: the house-building culture of Berwick-upon-Tweed and the East March, 1550-1603* (Unpub. Ph.D. dissertation, The University of Durham, 2015), 244-253.

<sup>502</sup> BRO C1/1, f. 1v.

<sup>503</sup> BRO C1/1, f. 27r.

<sup>504</sup> See Kent, 250-1, on soldiers going to alehouses in Tweedmouth.



Tweedmouth or any other place.”<sup>505</sup> In 1599, Elizabeth Dock and Elizabeth Hodge, both young women “forth of service,” had come out of Tweedmouth and were living with Margaret Burrell and James Kitchen, in the “backside” of the home of George Borne, a middle-aged soldier from Berwick.<sup>506</sup> Single women were suspect for immoral activities at the best of times; having come from Tweedmouth, and living on the property of a soldier, only cast further suspicion on them.

Elizabeth’s reign was one of increasing oversight in local communities across England, where behavior was increasingly tied to the economic and spiritual prosperity of the community as a whole. The “moral campaign” of town leaders across Britain had, as its end goal, the creation of a “godly commonwealth.”<sup>507</sup> The work of Berwick’s bailiffs was no different. They kept careful record of suspected immoral behavior, and soldiers did feature prominently in their reports. At the same time, given how many soldiers dwelt in town, and how many of these were young, local men, it is almost surprising that they do not dominate the records completely. Town leaders may have been disappointed, but not shocked, that immoral behavior persisted despite their efforts, but soldiers represented just a proportion of these malefactions. Soldiers, then, were not all common criminals, or the dregs of society; rather, they were often men at the bottom of the labor market, laborers who were susceptible to changes in wages or bad harvest years and more likely to end up as vagabonds or beggars – or to seek their fortune in the army.<sup>508</sup>

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<sup>505</sup> BRO C1/1, f. 5r.

<sup>506</sup> BRO C1/1, f. 45r. *SP* 59/37, f. 79r. “Muster book of Berwick,” 10 June 1598.

<sup>507</sup> Vanessa Harding, “Reformation and culture, 1540-1700,” in Clark, ed., *CUHB*, vol. 2, 263-88, quote on 270-1.

<sup>508</sup> Thomas, 50, 62-77; Tallett, 87-88.

Ultimately, the garrison was a center of employment, where men voluntarily committed themselves to a lifelong career. In the rural and remote north, Berwick was one of the only viable options for men in need of a job.

### *Housing*

One area where the overlap of citizen and soldier is readily apparent is in housing; soldiers and townspeople lived side-by-side throughout town, and the close contact this engendered allowed the groups to coexist more peacefully. This phenomenon has been observed for soldiers stationed in Augsburg during this time. B. Ann Tlusty finds that, during the sixteenth century, the quartering of soldiers in the homes of local families resulted in continual “squabbles” over “the dominion of the household” that reflected the larger conflicts of authority and jurisdiction between the town leaders and the army – just as in Berwick.<sup>509</sup> These tensions were relatively mild, however. In Augsburg, soldiers were gradually moved out of private quarters and into inns, so that by the time of the Thirty Years’ War (1618-1648), soldiers were both physically segregated from the civilian population and grouped together in large numbers. Tlusty finds that this “greater social distancing of military troops from their hosts, quartering in larger groups, and the ready availability of alcohol led to an increase in the soldiers’ tendency towards violence and other destructive behavior.”<sup>510</sup> In sixteenth-century Berwick, this was not the case.

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<sup>509</sup> B. Ann Tlusty, “The Public House and Military Culture in Germany, 1500-1648” in Beat Kümin and B. Ann Tlusty, *The World of the Tavern: Public Houses in Early Modern Europe* (Aldershot, 2002), 136-156; quote on 141.

<sup>510</sup> Tlusty, 156.

Soldiers lived amongst the townspeople with their families, buying houses throughout town or setting up temporary shelter on the edges of town.<sup>511</sup>

Berwick was, physically, a small space, bound like many medieval towns by its walls, which contracted in size during Elizabeth's refortifying project of the 1560s. Well before Elizabeth's time, people from all walks of life encountered one another on the streets daily – not just in the market place but in all sixteen streets of town.<sup>512</sup> Virtually no development had been undertaken outside the town walls to the north and west because of the constant threat of invasion. Pressures of space mounted, however, in 1560 when Elizabeth increased the population of the town. She also contracted the physical space of the town by deciding to enclose a smaller area with the new fortifications than had been encircled by the medieval walls, for financial reasons. The area of the town decreased dramatically at the precise moment when Berwick's population surged with the influx of soldiers enlisting in Elizabeth's new establishment.

At the same time, town leaders – both of the guild and the army – were very aware of the need to maintain the town's physical space. Material cleanliness reflected the spiritual purity of the community.<sup>513</sup> In Berwick there was a more practical aspect to cleanliness as well: as the queen's border fortress, physical cleanliness was not only

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<sup>511</sup> Barracks were not built in Berwick until the early eighteenth century; see John Scott, *Berwick-upon-Tweed: the history of the town and guild*, (London, 1888), 221-2.

<sup>512</sup> A survey dated 1562 records 463 lots as well as ten fishing leases. It is transcribed into the Book of Enrolments, BRO B6/1 fols. 43r-112v. There is also a typed transcript that is currently unreferenced, which I make use of for this analysis. John Scott also transcribed much of the survey; see Scott, 456-461. These include both sides of the street (ie, North-South or East-West), which are listed separately in the survey. There are seventeen streets if we count Walkergate as two – north-south and west-“without the ramparts.” There is another survey taken 1577 which does not convey the history of ownership of the properties, but does list how many lots are on each street. TNA, SC 12/32/14. “Schedule of chantry and meal rents,” 1577.

<sup>513</sup> Christopher Friedrichs, *The Early Modern City, 1450-1750* (London, 1995), Ch. 15.

preferable, but required, to keep the town safe. Thus care of the town was intimately connected to Berwick's role as a border garrison and the townspeople's self-identification as the queen's first line of defense. In 1599, the bailiffs noted that "the head of Sowtergate from the queen's stables to the rampart lies most filthy by reason of dunghills lying there, which is a shame to see as though [Berwick] were a country town, to the great annoyance of men going to the walls in any alarm in the night."<sup>514</sup> Berwick was not, they made clear, a mere "country town," where dirt and dung could pile up without ramifications. Rather, the bailiffs, speaking for the population at large, expressed here an important aspect of their collective urban identity, one rooted in Berwick's significance as a powerful site of crown sovereignty. As such, they found, it needed to look the part.

In their neighborhood surveys and regular proclamations, Berwick's leaders strove for clean streets and honest people. The sheer number of people in town, however, tested the limits of these efforts, particularly in the realm of housing. Even for employed (albeit underpaid) soldiers, housing options proved quite limited. In this time before barracks existed for them, the garrisonmen lived scattered throughout town with their families. They could be granted a "soldier's room" by their captain (along with their pay) in one of the many hostels in town. In 1589, Hunsdon noted that there were about forty soldiers employed as hostellers, which he did not consider many; there would have been many townspeople doing the same.<sup>515</sup> Many soldiers rented, bought houses, or chose to settle as squatters on the edges of town in cheap, temporary housing.<sup>516</sup> While there were

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<sup>514</sup> BRO C1/1, f. 47r.

<sup>515</sup> TNA, WO 55/1939, f. 82r.

<sup>516</sup> TNA, WO 55/1939 contains many examples of the governor providing "soldier's room" for individual soldiers of the Berwick garrison; Hunsdon was quite preoccupied with making sure his captains were acting

specific streets where soldiers tended to gather, their sheer number ensured that they were scattered throughout the town at large.

Royal officials conducted a land survey in 1562, likely in response to the large influx of soldiers. This survey shows that some areas were settled overwhelmingly by men in the queen's pay. These were mostly along the edges of town, or in the few streets that developed outside the new town walls (but within the space previously enclosed by the medieval walls), where the pattern of squatting is most apparent. Three streets in particular were composed of markedly less valuable plots in 1562, many of which were held "at will" – or, illegally – rather than through purchase or inheritance. All three of these streets were found along the edge of town; two outside the new fortifications, and one that followed alongside the new walls on the eastern edge of town.

Castlegate was the main thoroughfare leading out of town toward Scotland, so called because it connected the dilapidated castle to the town proper.<sup>517</sup> Running north from Castlegate along what had been the old, derelict medieval walls of Berwick were the neighborhoods of High and Low Greens. In 1562, at least twenty-five lots were valued by the commissioners; eight tenants held their lots "at will," "praying preferment" of the queen.<sup>518</sup> In other words, they did not formally own the land but were legally squatters. On these lots, the residents had built houses of "cople" rooms, which were

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correctly and also that promises he had personally made to individual soldiers were carried out. He could also authorize a soldier's removal from his room for "lewd" behavior; for example, see TNA, WO 55/1939, f. 19v. Conversely, soldiers could buy a room – ie, pay a captain to be granted the room, which was illegal. See TNA, WO 55/1939, fols. 13v, 14r, 73v, 92r, 148r for some examples.

<sup>517</sup> See Maps 2-3, Appendix A.

<sup>518</sup> A folio is missing – entries were written on front and back, so about 12 entries missing. It was missing in Scott's time as well; he includes an appendix of the house values from the survey and notes the missing folio. See Scott, 457.

temporary lodgings, named for the single beam that held up the roof and gave the structure a tent-like appearance.<sup>519</sup> Most of these temporary structures had one or two rooms, but they could have up to five.<sup>520</sup> Unfortunately the survey does not list occupations of the owners, but rare bits of information are occasionally provided. For example, Elizabeth Story lived on Greens West with her eight children in a house “her husband Adam Storye built.” They lived there at will; her husband had been “slain in the queen ma[jes]ty’s wars,” and Elizabeth “praye[d] preferment for herself and the same Jerrard [her eldest son], yet an infant.”<sup>521</sup>

A similar situation, but even more extreme, developed along Windemilhoole, or Windmill Hole, which ran parallel south of Castlegate along the river Tweed. This street was settled by soldiers who were likely reassigned to Berwick after the fall of Calais; it was also known as Guisnes Row, a reference to a region of the English Pale around Calais.<sup>522</sup> In 1562, none of the houses or cople rooms had any history of inheritance or purchase and the rents were listed as “new rent.” Before the lots were settled, Windmill Hole had been a path or alley that connected the castle to the army’s slaughterhouse down near the river; the mess and stench would have made this a less desirable place to

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<sup>519</sup> In the survey it is normally spelled couple; it is also rendered coupil, coupel, cople. According to the Dictionary of the Scots Language: “a roof beam; an attribute of length.” [http://www.dsl.ac.uk/entry/dost/coupill\\_n](http://www.dsl.ac.uk/entry/dost/coupill_n). Accessed 19 October 2016. The OED: “One of a pair of inclined rafters or beams, that meet at the top and are fixed at the bottom by a tie, and form the principal support of a roof; a principal rafter, a chevron.” <http://proxy.library.upenn.edu:2440/view/Entry/43129?redirectedFrom=coupill#eid>. Accessed 19 October, 2016.

<sup>520</sup> BRO B6/1 trans., pg. 36.

<sup>521</sup> BRO B6/1 trans., pg. 35. Calling her eldest an infant was likely to emphasize his youth in order to elicit the pity of the queen.

<sup>522</sup> Kent, 236. See, for example, *CSP For. Eliz, 1558-1589*, Vol. 3: 1560-1561, no. 466, where the queen states that “there are many diverse good cannoneers who served at Calais and Guisnes who are to be first placed [in Berwick] before any new be taken.”

live.<sup>523</sup> In 1562, there were twenty-three lots along this street, all of which were held at will by the tenants, who all “pray[ed] preferment” of the queen to be granted a title to their plot. Many tenants had built upon the land, cople houses with two to five rooms. Again, details are rarely given for specific tenants but what information is provided hints that the population was a military one. Widow Dome held at will a tenement that she “bought the good will thereof of Nicholas Florence,” a soldier under Captain Brickwell who went to France, upon “condition of redemption.” Florence had built two cople rooms.<sup>524</sup>

It is revealing that the mapmaker of the magisterial 1570 “True Description,” so focused on the details of the buildings, the ships, and even the canons along the walls, did not include the new housing along Castlegate and High and Low Greens. This omission demonstrates the goal of the mapmaker, which was clearly to show off the queen’s fortifications and the wealth of the town displayed by the multi-storied stone buildings throughout town. Another map from 1564 had no such restrictions, and clearly delineates the early stages of settling the streets outside the new fortifications listed in the 1562 land survey.<sup>525</sup> A 1610 map of Berwick by the English cartographer John Speed seems largely to reproduce the 1564 map.<sup>526</sup>

The crown owned not only buildings in town, but also open plots of land. Elizabeth granted out individual plots to people on the condition that they build upon it, thereby contributing to the general upkeep and development of the town. Ratten Row,

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<sup>523</sup> BRO B6/1, trans., pg. 42. He paid £2 rent per annum.

<sup>524</sup> BRO B6/1, trans., pg. 41.

<sup>525</sup> See Map 4, Appendix A.

<sup>526</sup> See Map 5, Appendix A.

though it was located inside the new town walls in the northeast corner of town, was one of these areas. Many houses along this street had been torn down by Henry VIII in his enthusiastic (but unfinished) building project. In 1562, they were rebuilt along with the queen's walls.<sup>527</sup> Thomas Johnson was granted a tenement by the queen in 1560, with the "premise that he should build upon it a house with stone walls, two floors height" within two years of purchase. He had run into trouble, however, with the surveyor in charge of wall construction. The house "is not yet built (for that) he sayeth he was discharged of building by the Surveyor (for that) plot of ground was reserved for to build a house for the Governor upon." He held two other tenements alongside the first, where he had built two houses with two coples each.<sup>528</sup> Another "waste" lot was held by Robert Walker at will, who was in a similar predicament. He was to build a house on it within two years of receiving a queen's grant in 1560, but then was forbidden from building a house by Richard Lee, the master of the queen's works in Berwick.<sup>529</sup> Raffe Reveley was another tenant who had built a "wall" upon his lot held at will. The Reveley family was very involved in the garrison: in 1598, eight men with the Reveley surname – hailing either from Northumberland or Berwick – were listed in the musters.<sup>530</sup>

These neighborhoods – High Greens, Ratten Row, and especially Windmill Hole – were streets on the edges of town where temporary, cheap residences were established by people who were legally squatters. While not all of these properties were necessarily

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<sup>527</sup> Colvin, *King's Works*, 636.

<sup>528</sup> BRO B6/1, trans., pg. 27.

<sup>529</sup> BRO B6/1, trans., pg. 28.

<sup>530</sup> BRO B6/1, trans., pg. 27. For the members of the Reveley family in the musters: SPO, *SP 59/37*, fols. 81-82r, 85r, 90v, 92v, 93v, 95r. "Muster book of Berwick," 10 June 1598. Raffe Reveley still owned his house in Ratten Row fifteen years later in the 1577 survey; see TNA, SC 12/32/14, f. 5v. "Schedule of chantry and meal rents," 1577.



held by soldiers or garrison laborers, the nature of the tenements and haste with which they were erected at the same time suggests a connection between the influx of soldiers into Berwick in the late 1550s and the establishment of these neighborhoods.<sup>531</sup> Cople buildings could also be erected in more central areas of town, such as Walkergate, a lane running parallel to Marygate to its north. The west side of Walkergate consisted of twenty-eight lots in 1562, where a variety of people from different social backgrounds lived. William Read, one of the captains of the garrison, owned a house worth 30s per annum. The crown granted eight lots to individuals between 1577 and 1587; four of these were to soldiers, one to a stallenger, and one to an outsider – George Forster, a cutler from London. At the same time, eight lots were held at will and several squatters had built cople rooms on them.<sup>532</sup> By 1599, Walkergate was rebuilt and burgesses lived there as well; in 1599, Edward Burrell, a soldier, and his wife Elizabeth, daughter of Francis Gibson, also a soldier, sold a house in Walkergate to Robert Cox, burgess.<sup>533</sup>

While it is impossible to track ownership of all the houses, connections can be made that make it clear that soldiers were scattered throughout town.<sup>534</sup> Soldiers lived in central areas of town, like Marygate (the central thoroughfare where the market was held), Briggate, Hidehill, and Soutergate. For example, Thomas Rugg was a burgess who died in 1573. He owned property throughout town; his eldest son William received the “new house in the marketplace,” on Marygate. His daughter Margaret received “the house standing near to the new rampart adjoining upon the house of James Smyth

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<sup>531</sup> Kent, 235-36.

<sup>532</sup> BRO B6/1, trans., pg. 76-81. Quote, 78.

<sup>533</sup> BRO B6/1, f. 182r.

<sup>534</sup> Though this has been done for some neighborhoods. Kent, 222-252.

soldier,” while his son Tobias received “the house in the Nesse now in the tenure of Peter Gosling, soldier.” To his servant, Charles Haslopp, Rugg gave a lease “of the corner house near the market place, now in the tenure of Richard Estwood and Robert Cass.”<sup>535</sup> Richard Estwood was a soldier who, in 1598, had served twenty-six years in Berwick.<sup>536</sup>

Throughout this period, the crown also granted many plots of land to individuals (see Figure 3.2).<sup>537</sup> Out of 158 crown land grants recorded during Elizabeth’s reign, sixty-four were made to soldiers, pensioners, or others explicitly associated with the garrison.<sup>538</sup> In the early period of the grants, the 1570s, many of the lots were classified as “waste,” and often came with the stipulation that the grantee build upon the lot. After 1580, many more were proper burgages. Most soldiers were granted lots in Ratten Row and the Greens, but also in many central streets of Berwick, like Marygate, Soutergate, and Walkergate. Grants to land in Ratten Row, totaling eighteen, were mostly to soldiers; three were to women, two of whom were listed as widows (probably of soldiers). Lots in the Greens, however, were dispersed more widely. Four were granted to stallengers (who may have previously served as soldiers), one to a hosteller, and one to Thomas Moore, a burgess, who was granted the property while serving as mayor in 1594.<sup>539</sup>

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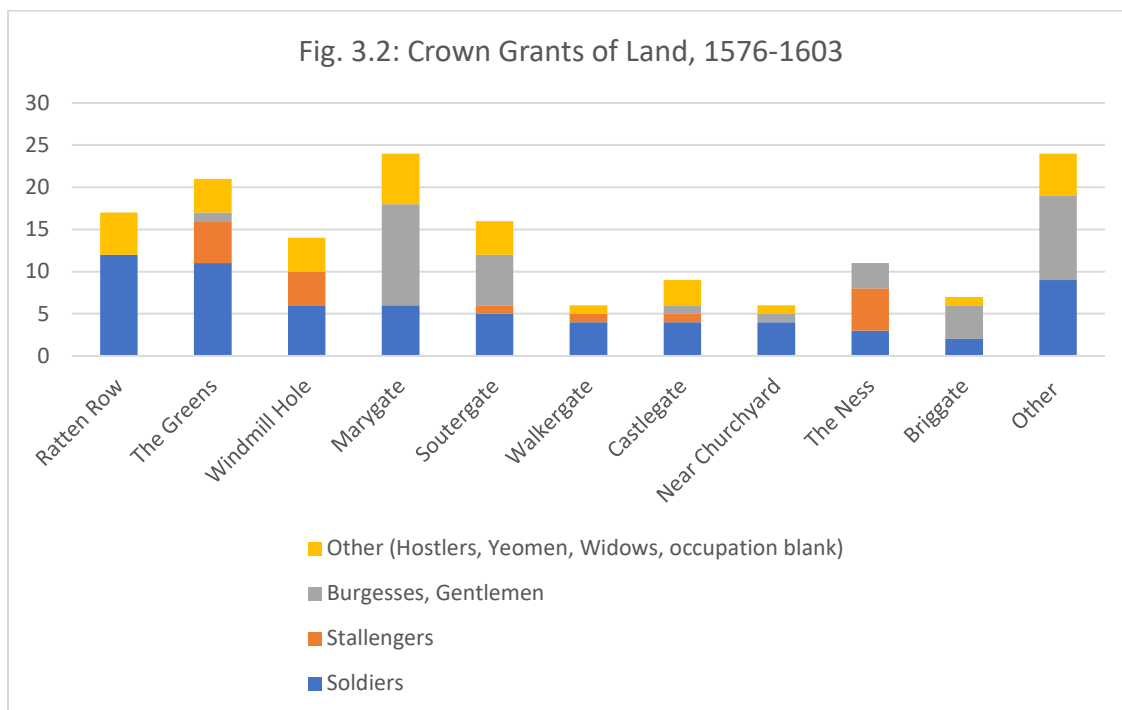
<sup>535</sup> DASC, DPRI/1/1573/R4/1-19. In 1574, Charles Haslopp married Rugg’s widow. See *Marriage Register*, 2; Kent, 253-63.

<sup>536</sup> SPO, *SP* 59/37, f. 89v. “Muster book of Berwick,” 10 June 1598.

<sup>537</sup> These could be purchased, as well as granted outright, though prices are not recorded. See Kent, 240.

<sup>538</sup> Seventeen were also made to stallengers. See BRO B6/9. For an overview of crown land grants, see Katherine Wyndham, “Crown land and royal patronage in mid-sixteenth century England,” in *Journal of British Studies* vol. 19 (2, 1980): 18-34.

<sup>539</sup> BRO B1/4b, f. 62r [mayoralty]; BRO B6/1, f. 68 [for land grant].



Source: BRO B6/9, Book of Enrolments, Crown Grants of Land

Property sales recorded during the 1590s also provide a glimpse into the dispersal of soldiers throughout town.<sup>540</sup> In this decade, five soldiers sold properties along Marygate, while three soldiers bought houses there. They were also involved in buying and selling houses along Walkergate, Briggate, and Soutergate – all central avenues of town.<sup>541</sup> One house on Soutergate was sold for £200 from George Baryth, gentleman and lieutenant, to Sir William Read, the captain of the queen’s guard on Holy Island.<sup>542</sup> Likewise, by the 1590s, many non-soldiers lived along the edges of town. Along Castlegate, four sales involved soldiers as both buyer and seller, but two soldiers also sold to townsmen, and four soldiers bought a property from someone unconnected to the

<sup>540</sup> The following figures come from BRO B6/1, the Book of Enrolment, fols. 115v-297v, *passim*. There are nine entries from the 1580s, thirty-nine from the 1590s, and fifteen from 1600-03.

<sup>541</sup> Two soldiers sold properties along Briggate, and three on Walkergate. Five sold houses along Soutergate, while four bought on the same street and one sale involved soldiers on both sides.

<sup>542</sup> BRO B6/1, f. 251r.

garrison. Ratten Row and the Greens featured much less prominently in property sales during this period, with only four sales along each; again, both townsmen and soldiers were involved in the transactions.<sup>543</sup>

Certain transactions demonstrate the close connections established between the garrison and civilian families.<sup>544</sup> Thomas Richardson, for example, was a stallenger and the son of Edmund Richardson, a deceased garrisonman. In 1587, he bought a house in Crossgate from Clement Carston, a constable of the horse garrison. In turn, Richardson sold it to John Hodgson, a burgess and the son of Thomas Hodgson, who had been a soldier.<sup>545</sup> In 1599, Cuthbert Sanderson sold a property on the High Greens to Ralph Law elder, a garrisonman.<sup>546</sup> Sanderson's father was Robert Sanderson, a garrisonman who by that year was dead. Several members of the Sanderson family were very prominent in the life of the town; Michael Sanderson, for example, was mayor in 1603.<sup>547</sup> Cuthbert became a glover, and was admitted to the guild in 1608.<sup>548</sup> Children could move away, too. In 1585, Elizabeth, the daughter of Raphe Cook garrisonman, returned to Berwick with her husband, John Harrison, who was a clothier in York. They sold a house in

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<sup>543</sup> In Ratten Row, four soldiers bought properties – three from townsmen, and one from a soldier. There were four sales involving soldiers in the Greens: one bought, one sold, and two transactions had soldiers on both sides. Only one sale is recorded on Windmill Hole when a soldier sold to a stallenger, Lancelot Hall (BRO B6/1, f. 197r).

<sup>544</sup> During this period, twenty-three transactions involved the soldier or child of soldier selling to a non-soldier. Sixteen involved soldiers buying from non-soldiers, and sixteen involved soldiers or children of soldiers on both sides of the transaction.

<sup>545</sup> BRO B6/1, f. 279r. It is possible that this Thomas Richardson settled in Berwick and had children there; his son could be John Richardson who was born in June 1581 (*Baptism Register*, 15, June 1581) and made a burgess in 1606 as a butcher (BRO B1/7, f. 81r). Another Thomas Richardson was a miller in town during the 1580s. The town, as of 1578, had in its possession an indenture for the lease of a mill to Thomas Richardson; see BRO B1/3a, f. 53v.

<sup>546</sup> BRO B6/1, f. 161r.

<sup>547</sup> BRO B1/7, f. 17r.

<sup>548</sup> BRO B1/7, f. 120r.

Westerlane to George Tate, a pensioner, and his wife Elizabeth.<sup>549</sup> In 1599, William Denton, a gunmaker in Northumberland and son of Hugh Denton, who had been a soldier, returned to Berwick to sell his father's property on Walkergate to another soldier, John Eaton.<sup>550</sup>

Further close ties between the military and civilian populations can be found, such as in unions of marriage. Marriages across the town-army divide often reflected similar social standings. Women of higher social standing, it seems, were more likely to form familial connections across the town-army divide. Cecily Bradforth married John Carvell, one of the eight captains, in 1585; the Bradforth family was an important merchant family whose patriarch Thomas served on the guild council from the 1550s to 1570s, and was mayor in 1558.<sup>551</sup> Judith, the daughter of John Rolf who served as master carpenter in Berwick from 1558 to at least 1578, married William Laurence who is listed as a gentleman and soldier.<sup>552</sup> Jane Larkin was the daughter of William Larkin, one of the great gunners at Berwick. He had been in Berwick since 1542; in 1598, he was eight-four years old and still listed as a master gunner.<sup>553</sup> She married Peter Fairley, a prominent burgess who served as the farmer of customs and as alderman in the early 1590s, as well

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<sup>549</sup> BRO B6/1, f. 248r.

<sup>550</sup> BRO B6/1, f. 189v.

<sup>551</sup> *Marriage Register*, 8. The same year, her relative Dorothy married Hugh Grigson, who would go on to be a very prominent guild leader. John Carvell died in 1589, leaving behind an inventory only (see DASC DPRI/1/1589/C5/1-3). On Thomas Bradforth, BRO B1/1, f. 87v.

<sup>552</sup> In 1594, they sold a property in Crossgate to James Temple, a burgess. BRO B6/1, f. 156v. Colvin, *King's Works*, 618, 622.

<sup>553</sup> SPO, *SP* 59/37, f. 89r. "Muster book of Berwick," 10 June 1598. Jane Fairley, meanwhile, remarried by 1605, when she and her husband John Ward, a gentleman, sold a property that she had inherited from her father near the church in the northern part of town to a Scottish gentleman, Mathew Logan. BRO B6/1, f. 245v.

as town clerk, before his death in 1596.<sup>554</sup> His brother or cousin, Leonard, served the military as master carpenter from about 1582 and became a freeman in 1597 (his fee was to repair the tollbooth) and mayor in 1610.<sup>555</sup> Leonard's son, Raphe, married Eleanor Carvell, likely the daughter of Robert or John, in 1597.<sup>556</sup>

Other women married soldiers, as their fathers were. Alice, daughter of John Loader, a soldier, married James Squire, soldier; in 1600 they sold a property on Castlegate to William Dixson, another soldier.<sup>557</sup> Elizabeth, daughter of Francis Gibson, soldier, married Edward Burrell, a foot garrisonman. In 1599, they sold a property on Walkergate to Robert Cox, a burgess.<sup>558</sup> Margaret Cleasby was a soldier's wife twice over: first to George Ellis and then to Christopher Cleasby, who was a horseman. Her daughter by her first marriage, Agnes, married Leonard Betson, a townsman who became a burgess in 1575.<sup>559</sup> She owned a property on the High Greens that she leased to John Richardson, another horseman, on condition that he build upon it.<sup>560</sup> A few years later, Agnes appears in the records, selling a property on Walkergate to Henry Fullingham, gentleman, with the assistance of Vane Jackson, burgess.<sup>561</sup>

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<sup>554</sup> He was enfranchised in 1572; BRO, B1/2, f. 30r. BRO B1/4b, f. 1r (1589), 62r (1593), 73v (1594); BRO B1/5, f. 10v.

<sup>555</sup> Freeman status: BRO, B1/5, f. 25v. Mayor: BRO, B1/7 f. 159r.

<sup>556</sup> Raphe was born in July 1577. *Baptism Register*, 7; Eleanor's baptism is not listed. *Marriage Register*, 13.

<sup>557</sup> BRO B6/1, f. 192v.

<sup>558</sup> BRO B6/1, f. 182r.

<sup>559</sup> BRO B1/2, f. 66v. His admittance fee was £5, much higher than was typical.

<sup>560</sup> BRO B6/1, f. 137v.

<sup>561</sup> BRO B6/1, f. 202v. In 1600.

Prominent town families could also be linked to the military apparatus in other ways.<sup>562</sup> In 1586, Leonard Morton bought a constableness from Raphe Selby, son of John Selby.<sup>563</sup> Both families were local to the region; the Selbys were a powerful family that served the crown as gentleman porter throughout Elizabeth's reign and before. The gentleman porter kept the keys of the gates of the city, an important job both symbolically and practically, and sat on the common council with the governor and other members of the queen's council in Berwick.<sup>564</sup> Not only did townsmen become involved in the army apparatus, but men employed by the crown could become burgesses and enter the *cursus honorum* of town government. James Burrell, from another longstanding merchant family of Berwick, was deputy surveyor for the military during the 1590s, became a freeman in 1604, and went on to serve the town as mayor in 1609 and 1611, during which time he oversaw the building of James I's bridge over the Tweed.<sup>565</sup>

It remains difficult to reconstruct anything like a complete picture of social connections in Berwick. What hints are provided by the records, however, point to integration of soldiers into the social fabric of town in housing and marriage connections. These links encouraged a blurring of the social categories of soldier and civilian that are seen in other kinds of interactions as well.

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<sup>562</sup> Indeed, it can be difficult to determine which came first – one's employment by the crown, and therefore relocation to Berwick, or one's local association with Berwick and then employment by the crown. Even men whose family name appears in the guild records as far back as they go (1505) could have been newcomers then, in the service of Henry VII.

<sup>563</sup> The National Archives [hereafter TNA] WO 55/1939, f. 43r. Leonard Morton is still a constable of the horsemen in a muster recorded in 1598, *CBP* 2: 950.

<sup>564</sup> BRO, B7, p. 19 for his oath.

<sup>565</sup> Freeman status: BRO, B1/7, f. 31r. Colvin, *King's Works*, 4:626.

*A society of townsmen and soldiers (and their wives)*

Townsppeople and soldiers not only coexisted in the physical space of the town, but also took part in activities considered illegal or at least suspect by the guild authorities. Neither civilians nor soldiers were permitted to house Scots or to brew or serve beer or ale without a license, and people were to keep their streets clean of dungheaps and “noisome” filth. Anyone living in town had to abide by its rules, no matter their employer; both groups violated these orders regularly. But again, the similarities between soldiers and townsppeople demonstrates the willingness of the two groups to coexist for the benefit of all, despite the fact that this coexistence flouted Elizabeth’s rules and guidelines for her garrison.

Chapter 2 argued that the town’s attitude toward Scots fluctuated; the official proclamations against their living in Berwick seemed oftentimes empty. Despite bailiffs’ reports, the town authorities were not able, or more likely willing, to enforce these regulations. This generally lax outlook applied to soldiers as well. Soldiers could be implicated for involvement with Scots who were morally questionable; the early bailiff’s inquest found “two idle rogues that are minstrels, and one of them a Scotsman, that have continued here these six weeks” in the home of Charles Cawrat, a soldier.<sup>566</sup> As a whole, though, while bailiffs recorded Scots found in the homes of anyone living in Berwick, soldiers were not singled out or treated differently than townsmen (see Figure 3.3). In 1592, forty-seven Scots were recorded living in Berwick. In 1594, this number was the same, but in 1599 it had dropped to approximately thirty-eight.<sup>567</sup> In 1594, eight of the

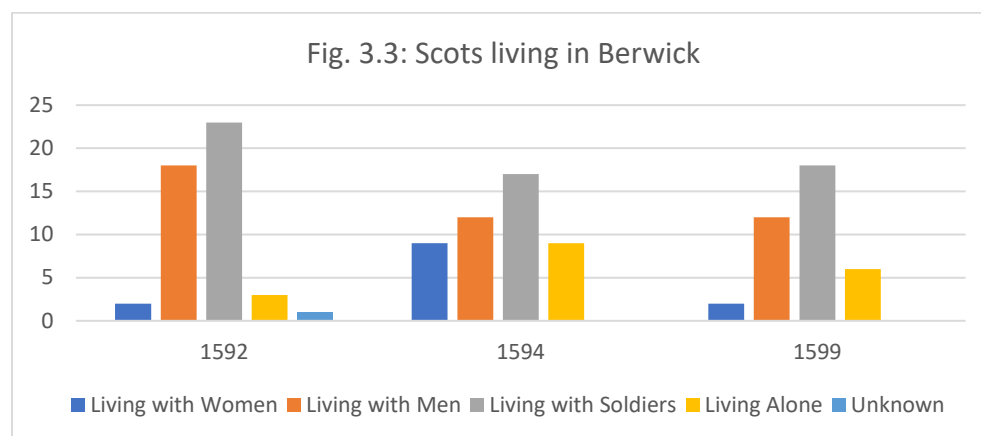
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<sup>566</sup> BRO C1/1, f. 7r.

<sup>567</sup> The exact number is unknown as the bailiffs listed “children” without an actual number.



Scots listed in 1592 made a reappearance while in 1599, five of these same Scots reappeared, four in the homes of soldiers. This is probably a conservative approximation; in 1568, Hunsdon had estimated that about two hundred Scots were living in Tweedmouth and “above 3,000” in his wardenry of the East March.<sup>568</sup> In 1597, his son John Carey worried about “there being 300 to 400 [Scots] continually, besides troops daily coming in of 20, 30, and 40, which would be very dangerous without diligence and double watch and ward.”<sup>569</sup>



Source: *BRO C1/1, Bailiff Surveys*<sup>570</sup>

The evidence of Scots living and working in Berwick indicates that such concerns were not representative of any actual threat. Occasionally, however, a Scot could justify these fears. In 1589, the mayor and bailiffs reported to Hunsdon that Nicholas Homye had been killed by George Tate, a Scot. Immediately after the murder, Tate fled into Scotland, leaving from the Marygate in town. The marshal and coroner then took

<sup>568</sup> Maureen Meikle mistakes the 200 for those living in Berwick; see Meikle, 265.

<sup>569</sup> *CBP 2*: 500. This large number is difficult to reconcile with the guild’s records, noted above, except to say that perhaps Carey was referring only to Scots in town temporarily.

<sup>570</sup> Men are counted as soldiers if their name appears in the 1598 Muster Book. These are Scots of both sexes.

inventory of Tate's home, since he was a wanted man. It is not stated explicitly, but clearly Tate lived in town, contrary to town laws: his house was easily accessible to the queen's officials on a dark and cold December night.<sup>571</sup>

Scottish wives were uncommon, but were recorded in almost equal number for both soldiers and townsmen (see Table 1). William Sutton, garrisonman, had a Scottish wife "of long continuance" – he himself was fifty in the 1598 muster – and was written up in all three reports of the 1590s. Townsman Thomas Grayme had a Scottish wife, and he too was listed all three years. Cuthbert Swinhoe, who was not connected to the garrison (but other Swinhoes were) had a Scottish wife in 1594. He himself died sometime in the intervening years; in 1599, his widow shows up as a Widow Swinhoe, a Scot, who herself was lodging a Scottish woman. Michael Curry appeared in the 1594 report for his Scottish wife; apparently, this did not bother the captain who signed him on a year later.<sup>572</sup> These numbers, again, are likely very conservative, for the problem of married soldiers, and of Scottish wives in general persisted throughout Elizabeth's reign. In 1581, the governor and council declared that "no manner of person, of what degree estate or condition [what]ever within this town, do presume to marry any Scots woman at any time hereafter."<sup>573</sup> In 1593, upon his return to Berwick, John Carey reported that as "for soldiers that have Scotswomen to their wives, there are but few that are of antiquity,

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<sup>571</sup> TNA, WO 55/1939, f. 85v-86r. He was, presumably, a different George Tate than the one noted in the property sale above, p. 171.

<sup>572</sup> On their enlistments in the 1598 muster, see SPO, *SP* 59/37, 85r [William Sutton], 90v [Michael Curry]. "Muster book of Berwick," 10 June 1598. For their appearance in the bailiff records, see BRO C1/1, fols. 1r-12v [undated], fols. 26r-42v [1594], fols. 43r-61r [1599]; and B6/1, fols. 120r-123v [1572].

<sup>573</sup> BRO C1/1, CCM f. 45r.

not past 5 or 6. The rest I have caused the mayor to banish, which is done.”<sup>574</sup> The small number of wives recorded by the bailiffs seems to corroborate this claim, though other Scots were likely still present in town.

*Table 1*

	Total Number of Scots in Berwick	Wives/Widows of Soldiers	Wives/Widows of Townsmen
1592	47	2	2
1594	47	2	2
1599	38	4	3

Bailiffs also kept a careful eye on alehouses in town. Alehouses proliferated during the middle ages; brewed in small batches, ale did not keep for long, so people often sold their extra ale from their doorstep. This practice easily transitioned into one where private residences became gathering places where one could buy not only ale but food as well. Alehouse-keepers could also offer lodging, though the term alehouse denotes a very small, informal lodging place, distinguishable from more formal inns, taverns, or another term used in Berwick, hostelries. In early modern England, alehouses multiplied; a growing population, along with a greater availability of material to make ale and, increasingly, beer, heightened demand and resulted in the alehouse becoming “the stronghold of a new, more liberated world of public drinking.”<sup>575</sup> Mark Hailwood argues that alehouses “came by the early seventeenth century to rank alongside the household, the church, the law courts, the manor, and the parish, as one of the key institutions that did so much to structure the lives of early modern English men and women.”<sup>576</sup> Ale was

<sup>574</sup> SPO, *SP* 59/28 f. 89v. “Carey to Burghley,” 1 May 1593. Carey also planned to forbid any future unions from taking place, though he marveled that “the country is full of Scots.”

<sup>575</sup> Peter Clark, *The English Alehouse: a social history, 1200-1830* (London, 1983), 115.

<sup>576</sup> Mark Hailwood, *Alehouses and Good Fellowship in Early Modern England* (Woodbridge, Suffolk: 2014), 2.

also relatively easy to produce, and required few ingredients; often, alehouse-keeping was an occupation of lower orders, and was done temporarily or only at certain times of year, such as after the harvest when grain was plentiful.<sup>577</sup> In Berwick, soldiers, who waited months for pay and were regularly cheated by their captains, could easily be included in “the depressed social world of labourers and husbandmen” who kept alehouses as a side business.<sup>578</sup>

Officials tolerated alehouses because they were understood to serve the material needs of the poor, who, if they could not afford to feed themselves, at least could obtain much-needed calories through a drink made of malt, water, and yeast.<sup>579</sup> These positive functions of the alehouse helped mitigate the dangers of overconsumption in the minds of town leaders, though over the early modern period and especially in the seventeenth century, acts against alehouses, and recreational drinking especially, became more prevalent.<sup>580</sup> Berwick, like other towns, had a proliferation of alehouses. The bailiffs’ surveys do not distinguish between licensed and unlicensed; this is not altogether surprising, for in the far north, licensing remained “disorganized” into the early seventeenth century.<sup>581</sup> A survey, conducted in 1577 by royal officials, counted seventy-

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<sup>577</sup> Clark, 22. See also Keith Wrightson, “Alehouses, Order and Reformation in Rural England, 1590-1660,” in Eileen Yeo and Stephen Yeo, eds., *Popular Culture and Class Conflict: 1590-1914: Explorations in the History of Labour and Leisure* (Sussex, 1981), 2-3. Also, it was typically outside guild oversight, making it a popular side business all over England that could be practiced only at plentiful, or quiet, times of year. Clark, 72.

<sup>578</sup> Clark, 74. He also notes the proliferation of immigrants and “new arrivals” among the poorer sort serving ale (78).

<sup>579</sup> Hailwood, 2-6. Alehouses were also referred to as tipping houses; Peter Clark notes that “up to 1750, the word ‘tippler’ was usually synonymous with alehouse-keeper.” Clark, 39, though later he suggests that tipping house implied the serving of food. Clark, 64.

<sup>580</sup> Hailwood, 24-25.

<sup>581</sup> All alehouse keepers are considered here. Clark, 43.

four alehouses in Berwick alone.<sup>582</sup> Twenty years later, officials in the much larger city of York, by comparison, registered one hundred and twenty-two alehouses.<sup>583</sup> In Berwick in 1599, the bailiffs recorded one hundred and eighteen alehouses; of these, forty-five of the same proprietors had been noted in 1594 (38%) and twenty-five of those were there in 1592 (21%). Alebrewers could also move around; Berwick's main avenue, Marygate, had many alehouses in each of the bailiff surveys but also a high turnover rate of who was running them. In 1594, the bailiffs recommended that the "excessive number" of alehouses be reduced to a more "convenient" one, for "there are a great many very unworthy and unfit to be tolerated."<sup>584</sup> To aid in this process, they argued that "the mayor in his office is warranted ... to put away [the] common selling of ale and beer and that none ought to be admitted or suffered to keep any alehouse or tipling house but such as shall be ... bound with surety by recognizance as well for and against the using of unlawful games, as also for the using and maintenance of good order within their houses." Indeed, reducing the number of alehouses was "very requisite for the commonwealth" at large.<sup>585</sup>

The case for "good order" was a common argument made by local governments under the Tudors and Stuarts; it has been argued that these authorities sought "to extend

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<sup>582</sup> *CBP* 1:21. Peter Clark analyses the results of this nationwide survey; he notes that ratios for population to alehouses is higher for the northern counties than in the south, but finds two reasons this may be exaggerated: population levels in the north could be underestimated, and in the north, alehouses were not licensed with the same rigor – so they counted all alehouses, not just those legally licensed (whereas in the south only licensed alehouses would have been included). See Clark, 41-44.

<sup>583</sup> David Palliser, *Tudor York*, 167. See also his "A Crisis in English Towns? The case of York, 1460-1640," *Northern History* 14 (1978): 108-125, 120.

<sup>584</sup> BRO C1/1, f. 35r. This was very common language in regulations regarding alehouses across England, though what was a "convenient" number was of course up for debate; see Hailwood, 31.

<sup>585</sup> BRO C1/1, f. 35r.

their authority over the community and so may have exaggerated the threat from the alehouse in order to justify their own intervention.”<sup>586</sup> In Berwick’s case, however, the combination of soldiers and alehouses did occasion violent and disorderly conduct. The murder committed by George Tate, discussed above, occurred “as they were drinking ale” in the home of Richard Crawforth, a garrisonman.<sup>587</sup> In 1592 and 1594, bailiffs found that minstrels, pipers, and fiddlers “frequent this town from one alehouse to another,” a recipe for disorder.<sup>588</sup> They also provided a place for dicing and carding, games forbidden explicitly for the soldiers by Elizabeth’s orders; these same orders also prohibited “the owner of any house” from tolerating games – presumably, alehouse keepers were the targeted recipients of this message.<sup>589</sup> Other crimes were rumored to take place in alehouses, such as the sale of stolen goods; indeed, in 1599 Michael Bencher’s wife was found to be “a very bad woman” who kept an alehouse and received “men’s good which are stolen.”<sup>590</sup> Alehouses were also a popular spot on Sunday mornings, when everyone should have been at church. The bailiffs found that the Sabbath was “profaned...by such as absent themsel[ves] from the church and do spend the time in alehouses and taverns.” Tellingly, the captains were singled out and “had warning given them, to charge their soldiers to repair more diligently to sermons and especially to the church on the Sabbath day both forenoon and afternoon, also the churchwardens and

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<sup>586</sup> Clark, 40.

<sup>587</sup> See pg. 175-6, above. TNA, WO 55/1939, f. 86r. In all three bailiff surveys preserved from the 1590s, a Widow Crawfurth appears as an alebrewer in Marygate; she could have been this Richard’s widow. He does not appear in the 1598 muster.

<sup>588</sup> BRO C1/1, fols. 21v, 38v.

<sup>589</sup> BRO C1/1, f. 53r; for the prohibition, see Elizabeth’s New Orders, Scott, 456. In 1594, bailiffs recommended that “the innkeepers and others were called and bound to keep no gaming, playing, nor company in their houses on the Sabbath day.” BRO C1/1 f. 29v.

<sup>590</sup> BRO C1/1, f. 50r. This was a common accusation levelled at alehouse-keepers, see Clark, 146.

officers ought to search the alehouses and taverns and to look that there be walking in the churchyard or ramparts in sermon time.”<sup>591</sup> Sexual freedom was another concern of the magistrates. Officials would not have been reassured by bailiff’s report in 1599 that Agnes Brown, an unmarried servant of Hamblet Hexham who kept an alehouse with his wife, was found to be with child.<sup>592</sup>

For all the moral fears expressed by the authorities, however, the economic concerns were just as pressing. In 1592, they found that “the excessive number” of alehouses had resulted in “the price of malt [becoming] enhanced, and great unthriftiness used, to the hurt of the commonwealth.”<sup>593</sup> In 1599, ale brewers and sellers were grouped with illegal bakers and those who “keep hostelry.” All of these groups “enhanced” the prices of grains and other goods in the market, like corn.<sup>594</sup> In a decade of drought and low grain production, and in a geographic region so isolated and overtaxed with people, these were serious anxieties.

Soldiers and their wives ran alehouses as well, which constituted illegal involvement in Berwick’s economy, according to the guild. Its prohibition regarding soldiers retailing goods extended, the townsmen insisted, to brewing and selling ale. Hunsdon confirmed this understanding in 1589, when he concurred that “to the great hindrance of the townsmen there,” the soldiers refused to stop brewing, keeping alehouses, and baking. He ordered that henceforth soldiers who violated the law be

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<sup>591</sup> BRO C1/1, f. 37r; also 19r. Since the church could not even house the whole population of the town, this order seems optimistic at best.

<sup>592</sup> BRO C1/1, f. 51r.

<sup>593</sup> BRO C1/1, f. 20v.

<sup>594</sup> BRO C1/1, f. 53r.

imprisoned and put out of pay so that the mayor could punish them as he saw fit.<sup>595</sup> When the townspeople continued to complain despite this generous concession to the power of the mayor, Hunsdon's frustration was evident. "I am credibly informed," he stated testily, that "the names of all them being taken that do keep any hostelry there is under forty." Clearly this number did not seem unreasonable to him, but he agreed that since they continued to argue for the practice impoverishing the town, "the proclamation shall continue and be observed."<sup>596</sup> He made an allowance for the horsemen, however, "who have as great privilege in that town as yourselves, shall either keep hostelry houses or bake or brew in their houses and likewise none of them shall trouble any of your townsmen with taking any victuals of them."<sup>597</sup> As with so many other proclamations on the ground, officials were either unable or unwilling to enforce this prohibition.

The bailiff surveys make it clear that many soldiers' wives were involved in selling ale. Women, in fact, dominated the ale brewing and selling business in Berwick, as they did all over England and early modern Europe.<sup>598</sup> There were several reasons for this. "Impotent folk," such as widows, found alebrewing one of the only means of subsistence available to them. Families who relied on the income of the husband could

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<sup>595</sup> TNA, WO 55/1939, f. 80v. Baker were often listed with brewers; officials of the town monitored both groups' use of grain, which was often in short supply in Berwick.

<sup>596</sup> Hostels usually functioned as alehouses as well. TNA, WO 55/1939, f. 82r. He warned the townsmen that "since you will live so absolutely of yourselves and stand so precisely upon your privileges, they are likewise to do the same for themselves, for and trust you cannot compel any of them either to eat or drink in your houses nor to buy your wares."

<sup>597</sup> TNA, WO 55/1939, f. 87v.

<sup>598</sup> See Judith Bennett, *Ale, Beer, and Brewsters in England: Women's Work in a Changing World, 1300-1600* (Oxford, 1996), and David Pennington, *Going to Market: Women, Trade, and social relations in early modern English towns, c. 1550-1650* (Ashgate, 2015), 44-6. This is a phenomenon noted even today in developing countries; see *The Economist* May 27, 2017, "Girls, Incarcerated" on Kenyan women jailed for brewing alcohol at home.



supplement it in hard times with alehouse-keeping. Men kept their day jobs, in this scenario, while their wives served ale.<sup>599</sup> For example, Andrew Crow's wife was found keeping an alehouse in Marygate in 1594; by 1595, Crow had joined the garrison, and in 1599 his wife again appeared as an alehouse keeper.<sup>600</sup> Peter Clark finds that while it was common for women to keep alehouses in the medieval period, by the sixteenth century they were edged out of the business through societal disapproval, complemented by increasing legal action. For example, in 1540, officials in Chester banned women from alehouse-keeping and victalling entirely.<sup>601</sup> While older widows were permitted to serve ale as a means of avoiding poor relief, for younger women, even wives, the social anxieties surrounding the alehouse, and likely its association with brothels, resulted in their exclusion.

This trend does not hold in Berwick, however. The bailiff surveys of the 1590s show that most people running alehouses were wives or widows (see Figure 3.4). At the same time, there was growing involvement by men even just over the course of the 1590s, perhaps reflecting the dire situation of many during the years of drought. Men, however, almost exclusively brewed and sold beer rather than ale (see Figures 3.5-3.8). An import from the continent, beer required more technical skill and ingredients (namely, hops), but was more economical to produce: the same amount of malt could make almost double the amount of beer than ale and lasted longer.<sup>602</sup> Judith Bennett's work on women brewsters finds that women, and especially single women, became less involved in

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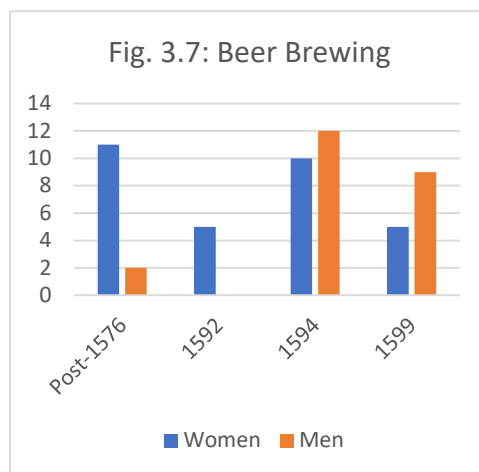
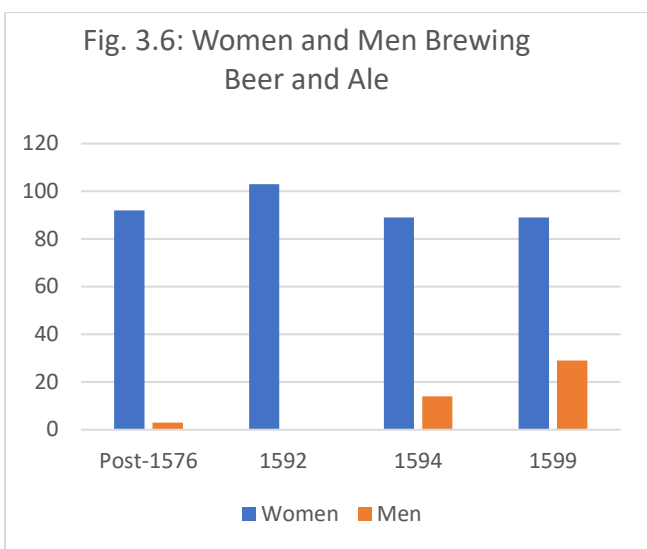
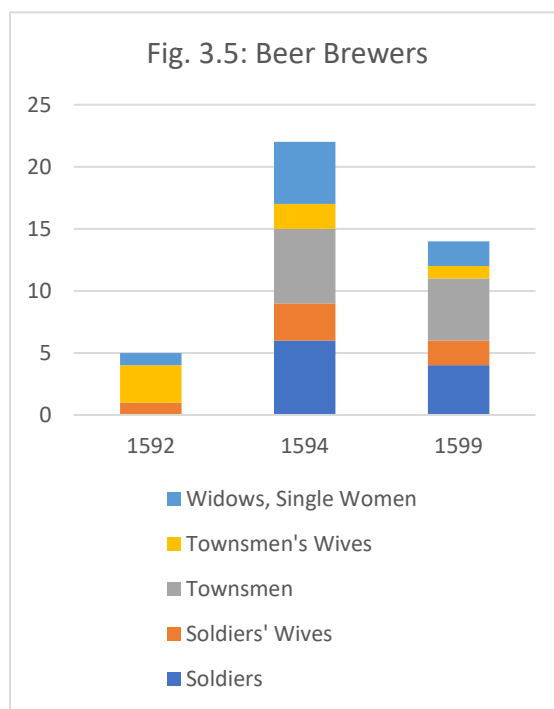
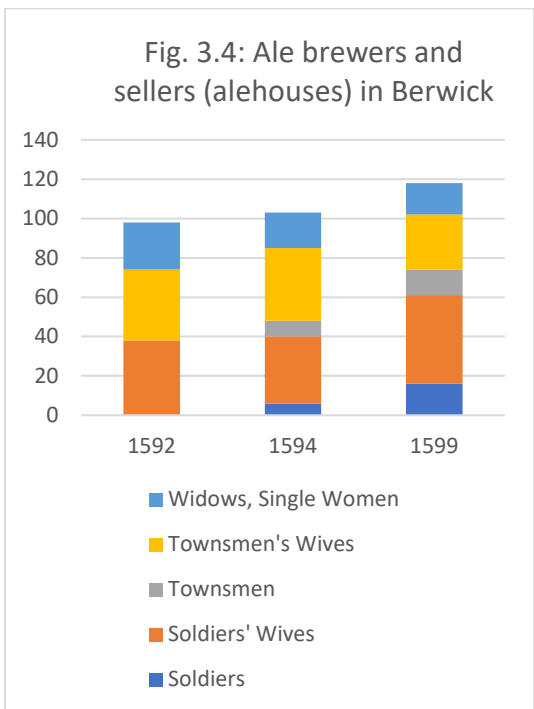
<sup>599</sup> Clark, 81.

<sup>600</sup> BRO C1/1, f. 33r, 44v; SPO, *SP* 59/37, f. 89r. "Muster book of Berwick," 10 June 1598.

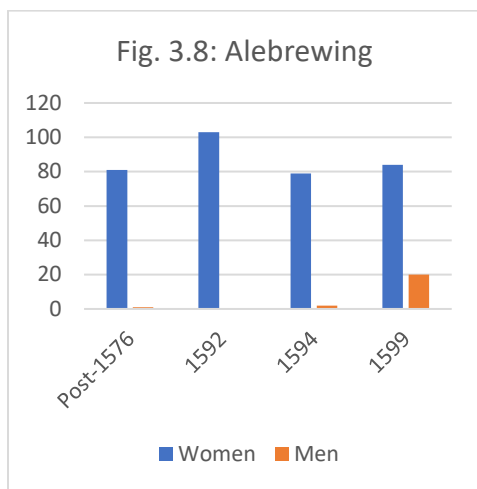
<sup>601</sup> Clark, 79.

<sup>602</sup> Clark, 97, 100.

brewing not because of the social stigma, but rather because they were unable to gain access to beer brewing, which was more technically demanding and required more capital.<sup>603</sup>



<sup>603</sup> Bennett, 37-59.



Source: *BRO C1/1, Bailiff Survey Presentments*<sup>604</sup>

While women did not brew beer on their own, brewing beer was often a household activity shared between husband and wife. In Berwick, the wife of soldier Richard Awger ran an alehouse, while he was noted as “drawing” beer.<sup>605</sup> In 1592, another soldier, Edward Hall, had a wife who was listed as a brewer, while in 1594 he was listed as a beer drawer.<sup>606</sup> William Glover’s wife kept an alehouse in 1592; in 1594, she appeared again as an alehouse keeper, while William drew beer.<sup>607</sup> Glover is the only beer or ale server who is titled an innkeeper; he was likely the son of William Glover, a soldier from Somersetshire who was seventy in the 1598 musters.<sup>608</sup> Burgesses could also

<sup>604</sup> Inclusive of beer brewers. In 1592, the lists are headed “Alebrewers.” In 1594, “Alehouses,” and in 1599, “Alebrewers.” I have assumed brewing and selling to take place in any of the establishments listed and have not distinguished between those two practices in either the Ale or Beer charts. I have not included the first bailiff survey because its date is unknown; being potentially twenty years removed from the 1598 muster makes it difficult to identify soldiers. I am able, however, to use the undated survey in the charts of women and men brewers. If the name in the alehouse list is in the muster, it is assumed they were soldiers if they had served for long enough to be there in 1592 and/or 1594. Many names are fairly unusual, making it more likely that it is the same man.

<sup>605</sup> SPO, *SP 59/37*, f. 89v. “Muster book of Berwick,” 10 June 1598; BRO C1/1, f. 33v.

<sup>606</sup> BRO C1/1, fols. 17r, 33v; SPO, *SP 59/37*, f. 95r. “Muster book of Berwick,” 10 June 1598.

<sup>607</sup> BRO C1/1, fols. 17r, 33v.

<sup>608</sup> SPO, *SP 59/37*, f. 79r. “Muster book of Berwick,” 10 June 1598.

become involved in both ale and beer brewing. In Hidehill, Meredith Griffen was a burgess whose wife was listed as brewing ale in 1592. In 1594, she did both: ran an alehouse and drew beer.<sup>609</sup> In 1599, the provost marshal's wife was drawing beer; ultimately, beer and ale brewing was a craft open to anyone with the resources and space to practice it.<sup>610</sup> In the remote border town, the service industry attracted men and women, soldiers and townspeople, providing another forum where the various groups interacted on a daily basis.

#### *Reformation in the border town*

Not only did Berwick's soldiers and townspeople work and live amongst one another, they also sat under the same preaching in Berwick's parish church. Elizabeth's early involvement in Berwick's spiritual oversight ensured early conformity to her protestant settlement of 1559. The seeds of reformed religion had been sown a decade earlier when John Knox, the fiery Scottish reformer, spent two years there as an "army chaplain" from 1549 to 1551.<sup>611</sup> Still, there remained work to be done, particularly after the large influx of soldiers in 1560. That January, the Duke of Northumberland reported that the "altars [were] still standing in the churches," and Captain Francis Leek found that "the curate here is a very simple man, void of all learning... If preaching be needful in

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<sup>609</sup> BRO C1/1, fols. 16v, 33v. Meredith Griffen was admitted to the guild in 1572; see BRO B1/2, f. 29r.

<sup>610</sup> BRO C1/1, f. 33v. In all likelihood, the provost marshal in 1599 was John Carey, who continued to serve as marshal after the appointment of Lord Willoughby to the post of governor in 1598. Scott, 183.

<sup>611</sup> Jane Dawson, *John Knox* (Yale University Press, 2015), 58-61.

any part of Europe, the like and more is it to be had in this town, with straight commandment unto the captains that they may not be absent from sermons.”<sup>612</sup>

Elizabeth quickly set about to change the status quo by paying for protestant ministers to shepherd the military and civilian flock.<sup>613</sup> Thomas Clerk was appointed by the queen to serve as Berwick’s minister sometime prior to 1580.<sup>614</sup> He witnessed wills in the 1580s and was, on occasion, involved with town activities; in June 1580, he appeared with the common council to try a case of incest, while in 1588 he assisted the alderman and mayor with the distribution of poor relief.<sup>615</sup> In 1589 he died, and his place was taken by his son Richard, who had served as his assistant. That role was now filled by William Selby, minister, who may have been related to the Robert Selby that served as Berwick’s vicar from 1541 to 1565.<sup>616</sup> Hunsdon authorized Widdrington to put them both “in the said rooms accordingly;” thus both were in the pay of the queen. William Selby was nominated to the minister’s office by the special request of Widdrington’s wife Elizabeth, “upon his good behavior and well liking of the town.”<sup>617</sup> Elizabeth was a noted “hotter sort” of protestant, who was later criticized by Hunsdon for going to hear Scottish

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<sup>612</sup> *HMC Salisbury*, vol. 1, no. 592 (pg 168). “The Duke of Norfolk to Sir W. Cecil,” 10 January 1560; SPO, *SP 59/3*, f. 63. September 1560; see also Scott, 351. The vicar, meanwhile, was Sir Robert Selby, whose “ineptness” was known to the Dean of Durham, patron of the church of Berwick. J. Raine, ed., *Wills and Inventories from the Registry at Durham* Part 3, vol. 112, *Surtees Society*, 7.

<sup>613</sup> It can be difficult to determine their exact tenures. For example, Bernard Vincent, minister, appears as a witness in wills written in 1580 to 1583, but no mention is made of him anywhere else. *Surtees Society* vol. 112, 70 (Thomas Morton, 1580; see also DRPI/1/1583/M5/1-4), 89 (Hugh Clark, November 1581), 91 (Martin Garnet, February 1582); DASC, DPRI/1/1583/R1/1-2 (John Raffe, 1583). Tweedmouth apparently had a church and minister of its own; in 1581, James Forster, minister, witnessed a will of William Preston, a pensioner living in Tweedmouth. Forster does not appear anywhere else. *Surtees Society* vol. 38, 60.

<sup>614</sup> He appears in the common council minutes in June 1580; see BRO C1/1, CCM f. 42r.

<sup>615</sup> *Surtees Society* vol. 112, 91 (Garnet, February 1582), 108 (Anthony Bradford, April 1584). BRO C1/1 CCM, fols. 42r, 68r.

<sup>616</sup> See above. Although he is not to be confused with Captain William Selby of the garrison.

<sup>617</sup> TNA, WO 55/1939, f. 79r.

preachers “in gardens” outside of the town limits, within which they had been forbidden by Hunsdon. Her role as a “ringleader” of large gatherings to attend these preaching sessions indicates her strong protestant leanings and thus the likely position of William Selby as well.<sup>618</sup> Both Clerk and Selby were still serving in 1605, when the town began collecting dues to pay them to replace their royal salaries which had ceased with the dissolution of the garrison.<sup>619</sup> Protestant preachers would continue to serve Berwick’s congregation in the seventeenth century.<sup>620</sup>

Richard Clerk left behind a detailed inventory of his books, which confirm his status as a zealous protestant. His extensive collection of books was worth over £14 at the time of his death, almost half of his total worth. The variety of texts in his possession point to his learning, his protestant leanings, and his efforts to understand Catholic arguments and doctrine. He had the Geneva Bible, a Rheims Bible (a Catholic English translation), and Tremellius’ Latin Bible. His collection of commentaries included many by early reformers like Luther, Zwingli, Beza, Erasmus, Oecolampadius, Bullinger, and Musculus, as well as works by English reformers like Bale and Whittaker. His collection of work by John Calvin was particularly extensive; he possessed commentaries on

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<sup>618</sup> TNA, WO 55/1939, f. 37r.

<sup>619</sup> BRO B1/7, f. 51v.

<sup>620</sup> Richard Clerk died in 1607; the next year his position was filled by Selby and the town hired another preacher, Mr. Dury. BRO B1/7, f. 130r. Richard Smith, preacher, became a free burgess in 1609 (BRO B1/7, f. 139r), and appeared on the guild roll of 1615 (BRO B1/8, p. 25). The next year, however, John Jackson began preaching in Berwick in February 1616; the following August the town decided to retain him permanently. Henceforth only he and Dury appear in the guild records; William Selby’s date of death is uncertain (BRO B1/8, p. 13, 18). In 1620, they were both made free burgesses (BRO B1/8, p. 107). James Melvin, Clerk’s son-in-law, also served as preacher until his death in 1614 (DASC, DPRI/1/1613/M8/1-2). John Jackson came on as preacher in 1616; it is little surprise to find a protestant preamble to his will, written in 1629: “I bequeath my soul to the almighty, with whom I confidently trust to rest in eternal bliss through the merits and intercession of my lord and savior Jesus Christ.” (DASC, DPRI/1/1629/J2/1).

Deuteronomy, Isaiah, a “Harmony upon the gospels,” all the epistles, Timothy and Titus, as well as copies of his sermons. Clerk was also well-educated in the classics; he had Greek and Latin dictionaries and works by ancient authors, from Homer and Cicero to Aristotle and Aristophanes.<sup>621</sup> While no records of his sermons survive, we may infer that from 1589 to 1607, and likely well before this time, anyone who went to Berwick’s church sat under protestant preaching.

Preaching was of little consequence, however, if the church was unable to house the people. The insufficiencies of Berwick’s church were recalled time and time again throughout Elizabeth’s reign, but while the queen was willing to pay preachers, she did not donate funds to rebuild the dilapidated church.<sup>622</sup> Instead, the New Orders permitted its repair by the queen’s surveyor of the works. In the meantime, it “being very small,” the queen ordered that the captains and governor arrange the duties of the soldiers so that they all might attend services at least once a week. The governor and “principal officers,” however, were to attend “morning and evening, at least every holy day and Sunday.”<sup>623</sup> The church itself, such as it was, sustained regular abuse throughout this period by herds of cattle and mounding dungheaps.<sup>624</sup> By 1598, the guild’s requests for funding to build a new church had reached a new pitch. Berwick’s mayor reported to the queen that the church was physically unstable; they had employed scaffolding to create more room, but

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<sup>621</sup> DASC, DPRI/1/1607/C7/1-4.

<sup>622</sup> BRO C1/1, f. 60v. TNA, WO 55/1939, f. 28v. December 1584; BRO B1/7, f. 48r November 1604. Finally, in 1622, the king committed £3,000 to the finishing of the bridge and the construction of a new church. BRO B1/7, 135. *CBP* 1: 240, 1584 petition re: the building of the church.

<sup>623</sup> Scott, “New Orders,” 454. Three days wages was to be docked if soldiers missed church for longer than a week; of this, two days wages was to go to the poor box.

<sup>624</sup> BRO C1/1, f. 31r. The queen’s council also attempted to address these problems; see, for example, BRO C1/1 CCM, f. 103r.

this was rickety to the point that during storms, “both the preacher and [the parishioners] have often times run forth of the church even at sermon time, to save themselves from the danger thereof.”<sup>625</sup>

Despite these physical limitations, a report in 1587 on the state of religious belief in the north claimed that “no one in the town or garrison of Berwick can be justly charged with being a papist, Anabaptist, or undutiful subject.”<sup>626</sup> Such optimism is difficult to accept at face value; like any other community, Berwick had its Sabbath breakers and nonbelievers. Bailiffs’ reports list profaners of the Sabbath, and periodically ordered captains to ensure the attendance of soldiers at service.<sup>627</sup> In 1599, meanwhile, the bailiffs found that “diverse of this town, as well men as women, masters of households and many others, do forbear to come to church on the Sabbath day or to receive the communion or to pay their church duties.”<sup>628</sup> These infractions point toward the existence of recusancy, particularly the mention of the refusal of communion. The general picture, however, is one of strong protestant preaching that was hindered by inadequate provisions for its population to receive that preaching.

The evidence of protestant preaching is complemented by individual wills, which remain an important source for gleaning information concerning religious belief.<sup>629</sup> Only

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<sup>625</sup> *CBP* 2: 892.

<sup>626</sup> *SPO, CSP Dom, Add., 1580-1625*, vol. 30, no. 61. “Note of the gentry on the borders,” 1587.

<sup>627</sup> *BRO* C1/1, f. 37r [1574];

<sup>628</sup> *BRO* C1/1, f. 56r.

<sup>629</sup> Using wills, “that overworked source for religious change,” to chart or track religious change has been much criticized over recent decades. M.A. Clark, “Northern Light? Parochial life in a ‘dark corner’ of Tudor England,” in Katherine L. French, Gary C. Gibbs, and Beat A. Kümin, eds., *The Parish in English life 1400-1600* (Manchester, 1997): 56-73, 58. Eamon Duffy finds that wills were indicators, rather, of “overwhelming social consensus.” Duffy, *The Stripping of the Altars: Traditional Religion in England 1400-1580* (New Haven: Yale University Press, 1992), 355. Christopher Marsh reminds us, however, that the fact that religious preambles continued to be used throughout the early modern period “implies a



about two hundred wills from Elizabethan Berwick are extant, precluding a detailed discussion of religious belief across the community at large.<sup>630</sup> Even though a comprehensive examination is not possible, what wills survive reveal something of the religious beliefs of individuals, both soldiers and townspeople. Henry Bell, a cannoneer whose brother Nicholas was admitted to the guild in 1594, wrote his will the same year. He bequeathed his soul “to my most gracious and merciful father (who gave it) hoping and being persuaded of the salvation thereof as also my body, by the death and bloodshed nigh of my Savior Jesus Christ only, and by none other means.” He was also in possession of “one great Bible” upon his death.<sup>631</sup> Henry Shell was a soldier under Captain Selby and son of Martin Shell, a cannoneer, who died 1591. His will states, “I commend and give my soul into the hands of God trusting assuredly that all my sins are done away in and through Jesus Christ my lord and my only savior.”<sup>632</sup> Mathew Jaye, a footman of the old garrison who died in 1606, had a similar construction: “I commit my soul unto Almighty God my maker and savior by merits of whose glorious death and passion I verily trust to attain eternal bliss and beatitude.”<sup>633</sup> The language of the wills

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widespread consensus about the spiritual importance of the document.” Christopher Marsh, “‘Departing well and Christianly’: will making and popular religion in early modern England,” in Carlson, ed., *Religion and the English People*, 201-244, quote on 242. “It seems probable,” he argues, “that most testators in Elizabethan England wished their wills to reflect their basic faith, even if they rarely expressed much concern over the precise form of the reflection” (229).

<sup>630</sup> The *Surtees Society* collections often truncated the wills, however, omitting the preamble altogether. *Surtees Society* vols. 2 (1835), 38 (1860), 112 (1906), 142 (1929); Maureen Meikle also notes that the editors omitted dating clauses that contain Catholic invocations (Meikle, 202).

<sup>631</sup> DASC, DPRI/1/1594/B6/1.

<sup>632</sup> DASC, DPRI/1/11591/S1/1. For Martin Shell, who died in 1584, see DPRI/1/1584/S4/1-2.

<sup>633</sup> DASC, DPRI/1/1606/J1/1-2.

varied, moreover, in terms of language, pointing to the likelihood that the men themselves dictated the preamble rather than relying on the formula of a notary.<sup>634</sup>

Prominent townsmen, meanwhile, wrote overwhelmingly protestant preambles. Leonard Fairley was the master carpenter of the army who joined the guild in 1597 and became mayor in 1610. His will, written in 1619, began “I commend my soul unto the hands of almighty god my creator, being fully assured to have it restored unto the inheritance of his heavenly kingdom through the merit of God my father and the merits of Jesus Christ, his son, mine only savior and redeemer.”<sup>635</sup> Thomas Parkinson, merchant burgess, mayor, and MP, also had an unquestionably protestant will, as well as other prominent guildsmen like Hugh Fuelle, John Sleigh, Raphe Crawforth the elder, and Henry Hitton.<sup>636</sup> Sometimes inventories provide clues as well; Stephen Saltonstall, Robert Temple, and Anthony Anderson – all important men from influential local families – possessed Bibles at the time of their death.<sup>637</sup> Traditional language, however, persisted. The will of Raphe Harrison, a great gunner who died in 1589, began “I queathe

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<sup>634</sup> Caroline Litzenberger developed a schema for determining protestant, ambiguous, and Catholic preambles. See her “Local Responses to religious changes: evidence from Gloucestershire wills,” in Carlson, *Religion and the English People 1500-1640*: 245-270, especially the chart on p. 257.

<sup>635</sup> Admittance to the guild, BRO B1/5 f. 25v. His fee was repairing the tollbooth. Mayoralty, BRO B1/7, 158r. Will, DASC DPRI/1/1619/F1/1-3.

<sup>636</sup> Parkinson’s stated: “I do most willingly betake my soul into the hands of Almighty God my creator, confidently assuring myself through his perfect mercy and the all sufficient merits of my only savior and redeemer Jesus Christ, to be partaker of everlasting life and salvation with all the elect of God, according to his promise.” DASC DPRI/1/1619/P3/1. Hugh Fuelle: DASC, DPRI/1/1619/F6/1-4; John Sleigh: DASC, DPRI/1/1594/S5/1-2; Raphe Crawforth: DASC, DPRI/1/1602/C3/1; Henry Hitton: DASC, DPRI/1/1616/H13/1-7.

<sup>637</sup> Saltonstall: DASC, DPRI/1/1619/S1/1; Robert Temple: DASC, DPRI/1/T3/1-4; Anthony Anderson: DASC, DPRI/1/1592/A1/1-6.

my soul to the almighty God my creator and to all the holy company of heaven;” the last clause, “and to all the holy company of heaven,” was then crossed out.<sup>638</sup>

Despite the limitations of sources, the community of Berwick clearly stood out from the northern region as whole, where Catholicism remained firmly entrenched well into the seventeenth century.<sup>639</sup> The features of border life that made this region amenable to criminal activity – its distance from London and remote, difficult geography – also helped maintain Catholic households and practices, which in turn fostered fears of rebellion. Berwick, the queen’s “town of war,” was a beacon of light in these dark corners of the land. Her preachers provided a consistent message that was missing from large parts of Northumberland, creating a protestant bulwark in the midst of persistent Catholicism.

### *Conclusion*

The social fabric of Berwick’s community was composed of two distinct groups whose lives were interwoven by their physical proximity, social interactions, and spiritual care. The townspeople stridently opposed certain overreaches on the part of the martial establishment, but their defensive posturing was mitigated on the ground by the identity

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<sup>638</sup> DASC, DPRI/1/1589/H3/1. Richard Crow wrote Raphe Harrison’s will; his name does not appear anywhere else. Meikle makes the point, along the lines of Christopher Marsh’s argument, that while people sought to express their personal faith in their wills, there could be practical reasons to keep it as generic – or ambiguous – as possible; for Catholics, proving the will and distributing the goods could be blocked if Catholic faith was expressed in the will itself. Meikle, 202-3.

<sup>639</sup> In 1587, royal officials found that “the greater part of the gentry are papists or addicted to papistry.” *CSP Dom, Add.*, 1580-1625, vol. 30, no. 61. “Note of the gentry on the Borders,” 1587. Historians have tracked gentry families and concur with this assessment, finding that the border region was slow to reform. See in particular Meikle, 198-210. See also M.A. Clark, “Reformation in the Far North: Cumbria and the Church, 1500-1571” *Northern History*, xxxii (1996) 75-89; Clark, “Northern Light?;” Watts, 75-88.

of the soldiers themselves, many of whom were local men. This situation did not conform to the ideal presented by the queen in her rules of the new garrison established at Berwick in 1560. Soldiers and townspeople were to remain discrete populations in order to prevent distraction or divided loyalty on the part of the soldiers, or their interference in town life and the civilian discontent this development would breed. Elizabeth's specifications for southern men, preferably unmarried, were violated from the very inception of her new establishment. When Lord Willoughby attempted to reinstate the prohibition against northern men in 1598, William Selby, the gentleman porter, informed the bewildered governor that this "article...was never put in force" because the captains so strongly disagreed with it. Indeed, Selby thought it likely that "the most of them [the soldiers] never heard of the law or establishment."<sup>640</sup> This discrepancy, between crown plans for border defense and its actual manifestation on the ground, points to the difficulties of enforcing crown will in the borders, even in a locality under the queen's direct control through her governor.

The compromises on the ground permitted the populations of townspeople and soldiers to coexist peacefully. The very presence of the soldiers, moreover, confirmed the townspeople's understanding of their own identity. Berwick was not just another market center, but a key strategic holding of the crown, in need of constant defense. The soldiers were important, but the townspeople knew that they themselves provided a crucial aspect of defense in their role as soldier-citizens. In 1593, the mayor argued that "our interest for the safety thereof, is greater than the soldiers, who if it were lost (as God forbid) could

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<sup>640</sup> *CBP* 2:949.

serve and live in any other place.”<sup>641</sup> This fundamental understanding of the town’s identity and significance would be utterly overturned a decade later upon the accession of the Scottish king James VI to the English throne.

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<sup>641</sup> *CBP* 1: 806.

#### Chapter 4: “That Little Door”: Berwick under James I, 1603-1625<sup>642</sup>

##### *Introduction: Berwick’s changing significance*

On 26 March 1603, Robert Carey, son of Lord Hunsdon and warden of the east march, arrived in Edinburgh and announced to the Scottish king that Elizabeth had died. James VI of Scotland was now James I of England. Carey’s frenzied ride north from London had included a brief stop in Berwick, where his brother John currently served as deputy marshal. Upon hearing Robert’s announcement, John, “considering it was a town of great import, and a place of war, . . . caused all the garrison to be summoned together, as also the mayor, aldermen, and burgesses, in whose presence he made a short and pithy oration, including her Majesty’s death, and signifying the intent of the state, for submitting to their lawful Lord.”<sup>643</sup> Berwick’s significance as England’s foremost garrison and “the nearest place [in England] wherein by right he claimed possession,” authorized it to stand for all of England in expressing the “intent of the state” to show respect and obedience to their new king.<sup>644</sup>

It was not only the military establishment in Berwick that recognized the town’s role in welcoming the new king. The townspeople sent north with Robert a letter to James declaring him king of England and professing their “love, loyalty, and hearty affection,” asking him “to enroll us in the rank of your Grace’s loyal and sound hearted subjects.” In

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<sup>642</sup> “The True Narration of the Entertainment of his Majestie, from the time of his Departure from Edenbrough, till his Receiving at London; with all, or the most speciall Occurances,” in John Gough Nichols, ed., *Progresses, processions, and magnificent festivities of King James the First*, vol. 1, (London, 1828), 58.

<sup>643</sup> “True Narration,” in *Progresses*, 56.

<sup>644</sup> “True Narration,” in *Progresses*, 57.

his response, James noted that Berwick was “to be governed in the same form and manner as heretofore,” as he would be “careful to maintain your wonted liberties and privileges.”<sup>645</sup>

The king also acknowledged Berwick’s special role in being the first to welcome him into England. While still in Scotland, James prepared for his arrival in his southern kingdom by sending the abbot of Holyrood house to Berwick to perform a sort of dress rehearsal of the king’s entrance into England. The abbot imitated James’ future performance by taking

possession of Berwick to the king’s use; who being really possessed of the keys and staff, which, after the oath of allegiance by him given unto the mayor and governor, he cheerfully, in the King’s name, re-delivered back the keys and staff; manifesting his Majesty’s good pleasure was they should enjoy all the ancient privileges, charters, and liberties, and not only they, but also all his loving and well affected subjects, shewing and continuing the like obedience.<sup>646</sup>

The abbot also administered the oath of allegiance to “the superior officers belonging to the garrison of the town,” who were then confirmed in “whatsoever office they had before her Majesty’s death.” The townspeople “assur[ed] him by his entrance into England at that little door, how welcome into the wide house his Excellence should be.”<sup>647</sup>

For Berwick’s people, and indeed for all of England, James’ peaceful entrance into England and accession to the throne occasioned relief, joy, and celebration. In Berwick, however, the arrival of the Scottish king had added significance. The inhabitants of the border town expressed concerns to the king and to his abbot regarding

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<sup>645</sup> “Letter from the Mayor of Berwick to the King,” 26 March 1603, in *Progresses*, 32.

<sup>646</sup> *Progresses*, 39.

<sup>647</sup> “True Narration,” in *Progresses*, 57-8.

the status of the garrison and town, now so mutually dependent, in light of the regnal union of England and Scotland. This apprehension is apparent in the responses elicited from the king and abbot, confirming the continuation of the offices of the garrison and the governance of the town – for now. Berwick’s inhabitants had to content themselves with this answer, and could do little more than wait in anticipation for news from London regarding the queen’s erstwhile town of war.

James did indeed envision a dramatic transformation of the border town, in line with his grand plans for a more complete union between England and Scotland. Central to this project was the creation of the Middle Shires, as the six marches of the Anglo-Scottish border (East, Middle, and West in both England and Scotland) were rechristened.<sup>648</sup> This region was now one unified “heart of the country;” its transformation involved not only a restructuring of border law and policing, but also a complete reappraisal of Berwick’s garrison, a development almost totally neglected by historians.<sup>649</sup> Over the winter of 1603 to 1604, James dismantled the framework of the garrison, dismissing members of the queen’s council and discharging most of the soldiers, and issued a new charter to the townsmen, restoring their autonomy in all matters of the burgh. In 1611, the remaining soldiers, “worn in age,” were converted to pensioner status; the garrison was no more.<sup>650</sup> The king remained involved in Berwick financially, however; with the patronage of the powerful Earl of Dunbar, the town

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<sup>648</sup> See Map 1, Appendix A.

<sup>649</sup> RPCS, 1<sup>st</sup> ser., vol. 6 (1599-1604), p. 560. Watts, in his extensive study on Northumberland from 1586 to 1625, gives the dissolution of the garrison one paragraph. See Watts, 137.

<sup>650</sup> SPO, SP 14/63, f. 60. “Petition of the 100 soldiers at Berwick to Salisbury, against the reduction intended in their pay,” 23 April 1611.



secured a total of £15,000 to build a stone bridge over the River Tweed between 1608 and 1623.

Berwick retained relevance as a “stately and royal monument,” but now as a symbol of union rather than of defense. Instead of representing the military capacities of England against its northern neighbor, it now represented the happy union of the two kingdoms. “That town that many a hundred years hath been a town of the enemy,” after 1604, served as a “little door” into James’ new kingdom.<sup>651</sup> Elizabeth’s walls still stood, but it was James’ bridge that ensured that the connection between his two realms would never be broken; it would become a lasting “monument of blessed union between the two kingdoms,” even to this day.<sup>652</sup> James’ actions in Berwick proclaimed loudly, for his subjects and all of Europe to hear, that England and Scotland were (to him, at least) one, united, kingdom.

### *James and the borders*

The peaceful and joyful exchange between Berwick and the new king in the days following Elizabeth’s death belied the precarious situation confronted by John Carey in the preceding tense weeks. In a letter to Cecil on 16 March, the marshal revealed his “terrors and fears of mind” regarding Berwick’s vulnerability since Elizabeth would not name her heir. “What should I do here,” he fretted, “not knowing how or for whom to keep this place, being only in the devil’s mouth, a place that will be first assailed” by the Scots upon the queen’s death? Indeed, Carey was so frightened that he sought permission

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<sup>651</sup> “True Narration,” in *Progresses*, 62-3.

<sup>652</sup> TNA, E351/3585, “Works (Military) and Fortifications,” Bridge Accounts 1611-1634.

to leave Berwick to come and “take further directions” from the queen in person.<sup>653</sup>

Elizabeth finally named James her successor on her deathbed, and the succession question was decisively put to rest peacefully. The English people were initially relieved to have a young, male, protestant king on the throne.

For James also, relief must also have been a dominant emotion, for his relationship with Elizabeth had often been burdened by tensions and disagreements, even amidst bright points like the 1586 Treaty of Berwick. This pact confirmed the two nations’ willingness to come to one another’s defense, and also provided for an annual subsidy from Elizabeth to James. In the negotiations of the treaty, James reminded the queen that their “nearness of blood, bound up with so many obligations, vicinity of realms, conformity of language, and religion” should assure her that “this my affection, built upon so sure and godly grounds, is never able to fall.”<sup>654</sup>

Much like relations between England and Scotland, however, that of its queen and king – the self-styled “very assured, loving sister” and the “most loving and devoted

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<sup>653</sup> *HMC Salisbury*, vol. 12, p. 677. “Sir John Carey to Sir Robert Cecil,” 16 March 1603.

<sup>654</sup> “James to Elizabeth,” 10 May 1586, in G.P.V. Acrigg, ed., *Letters of James VI and I* (Berkeley: University of California Press, 1984), 69. Quoted in Andrew D. Nicholls, *The Jacobean Union: a reconsideration of British civil policies under the early Stuarts* (Westport, Conn.: Greenwood Press, 1999), 27. Whether his posturing to Elizabeth really amounted to a “British vision” of England, Scotland, and Ireland is not convincingly argued by Nicholls, 28. Works that emphasize 1586 as a turning point in Anglo-Scottish relations include Jane Dawson’s *Scotland Re-Formed, 1488-1587*, a publication in the New Edinburgh History of Scotland Series (University of Edinburgh Press, 2007) and S.J. Watts, with Susan Watts, *From border to middle shire: Northumberland 1586-1625* (Leicester University Press, 1975).

brother and son”<sup>655</sup> – often conveyed little more than a mere “vener of harmony.”<sup>656</sup>

Foremost among their problems was Elizabeth’s refusal to name James her heir until on her deathbed. Over time, James became increasingly worried about his chances of inheriting the English throne; incidents that to the queen seemed inconsequential preoccupied him for years.<sup>657</sup> Unfortunately, Elizabeth’s subsidy, while a sign of her “free goodwill,” was also intermittent.<sup>658</sup> Usually James was forced to remind his cousin that the pension was due, performing a combination of “profuse affection and importunate demand, reminiscent of nothing so much as a pet cat that thinks it is, or ought to be, feeding time.”<sup>659</sup> The king much resented being forced to beg for money which he considered his due, but Elizabeth maintained that he ought to earn it.<sup>660</sup>

Tensions between the two monarchs played out most directly in the border region. For all their talk of affinity, love, and family, Elizabeth’s overriding concern remained the defense of the realm, which resulted in her spending lavishly on fortifications in the Anglo-Scottish border. She also required James’ aid to quell border disturbances; since

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<sup>655</sup> Queen Elizabeth to James VI of Scotland,” June or July 1585, and “James to Elizabeth,” c. 31 July 1585, in Leah Marcus, Janel Mueller, and Mary Beth Rose, eds., *Elizabeth I: Collected Works* (Chicago: The University of Chicago Press, 2000), 262-3. On the relationship of Elizabeth and James, see the works of Susan Doran: *Elizabeth I and her Circle* (Oxford University Press, 2015), Ch. 4; Doran and Paulina Kewes, “The Earlier Elizabethan Succession question revisited,” in Doran and Kewes, eds., *Doubtful and Dangerous*; “Loving and Affectionate Cousins? The Relationship between Elizabeth I and James VI of Scotland 1586-1603,” in Doran and Glenn Richardson, eds., *Tudor England and its Neighbours* (Basingstoke: Palgrave Macmillan, 2005); “Three Late Elizabethan Succession Tracts,” in Jean-Christophe Mayer, ed., *The Struggle for the Succession in late Elizabethan England: Politics, Polemics, and Cultural Representations* (Université Paul-Valéry Montpellier 3, 2004).

<sup>656</sup> Jenny Wormald, “James VI and I: two kings or one?” *History* vol. 68, no. 223 (1983), 187.

<sup>657</sup> For example, see the case of Valentine Thomas, a recusant arrested in the north of England in 1598, who claimed to have been hired by James to assassinate Elizabeth back in 1570. See Doran, “Loving and affectionate cousins?” 221-5.

<sup>658</sup> “Elizabeth to James,” March 1586,” Marcus et al., 275. Elizabeth had considered “buying his loyalty” as early as 1583; see Doran, *Elizabeth I and her Circle*, 95.

<sup>659</sup> Julian Goodare, “James VI’s English Subsidy,” in Goodare and Michael Lynch, eds., *The Reign of James VI* (East Linton: Tuckwell Press, 2000), 122.

<sup>660</sup> Goodare, “James VI’s English Subsidy,” 120-3.

this was not always forthcoming, the queen utilized the uncertainty of the pension to prompt James into acquiescence in that region.<sup>661</sup> James, in response, saw the marches as a “major instrument of policy,” where he could choose to ignore his subjects’ raiding and lawlessness when displeased with Elizabeth. She acknowledged this friction, commenting that “the breaking out [of violence] upon our borderers... commonly are the beginnings of our quarrels.”<sup>662</sup> Most of the violence and disorder that occurred along the borders took place in the West Marches of England and Scotland, which was across hilly terrain and far from both English and Scottish centers of power.<sup>663</sup>

This situation continued as late as 1596, when the king demurred from punishing Walter Scott of Buccleuch. Scott was a powerful border magnate of the Scottish East March and keeper of Liddesdale, who raided Carlisle, the English town of the West March, with five hundred men to free the notorious criminal Kinmont Willie.<sup>664</sup> In this case, Elizabeth’s withholding of the pension was ineffective at applying pressure on him, perhaps because a coterie of James’ councilors, called the Octavians, were improving the state of crown finances so that he did not feel an immediate need for her gift.<sup>665</sup> It was not until James established good relations with Cecil, after the fall of Essex in 1601, that

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<sup>661</sup> Indeed, disturbances in the border were often cited as the reason why his pension payment was delayed. Goodare, “James VI’s English Subsidy,” 113-116; Doran, *Elizabeth I and her Circle*, 112.

<sup>662</sup> “Elizabeth to James,” August 1585, Marcus et al., 264.

<sup>663</sup> Indeed, Maureen Meikle argues for a separate consideration of the East and West Marches, contending that the reputation of violence and disorder attributed to the whole border region more appropriately belongs to the West Marches only. See Meikle, *A British Frontier? Lairds and Gentlemen in the Eastern Borders, 1540-1603* (East Linton: Tuckwell, 2004), 3.

<sup>664</sup> *CBP* 2: 251, “Scrope to the Privy Council,” 14 April 1596.

<sup>665</sup> Bruce Galloway, *Union of England and Scotland, 1603-1608* (Edinburgh: John Donald Publishers, 1986), 10.

Maurice Lee, Jr., *Government by Pen: Scotland under James VI and I* (Urbana, University of Chicago Press, 1980), 18.

the Scottish king felt assured in his succession and fully supported Elizabeth's efforts to pacify the borders.<sup>666</sup>

Upon his accession to the English throne, James advocated for closer union between England and Scotland, which would provide "eternal agreement and reconciliation of many long bloody wars that have been between these two ancient kingdoms."<sup>667</sup> His two realms were already aligned in culture, religion, and language; sharing a king, it was obvious to James, was the first step toward a more complete and formal union. This union would involve joining many institutions of the two countries together, from the legal and judicial systems to the state churches. This dream was shared by few, either Scottish or English; by 1607 the two parliaments had stymied most of his proposals, and over the years only a few concessions to the king's vision were realized. James implemented several changes himself through "executive measures" that unified the "public symbolism" of England and Scotland, such as the coinage, seals, and, most controversially, the flag.<sup>668</sup>

From the very first days as king of England, James understood the border region as the "showpiece" of his union project.<sup>669</sup> In this area, unlike his executive measures, he was able to secure parliament's early approval and assistance. Indeed, the borders became the tangible, practical centerpiece of James' broader union project in the first years of his

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<sup>666</sup> Doran, "Loving and Affectionate Cousins?" 225-7. See also Doran, *Elizabeth I and her Circle*, 297-308, on Robert Cecil and James.

<sup>667</sup> James VI/I, "A Speach to both the hovses of parliament, delivered in the great chamber at White-Hall," 31 March 1607, in Charles Howard McIlwain, ed., *The Political Works of James I* (New York: Russell and Russell, 1965), 293.

<sup>668</sup> See Galloway, 82 ff, and his Introduction for a concise and clear overview of these issues.

<sup>669</sup> Goodare and Lynch, "The Scottish State and its Borderlands," in Goodare and Lynch, eds., *The Reign of James VI*, 188.

English reign. His actions there demonstrated a desire to instill law and order and had the happy side effect of reducing crown expenses by abolishing border offices like that of warden. Peace in the borders, furthermore, symbolized the capacity for other forms of union between the two realms: if people who “abhor all laws made for the establishment of quiet and concord, and obey them for fashion and upon constraint,” could be pacified, then surely his union project would garner more support.<sup>670</sup> Before he had even left Scotland, he ordered “the inhabitants of both his realms to obliterate and remove out of their minds all and whatsoever quarrels with an universal unanimity of hearts.”

James knew that the quest for the hearts and minds of his people would be an uphill battle. To that end, he called for a redefining of the border region itself. Indeed, for union to proceed, the borders themselves had to cease to exist. In 1604, he noted,

The work we have presently in hand is utterly to extinguish as well the name, as substance of the borders, I mean the difference between them and other parts of the kingdom. For the doing whereof it is necessary that all quarrels amongst them be reconciled and all strangeness between the nations quite removed...that that part of the kingdom may be made as peaceable and answerable as any other part thereof.<sup>671</sup>

In large part, James was able to do this, even though ultimately his greatest wish, legal and parliamentary union beyond union of crowns, went unfulfilled until 1707.<sup>672</sup> The king’s efforts in the border reveal his understanding of this region as a site where the crown could demonstrate its power and authority, much as Elizabeth had. The crown’s ability to enact its will there pointed to its strength as well as its priorities, which had

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<sup>670</sup> Robert Pont, “Of the Union of Britayne...” in Bruce R. Galloway and Brian P. Levack, *The Jacobean Union: six tracts of 1604* (Edinburgh: Clark Constable, 1985), 21-22.

<sup>671</sup> *HMC Salisbury*, vol. 16, 405. “Memorial touching the Borders,” 1604.

<sup>672</sup> Failure of union in Parliament has been well documented by Galloway, *The Union of England and Scotland*; for a short, clear summary, see Ellis with Maginn, *The Making of the British Isles*, 289-295.

shifted from defense and security to union. By 1611, James and those around him could call his border efforts a success.

This success was no easy feat. James, like Elizabeth, had encountered with regularity the challenge of asserting royal sovereignty in the far reaches of his kingdom. As king of Scotland, the Highlands and Anglo-Scottish marches had occupied much of his time and attention. The Catholic Lord Maxwell, based in the West March, rose against the king in open rebellion in 1588. Feuds between border gentry like Scotts and Kers (of the East March), furthermore, were not confined to the border itself, but played out on the streets of Edinburgh, for example in 1589. These troubles, unlike discontent along the English northern border, posed an immediate threat to the safety of the monarch himself because of their proximity to the capital; in response, James personally conducted raids, capturing rebels and holding justice courts, as he did in 1587 in Dumfries (home of Maxwell). He also brought together lairds from the borders to discuss the problems of the region and how to solve them.<sup>673</sup> An act passed by Scottish Parliament in 1587 demonstrated clearly James' approach: local lairds, held accountable for their kinship and adherents, were tasked with enforcing the border laws.

When he arrived in England, then, James already had a good sense of what needed to be done in the borders. Indeed, before he even arrived, trouble in the border had resurfaced during the "Busy Week" from 27 March to 7 April 1603, when, amidst rumors of disorder following the death of the queen, well-known border reiving families like the Grahams went on a final spree of theft and destruction amounting to £10,600

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<sup>673</sup> Goodare and Lynch, "The Scottish State and its Borderlands," in Goodare and Lynch, eds., *The Reign of James VI*, 203-204.

worth of damage in both the English and Scottish West Marches.<sup>674</sup> As king of England, James now had much greater resources at his disposal to address these issues; the lack of money, to hire border police, for example, had always hampered his efforts on the Scottish side. In April, he commissioned the receiver at York to increase the pay of fifty horsemen of Berwick and to fifty others levied by the laird of Johnstone in order “to suppress tumults on the borders.”<sup>675</sup> On 17 May, he issued a proclamation ordering criminals to appear before commissioners who had committed crimes “within the counties and limits heretofore called our borders, both of the English side and of the Scottish.”<sup>676</sup> The Grahams were finally dispelled by soldiers from Berwick led by Sir William Selby the elder, Sir Henry Widdrington, and Sir William Fenwick.<sup>677</sup> The following January, eighty-one soldiers disbanded from the Berwick garrison were sent to Carlisle to contribute to these pacification efforts.<sup>678</sup>

James’ actions to suppress the tumult in his Middle Shires have received their due attention by historians.<sup>679</sup> He made quick, wide-ranging changes to their governance, abolishing the piecemeal series of laws and customs that for centuries governed the rural

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<sup>674</sup> John Scott, *Berwick-upon-Tweed: the history of the town and guild*, (London, 1888), 186; Diana Newton, *The Making of the Jacobean Regime: James VI and I and the government of England, 1603-1605* (Woodbridge, Boydell Press: 2005), 19.

<sup>675</sup> SPO, *CSP Dom, Jas I 1603-1610*, vol. 1 (1603-1610), no. 45. “The king to Thomas Scudamore, receiver of Yorkshire,” 21 April 1603.

<sup>676</sup> James F. Larkin, c.s.v. and Paul L. Hughes (eds), *Stuart Royal Proclamations, Vol. 1: Royal Proclamations of King James I 1603–1625* (Oxford Scholarly Editions Online), 17.

<sup>677</sup> Watts, 135-6. Sir Henry Widdrington was the nephew of the erstwhile marshal and deputy governor, Henry Widdrington, who died in 1593. See Diana Newton, *North-East England*, 82.

<sup>678</sup> *HMC Salisbury*, vol. 16, 5. “Sir Ralph Gray and John Crane to Lord Cecil,” 12 January 1604.

<sup>679</sup> See, for example, Diana Newton, *The Making of the Jacobean Regime*, 98-118; Newton, *North-East England*, 66-93; Anna Groundwater, *The Scottish Middle March 1573-1625: power, kinship, allegiance* (Woodbridge, Suffolk, 2010) and “From Whitehall to Jedburgh: Patronage Networks and the Government of the Scottish Borders, 1603-1625,” in *The Historical Journal*, 53, 4 (2010); Goodare and Lynch, “The Scottish State and its borderlands,” in *The Reign of James VI*; and Watts, *From Border to Middle Shire*, 133-157.



border region. These march laws were not officially dead until Parliament confirmed their abolition in 1607, but in practice, they were out of use as soon as the wardens, Robert and John Carey, resigned their posts in the summer of 1603.<sup>680</sup> James moved away from the Tudor strategy of empowering outsiders in “ungovernable” regions, and instead restored power to local gentry. George Clifford, earl of Cumberland, was made lord lieutenant over the whole northern region, an “early example of how the whole of the North was henceforth to be regarded as a coherent administrative entity by the central authorities.”<sup>681</sup> James replaced the system of wardens, truce days, and other apparatus of border management with temporary commissions that acted as policing forces along both sides of the border, usually under both an English and Scottish commander. Many of these men were local gentry, able to draw on local networks and knowledge to dispense justice. For example, in 1604, the commission comprised thirty men, eleven of whom were resident Northumberland gentry, including Sir William Selby, Sir Ralph Grey, and Sir Henry Widdrington, who were influential in Berwick as well.<sup>682</sup> These groups had a wide range of discretionary powers, and were known to mete out harsh punishments. Despite their authority, however, the commissions were still beset with problems of

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<sup>680</sup> Watts, 134. Diana Newton takes issue with Watts on this point; while Watts argues that the king proclaimed the march laws dead in April 1603 from Newcastle, in fact he (and Galloway, who follows his lead here) is citing a letter to suppress rebels, not the law itself. In any event, Newton agrees that the role of warden, along with march law itself, fell into abeyance well before their formal abolition by parliament in 1607. See Newton, *North-East England*, 83.

<sup>681</sup> Cumberland had ties with the Widdrington family, and made Henry Widdrington his deputy in Northumberland. Newton, *North-East England*, 84.

<sup>682</sup> Watts, 134. Watts sees this commission as James reversing Elizabeth’s policy of removing power from Northumberland gentry in 1596, following the death of Sir John Forster who had been a longtime warden of the Middle March. Maureen Meikle provides a list of gentry families in Northumberland; see her *A British Frontier? Lairds and Gentlemen in the Eastern Borders, 1540-1603* (East Lothian: Tuckwell Press, 2004), 22-23.

cooperation, especially between the Scots and English commanders, in their attempts to prosecute malefactors from the neighboring nation.<sup>683</sup>

By December 1606, it was clear that the English parliament would not carry out James' hopes of closer union.<sup>684</sup> In response, the king doubled down on pacifying the borders, appointing George Home, the earl of Dunbar (a Scot and one of James' closest advisors) the sole head of the border commission, putting English commissioners under the authority of the powerful Scot.<sup>685</sup> Dunbar was already an influential figure in the border region; he himself hailed from the Scottish East March, and thus held influence there beyond his status as a royal advisor. He became more personally known to Berwick's townsmen in his role as a local landholder after James granted him crown lands around Berwick in 1603. In 1607, he became Berwick's nominal governor, advocating on behalf of the town for the new bridge. He was well aware of both the problems of the border and his sovereign's desire to see them pacified. Just weeks after his arrival, the other border commissioners acknowledged that "My Lord of Dunbar's presence in Northumberland and Berwick, so much as it has been of late, no doubt has given more occasion of fear and terror to the evil disposed of those parts, and his very name there has suppressed more disorders than all that the commissioners could do."<sup>686</sup>

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<sup>683</sup> The 1605 commission, as well, was composed of border gentry, five each of English and Scottish. Newton, 84-93; Watts, 139-40, 152.

<sup>684</sup> For involvement of northern gentry (including Henry Widdrington) in the parliamentary proceedings, see Newton, *North East England*, 86-90. Widdrington was vocally opposed to the law of remanding, or returning criminals to the country where the crime had been committed to stand trial; otherwise, however, the northern representatives seemed to lack interest or influence.

<sup>685</sup> *SPO, CSP Dom, Add. 1580-1625*, vol. 38, no. 90 (p. 490), 10 December 1606, "The King to the Commissioners of the Middle Shires." See Maurice Lee Jr., 'Home, George, earl of Dunbar (d. 1611)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [<http://www.oxforddnb.com/view/article/13642>, accessed 18 May 2017]

<sup>686</sup> *HMC Salisbury*, vol. 18 (1606), 368. "The Middle Shires," December 1606.

In January, Dunbar was granted the “horsemen and footmen of Berwick garrison ...to be always ready at his disposal.”<sup>687</sup>

The pacification of the borders was accomplished, in large part, by 1609. The border commissions were disbanded in 1611, after the death of the Earl of Dunbar, and revived only periodically.<sup>688</sup> The commissioners, given the power to suppress tumult once and for all, carried out notoriously ruthless summary justice on perceived criminals. This strategy was complemented by exile: many elite members of the Maxwell family, who caused much of the disorder in the West March, were banished to Fife or north of the River Tay, while the Grahams were largely transplanted to Connaught, Ireland, in 1606 to 1607.<sup>689</sup> James’ border project was hailed as a success by both English and Scottish observers. He proved that the crown was able to overcome distance to impose its will. In Berwick, however, James would employ a different strategy. Rather than increasing the royal presence there, he dramatically reduced it. Berwick, which had been a symbol of England’s defensive prowess, now warranted no such attention.

### *Dismantling the Garrison*

In April 1603, the king was just beginning to articulate his plans for the pacification and unification of the Middle Shires, and Berwick’s status in these plans was unclear. When he passed through the town on 5 April, James responded magnanimously

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<sup>687</sup> *SPO, CSP Dom*, Jas I vol. 1, 1603-1610, vol. 26, no. 18 (p.345), “Council to the bishop of Carlisle and other border commissioners...” 20 January 1607.

<sup>688</sup> Nicholls, 83-84.

<sup>689</sup> Nicholls calls the exile of the Grahams an example of “inter-kingdom authority” now brought to the Middle Shires (Nicholls, 83). Goodare and Lynch, “The Scottish State and its borderlands,” in Goodare and Lynch, eds., *The Reign of James VI*, 205.

to the joy of the townspeople, setting the tone for the rest of his progress south.<sup>690</sup> The king promised to maintain the privileges of the town “by reason it was the principal and first place honored with his mighty and most gracious person.” As his abbot had, now the king performed himself that symbolic act of receiving and redelivering the city’s keys. William Selby, gentleman porter, handed the king the keys of the town’s gates; once inside the town, James returned them. He then knighted Selby, “for this his especial service, in that he was the first man that possessed his excellence of those keys, Berwick indeed being the gate that opened into all his dominions.”<sup>691</sup> Berwick represented all of England in its reception of the king, but in a sense, it also represented both of James’ kingdoms, whose exchanges had once been ruled by war and conflict. Now, “by his possessing it,” Berwick became “a harbor for English and Scots, without thought of wrong or grudging envy.”<sup>692</sup>

For all its new significance and symbolism, Berwick was still a place of war; if Berwick stood for England, its garrison and fortifications denoted the crown’s longstanding suspicion, if not outright hostility, toward its northern neighbor. James could not miss the symbolic power of Elizabeth’s walls; incomplete as they were, and likely in need of repairs, the walls had served their purpose as “a display of [Elizabeth’s]

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<sup>690</sup> The Proclamations of King James I 1603–1625, “By the King. A Proclamation signifying his Majesty’s pleasure, That all men being in Office of Government at the death of the late Queen Elizabeth, should so continue till his Majesty’s further direction.” [Whitehall 5 April 1603] (1603) in Larkin and Hughes, eds., *Stuart Royal Proclamations, Vol. 1: Royal Proclamations of King James I 1603–1625* (Oxford Scholarly Editions Online), 6. “True Narration,” in *Progresses*, lists the date of James’ entrance in Berwick as 6 April.

<sup>691</sup> “True Narration,” in *Progresses*, 63-4.

<sup>692</sup> “True Narration,” in *Progresses*, 62-3.

resolution” to protect her realm.<sup>693</sup> He had ample opportunity to examine the fortifications themselves when he took a tour of the walls and even exhibited his martial skills by firing a cannon.<sup>694</sup>

In addition to the walls’ imposing presence, the sheer size of the garrison and the presence of royal officials in Berwick must have also indicated to James his cousin’s financial commitment to border defense. Already, he may have been well aware not only of the symbolic benefits of dismantling the garrison, but the practical ones as well. Being there in person, as Elizabeth never had been, James witnessed firsthand the waste and excesses of the garrison, the unpreparedness of the soldiers, and the problems with the fortifications. Rhetoric of union, then, proved to be a useful tool for the king, who saw a chance to save the royal purse a significant amount of money in Berwick. This happy side effect had already been seen in the abolition of the march laws. Robert Carey bemoaned the loss of his wardenship; he found that “by the king’s coming to the crown, I was to lose the best part of my living. For my office of wardenry ceased, and I lost the pay of forty horse, which were not so little both as £1000 per annum.”<sup>695</sup>

The last Elizabethan account covers a three-year period, October 1600 to December 1603, and gives a good indication of the composition of the garrison when James inherited it. At the end of Elizabeth’s reign, the garrison cost the crown about £13,000 per annum. Over that three-year period, the queen disbursed £39,617 in

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<sup>693</sup> Iain MacIvor, *The Fortifications of Berwick-upon-Tweed* (HMSO: London, 1975), 18. See also H.M. Colvin, ed., *History of the King’s Works* vol. 4, 1485-1660, part II (HMSO: London, 1982), 663.

<sup>694</sup> “True Narration,” in *Progresses*, 65-6.

<sup>695</sup> *Progressess*, 47. Robert Carey’s narrative, 1603.

wages.<sup>696</sup> The head officers alone were paid £4,069; here, Elizabeth had actually saved money, since she had left the office of governor vacant after the death of Willoughby in March 1601. John Carey was double-paid, as marshal and chamberlain, and William Bowes acted as treasurer. William Selby, of the powerful local gentry family, served his family's traditional role as gentleman porter. Richard Musgrave, of a prominent Cumberland family, was master of ordnance; John Crane, who would become a commissioner for James and an advocate for the soldiers once the dissolution process had begun, was comptroller of checks and musters. Other salaries went to the mayor of Berwick, whose royal allowance emphasized his role as a crown official in the borders; the customer Robert Jackson; William Spicer, master mason of the works at Berwick; and Leonard Fairley, the master carpenter. The old garrison, or that in place before Elizabeth's New Establishment of 1560, consisted in 1603 of four constables who commanded a total of eighty horsemen, forty-two footmen, twenty-eight gunners, two clerks of watch, one trumpeter and one surgeon; these men were paid £5,501. Elizabeth's New Crew established in 1560, was much larger: it comprised 572 footmen led by eight captains and their officers, and was paid £23,581. Pensioners of the queen received £3,638, artificers of the works earned £934, while the small crew employed at Holy and Ferne Islands, commanded by Captain William Read, earned £1,179. There were sundry other payments, to watchmen, tipstaves, and other officers. Altogether, the wages and total entertainment of the garrison came to £39,617 – about £13,206 per year. The cost of works and fortifications totaled £6,474, adding about £2,158 to the yearly

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<sup>696</sup> The data in the paragraph that follows come from TNA, E351/3482, "Works (Military) and Fortifications," 1600-1603.

disbursement.<sup>697</sup> Victualling was another major cost; Robert Vernon submitted his last victualling account in the summer of 1604, after which his job as victualler became defunct. This account, as well as those of the 1590s, demonstrate that by the end of Elizabeth's reign, feeding the garrison cost her £6,500 to £7,700 per year. Most of this money was disbursed throughout the same year (unlike payments of wages, which were paid in the year after the service was rendered), about half from the Exchequer directly and half from Berwick's treasurer.<sup>698</sup> Vernon paid out large sums, often at his own risk; from 1576 to 1604, he lost over £6,629 through "losses sustained at sea by the enemy," shipwreck, and "other hindrances" at sea.<sup>699</sup>

The costs of Berwick would have seemed all the more extraordinary given James' small income during his years as the king of Scotland alone. From the mid-1580s on, James' total income from all sources was about £150,000 Scots, which rose to about £200,000 Scots by 1603. In English pounds this was only about £15,000-£20,000.<sup>700</sup> In the last three years of Elizabeth's reign, meanwhile, annual English crown revenues were approximately £197,000.<sup>701</sup> As king of England, James had better use for his money than

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<sup>697</sup> TNA, E351/3482, "Works (Military) and Fortifications," 1600-1603. This number is very similar to those calculated for 1598-1600: £26,104 in wages and £3,581 in repairs and ordnance (TNA, E351/3481, "Works (Military) and Fortifications," 1598-1600). For discussion on works, see below. See also Ch. 1, n. 127, for an explanation of my use of records.

<sup>698</sup> The treasurer obtained cash amounts from receivers in the northern counties. TNA, E351/3526, "Works (Military) and Fortifications," 1596-97; E351/3530, "Works (Military) and Fortifications," 1602-1604.

<sup>699</sup> TNA, E351/3524, "Works (Military) and Fortifications," 1575-1595. Although he made quite a lot of money; in the last account book, Oct 1600-Dec 1603, Vernon made £1181 (TNA, E351/3482, "Works (Military) and Fortifications").

<sup>700</sup> Goodare, "James VI's English Subsidy," 120-21. Under Elizabeth, the rate of exchange was about £10 Scots to £1 English. A royal proclamation of 8 April 1603 found the ratio to be £12 Scots to £1 English. See *Stuart Royal Proclamations*, vol. 1, 7.

<sup>701</sup> These amounts do not take into account inflation, however. Paul Hammer, *Elizabeth's Wars: War, Government and Society in Tudor England, 1544-1604* (Basingstoke: Palgrave Macmillan, 2003), 239, from P.K. O'Brien and P.A. Hunt, "The rise of the fiscal state in England, 1485-1815," *Historical Research*, 66 (1993), 129-76.

spending it on an obsolete garrison. While historians have long painted him as an irrepressible and lavish spendthrift, recently his reputation has been rehabilitated.<sup>702</sup>

Financial solvency was a continual problem throughout his English reign, but it was one that he had inherited from Elizabeth. Monarchs were expected, furthermore, to dole out patronage and gifts to their courtiers; indeed, one historian notes that James' "lavish spending and wide distribution of patronage" in fact "precluded the emergence of a rival political faction" and brought peace to England and Scotland during the first decade of his reign. And of course, James was not a bachelor, but had to maintain the courts of his wife and Prince Henry.<sup>703</sup>

James wasted little time in determining how to trim costs up north. The king began investigating possible cost-saving measures in Berwick by the summer of 1603. John Carey, Berwick's long-time deputy governor, marshal, and administrator under Elizabeth, submitted a report on possible trimmings. He suggested modest cuts; the crown, for example, could discontinue the military appointments of the marshal, victualler, and master of ordnance.<sup>704</sup> These proposals did not satisfy the king, however: subsequent correspondence throughout the fall indicates his interest in determining just how much money could be saved by dissolving the garrison altogether. By September, George Clifford, third earl of Cumberland and a member of James' privy council, was in

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<sup>702</sup> See John Cramsie, *Kingship and Crown Finance under James VI and I, 1603-1625* (Woodbridge, Suffolk: Boydell Press, 2002), 2 for a recapitulation of older literature on James' spending. In 1617, "as usual the ordinary account was in deficit," and James had to borrow £100,000 from the City of London to progress to Scotland. James only paid the interest on the loan for one year, and never repaid the loan itself. Subsequently, he was unable to borrow money from the City; Pauline Croft, *King James* (New York: Palgrave Macmillan, 2003), 100.

<sup>703</sup> Ellis with Maginn, *The Making of the British Isles*, 293. See also Brown, "Monarchy and Government," 34-38.

<sup>704</sup> *HMC Salisbury*, vol. 15, 135. "John Carey to Cecil," 15 June 1603.



Berwick with five other commissioners charged with assessing the current state of the garrison and making recommendations of cost-saving measures.<sup>705</sup> James was well aware of the corruption practiced in the musters especially; he told Cumberland to make “a very exact and diligent examination” to discover the bankrupts, those who had bought a post in the garrison but had never served, and those who were deceased but still on the payroll.<sup>706</sup> In October, the commissioners sent back their report of 810 men serving in Berwick (see Table 1).<sup>707</sup>

*Table 1*

Name/group	Bankrupt	Total number of soldiers
In the first leaf where the council is	0	13
Gentlemen pensioners	1	54
Capt. Bowyer	0	53
Capt. Mata	3	52
Capt. Guevara	2	51
Capt. Carvell	9	51
Capt. Tywford	2	52
[Capt.] Sir Skynner	4	105
Capt. Ager	0	52

<sup>705</sup> Cumberland was also a border commissioner. The other commissioners all had connections in the borders and knowledge of the region. The other five commissioners named in September were Sir Richard Musgrave, Sir Ralph Gray, Sir Robert Delaval, Sir Henry Widdrington, and Sir Nicholas Foster. *CSP Dom, James I, vol. 1, 1603-1610*, “Instructions for the Earl of Cumberland relative to the diminution of the charge of the garrison, &c. at Berwick,” 29 Sept 1603. See also the version in draft, SPO, *SP 14/3* f.158, with corrections by Cecil. Robert Delaval was of the Northumberland gentry family based in Hartley and Seaton Delaval. He married Dorothy Grey, daughter of Ralph Gray. Stafford M. Linsley, ‘Delaval family (per. c.1520–1752)’, *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, Sept 2014 [<http://www.oxforddnb.com/view/article/73888>, accessed 5 June 2017]

<sup>706</sup> “Dead pay” was so common that the crown often sent wages for more men than were accounted for, “to provide a means to improve the pay of the whole company,” but captains usually claimed even more dead pays and pressured the privy council for more money. See Michael Braddick, *State Formation in Early Modern England c. 1550-1700* (Cambridge University Press, 2000), 200-201 and Cruickshank, *Elizabeth’s Army*, Ch. 9. It was also commonly seen in accounts of works, see Colvin, *King’s Works*, vol. 3 1485-1660, pt. 1, 116.

<sup>707</sup> SPO, *SP 14/4*, f. 71, “Declaration by the Earl of Cumberland and other Commissioners of the number of persons in pay at Berwick,” 28 Oct 1603. In April 1598, when Willoughby assumed the governorship, 980 men and 80 horsemen were listed by Vernon as needing victualling (*CBP 2:935*, “Estimate of Provisions at Berwick,” 26 April 1598).

Capt. William Read	0	105
Old garrison of footmen	0	42
Gunners	5	68
Gunners of works	0	4
Laborers in the office of the ordinary [garrison]	0	20
Old garrison of horsemen	0	37
New garrison of horsemen	0	51
<b>TOTAL</b>	<b>26</b>	<b>810</b>

*Source:* SPO, SP 14/4, f. 71. 28 Oct 1603, "Declaration by the Earl of Cumberland and other Commissioners of the number of persons in pay at Berwick."

The muster was followed by investigations into how the crown could save money in Berwick. By December, other commissioners were involved, indicating the involvement of local gentry with extensive knowledge of the garrison itself. These included William Bowes, son of George Bowes and nephew of Robert Bowes, the longtime treasurer of Berwick, whose strongly protestant family hailed from Durham; Sir William Selby (junior), who jointly acted as gentleman porter with his uncle William senior, and had been knighted by James just months earlier; Sir Ralph Gray (of Chillingham, a powerful local gentry family) and his son-in-law Sir Robert Delaval (of Northumberland), and John Crane, a former captain of the garrison and the comptroller until Bowyer took over in 1604, who continued to reside in Berwick as a pensioner.<sup>708</sup>

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<sup>708</sup> *HMC Salisbury* vol. 15, p. 335, "John Crane to Lord Cecil," 23 December 1603. Gray, Delaval, and Crane are also mentioned in December (*HMC Salisbury* vol. 15, 338, "Commissioners of Berwick to Cecil," 26 December 1603." SPO, SP 14/3, f. 156-57. For John Crane as comptroller, see *CSP Jas I, 1603-1610*, vol. 6, no. 13, "The King to Captain William Bowyer and John Crane," 12 January 1604. Crane had "had the charge of this town these 30 weeks," presiding over the dissolution; he had also been a muster master as well as comptroller of the works (*HMC Salisbury*, vol. 16, 13-14, "Captain William Bowyer to Lord Cecil," 27 January 1604; *HMC Salisbury*, vol. 16, 43, "Captain Bowyer to Lord Cecil," 16 February 1604). Commissioners: William Bowes: son of Sir George Bowes (1527-1580), of co. Durham, an influential family that was very involved in border affairs, even moreso after the accession of Elizabeth because of their adherence to the protestant faith. William had served as the chief border commissioner for

James entrusted the evaluation of the garrison to this cadre of local, northern men who understood the border region, the town, and the defensive needs of both.

In December, the commissioners identified two major areas where the crown could reduce expenses, considering the changed circumstances of “his majesty’s entrance” to the crown of England.<sup>709</sup> The first was by dramatically reducing the number in pay. The most lucrative positions, those of the queen’s council, could all be released from their duty; the commission suggested leaving in place only the governor or his deputy. Time would also do its work, the commissioners mused, with other expensive posts like that of William Read, captain of Holy Island, whom the commissioners estimated was “well-nigh a hundred years old.” Read must have had a very weather-beaten appearance from years on Holy Island, because unfortunately for the commissioners, he did not pass away until March 1616.<sup>710</sup> They estimated that there were about one hundred twenty men who were bankrupts or who bought a soldier’s position but did not serve. About one hundred fifty were young and unmarried and could be moved to serve abroad, while cannoneers could be transferred to the navy. Some of the horsemen could be decommissioned, while watchmen, “appointed for guard of the walls

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the English crown in 1597; see Meikle, 258. See DNB articles for Delaval, Selby, and Bowes: Stafford M. Linsley, ‘Delaval family (per. c.1520–1752)’, Oxford Dictionary of National Biography, Oxford University Press, 2004; online edn, Sept 2014 [<http://www.oxforddnb.com/view/article/73888>, accessed 6 June 2017]; Christine M. Newman, ‘Bowes, Sir George (1527–1580)’, Oxford Dictionary of National Biography, Oxford University Press, 2004 [<http://www.oxforddnb.com/view/article/3050>, accessed 6 June 2017]; Maureen M. Meikle, ‘Selby family (per. c.1520–1646)’, Oxford Dictionary of National Biography, Oxford University Press, 2004; online edn, Jan 2008 [<http://www.oxforddnb.com/view/article/73890>, accessed 6 June 2017].

<sup>709</sup> SPO, *SP* 14/5, f.11, “Project [by the commissioners] for reducing the expenses of the garrison at Berwick,” 4 Dec 1603.

<sup>710</sup> TNA, E351/3496, “Works (Military) and Fortifications,” Dec 1615-Dec 1616.

at the building of the new fortifications and yet continued unnecessarily,” could be dismissed altogether.<sup>711</sup>

The commission recommended, secondly, that the king abolish the cumbersome and expensive system of victualling. Under Elizabeth, the commissioners explained to James, the substantial cost of victualling had been considered necessary for three reasons: to protect the town and garrison from “sudden siege;” to leave local provisions available for armies moving north; and to feed the soldiers, who were paid only after nine months’ service. Now, of course, the first two reasons were moot points. As for the third, the commissioners suggested that by paying the reduced garrison monthly instead of once or twice a year, the soldiers would be able to provide for themselves. Practically, of course, most soldiers already cared for themselves. The victualling office had been in disarray for decades, with soldiers, officers, and the townspeople constantly complaining to the queen regarding its mismanagement. The commissioners tactfully did not discuss this reality, but maintained the language of redundancy when they suggested dismissing the victualler and associated costs of victualling to save the king about £2,065 per annum.<sup>712</sup> Altogether, the final savings accounted by the king’s commissioners in December 1603 amounted to £10,638 per annum.

James immediately took action, ordering an even more extensive downsizing than the commissioners had recommended.<sup>713</sup> All 810 men in his service received pay through

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<sup>711</sup> SPO, *SP* 14/5, f.11, “Project [by the commissioners] for reducing the expenses of the garrison at Berwick,” 4 Dec 1603.

<sup>712</sup> SPO, *SP* 14/5, f.11, “Project [by the commissioners] for reducing the expenses of the garrison at Berwick,” 4 Dec 1603.

<sup>713</sup> In certain respects, the commissioners’ estimates must have been optimistic, for they had him saving about the same amount of money but with fewer reductions. Watts notes that Ralph Gray of Chillingham “profited from the sale of foodstuffs to the soldiers” and thus was “unwilling to see the garrison reduced to

Christmas. He then resolved to reduce the garrison to “100 of the oldest soldiers,” although, in reality, the garrison remained larger. The queen’s council was dismissed and, despite his hints, John Carey was not granted the governorship.<sup>714</sup> The office remained empty until 1607, and then again permanently after 1611. Senior officers, however, including captains, sergeants, lieutenants, and ensigns, were kept on at full pay. One band of footmen (one hundred men) was retained at full pay, as well as a band of eighty horsemen. Various groups of “ancient servitors,” footmen of the old garrison, and “old soldiers” were kept on at full or half pay. Those at half pay numbered 360, according to Bowyer in April 1604.<sup>715</sup> James dismantled the victualling system, though Robert Vernon was allowed to keep his place as victualler (in which position he had served the queen for twenty-eight years) until the summer of 1604.<sup>716</sup> In July 1604, Berwick’s munitions and ordnance were removed and shipped to the Tower of London.<sup>717</sup> Altogether James

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a mere skeleton force.” Watts also claims that Ralph Gray had been granted the commission to dissolve the garrison in December, but note of this shift cannot be located, and the same December, the earl of Cumberland accused Gray of “meddl[ing]” in his commission: *HMC Salisbury* vol. 15, 345, “The Earl of Cumberland to Lord Cecil,” Dec 1603. Watts, 137. SPO, SP 14/5, f.11, “Project by the Commissioners for reducing the expenses of the garrison at Berwick,” 4 Dec 1603; SPO, SP 14/4, f. 71, “Declaration by the Earl of Cumberland and other Commissioners of the number of persons in pay at Berwick,” 28 October 1603.

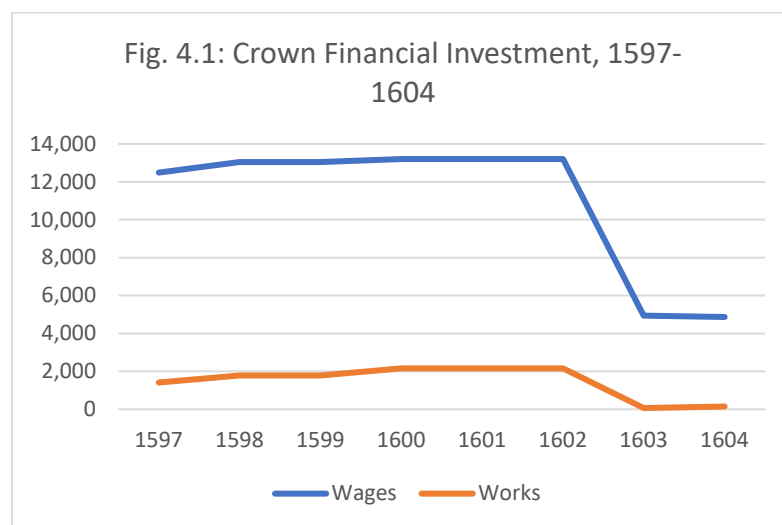
<sup>714</sup> See, for example, *HMC Salisbury*, vol. 15, 135, “Sir John Carey to Cecil,” 15 June 1603. John Crane, a former captain, had acted as temporary governor from 1 August 1603 to 31 January 1604; *HMC Salisbury* vol. 16, 147. “John Crane to Lord Cecil,” 22 June 1604.

<sup>715</sup> TNA, E351/3483, “Works (Military) and Fortifications,” 1603-1604. A small contingent of gunners was also kept at Wark Castle and at Holy and Ferne Islands. For numbers at half pay, see SPO, SP 14/7, f. 128. “Propositions by Sir William Bowyer as to the pay of the soldiers at Berwick...” 21 April 1604.

<sup>716</sup> TNA, E351/3530, “Works (Military) and Fortifications,” 1602-1604. James did authorize the appointment of a victualler in January 1604, who would be licensed “to make provision for all those continued in the new establishment, without any disturbance or compulsion to buy, but where they may have it best cheaper with caution that it be employed for the use of the garrison and not otherwise.” Nothing seems to have come of this authorization; no victualler in Berwick is mentioned again (SPO, SP 14.6, f. 39. “Additional instructions to Captain Bowyer...” 12 January 1604). In 1606, his wife Frances petitioned Salisbury for a pension of £200 for their lifetimes, as they were left with nothing after Vernon was dismissed from his position as victualler. See *HMC Salisbury*, vol. 18 (1606), p. 450, “Frances Vernon to the Earl of Salisbury,” 1606.

<sup>717</sup> Watts, 137.

dismissed or reassigned about six hundred men. Only a few can be accounted for: in his instructions, James ordered that “such as be unmarried and serviceable as being under the age of forty years only be sent to other places of service.”<sup>718</sup> Eighty-one of the “ablest and youngest sort” were sent to Carlisle to help pacify the West Marches, while seventeen bankrupts, thirty-two absentees, and forty-two who “served for others” were discharged.<sup>719</sup> On paper, there were still about three hundred people in the king’s pay in Berwick in January 1604. It is clear, however, that James regarded this retinue of soldiers as pensioners, living out their days with the gratitude of the crown. James’ desire to retain the “oldest” soldiers, and the inclusion of one hundred and twenty-six “ancient servitors” and old soldiers, points to this fact.<sup>720</sup>



Source: TNA, E351/3480-3484, “Works (Military) and Fortifications”<sup>721</sup>

<sup>718</sup> SPO, *SP* 14/3, f. 156v. “Instructions for the Earl of Cumberland...” 29 September 1603.

<sup>719</sup> *HMC Salisbury*, vol. 16, 5. “Sir Ralph Gray and John Crane to Lord Cecil,” 12 January 1604.

<sup>720</sup> TNA, E351/3483, “Works (Military) and Fortifications,” Dec 1603-Dec 1604. Indeed, before Dunbar’s death James may already have been considering further reductions; a report of decreases in costs at Berwick between 1607 and 1610 was submitted just days after Dunbar’s death. SPO, *CSP Dom Jas I 1611-1618*, vol. 61, no. 26.I, pg 4 [*SP* 14/61 f. 51], “Note of the diminishment, by decease and otherwise, of His Majesty’s charge at Berwick, from the time of Lord Dumbar’s appointment, Sept. 8, 1607, to Christmas, 1610,” 23 January 1611.

<sup>721</sup> Accounts go September to September until E351/3482, where the garrison is paid off at Christmas 1603; henceforth the pay year goes December to December.

The changes enacted by James came into immediate effect; the cost-cutting measures were apparent in the next year's account book. The captain William Bowyer and his charge of one hundred footmen now cost the crown a mere £1,489 from December 1603 to December 1604. Altogether entertainment and wages cost the crown £4,948 in Berwick. Artificers at half pay only added £144 to this number, and no money was spent on works.<sup>722</sup> In just one year, James cut costs from over £15,000 to just over £5,000 per annum. The next year the numbers stayed about the same, though £400 was allotted to William Bowyer to provide extra defenses for Holy Island "about time of the horrible treason, as also for diverse expenses and disbursements then risen for the surer guard of Berwick."<sup>723</sup>

These upheavals caused a good deal of confusion for the first few months. The king's first commission with the details of the dissolution arrived in Berwick on 21 December; Ralph Gray, Robert Delaval, and John Crane read it to the garrison the next day.<sup>724</sup> Then, on 29 December, another commission arrived that had different lists of men.<sup>725</sup> Understandably, the commissioners were anxious to know with certainty whom they were dismissing; they were also unclear as to who would fill the remaining position of authority, that of captain.<sup>726</sup> Almost a month later, the commissioners were still

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<sup>722</sup> TNA, E351/3483, "Works (Military) and Fortifications," 1603-1604.

<sup>723</sup> Referring, of course, to the Gunpowder Plot of November 1605. TNA, E351/3534, "Works (Military) and Fortifications," Dec 1604- Dec 1605.

<sup>724</sup> *HMC Salisbury*, vol. 15, 338. "Commissioners at Berwick to Lord Cecil," 26 December 1603.

<sup>725</sup> *HMC Salisbury*, vol. 15, 343. "The Deputies of Berwick to Lord Cecil," 29 December 1603.

<sup>726</sup> *HMC Salisbury* vol. 15, p. 335. "John Crane to Lord Cecil," 23 December 1603. This letter also lists different men than original commission: Sir William Bowes, Sir William Selby, Sir Ralph Gray, Sir Robert Delaval, and John Crane, a captain of the garrison.

waiting for the last quarter of pay (Michaelmas to Christmas 1603) in order to disband everyone; “the lack of their account and reckoning is the chief pretension of the stay of all here, that are discharged, whereby the misery and danger of the place still increases.”<sup>727</sup> At the end of January, Ralph Gray and John Crane wrote on behalf of Lancelot Shafto, a pensioner who had received 10d per diem from Elizabeth. They noticed that he had been omitted from “the book of establishment set down for this town,” “by what means or how...we know not, the gentleman having served here these thirty and odd years, always in place of credit continually staying in the town.” They concluded that “since the examining of our books we find this omission was the only fault of our clerks.”<sup>728</sup> Shafto, however, was not added back to the list of pensioners.

After the fanfare and grandiosity of their welcome to the new king, it was immediately apparent (and had probably never been doubtful) to the inhabitants of Berwick that sharing a king did not in fact dissolve centuries of hostilities; the dissolution exacerbated many pre-existing tensions. In January 1604, just weeks after the dissolution, John Crane wrote to the king. His extensive experience “here and in Ireland 86 years and upwards” would have made him an experienced voice in the garrison, and his appointment as a commissioner demonstrated the crown’s trust in him.<sup>729</sup> He reported to the king that even within the town, “the inveterate passions of the two nations daily convening here engender new occasions of dislike.” It was not only Scots and English who were butting heads, however. Tensions simmered between the soldiers,

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<sup>727</sup> *HMC Salisbury*, vol. 16, 8. “Crane to Cecil,” 20 January 1604.

<sup>728</sup> *HMC Salisbury*, vol. 16, “Sir Ralph Gray and John Crane to Lord Cecil,” 30 January 1604. TNA, E351/3483-3505, “Works (Military) and Fortifications,” Dec 1603-Dec 1625.

<sup>729</sup> *HMC Salisbury*, vol. 15, 273. “John Crane to Lord Cecil,” 28 October 1603.



disenfranchised or in pay, and the townspeople. “The appearance of contrariety in the affections of those that live here, arising from the different humors of the soldier and townsman,” had not been resolved by James’ accession. Indeed, acrimony among the various groups in Berwick was only exacerbated by the largescale unemployment (and soon poverty) of the border town. Crane suggested that “before time and toleration give them further strength, [they] may be quietly appeased” through the supervision of a governor.<sup>730</sup> Evidence of these passions appeared several weeks later, when Crane recounted the murder of John Wood, “a victualler to sundry captains, [who,] going to a merchant of the town at nine o’clock in the night to pay him money, was murdered in the streets with a pistol shot in the head;” over £100 was stolen. “The dissolve of the garrison,” Crane found, “has extremely necessitated many that lived in good estate before, and reduced most of the poorer sort to fortunes utterly despaired, whereby they are ready to enter upon any violent course to relieve themselves.”<sup>731</sup>

James did not appoint another governor, however, until 1607. George Home was an important councilor to the king, who came south with him in 1603 and was raised to the English peerage in July 1604 as Baron Home of Berwick, at which time he was also granted former crown lands in and around Berwick, including the dilapidated castle. The following year, he was raised to the Scottish peerage as Earl of Dunbar and in 1607, James appointed him Berwick’s final governor of Berwick.<sup>732</sup> Dunbar’s fee for the office

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<sup>730</sup> He suggested Ralph Grey; *HMC Salisbury*, vol. 16, 4. “John Crane to Lord Cecil,” 10 January 1604.

<sup>731</sup> *HMC Salisbury*, vol. 16, 8. “John Crane to Lord Cecil,” 20 January 1604.

<sup>732</sup> Maurice Lee jun., ‘Home, George, earl of Dunbar (d. 1611)’, *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [<http://www.oxforddnb.com/view/article/13642>, accessed 24 May 2017]. Scott, 189-90; 313. John Carey had been angling for the appointment since the death of his father in 1596. In June 1603, he seemed already to recognize that he would not receive it; “at my last being in Court,” he wrote, “understanding it was the King’s pleasure either to dissolve the garrison, or place my Lord Home as

was £100, very little compared to the £667 Willoughby made in his last full year of office, 1599-1600.<sup>733</sup> As a right-hand man to the king, Dunbar was often at court, in Edinburgh, or travelling between the two. He often stopped in Berwick during his travels, and when he died suddenly in January 1611, was in the midst of building a large home there.<sup>734</sup> As governor, Dunbar's authority was more restricted than Hunsdon's had been; he was to have "oversight and government" of all in the king's pay but none over the town itself.<sup>735</sup> His role, however, seems to have been closer to patron than governor. He delegated paymaster duties to George Nicholson and for the most part allowed William Bowyer, the captain (whose duties Dunbar took over in 1607), to continue in his place of authority.<sup>736</sup>

Dunbar's unexpected death in January 1611 brought renewed turmoil to the small remainder of the garrison.<sup>737</sup> After Dunbar's death, Nicholson advised Salisbury against appointing a new governor, as "the garrison gradually decreases by death."<sup>738</sup> Nicholson himself became the official paymaster of Berwick in April 1611, but even as he

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Governor here, whereby I should be frustrate of the places I formerly held, I repaired here to settle my affairs, and discharge myself from the place, which I have now done, and am ready to address myself, with my wife and family, southwards." *HMC Salisbury*, vol. 15, 135.

<sup>733</sup> Although Willoughby's fee included money to be paid to his clerk, chaplain, and household servants, as well as £40 per annum for "espial money." TNA, E351/3481, "Works (Military) and Fortifications," 1598-1600. The commissioners, in 1603, had estimated that the fee of governor and warden (traditionally, under Elizabeth, held by the same man) cost the crown £1090 per annum; SPO, *SP* 14/5, f.11.

<sup>734</sup> Watts notes that Dunbar had completed a "magnificent new palace" at Berwick in 1609, but Dunbar's DNB article confirms that he was in the midst of building at his death. (Watts, 154). SPO, *SP* 14/61 f.51. "Note of the diminishment, by decease and otherwise, of His Majesty's charge at Berwick, from the time of Lord Dunbar's appointment, Sept. 8, 1607, to Christmas, 1610," 23 January 1611.

<sup>735</sup> TNA, E351/3490, "Works (Military) and Fortifications," 1609-1610; repeating warrant of 1607.

<sup>736</sup> In December 1610, Bowyer called himself the "deputy to the Earl of Dunbar, governor." *CSP Dom Jas I 1603-1610*, vol. 58, no. 89, "Account of reparations at Berwick since Dec. 25, 1609," 24 December 1610. George Nicholson had served the queen at the Scottish court from 1593 to 1600, and under James served as the surveyor of works in Berwick. Scott, 191.

<sup>737</sup> His death also affected the border commissions; see Watts, 180-2.

<sup>738</sup> SPO, *CSP Dom Jas I, 1611-1618*, vol. 61, no. 55 [SP 14/61 f. 92], "George Nicholson to Salisbury," 5 February 1611.

authorized the title James was wondering why Berwick needed a paymaster when he intended the garrison to be disbanded.<sup>739</sup> Just days later, the king again stated that “he sees no reason why he should depend upon the kindness of the garrison of Barwick to keep them a quarter longer in pay, for that he taketh no prince that hath soldiers in pay to be bound to hold them for life.” His secretary Thomas Lake reasoned that “it seemed ... they were old men and all of the ancientest of the old garrison and it was for his majesty’s honor and encouragement for others to see them provided for.” This rationale seemed a stretch to James, Lake reported: “he seemed to make no great account of it...he would [have] them out of pay or lessened as soon as might be.”<sup>740</sup>

It could hardly have come as a surprise to the men still retained in the garrison that the king would not continue to pay them in full when they performed no service as soldiers. In 1610, the wages of the garrisonmen cost almost £2,300 each half year.<sup>741</sup> They were so old that they could not have served even they had been willing or needed, “a great many of us having one foot in the grave already.”<sup>742</sup> They nevertheless petitioned Salisbury upon hearing of the possible reductions. The “poor hundredth at Berwick” explained that “the most part of us are now worn in age, having spent the prime of our days in diverse services, for the honor of our prince, and good of our country, and no other maintenance but only our pensions, our pays, the most of us having a great

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<sup>739</sup> SPO, *SP* 14/63, f. 10, “Sir Thomas Lake to Salisbury,” 4 April 1611.

<sup>740</sup> SPO, *SP* 14/63 f.15, “Sir Thomas Lake to Salisbury,” 6 April 1611.

<sup>741</sup> TNA, E351/3491, “Works (Military) and Fortifications,” Dec 1610-June 1611; see also SPO, *SP* 14/63 f. 43, “Estimate of the pay of Berwick for 1610, and till Midsummer 1611,” 12 April 1611.

<sup>742</sup> SPO, *SP* 14/63, f. 60. “Petition of the 100 soldiers at Berwick to Salisbury, against the reduction intended in their pay,” 23 April 1611.

charge of family, whose number amounteth to six hundred souls.”<sup>743</sup> The soldiers petitioned Nicholson as well; perhaps, in the absence of Dunbar, they saw in Nicholson a new patron who could advocate on their behalf to the king. They ask for his assistance, “as you have been our well-willer.”<sup>744</sup> Nicholson and Bowyer both confirmed the infirm state of the soldiers who were too old to be transferred; Nicholson even composed a scheme to save about £720 at the garrison without disbanding all the men.<sup>745</sup>

These efforts were in vain: on 25 May, the king issued a warrant to the treasurer “to discharge the garrison or band of 100 at Berwick, and reduce them to half-pay,” as pensioners.<sup>746</sup> Ralph Gray and William Selby, former commissioners of 1603, were ordered to go to Berwick, pay the men their final wages, and formally discharge them from the king’s service.<sup>747</sup> The establishment of 1607 (when Dunbar was appointed governor) cost £5,290 while that of 1611 cost £4,086, saving the crown over £1,210 (see Figure 4.2).<sup>748</sup> From 1611 on, natural attrition returned the most money to the crown year

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<sup>743</sup> SPO, *SP 14/63*, f. 60. “Petition of the 100 soldiers at Berwick to Salisbury, against the reduction intended in their pay,” 23 April 1611.

<sup>744</sup> SPO, *SP 14/63*, f. 81, “Petition of the 100 soldiers to Nicholson, to request Lord Salisbury that if their pay be reduced, they may be freed from further servitude,” 30 April 1611. Nicholson explained to Salisbury that the soldiers in fact distrusted Bowyer and communicated with Nicholson in secret; SPO, *CSP Dom Jas I, 1611-1618*, vol. 63, no. 54 [Sp 14/63 f. 79], “George Nicholson to Salisbury,” 30 April 1611.

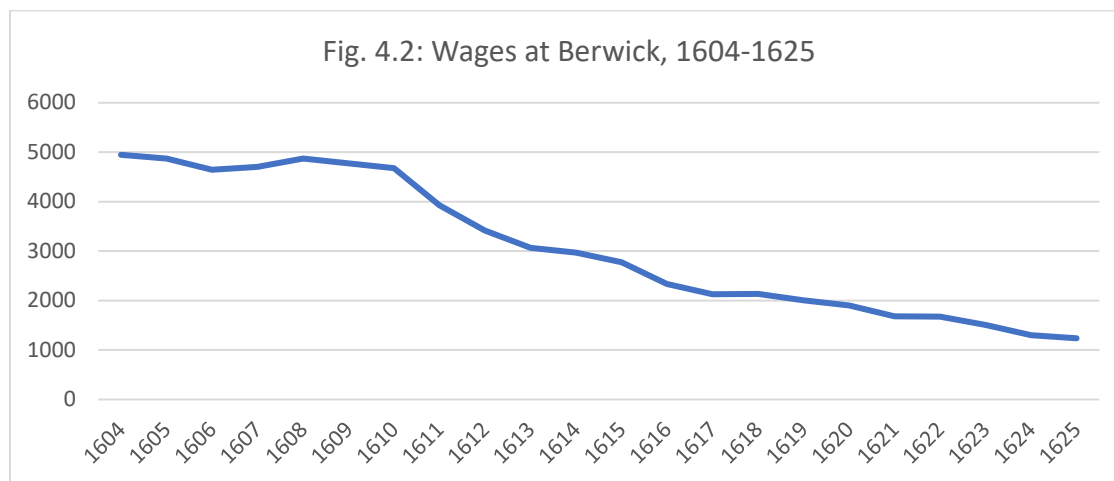
<sup>745</sup> SPO, *CSP Dom Jas I, 1611-1618*, vol. 63, no. 50 [SP 14/63 f.70], “Sir Wm Bowyer to Salisbury,” 27 April 1611; SPO, *CSP Dom Jas I, 1611-1618*, vol. 63, no. 54 [SP 14/63 f. 79], “George Nicholson to Salisbury,” 30 April 1611; SPO, *SP 14/63*, f.83, “Nicholson’s project for lessening the charge of the garrison at Berwick by repressing sundry offices, &c. April 30, Berwick,” 30 April 1611.

<sup>746</sup> SPO, *CSP Dom Jas I 1611-1618*, vol. 63, no. 94a p. 34, “Warrant to the Lord Treasurer...” 25 May 1611.

<sup>747</sup> SPO, *CSP Dom Jas I 1611-1618*, vol. 64, no [47d], p. 46, “Letter to Sir Ralph Gray and Sir Wm. Selby...” 18 June 1611. William Bowyer, who was not trusted by the garrison, was immediately accused of advising Salisbury to dissolve the garrison; Bowyer informed Salisbury that the garrison was planning on sending someone to plead their case, eventually he was able to persuade them to petition by letter instead. Nothing came of these petitions. SPO, *SP 14/63*, f. 145, “Sir William Bowyer to Salisbury,” 30 May 1611; SPO, *CSP Dom Jas I 1611-1618*, vol. 64, no. 17 [SP 14/64 f. 18], “George Nicholson to Salisbury,” 8 June 1611.

<sup>748</sup> SPO, *SP 14/63* f. 157, “Computation of the decrease in expense of the establishment at Berwick now to be made, as compared with that made in Sept. 1607,” May 1611.

by year.<sup>749</sup> By 1624-25, the original band of one hundred footmen numbered thirty-six. Altogether, with pensioners and captains, horsemen and gunners, the garrison cost only £1,256.<sup>750</sup>



Source: TNA, E351/3482-3505, “Works (Military) and Fortifications”

The changes made to the garrison in 1611 were met with violence and confusion, just as the downsizing of 1604. An anonymous report noted that a victualler was murdered in the streets, carrying £100, while a house was “purposefully” set on fire. No one knew whether the soldiers were now under the jurisdiction of the mayor “for arrest upon matter of debt; many of the soldiers being reduced to lesser pay and are therefore less able to make present satisfaction than before.”<sup>751</sup> Months later, Nicholson was still petitioning on the behalf of the soldiers for more pay.<sup>752</sup>

<sup>749</sup> In December 1604, Bowyer reported that “since my entry” [January 1604], thirty pensioners had died, “cut off that yearly charge of very near £300.” *HMC Salisbury*, vol. 16, 376. “Captain William Bowyer to Viscount Cranborne,” 4 December 1604.

<sup>750</sup> TNA, E351/3505, “Works (Military) and Fortifications,” Dec 1624 - Dec 1625.

<sup>751</sup> Even after multiple checks and assessments of the musters, many men were discovered who were “serving for others;” these were put out of pay altogether, further reducing the king’s expenses. SPO, *SP* 14/63, f. 159, “Memoranda relating to Berwick,” May (?) 1611.

<sup>752</sup> SPO, *CSP Dom Jas I 1611-1618*, vol. 64, no. 1 [SP 14/64 f. 1], “Geo Nicholson to Salisbury,” 1 June 1611.

Both in 1604 and 1611, the changes in the garrison resulted in transfers of power to the corporation and mayor.<sup>753</sup> In 1604, James dissolved the garrison while also granting a longstanding request of Berwick's burgesses by granting the town a new charter on 30 April.<sup>754</sup> This charter was everything the town had hoped for. James restored specific rights that had been appropriated by the military governance. Now the keys to the town gates were back in the possession of the mayor, and the mayor, recorder, and those who had served as mayor (it was an annual post) were authorized as justices of the peace to administer law and order in Berwick. These perks were far outweighed by the land grants, which gave the corporation of Berwick the rights to the land within the town and borough of Berwick; these included not only the fields and green spaces within and without the town walls, but also the buildings and properties that had been occupied and in use by the military establishment in town.<sup>755</sup> Crucially, the remaining soldiers and the captain were now under the jurisdiction of the mayor and guild.<sup>756</sup>

In 1611, the mayor, bailiffs, and burgesses assumed any remaining power that had been held by Governor Dunbar and Captain Bowyer. Robert Jackson, a burgess who served as mayor in 1605 and 1608, was appointed Commissary to the Musters of the

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<sup>753</sup> See also Ch. 5. The earl of Salisbury's death in 1612, Watts has argued, had a great effect on the governance of the borders as vying factions in James' court had land and influence in the north. His death does not seem to have affected Berwick, however. Watts, 179-183.

<sup>754</sup> BRO B1/7, f. 32-34v, quote on 32; SPO, *CSP Dom Jas I 1603-1611*, vol. 7, [62f], "Grant to the town of Berwick of a charter," 24 April 1604; SPO, *CSP Dom Jas I 1603-1611*, vol. 8, no. 15, "Breviate of the Charter granted to the Mayor and Burgesses of Berwick," 11 May 1604.

<sup>755</sup> BRO B1/7, f. 28.

<sup>756</sup> SPO, *SP 14/6 f.6*, "Orders to be observed and enforced by Capt. Will. Bowyer in the new establishment at Berwick..." [9] January 1604.

Pensioners at Berwick by Salisbury.<sup>757</sup> The complete restitution of power to the guild was confirmed by the mayor himself, who claimed to have been “nominate[d] ...for governing this town, as all other the boroughs of England.” The guild took these responsibilities seriously. The townsmen reassured Salisbury that they would take on the charge of the soldiers who had now been demoted to pensioner status on half pay. “We, the mayor and corporation, will most lovingly be ready to further in yielding them sufferance of using handy sciences [crafts]; as also all of them having families, shall by a reasonable stint have their cattle feeding with ours, and some of the civil, and better sort, upon their reasonable requests be enfranchised into our corporation.”<sup>758</sup> They also offered to provide protection for William Bowyer in light of the soldiers’ hostility towards him. In the end this was not needed “as the soldiers were very peaceable and downcast.”<sup>759</sup> Bowyer stayed in Berwick, on a continued pension of 10s per diem “on consideration of the dissolution of Berwick garrison” and even served as mayor from 1620 to 1623 and again in 1625.<sup>760</sup>

#### *Continued Crown Involvement, 1604-1625*

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<sup>757</sup> SPO, *CSP Dom Jas I 1611-1618*, vol. 65, no. 14 p. 54 [SP 14/65 f. 27], “Robert Jackson to Salisbury,” 4 July 1611. For years of his mayoralty, see Scott, 479. Robert Jackson was the son of Robert Jackson senior, alderman, who died in July 1603. See BRO B1/7, f. 8v.

<sup>758</sup> SPO, *SP 14/63*, f. 147, “Mayor, &c. of Berwick to Salisbury,” 30 May 1611.

<sup>759</sup> SPO, *CSP Dom Jas I 1611-1618*, vol. 64, no. 31, p. 42 [SP 14/64 f. 42], “Mayor &c. of Berwick to Salisbury,” 12 June 1611.

<sup>760</sup> Scott, 479. He also enjoyed a pension from the king, see SPO, *CSP Dom Jas I 1611-1618*, vol. 65, no. 49b. “Grant to Sir Wm. Bowyer of pension of 10s. per diem...” 22 July 1611; and SPO, *CSP Dom Jas I 1611-1618*, vol. 66, no. 26i, “Grant to Sir Wm. Bowyer...of annuity of 5s. per diem and 5s. per diem to his wife and Geo. Bowyer, his son, with survivorship,” 26 Sept 1611. Interestingly, Bowyer wasn’t much liked by the garrison, though he seems like he works well with the townspeople. See Ch. 5, p. 303-4. SPO, *CSP Dom Jas I, 1611-1618*, vol. 63, no. 54 [SP 14/63 f. 79], “George Nicholson to Salisbury,” 30 April 1611; Scott, 196.

The initial flurry of activity in Berwick had all but ceased by the summer of 1604. The new charter had been issued and the garrison reduced. In the borders, the commissions continued to garner James' attention, but Berwick no longer warranted his consideration. The rejection of union by the English Parliament in 1607, along with the success of the police commissions along the border, removed the Middle Shires from the limelight. The 1611 changes, though initiating further upheaval in Berwick, occupied very little of James' attention.

Like Elizabeth, however, James continued to pay for repairs to the walls and fortifications at Berwick, among other things. For Elizabeth, this had been a very frustrating enterprise, not least because the walls were never completed according to plan, leaving them less than impregnable. Every military man who passed through Berwick enumerated the various problems and inadequacies that existed from the very inception of the fortifications, on top of the current necessary repairs. As late as 1598, Berwick's new governor, Lord Willoughby, surveyed his new charge and was brutally honest with the queen's council: "there hath been infinite cost bestowed, and nothing profited, and yet the whole might have in a manner been strong with half the charge."<sup>761</sup> This state of affairs was greatly troubling to the military man, and Willoughby pondered the problems throughout the summer; in September, he sent recommendations to the queen's council. He found that since the queen had spent so much "for a mere show and opinion of a strong thing," it would be worth her while to spend just a little more to make it "in effect as it should be." As it stands, he argued, "it is ridiculous to all passengers" who can easily

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<sup>761</sup> In March 1598, Willoughby was granted his commission as governor. *CBP* 2:920, "Commission to Lord Willoughby, 13 March 1598. *CBP* 2: 936, "Lord Willoughby to the Council," 2 May 1598.



see its defects, while the soldiers themselves, “if they come to any great action, will be in more danger within than without.”<sup>762</sup> The queen ignored Willoughby’s propositions.

Berwick’s fortifications had long ago served their purpose, notifying the world of England’s ability to defend itself in the early years of Elizabeth’s reign.<sup>763</sup>

Repairs, however, were constant, and caring for them unavoidable; to the crown, it little mattered from one year to the next what work had been complete, for more would be necessary. The sea air and wind constantly buffeted the walls, broke windows, and corroded iron. Floods damaged bridges and conduits, and constant passage of traffic in the compact town damaged paths and waterways. From 1600 to 1603, the queen invested in repairs,

For mending and repairing the old lodgings in the castle and building some new lodgings there, repairing the old palace or office of victuals, repairing the lord governor’s lodging and the stables there, mending sundry holes or breaches in the foundation of the wall between Coxon Tower and the new wall, building up the ward house at the Shoregate, . . . repairing sundry decays about the office of fortifications, mending the bell tower or daywatch, making a new drawbridge at the long bridge over the river of Tweed, mending sundry heads of earth for holding of water in the town ditches with cleansing of sewers for passage of water, mending the pier at the haven mouth, mending and repairing the windmills, repairing the castle and fort in the Holy Island, setting new the floor of the warehouse at the Cowgate, repairing of the corps de guard, the bridges and rails about the wall, . . . the long bridge over the River Tweed, the warehouse at the Brigegate, the iron gate called the Shoregate, mending the conduit heads that bring the water into the town, repairing the marshal’s prison, making and furnishing a lighter [small boat used to unload ships], repairing the house in the Ferne Island, repairing the church, paving the long causey without the New Gate, with sundry other charges and payments about the fortifications of the said town that is to say emptions and provisions of diverse kinds, carriages by land and sea, wages of artificers, workmen, and laborers, taskwork, necessaries for the town gates viz locks, keys, and such like, rents for stowage of stuff, paper and ink, payment or a rent due for the lord governor’s stables and for taking of a house for

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<sup>762</sup> *CBP* 2: 993, “Willoughby to Cecil,” 10 September 1598.

<sup>763</sup> Colvin, *King’s Works*, vol. 4 pt. 2, 663.

the kings use by warrant and command of the lord governor and council there, and entertainment of the officers.

Altogether, the queen spent £4,662 on works in Berwick during the last three years of her reign.<sup>764</sup>

James could not escape the cost of repairs altogether. Even though he had handed over the bulk of the crown's properties in Berwick to the corporation as part of the terms of their new charter, the king still funded repairs of storehouses and the palace, and paid for repairs of conduits and pipes around the town. In the first few years of his reign, James paid to glaze the windows in the storehouses and other buildings, and to thatch and slate roofs.<sup>765</sup> The weather, of course, was always a variable; in 1609, the "extremity of winds" caused great "decay" of chimneys, storehouses, and timberwork.<sup>766</sup> The king also paid for other improvements. In 1608, he paid £88 for the "making of two great lighters and a boat at Berwick for passage of his majesty's packets and of travelers over the river of Tweed at the fall of the bridge there."<sup>767</sup> A boat to deliver mail across the Tweed was not a new development; in 1584 the "keeper of the post boat" was listed with the other charges of the queen in Berwick, and in 1600 John Crawforth was the "keeper of the post boat for passage of letters out and into Berwick with the gates be shut by night." Or, it might have been added, when the timber bridge across the Tweed was impassable.<sup>768</sup>

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<sup>764</sup> TNA, E351/3482, "Works (Military) and Fortifications," 1600-1603.

<sup>765</sup> TNA, E351/3483-3490, "Works (Military) and Fortifications," 1603-1610.

<sup>766</sup> TNA, E351/3489, "Works (Military) and Fortifications," 1608-1609.

<sup>767</sup> TNA, E351/3488, "Works (Military) and Fortifications," 1607-1608.

<sup>768</sup> *CBP* 1: 248, "Account of the Treasurer of Berwick," 16 July 1584. TNA, E351/3482, "Works (Military) and Fortifications," 1600-1603. In January 1604, John Shaftow, Berwick's post master, was granted "a lease for twenty-one years of the post bank containing 9 acres of land for the rent of 10s per annum," BRO B1/7, f. 50r. After James' accession the position of post master was even more important since royal communication occurred daily between London and Edinburgh; see William Taylor, "The King's Mails,

Indeed, the timber bridge that connected Berwick to England had been a problem for decades.<sup>769</sup> In March 1583, the foundation of the tower of the bridge (on Berwick's side) was "sore decayed by the spates and washing of tides this winter." In September 1583, the queen finally approved money to be issued for long awaited repairs in Berwick; Hunsdon ordered Widdrington to begin with the bridge.<sup>770</sup> In accounts for repairs at Berwick, the bridge was often listed.<sup>771</sup> In September 1593, £300 was disbursed to pay for extensive repairs, including new timber from Chopwell forest, English and Spanish iron, and stone.<sup>772</sup> The bridge was no minor concern: it connected Berwick to the rest of England, ensuring the quick passage of goods and people not only in and out of the town, but between England and Scotland as well.

The king recognized the importance of bridges to the life of the burgh. After an earthquake in 1597 destroyed much of the bridge at Perth, an important Scottish burgh, James had been receptive to requests for aid for years. Between 1597 and 1602, he provided tax relief, land grants, and the great custom to the town to assist in bridge repair.<sup>773</sup> It probably came as no surprise that Berwick's bridge continued to need repairs

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1603-1625," *The Scottish Historical Review*, vol. 42, no. 134, pt. 2 (Oct, 1963):143-147. See also Lee, *Government by Pen*, 28.

<sup>769</sup> For a general overview of the bridge at Berwick, see Scott, 408-420. See also Colvin, *King's Works*, vol. 4 pt. 2, 769-78.

<sup>770</sup> *CBP* 1:154, "Works at Berwick, etc," 1 March 1583; TNA, WO55/1939, f. 17v.

<sup>771</sup> See, for example, *CBP* 1: 477, "Survey of Berwick," 23 January 1587; *CBP* 1: 694, "Repairs at Berwick," 14 December 1590; *CBP* 1: 733, "Needful Repairs at Berwick," 13 September 1591; *CBP* 2:5, "Works at Berwick," 13 January 1595. Often the town had difficulty in obtaining the supplies for repairing the bridge; in 1597, for example, John Carey explains that the timber in Chopwell wood had been set aside for Berwick, but lay "rotting" there for lack of money to transport it to Berwick; *CBP* 2:510, "John Carey to Burghley," 15 February 1597. In 1599 repairs to the bridge went unfinished "for want of timber," *CBP* 2:1110, "One year's works at Berwick," 29 September 1599.

<sup>772</sup> *CBP* 1:897, "Berwick bridge and pier," 30 September 1593.

<sup>773</sup> Margo Todd, "Weather, Finance, and Urban Religious Dissent in Early Modern Scotland: A Different View of the Perth Articles," unpublished paper, 27-28. My thanks to Margo Todd for sharing this paper.

after the accession of James. In his first year as king of England, James allowed £9 for “repairing and gravelling the long bridge.”<sup>774</sup> This was a pittance, however, compared with what was to come. In May 1606, “a great part of the ancient wooden bridge there over the Tweed” was ruined “by an earthquake under water.” Coming hard on the heels of the military dissolution, the townspeople could not emphasize strongly enough the catastrophe ensuing after the bridge’s collapse. For the present, “the town is constrained to be furnished with victual, etc, from Scotland;” this was an unsustainable long-term solution, however.<sup>775</sup> One report found that “the town, which is much decayed since the discharge of the garrison, will be undone” without a new bridge.<sup>776</sup> “The prosperity of the town,” Bowyer concluded, “lies only on the passage of the bridge.”<sup>777</sup> That year, the king paid £116 for supplies like iron, rope, timber, nails, and coal to repair it.<sup>778</sup>

The long-term solution, the burgesses argued, was a completely new bridge, “builded of lime and stone, whereby it may be substantial and perpetual, and may be maintained without continual reparation.”<sup>779</sup> The campaign for the new bridge was led by James Burrell, one of the queen’s officers who chose to stay in Berwick after the dissolution of the garrison. Burrell had served Elizabeth as deputy surveyor, though in point of fact he had managed the queen’s works for much of her reign.<sup>780</sup> His connections to the crown were appreciated by the guild; in 1604, when he became a burgess, his

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<sup>774</sup> TNA, E351/3483, “Works (Military) and Fortifications,” Dec 1603-Dec 1604.

<sup>775</sup> *HMC Salisbury*, vol. 19, 137. Before 23 May 1607. “Mayor and Inhabitants, and the captain of the garrison of Berwick-upon-Tweed, to the Council.”

<sup>776</sup> *HMC Salisbury*, vol. 19, 147. “Berwick Bridge,” 4 June 1607.

<sup>777</sup> *HMC Salisbury*, vol. 19, 153-4. “Sir William Bowyer to the earl of Salisbury,” 16 June 1607.

<sup>778</sup> TNA, E351/3485, “Works (Military) and Fortifications,” Dec 1605-Dec 1606.

<sup>779</sup> *HMC Salisbury*, vol. 19, 137, “Mayor and Inhabitants, and the captain of the garrison of Berwick-upon-Tweed, to the Council,” before 23 May 1607.

<sup>780</sup> Colvin, *King’s Works*, vol. 4 pt. 2, 626.

admittance fee was waived “in regard of his forever good will heretofore shewed to the town in their suits to his majesty and counsel, in hope of his further good will in future time.”<sup>781</sup> Beginning in 1605, he was the “surveyor of the bridge,” for which he received an annuity from the king of £40 per annum.<sup>782</sup> Burrell would go on to serve as mayor of Berwick in 1609 and 1611.<sup>783</sup>

Burrell lived up to the town’s expectations; after the latest catastrophe of 1606, he took it upon himself to design a stone bridge and advocated for its construction with the king’s councilors. A stone bridge was well worth his estimate of £5,440, he argued, when repairing the wooden bridge would cost £1,858, and it would be subject to “spates [floods] and ice.”<sup>784</sup> The current bridge was only about thirty years old, the townsmen pointed out, “and every year or second for 20 years has been repaired.”<sup>785</sup> William Bowyer wholeheartedly supported the project. He assured the king that he need not worry about “that old and shameful thievery that was in her Majesty’s days,” when “Berwick works were so surveyed that every 10s worth of work cost her 30s.”<sup>786</sup> Burrell, given his history as an employee of the queen, might be “a little infected with the abuse of those days [under Elizabeth] for works,” but Bowyer would monitor him closely, with the

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<sup>781</sup> BRO B1/7, f. 31r.

<sup>782</sup> Although he was never employed officially in the garrison. SPO, *CSP Dom Jas I, 1603-1610*, p. 208, “Grant to James Burrell, surveyor of the bridge at Berwick, of a pension of 40l. per annum,” 30 March 1605.

<sup>783</sup> Scott, 479.

<sup>784</sup> *HMC Salisbury*, vol. 19, 137, “Mayor and Inhabitants, and the captain of the garrison of Berwick-upon-Tweed, to the Council,” before 23 May 1607. Burrell’s estimates are repeated in *HMC Salisbury*, vol. 19, 156. 17 June 1607.

<sup>785</sup> *HMC Salisbury*, vol. 19, 147. “Berwick Bridge,” 4 June, 1607.

<sup>786</sup> First quote: *HMC Salisbury*, vol. 19, 153-4. “Sir Wm Bowyer to the earl of Salisbury,” 16 June 1607; Second quote: *HMC Salisbury*, vol. 19, 147. “Berwick Bridge,” 4 June, 1607.

assistance of the mayor and “two oldest aldermen.”<sup>787</sup> During this period, the first half of 1607, James disbursed £319 for immediate repairs while he decided what to do about the bridge.<sup>788</sup>

The situation became even more dire in February 1608 when ice, carried by a strong current, carried off ten of the timber piers holding up the bridge while it was being repaired. Now Burrell made the case for a stone bridge even more vehemently.<sup>789</sup> After this incident, Berwick’s mayor, Robert Jackson, petitioned the Earl of Dunbar for his assistance in obtaining funds for the bridge. Dunbar was the obvious man to ask for help; he had been a vocal advocate for Berwick’s new charter, and he now proved himself again to be a valuable patron of the town. He petitioned the Privy Council for money not only for the bridge, but also for a new church. To this end, he had already collected £1000. His petition was received favorably; just months later, in May 1608, James issued an indenture to James Baylie, an accountant burges of Berwick.<sup>790</sup> Rather than disbursing sums of money directly to pay for the bridge, however, James granted Baylie access to £10,000 from “debts, rents, and concealed goods detained from the Crown” between 1485 and 1600.<sup>791</sup> This was not necessarily a secure or guaranteed source of

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<sup>787</sup> *HMC Salisbury*, vol. 19, 153-4. “Sir Wm Bowyer to the earl of Salisbury,” 16 June 1607.

<sup>788</sup> TNA, E351/3486, “Works (Military) and Fortifications,” Dec 1606 - June 1607.

<sup>789</sup> Colvin, *King’s Works*, vol. 4 pt. 2, 770.

<sup>790</sup> Scott, 312-13 for the charter, 412 for the bridge. See also Colvin, *King’s Works*, vol. 4 pt. 2, 770.

<sup>791</sup> The original indenture was issued in May 1607, but a formal grant followed in May 1608, and it was after this date that money began to be collected. See SPO, *CSP Dom Jas I. vol. 1, 1603-1610*, vol. 27, 22c (p. 358) [SPO, *SP 14/141 f.23*], “Indenture between James Bayliff and the King...” 23 May 1607; and SPO, *CSP Dom Jas I. vol. 1, 1603-1610*, vol. 32, no. 52k (p. 431), “Grants to James Baylie...” 16 May 1608. Both Colvin and Scott cite 23 May 1608 as the date of the indenture. Colvin, *King’s Works*, vol. 4 pt. 2, 770 and Scott, 412.

income, but more of a sign of goodwill of the crown. Still, between 1608 and 1611, just over £3347 had been collected.<sup>792</sup> Dunbar himself administered the money as paymaster.

This system had been in place for only a few years when Dunbar died suddenly in January 1611. This catastrophe, the loss of a patron so close to the king's ear, was followed by yet another breakdown of the bridge – the third collapse in five years. The town immediately expressed concern that the money would no longer be forthcoming; William Bowyer wrote to Salisbury on behalf of the mayor and townsmen. Dunbar, he reminded him, had “great care and desire...for the necessity of the whole country, his majesty's service, and the particular good of the town to have had a sufficient bridge here.”<sup>793</sup> James Burrell, now mayor, put together new proposals for the bridge that called for an entirely stone construction (rather than stone only in the deepest waters). This modified project would cost £8,462, he estimated, in addition to the money already raised through the indenture.<sup>794</sup>

Even without the patronage of the powerful earl of Dunbar it, it was apparent to the king that the bridge was urgently needed, and that the indenture was an insufficient means of raising the necessary funds. James explained that “we are not willing that a work of so good consequence as the building of the same stone bridge at Berwick, tending so much to the benefit and ease of the subjects of both our kingdoms of England and of Scotland to have the same, rely upon uncertainty of money to be levied out of our

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<sup>792</sup> TNA, E351/3585, “Works (Military) and Fortifications,” Bridge Accounts 1611-1634.

<sup>793</sup> SPO, *SP* 14/61, f. 95f, “Sir William Bowyer to Salisbury,” 6 February 1611.

<sup>794</sup> Colvin, *King's Works*, vol. 4 pt. 2, 771-72; see also SPO, *CSP Dom Jas I, 1603-1611*, vol. 58, no. 42.I (p. 24), 22 April 1611, “Estimate for making a stone bridge...”

old debts which are slowly resolved.”<sup>795</sup> In the spring, the indenture was cancelled and the king committed £8000 to this “work of so good consequence.”<sup>796</sup> This money was disbursed once or twice a year until May 1617, but the bridge was still not completed. In 1619, the townsmen petitioned the king for more money, and £4000 was allowed.<sup>797</sup> By 1620, when £3000 of the last grant had been disbursed, the privy council began to express doubts regarding the progress of the bridge. The council asked the bishop of Durham, Richard Neile, to oversee its completion. Henceforth, he was the main overseer of the bridge in Berwick. He identified one of the main problems, the speedy acquisition of materials, and established contracts to obtain materials in gross. There was a setback in October 1621, when much of the previous year’s work was washed away in a torrential flood. The next year, another £3000 was allotted to the bridge; expenditures finally declined after the spring of 1623. By this point the bridge was probably mostly completed, though the town kept the account book open until 1634. Altogether the exchequer disbursed £15,000 for Berwick, nominally for the building of both the bridge and a new parish church.<sup>798</sup> Only £39 remained to put toward the church once the bridge was completed.<sup>799</sup>

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<sup>795</sup> Indenture, written out in TNA, E351/3585, “Works (Military) and Fortifications,” Bridge Accounts 1611-1634.

<sup>796</sup> TNA, E351/3585, “Works (Military) and Fortifications,” Bridge Accounts 1611-1634.

<sup>797</sup> SPO, SP 14/109, f. 136, “Petition of the Mayor and others of Berwick...” [May] 1619.

<sup>798</sup> TNA, E351/3585, “Works (Military) and Fortifications,” Bridge Accounts 1611-1634; Colvin, *King’s Works*, vol. 4 pt. 2, 775-77; see also Scott, 415-16, for a summary of the final accounting in E351/3585.

<sup>799</sup> Of course, the bridge still required maintenance, although much less than the timber bridge had. In 1633, a year before the accounts for the bridge were formally closed, the corporation petitioned Charles for £50 per annum of the money still sent to Berwick for the garrison to be allocated instead to the bridge, since the garrison was almost totally depleted now. Colvin, *King’s Works*, vol. 4 pt. 2, 778.



Building the bridge in Berwick was obviously a much smaller undertaking than the construction of the fortifications, half a century earlier. Its construction differed significantly in other ways as well. What stands out most is the townsmen's continual involvement in the project from start to finish. The Earl of Dunbar and the bishop of Durham served as communicators and overseers, but the burgesses were in control of all aspects of management, planning, and construction. From the start, the mayor and burgesses were responsible for making an estimate after having had "conference with the best workmen in those places and consideration of all the particular charges incident to so great a work." After the estimate was made and the funds granted, it was the townsmen who controlled construction and payment; Salisbury charged the mayor and eight burgesses with keeping the books and paying the workmen weekly, while other burgesses were to be appointed to oversee the materials.<sup>800</sup> In their petition for more funds in 1619, the townsmen explained that the original grant had been "duly and truly employed in the work of the said bridge." They were obviously proud of their work as "faithful and careful stewards and servants to your majesty." If the king wished it, the burgesses even welcomed a commission to enquire into the use of the money, "to make manifest that not one penny of what came to your petitioners' hands hath been any way misspent or otherwise laid out then for the most advantage and best furtherance of your Majesty's said service."<sup>801</sup>

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<sup>800</sup> Colvin, *King's Works*, vol. 4 pt. 2, 772. TNA, E351/3585, "Works (Military) and Fortifications," Bridge Accounts 1611-1634. See also BRO H1/1-6, Bridge Account Books, which list weekly disbursements to the laborers.

<sup>801</sup> SPO, *SP* 14/109, f. 136. "Petition of the Mayor and others of Berwick..." [May] 1619.

The town was further involved in the financing of the bridge. For the years it was under construction, the guild collected taxes assessed on individual wealth (a “sessment”) to pay for the repairs of the timber bridge. In 1620, the guild assessed all the inhabitants of the town to raise money to repair “the breach made by violence of water.”<sup>802</sup> The following August, the town borrowed £53 from Mark Saltonstall to pay the workforce when money was not forthcoming from the crown.<sup>803</sup> In January 1621, “the old wooden bridge needs repair again, as by violence of water is broken and fallen down, and the reparation is very needful for his majesty’s dispatches into Scotland and for the general ease and benefit of the town and country.” Individual collections were again taken, but townsmen were now asked to pay only half the amount they had contributed the year before.<sup>804</sup> Another “general collection” was needed in December 1623 to repair new damages.<sup>805</sup> Even admission to the freedom demonstrated the preoccupation of the town; in 1621, two men were admitted to the guild. John Fairley, son of Ralph Fairley, paid 40s. “toward the present repair of the wooden bridge.” John Ingram was a blacksmith apprentice to Elias Pratt; for his admittance fee, he was “to make ready all such iron works as shall be requisite and necessary for repair of the said bridge.” Both men also contributed two buckets.<sup>806</sup>

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<sup>802</sup> BRO B1/8, p. 93. For the sessment list, see 96-98. Before the reign of James, the guild books do not record any cases of the guild collecting money from the townspeople to repair the bridge. For assessment as a kind of tax, see Braddick, *State Formation*, 236.

<sup>803</sup> BRO B1/8, p. 100.

<sup>804</sup> BRO B1/8, p. 110. In October 1622, many townspeople had still not paid their bridge tax; orders to collect the arrears were coupled with those for a new survey of the bridge and its “ruin and decay”; BRO B1/8, p. 142.

<sup>805</sup> BRO B1/8, p. 159.

<sup>806</sup> BRO B1/8, p. 110.

The construction of the bridge also highlights the different nature of the relationship between Berwick's townsmen and their patrons. Dunbar took his role of patron seriously, actively advocating for Berwick. This approach differed greatly from that of Hunsdon, who never interpreted his role as one of advocacy or patronage. Much like Dunbar, Bishop Neile did not seem to have an acrimonious relationship with the townspeople. Upon his arrival in 1620, he commended their efforts on the bridge, stating that "I do not find but that the mayor and his brethren are careful and faithful" in their efforts. The main reason that "the expenses of his majesty's moneys rise apace but the bridge riseth slowly," he found, was slow and cumbersome transportation of materials, an aspect of the project outside the town's hands.<sup>807</sup> In 1620, Neile and a group of townsmen entered into an indenture with James Burrell and Lancelot Branxton, chief mason of the bridge and a burgess, to guarantee the completion of the bridge.<sup>808</sup> The townsmen remained involved in the administration and the physical construction of the bridge from start to finish. The willingness of the king's administrators to work with the burgesses contrasts sharply with the townsmen's interactions with Elizabeth's governors and other officials. Hunsdon, Widdrington, and John Carey constantly suspected the motives of the civilians and defended the prerogatives of the governor and queen's establishment.

When they granted more money for the completion of the bridge in 1620, the commissioners of the king's treasury confidently asserted to the bishop of Durham that

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<sup>807</sup> TNA, E351/3585, "Works (Military) and Fortifications," Bridge Accounts 1611-1634. See also Colvin, *King's Works*, vol. 4 pt. 2, 775.

<sup>808</sup> The other men were John Craddock, chancellor of the diocese of Durham, and leading townsmen, including William Bowyer, Sir Robert Jackson, Mark Saltonstall, Hugh Grigson, and Michael Sanderson, all aldermen of Berwick. TNA, E351/3585, "Works (Military) and Fortifications," Bridge Accounts 1611-1634.

“the work may be well and substantially finished in all points fit for so royal a monument of blessed union between the two kingdoms as yourself are pleased to term it.”<sup>809</sup> This is one of surprisingly few references to the bridge as a symbol of union. In their 1619 petition, the townsmen called the bridge “a chargeable and a great work, yea, such a one as being finished, they do not think that any king in the world ever did a more worthy and memorable a work then this will be to your majesty.”<sup>810</sup> After his earlier emphasis on pacification in the borders as a precursor to union, James himself is surprisingly silent on the topic of Berwick’s bridge and did not take advantage of the rhetorical opportunity it afforded. Similarly, his second visit to Berwick, on his way to Edinburgh in 1617, is little documented. He stayed for three days in May 1617, knighting three men.<sup>811</sup> The guild records note a collection being taken, as “it becometh us in all duty to show our loyalty and thankfulness in presenting unto his highness a propine.”<sup>812</sup> No mention is made, however, of the gift itself or any festivities that took place in the three days of the king’s visit. James’ interest in the borders had faded following the success of their pacification and the failure of the broader union project.

### *Conclusion*

James’ accession heralded a period of peace in England after decades of war with Spain and rebellion in Ireland. The Nine Years’ War in Ireland was concluded as

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<sup>809</sup> TNA, E351/3585, “Works (Military) and Fortifications,” Bridge Accounts 1611-1634.

<sup>810</sup> SPO, *SP* 14/109, f. 136, “Petition of the Mayor and others of Berwick...” [May] 1619.

<sup>811</sup> These were Robert Jackson and William Muschamp of Northumberland, and Anthony Weldon of Kent. *Progresses*, vol. 3, 298-300.

<sup>812</sup> BRO B1/8, p. 33. A propine is a gift.

Elizabeth lay on her deathbed, when the Earl of Tyrone agreed to a peace treaty. James ceased hostilities with Spain in 1603, confirmed by the Treaty of London in 1604.<sup>813</sup> Then, throughout the British Isles, James engaged in “substantial demobilization” in his first decade of English rule. He pulled troops out of Ireland and permitted the navy, one of Elizabeth’s biggest military investments, to fall into disrepair.<sup>814</sup> He did maintain, however, Elizabeth’s system of administration over small garrisons. For example, in Ireland and in southern garrisons like Plymouth and Portsmouth, James retained the military governors appointed by his predecessor, providing continuity in these establishments.<sup>815</sup> In 1606 and 1609, he appointed a new captain in Portsmouth, and other southern fortifications, though small, remained consistently manned after Elizabeth’s death.<sup>816</sup>

This was not the case in Berwick, England’s largest garrison. As England’s closest town to the border, the “gate” into his English domain, Berwick had the distinction of being the first English population to receive the king. Its garrison, however, was antithetical to the king’s project of union and a serious drain on the crown purse. He immediately set about dissolving the garrison, reducing it dramatically in 1604 and then completely disbanding it in 1611. The crown went from spending over £15,581 a year in

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<sup>813</sup> Hammer, 234.

<sup>814</sup> Hammer, 263. Keith Brown argues that “James imposed a Scottish foreign policy on England [i.e., one of peace] that proved to be of enormous benefit to all Britain.” The benefit was that costs were reduced and England was able to end the prolonged war with Spain. See 22.

<sup>815</sup> Mark Charles Fissel, *English Warfare: 1511-1642* (London: Routledge, 2001), 236-8.

<sup>816</sup> Such as the coastal fortifications at Deal, Kent, Walmer, and Sandgate. See Shannon, 47-48. On Plymouth, see Shannon, 138-9; 248-9; and on Portsmouth, Shannon, 253. Ellis with Maginn, *The Making of the British Isles*, 294.

Berwick in 1603 to only £1,261 in 1625.<sup>817</sup> James reinvested some of this money into Berwick's bridge, a "very fair, stately bridge" that would stand as "so royal a monument of blessed union" long after James' death.<sup>818</sup> Berwick's demilitarization and the general pacification of the borders were major victories for James, two of the few resulting from his failed union project. After 1611, when the borders were deemed pacified, royal attention was diverted elsewhere. Even as he granted money for Berwick's bridge, James' focus was drawn to the continent by the Thirty Years' War, and after 1618 he spent much of the remainder of his reign advocating for peace between his son-in-law Frederick V and the Habsburg Holy Roman Emperor, Ferdinand II. Berwick had become obsolete in matters of foreign policy and domestic defense.

There were those who disagreed with James' hasty work in dismantling the military fortifications of Berwick. An anonymous petition was sent to the king in December 1603, just as orders were being delivered for the dissolution of the garrison. The author argued for Berwick's importance as a site of international recognition and English pride. Abroad, he argued, Berwick was known as "a most famous and remarkable place of martial discipline and the only nursery for soldiers in this land." Rather than a symbol of the separation of the two nations, a "partition, wall betwixt the two kingdoms,"

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<sup>817</sup> TNA, E351/3482, "Works (Military) and Fortifications," Oct 1600-Dec 1603, E351/3505, "Works (Military) and Fortifications," Dec 1624- Dec 1625. Mark Kishlansky notes the two periods of James' reign: one of peace and domestic concerns, until 1618, and from thenceforth, one of war; Mark Kishlansky, *A Monarchy Transformed: Britain 1603-1714* (London: Penguin Books, 1996), 68. Michael Braddick adds that the first ten years of James' reign saw little interest in or improvements made to the militia – a trend that had persisted since the failure of the Spanish Armada in 1588. Starting in 1613, the king attempted reforms and improvements of the militia, but only to limited effect, so that by the outbreak of the Thirty Years' War, "the militia seems to have been in generally poor condition." Braddick, *State Formation*, 192.

<sup>818</sup> William Brereton, *Travels in Holland, the United Provinces, England, Scotland, and Ireland 1634-1635*. Edward Hawkings, ed. (The Chetham Society, vol. 1, 1844), 94. TNA, E351/3585, "Works (Military) and Fortifications," Bridge Accounts 1611-1634.

Berwick served as “a stately and royal monument...which might both allure and terrify.” Maintaining the garrison, he argued, would keep the peace between the two nations by its establishment as a “justice seat;” indeed this had been Elizabeth’s reasoning in maintaining Berwick, he noted optimistically, not “to defend her from her neighbors which, God be praised, she meant not.”<sup>819</sup>

The symbolism of transforming the English and Scottish marches into the new Middle Shires, along with the obvious financial benefits, outweighed any military significance the garrison had provided in the past or could potentially deliver in the future. In 1603, when James gave temporary control of the border region to the Scottish privy council, he reminded them that he had always had, and would continue to have, “a special regard that the part of both the countries which of late was called the ‘Marches’ and ‘Borders,’ and now by the happy union is the very heart of the country.”<sup>820</sup> This happy union was confirmed tangibly by the construction of Berwick’s stone bridge, James’ answer to Elizabeth’s fortifications. Ultimately, however, upon the completion of the king’s immediate goal of pacification in the border, and the definitive failure of his long-term goal of union, Berwick’ relevance to the crown declined. It would be revived temporarily during the conflict of the 1640s, when the town was held alternately by both the king’s forces and Scots.<sup>821</sup> But nothing as largescale or as permanent as Elizabeth’s establishment would be instituted in Berwick again; instead, the townspeople had to

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<sup>819</sup> SPO, *SP* 14/5, f. 6, “Reasons for continuing the garrison of Berwick without reduction...” December 1603. The origins of the letter are unclear, though easily could have been sent from soldiers or other military officials in Berwick itself.

<sup>820</sup> RPCS, 1<sup>st</sup> ser., vol. 6 (1599-1604), p. 560.

<sup>821</sup> Scott, 203.

accustom themselves to the town's reduced status from a town of war to a regional market center.



## Chapter 5: “The Gloomy Cloud of our Pressures and Wants:”<sup>822</sup> Berwick’s transformation from garrisoned to market town

### *Introduction*

In 1623, twenty years after the death of Elizabeth and twelve years after James’ final dissolution of the residual garrison, the merchants of Berwick petitioned the king regarding his prohibition against the exportation of raw wool out of England. The new decade had ushered in years of debilitating droughts and resulting dearth across England and Scotland, reminiscent of the 1590s. James’ ban recognized the depreciating value of English wool abroad and sought to reinvigorate the home market.<sup>823</sup> For the merchants of Berwick, however, his decree was a blow to what little trade occurred in the remote port. In a region where the land was better suited to pasturing than to agricultural production, wool was a crucial aspect of the local export economy. From Berwick, both Scottish and English wool was shipped to countries in northern Europe, from the Low Countries to Norway.<sup>824</sup>

Berwick’s economy depended on trade with Scots across the border; indeed, its tradesmen “hath very little or almost no commerce, trade, or markets but with

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<sup>822</sup> Speech by the recorder, Thomas Widdrington, to Charles I, June 1633. John Rushworth, 'Historical Collections: 1633', in *Historical Collections of Private Passages of State: Volume 2, 1629-38* (London, 1721), pp. 175-244. *British History Online* <http://www.british-history.ac.uk/rushworth-papers/vol2/pp175-244> [accessed 15 August 2017].

<sup>823</sup> *The Proclamations of King James I 1603–1625*: 229. “By the King. A Proclamation for the preventing of the exportation of Wools, Wool-fels, Yarn, Fullers earth, and Woadashes, and for the better vent of Cloth, and Stuff made of Wool, within this Kingdom.” [Oatlands 28 July 1622] (1622) in James F. Larkin, c.s.v. and Paul L. Hughes (eds), *Stuart Royal Proclamations, Vol. 1: Royal Proclamations of King James I 1603–1625* (online edition, 2013).

<sup>824</sup> For examples of ships coming from and headed to Norway (as well as Amsterdam and France), see TNA, E190/161/1, fols. 6r, 8r. “The port of Berwick-upon-Tweed, wares carried by land to and from Scotland,” January-November 1606.

Scotchmen, and they with them, our grounds adjoining together.”<sup>825</sup> The king’s policy discouraged Scots from bringing their goods to Berwick, since the wool could not be shipped out of its port, and thus directly endangered the local economy. This was all the more troubling for the border community because it had still not recovered from the dissolution of the garrison. The townspeople explained that

The mayor, bailiffs, and burgesses, who, by neglect of all other traffic and trading both by sea and land, had wholly adapted themselves to the entertainment of the soldiers, are now willingly and charitably inclined, according to their small abilities, to yield their best talents to their exceeding great miseries and wants which daily more and more do grow, but to their great grief they are no way able to supply.<sup>826</sup>

Twenty years after Berwick became the “heart of the country,” its people and economy still had not adjusted to this new status. Another decade later, Berwick’s situation was still desperate, made evident in a 1633 plea from the townspeople to Charles I, seeking relief from that “gloomy cloud of [their] pressures and wants.”<sup>827</sup>

Berwick’s experience was not unique among English towns in the 1620s. After decades of growth and prosperity, political and economic circumstances shifted, inaugurating a time of hardship across England. The Thirty Years’ War broke out in 1618; from the beginning, James entangled England in the conflict, its first military involvement since Elizabeth’s death. Demands were placed once more on towns, cities, and counties for taxes and troops. Berwick did not feel the pressure of levies, though

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<sup>825</sup> John Scott, *Berwick-upon-Tweed: the history of the town and guild* (London, 1888), 194.

<sup>826</sup> Scott, 195.

<sup>827</sup> Speech by the recorder, Thomas Widdrington, to Charles I, June 1633. John Rushworth, 'Historical Collections: 1633', in *Historical Collections of Private Passages of State: Volume 2, 1629-38* (London, 1721), pp. 175-244. *British History Online* <http://www.british-history.ac.uk/rushworth-papers/vol2/pp175-244> [accessed 15 August 2017].

other cities along the coast, like the Cinque Ports, felt it intensely.<sup>828</sup> These demands were made all the more difficult by the food shortage that set in across the country at the same time. There was a harvest glut in the two seasons from 1618 to 1620, and the markets did not have time to recover before the disastrous harvests of 1622, 1624, and 1630.<sup>829</sup> These political and economic shifts were followed closely by James' death and the succession of his son Charles in 1625, whose inflexibility and incompetence led England and Britain down the path to the civil wars.

The dire circumstances of the early 1620s were perhaps all the more surprising given the economic revival that had occurred in the years immediately following James' accession to the English throne. In 1604, peace with Spain reopened continental markets to English cloth, while there was also a post-war increase in demand at home. After 1601, harvests also improved. The series of good harvests were the "obvious natural key to Jacobean prosperity," but historians have noted that the economic revival that took place under James also involved diversification of industries across England.<sup>830</sup> Indeed, until 1617, England saw a time of "fairly widespread if sometimes fragile prosperity."<sup>831</sup>

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<sup>828</sup> Peter Clark, *English Provincial Society from the Reformation to the Revolution: Religion, Politics and Society in Kent, 1500-1640* (Hassocks, Sussex: Harvester Press, 1977), 320, 328-9. The Channel Islands also saw increased military activity in the 1620s. Tim Thornton, *The Channel Islands, 1370-1640: between England and Normandy* (Woodbridge, Suffolk: The Boydell Press, 2012), 133-4, 143.

<sup>829</sup> Clark, 317.

<sup>830</sup> In Kent, fears of a repeat of the 1590s encouraged landholders to diversify their interests, planting new crops like hops and cherries, while thread produced from flax became a dominant textile product of the region. Corporations in cities like Dover and Sandwich invested in London companies such as the Virginia Company. Clark, 301. In the northeastern community of Whickham, furthermore, it was in the 1580s that coal production ramped up dramatically. See Keith Wrightson and David Levine, "Death in Whickham," in John Walter and Roger Schofield, eds., *Famine, Disease, and the Social Order in Early Modern Society* (Cambridge: Cambridge University Press, 1991): 129-66, esp. 130-33, and Wrightson and Levine, *The making of an industrial society: Whickham 1560-1765* (Oxford: Clarendon Press, 1991).

<sup>831</sup> Clark, 317.

Historians of urban Britain have largely understood the reigns of Elizabeth and James as a continual period of growing prosperity for towns, even taking into account the 1590s; this stemmed from population and economic growth after centuries of decline.<sup>832</sup> Unlike most English cities, however, Berwick's governance and economy experienced a radical break from the past in 1603. Elizabeth and James' reigns cannot be considered as one continuous period of growth in Berwick, because the two monarchs had very different agendas on the borders, in which Berwick featured prominently. James' accession did not affect other urban communities as directly and dramatically as it did Berwick. The king's reimagining of the British state necessitated, in the local sphere, a

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<sup>832</sup> The changes of the 1620s, historians find, heralded a "watershed" in town-crown relations, which became increasingly suspicious and reluctant, exemplified by the Forced Loan of 1626. The Forced Loan of 1626 occurred after parliament refused to fund continental wars, and was followed by what both English and Scottish subjects saw as an assault on the protestant church. See . Ian Archer, "Politics and Government, 1540-1700," 250, in Clark, ed., *CUHB* vol. 2 and also Catherine Patterson, *Urban Patronage in Early Modern England: Corporate Boroughs, the Landed Elite, and the Crown, 1580-1640* (Stanford: Stanford University Press, 1999), 189. For an example of the argument of late Tudor and early Stuart prosperity following a time of decline, see, for example, David Palliser, "A Crisis in English Towns? The Case of York, 1460-1660," *Northern History* 14 (1978), 108-125. Reprinted in David M. Palliser, *Towns and Local Communities in Medieval and Early Modern England* (Aldershot: Ashgate Variorum, 2006). Palliser also provides a summary of the debate, 108-10. On another model, that sees the whole period from 1500 to 1660 as a time of crisis and decline, see Peter Clark and Paul Slack, "Introduction," in Clark and Slack, eds. *Crisis and Order in English Towns, 1500-1700* (London: Routledge and K. Paul, 1972) and Clark and Slack, eds., *English Towns in Transition, 1500-1700* (Oxford: Oxford University Press, 1976). This trend has been noted not only in south-eastern coastal cities, but also in the northern city of York, where the permanent establishment of the Council of the North there in 1561 brought to the city an increase in people and therefore service industries. By the early seventeenth century, York was prosperous and more populous, in large part due to infrequent occurrences of plague and high rates of immigration. David Palliser, "A Crisis in English Towns? The case of York, 1460-1640," *Northern History* 14 (1978): 108-125, 120-22. York had plague in 1558 and 1604, 112. In Bristol, similarly, the late sixteenth century saw the beginning of a continuous population increase, and James' reign signified "the beginning of a new period in Bristol's long-term development." David Harris Sacks, *The Widening Gate: Bristol and the Atlantic Economy, 1450-1700* (Berkeley: University of California Press, 1991), 353. Plague was found in the Scottish border towns of Kelso, Dunfermline, and Dumfries in 1623. Paul Griffiths et al, "Population and disease, estrangement and belonging 1540-1700," in Clark, ed., *CUHB*, vol. 2, 206. For Scottish towns, continuity was provided by the Convention of Royal Burghs, which adjusted to the removal of the crown to London by establishing an agent in that city to represent their interests to the courts and parliament, as it had in Edinburgh, although not until 1613. Archer, "Politics and Government, 1540-1700," 250, in Clark, ed., *CUHB* vol. 2.

new understanding of Berwick's people and their town. Indeed, the king's very entrance into England through "the little door" signified Berwick's transformation from a border town of war into a market town.

Over the course of his reign, Berwick's people would strive to adapt to this shift. Financial concerns were alleviated, in the beginning, by the new charter issued by James in April 1604. It re-granted to the corporation traditional freedoms that had been denied its people for generations, while also surrendering to the town many of the crown's lands and buildings in and around Berwick.<sup>833</sup> Rents from buildings and leases of fields, as well as taxes on animals pastured in those fields, became major sources of revenue for the town after 1604. The guild took on the mantle of authority left empty by the departed governor and council, administering rents of lands and buildings, caring for the poor, and dispensing justice. It continued to regulate the market and took pains to make it a fair and attractive place to do business. Finally back in control of their own land and government, without interference from afar, the guild leaders must have been excited to begin what must have seemed to them a new era of the town's history.

External forces, however, presented continual challenges. Dearth and plague, as well as royal policies relating to wool exportation, brought growing impoverishment to the small community, beginning in the last decade of James' reign. The king's bridge, while a boon to the town's sense of importance, strained local resources when crown funds were not always forthcoming. Internal factors played a role as well. The guild took

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<sup>833</sup> SPO, *CSP Dom Jas I 1603-1611*, vol. 7, [62f], "Grant to the town of Berwick of a charter," 24 April 1604; SPO, *CSP Dom Jas I 1603-1611*, vol. 8, no. 15, "Breviate of the Charter granted to the Mayor and Burgesses of Berwick," 11 May 1604. On lands granted to Dunbar, see Scott, 189.

many steps to improve the market and to encourage trade, but at the same time its various responsibilities forced it to collect frequent assessments of Berwick's inhabitants, and to rely on several powerful local individuals for loans and disbursements, much as it had depended previously on the crown. By the last decade of James' reign, local discontent frequently stalled efforts of the guild to increase its revenue and occasionally erupted in violent protest.

James reimagined the borders as the Middle Shires in ways far beyond mere rhetoric, and from his vantage point he succeeded. In that re-envisioning, Berwick was fundamentally altered, becoming a typical market town that depended on income from rents, fees and fines, and market tolls.<sup>834</sup> As a result of James' actions in the borders, a true transformation of society, economy, and identity occurred in Berwick, which cannot be said for anywhere else. Even as the guild leaders adjusted, however, the community was hard hit by the 1620s; as a market town, it would never enjoy the same relevance that it had in its centuries as a town of war.<sup>835</sup>

#### *Navigating the Transition: The New Charter*

By September 1603, Berwick's leaders learned of their new monarch's plans to dissolve the garrison and decided to petition James directly for a new charter. The mayor, Michael Sanderson, alderman, Thomas Parkinson, and recorder, Christopher Parkinson,

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<sup>834</sup> See Alan Dyer, "Small market towns, 1540-1700," in Clark, ed., *CUHB*, vol. 2, 446.

<sup>835</sup> Its significance as a town of war would briefly return during the years of the Civil Wars, when it was again valued for its fortifications and strategic location, though not for its symbolic importance. This development is beyond the bounds of this study.

travelled to Hampton Court in January 1604 and did not return until July.<sup>836</sup> In their petition, the burgesses asked that the liberties of the corporation be “reformed or enlarged,” and suggested the transfer of crown land holdings to the burgesses. The freemen also requested the continuance of certain royal stipends, such as those of the mayor, preachers, and schoolmaster. Hoping to encourage a favorable response, the burgesses noted the corporation’s willingness to take over the responsibilities both of defending the town, much like other northern cities Newcastle and Hull, and of providing for the impoverished families now cut off from the king’s pay. Indeed, Berwick’s guild presented itself ready and able to care for the whole population, since “the town and garrison are and must be all one body.”<sup>837</sup> The families of former soldiers, many of whom “desire to inhabit there and to become members of the corporation,” were welcome to do so.<sup>838</sup> Mutual dependency was not a new development, but the guild’s willingness to accept and care for the garrison families as fellow townspeople was a dramatic shift from the Elizabethan rhetoric, if not reality, of careful separation. Berwick’s leaders had learned over Elizabeth’s reign to appeal to the concerns of the monarch; these professions were likely meant to demonstrate the town’s modest, local efforts at unity to one for whom union was so important in an attempt to garner a positive response.

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<sup>836</sup> BRO B1/7, f. 21r. See Appendix B for a list of the annually appointed mayors and aldermen. Because the acquisition of a charter was so important, it was not uncommon for mayors to be among the group that travelled to London; see Patterson, *Urban Patronage in Early Modern England*, 167-8.

<sup>837</sup> *HMC Salisbury*, vol. 15, p. 336, “The Mayor and Aldermen of Berwick to the Lord Cecil,” 23 December 1603. Many Elizabethan records, kept by the army, were obviously discontinued under James. Only one court record, that of a court leet, survives (from 1616). It thus becomes more difficult now to track detailed interactions between soldiers and townspeople; rather, the ramifications of the dissolution on interpersonal matters can only be painted with broad strokes.

<sup>838</sup> *HMC Salisbury*, vol. 15, p. 351-2, “The Mayor and Burgesses of the town of Berwick-upon-Tweed to the King,” [1603].

The three men were gone for seven months, burdening the town with massive debts.<sup>839</sup> The trip was a resounding success, however: the charter, the “fruit of their said labour,” was issued in April 1604 and was everything the town had hoped for.<sup>840</sup> James provided generously for the town, apparently well aware of the impending challenges it would face in the aftermath of the dissolution. He restored specific rights that had been appropriated by military governance: the keys to the town gates were returned to the mayor, and the mayor, recorder, and former mayors were authorized as justices of the peace to administer law and order in Berwick. These rewards were far outweighed, financially, by the land grants, which gave the corporation of Berwick the rights to former crown lands of the town and borough of Berwick; these included not only the fields and green spaces within and without the town walls, but also the buildings and properties that had been occupied and in use by the military establishment.<sup>841</sup> Through these lands and buildings, the guild would exercise greater control over the town and its profits. While it must have been tempting to James to retain the lands and the rents they would produce, by divesting completely, he signaled the crown’s removal from the border region and the return of local rule.

At the end of July, Michael Sanderson and the other burgesses returned from London and promptly delivered the new charter into the town chest for safekeeping.

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<sup>839</sup> The accounts for this trip are not extant, but presumably these costs arose from the men’s room and board, fees, personal necessities, servants, charges for services like boat hires and deliveries, and the actual travel to and from London.

<sup>840</sup> BRO B1/7, fols. 32-34v, quote on 32r; SPO, *SP* 14/8, f. 27, “Breviate of the Charter granted to the mayor and burgesses of Berwick-upon-Tweed,” 11 May 1604 (see also SPO, *CSP Dom Jas I 1603-1611*, vol. 8, no. 15).

<sup>841</sup> BRO B1/7, f. 28r.



Immediately following its reception, Berwick's leaders<sup>842</sup> formally took possession of royal holdings in Berwick, including

the palace in Berwick with the houses, buildings, and appurtenances thereunto belonging and also of a great house commonly called the Lord Governor's house, also the controller's house, of Burrell's Tower, of the maison de dieu, and the house and forge there, of one storehouse called Ravensdell chapel, of the king's stables and the yard thereto belonging, of the storehouse yard, late for munition with the houses thereto belonging, of the chamber on the wall and the waste within the said burgh in name of seisin and possession of all other the king's majesty's houses, buildings, lands, tenements, and hereditament whatsoever in Berwick.<sup>843</sup>

Several days later, the guild brethren similarly "took possession and seisin of all the meadows, pastures, ground, fields, and bounds of Berwick" as well.<sup>844</sup>

This transfer of ownership – and power – came not a moment too soon: the financial problems of the town were already acute by the summer of 1604, when the absence of crown funds was exacerbated by the extraordinary cost of the trip to London.<sup>845</sup> In October 1605, Sanderson reminded the guild that the town still owed him the enormous sum of £205 from the London venture; in 1605 altogether, the guild brought in only £167 and spent £177.<sup>846</sup> With these debts in mind, Berwick's leaders prioritized the conversion of the new town holdings into revenue. Fields and buildings were surveyed to assess their value and to make sure that current lease-holders were up to

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<sup>842</sup> These were the wealthiest and most influential men who served yearly terms as mayor or aldermen, and remained directly involved in guild governance through their subsequent admittance into the "private" guild, the top tier of government which was limited to twelve or so men.

<sup>843</sup> BRO B1/7, f. 28r.

<sup>844</sup> BRO B1/7, f. 28v.

<sup>845</sup> Scott, 266-9; BRO H1/2, Annual Account Book, 1603-1610. See also Ch. 2, p. 99-100, for town revenues under Elizabeth.

<sup>846</sup> BRO B1/7, fols. 32, 65. Record of the repayment of this massive debt is not recorded in the guild book; this longstanding debt to Sanderson may have facilitated his growing power in the guild. See below, p. 296-8. The income seems to have held steady for a few years, at least; in 1607, Berwick's revenue of £174 was countered by spending of £177. The antiquarian historian Scott notes that "although the revenues had considerably increased, yet money was not very plentiful." Scott, 267-8; on the numbers, see also BRO H1/2, Annual Account Book, 1603-1610.

date with payments. In the fields, the numbers of sheep, cattle, and horses were tallied and a list drawn up of the charges owed for each kind of animal, and the use of hay was also taxed. These new sources of income were, first and foremost, dedicated to repaying those who had contributed funds for the London trip.<sup>847</sup>

In town, Berwick's leaders ordered repairs to be made on the crown's former buildings and houses; they were eager to put their mark on the town's infrastructure by appropriating royal buildings for civilian use, a project which represented well the changing identity of the town. In October 1604, the roofs of "all the houses belonging to the town" were slated. Repairs were made quickly in order to begin renting out the buildings as soon as possible.<sup>848</sup> Leases of large or important former crown holdings often went to wealthy guild members, who were then charged with the physical maintenance of those sites. These men presumably either repurposed the space for their own use or rented it out to someone else in turn. Michael Sanderson, to whom the guild owed so much, leased the *maison dieu*, a medieval hospital that had been appropriated by the army, on the southern edge of town on the Tweed (and right next to the site of the future bridge). Sanderson leased the property for twenty-one years at 40s a year, conditional upon its maintenance.<sup>849</sup> In November 1604, Thomas Parkinson, the alderman who had accompanied Sanderson to London, was granted the ordnance yard with the buildings in it, also for 40s per year. Leonard Fairley, another important member

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<sup>847</sup> BRO B1/7, fols. 28r-28v, 29v.

<sup>848</sup> BRO B1/7, fols. 38v, 41r.

<sup>849</sup> BRO B1/7, f. 46r. His lease also included the "Bullet yard" at the forge. The *maison dieu*, which likely came into crown possession at the dissolution of the monasteries, had been occupied by Henry Reveley (a military man) before Sanderson's possession. In 1625, the *maison dieu* was found to be "fallen into great ruin." BRO B1/8, 176; Scott, 348-50.

of the guild council, leased a section of walls and ramparts with houses attached to them in January 1605 for the small rent of 20d per year; this rent was negligible, given that the day wage of a laborer in 1585 was 7d, while a skilled worker like a mason or smith could earn 12d.<sup>850</sup> Fairley's lease, however, required that he "keep the ramparts clean and repair all the bridges ... at his own charge."<sup>851</sup> The guild's leasing of these valuable holdings helped offset its debts owed to prominent leaders of the community; it is difficult to know whether this was the most financially wise strategy long-term.

The fields and meadows around Berwick were both leased out to individuals and overseen directly by the guild, bringing significant income directly into the town. They were quite expansive, covering much of the "pale" around Berwick, the buffer zone between England and Scotland.<sup>852</sup> These fields were crucial to the town as sites where cattle, horses, and sheep were pastured, and where hay was grown. One of the ongoing complaints of the Elizabethan guild regarding the army had been its appropriation of meadows by soldiers and officers when that land was designated for the freemen, stallengers, and soldiers of the old garrison only.<sup>853</sup> All of the fields had been consistently

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<sup>850</sup> These amounts were paid by the queen in 1585 when men were hired to conduct repairs. See BRO 1380/5, "The perticular book of payments..."

<sup>851</sup> BRO B1/7, f. 51. In 1608, both of these rents were relieved after Parkinson and Sanderson, along with Hugh Grigson and Leonard Fairley, entered into bond for the town for £66 for paying Sir Thomas Waller regarding the "liberty of presage and butlerage" of wines (BRO B1/7, f. 115r). Sanderson's was only a temporary relief; his lease with the town was renewed in July and his yearly rent increased to 46s 8d (B1/7, f. 123r).

<sup>852</sup> The boundary line with Scotland was under four miles from Berwick; the "pale" was wedge-shaped, bounded on the south and east by the river Tweed and the sea, and to the north and west by agreed-upon boundary lines.

<sup>853</sup> See, for example, BRO C1/1, f. 23v. Specific fields seized by Robert Vernon, the victualler, and others were the Snook and Magdalene, between the town and the sea on the east side, and Gainslaw, which was farther west along the border with Scotland. The Snook in particular was a sore spot; 20 acres of the Snook had been granted in perpetuity to the townsmen in 1404 by a grant of Henry IV. It was then reappropriated by the crown in the 1460s (Scott, 254-5). Confusion persisted regarding these fields because the army had

overburdened since the queen's councilors, along with the mayor, neglected their duty to ride the bounds each year and catalogue the animals.<sup>854</sup>

Now, however, the guild had sole charge of the fields. In what became an annual event, animals were tallied and their owners taxed for use of the meadows throughout the summer, between Lady Day and Michaelmas. This tax, again, was designated "towards the satisfaction and repayment of such sums as are disbursed by Mr. Mayor in the late affairs of the town at London and at court." Horses were taxed 10s, cows 5s, and each score of sheep 10s.<sup>855</sup> The enthusiasm of the guild was quickly tempered by local complaints; just days later, the guild reduced the rates for horses and cattle to 6s 8d and 3s 4d, respectively. The guild assuaged people's concerns, clarifying that the act was only for the present year, and was not to "be drawn to future times by this precedent." In fact, this was a recourse that the guild would turn to often.<sup>856</sup>

The next summer, the guild had a much better understanding of the administrative infrastructure needed to make the fields profitable. In April 1605, the guild appointed eight poinders instead of the traditional four to monitor the fields and keep track of whose animals were there. Berwick's leaders also confirmed that every burgess was allowed two cows and one nag, or three cows, while stallengers were allowed two. Outside of this allowance, everyone had to pay for their animals in the fields.<sup>857</sup> Maintenance of the

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been authorized to use them in the 1560s while the new fortifications were being built; by the 1590s, they ought to have been returned to town use but were still held by Vernon (i.e., BRO C1/1, f. 23v.)

<sup>854</sup> BRO C1/1, f. 24v.

<sup>855</sup> BRO B1/7, fols. 28v-29r.

<sup>856</sup> BRO B1/7, f. 29r. The rate for sheep stayed at 10s per score.

<sup>857</sup> BRO B1/7, fols. 52v-53v. The poinders were William Rogers, Richard Burrell, Alexander Robson, Barwick Carston, Raphe Law elder, Thomas Horsley, Raphe Law jun, and Simon Younge. There were four in 1600, 1602, and 1603. (BRO C1/1, CCM fols. 137v (1600), 146r (1602), 150r (1603)).

fields was also now the responsibility of the guild, and its leaders enlisted the help of Berwick's inhabitants when needed. In May 1605, in preparation for the summer season, the guild ordered all the townspeople to assist in digging a ditch around the fields to help with irrigation.<sup>858</sup> Berwick's leaders henceforth became much more attentive monitors of the fields, counting animals and collecting fines for illegal pasturing.<sup>859</sup> More oversight, literally, was created when the mayor and alderman appointed a group of laborers to build a cairn, as a kind of watchtower, along the town wall "for the better keeping of the fields." The gate near the bell tower was to be outfitted with new keys to monitor more closely those coming and going from the fields.<sup>860</sup>

Berwick's leaders also chose to lease specific pastures to wealthy individuals for an upfront cost, leaving them to collect rent from individual users. This way, the town received a set amount immediately, or quarterly, and the burgess who leased the land was charged with the onerous task of collecting smaller amounts from individual owners of animals. In February 1606, the mayor Robert Jackson leased the east field, or "sheep pasture," for £76, a substantial and needed contribution to the town coffers. In this field, up to 3,000 sheep could be pastured; the mayor was subsequently granted an additional five hundred, "in regard that the inhabitants of this town are so importunate on Mr. Mayor to have an extraordinary allowance."<sup>861</sup> The mayor took on the risk that he might not recuperate the whole cost of his rent; in October 1606, Jackson was allowed to keep £6, money remaining from fees collected while he was mayor, "in regard of losses

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<sup>858</sup> BRO B1/7, f. 54v.

<sup>859</sup> See, for example, BRO B1/7, fols. 65r, 66r, 77r, 89r-90v, *passim*.

<sup>860</sup> BRO B1/7, f. 54v.

<sup>861</sup> BRO B1/7, fols. 72v, 75r. For the east field being called the sheep pasture, see BRO, B1/7, f. 116r.

growing for sheep's grass at the hands of sundry poor widows" who were unable to pay him.<sup>862</sup> This became a new tradition and steady source of income for the town – every year, the sheep pastures were let to the mayor, who was then charged with collecting the money owed him by people pasturing their animals there.<sup>863</sup>

These new sources of income were bolstered by Berwick's traditional ones, including the collection of periodic and regular sessments, or taxes, a right granted by charter.<sup>864</sup> In the sixteenth century, sessments outside of the annual or quarterly scot and lot were unusual, raised for extraordinary costs, like travel to London or collections for the poor.<sup>865</sup> There was a tax collected quarterly from members of the guild; in 1601, the quarterage was set at 15d for burgesses, 2s 6d for bailiffs, 3s 9d for aldermen, and for mayors, 5s.<sup>866</sup> This was a large increase from the rates set in 1598, when "the decayed state of the town" had prompted the guild to collect quarterage of 4d, 8d, 12d, and 16d for the four groups respectively.<sup>867</sup> After the removal of the queen's council, the town took on a greater burden, and taxes were collected more regularly to raise money for projects around town, like repairs, which used to be covered by crown money.<sup>868</sup>

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<sup>862</sup> BRO B1/7, f. 87v.

<sup>863</sup> The number of sheep allowed to be pastured there diminished over time, however. In 1607, William Morton was allowed 3,500 sheep (BRO B1/7, f. 91r); but Hugh Grigson was allowed only 3,000 in 1608 for £ 78 (BRO B1/7, fols. 116v, 118r); in 1609, 2,500 sheep for £80 to Robert Jackson (BRO B1/7, 128v); £80 for 2,500 sheep to James Burrell in 1610 (BRO, B1/7, f. 145v).

<sup>864</sup> James' charter, Scott, 322. Sessments had been gathered since the time of Edward VI, to send burgesses to parliament, for example (BRO B1/1, f. 45v; B1/3a fols. 3r, 41r; B1/4a, f. 6v; B1/8, 132). By the seventeenth century, however, it became more common for the MPs to be responsible for their own costs; for example, BRO B1/8, 184.

<sup>865</sup> BRO B1/3a, f. 76v for travel to London in 1597; B1/4b, f. 75v, for poor relief collections in 1594.

<sup>866</sup> BRO B1/6, f. 65r. The four men appointed to collect it would also collect the rent for the town revenue from the town's collectors. It had been omitted, "to the great impoverishing" of the guild, in times past, and now was reinstated and to be collected yearly.

<sup>867</sup> BRO B1/6, f. 5v. No increases in rates were introduced after 1601.

<sup>868</sup> In 1609, a tax was collected to pay for new bells. Money was also collected for building of dikes along the bound road. BRO B1/7, fols. 135v, 136r. In 1620 and 1621, taxes were raised to pay for the bridge. In

The collection of sessments, however, was not always an easy task, especially when the guild lacked the backing of the queen's council, which had helpfully confirmed the guild's orders concerning the wellbeing of the town and garrison.<sup>869</sup> In 1604, Berwick's leaders introduced a regular tax to pay the salaries of the two ministers in town. Why they were forced to do so is unclear; according to the exchequer accounts, throughout his reign James continued to designate £40 per annum for Berwick's two preachers – double the pay allocated by Elizabeth.<sup>870</sup> Perhaps this amount was not great enough, or was redirected to other purposes before reaching the ministers. In 1604, the guild granted the senior minister, William Selby, £16 per annum for the three years following the dissolution of the garrison. For 1607 and 1608, his stipend was reduced to £12 10s, and from henceforth it was further reduced to £12.<sup>871</sup> To provide for these salaries, Berwick's leaders announced in February 1605 that a tax of Berwick's burgesses would be gathered for Selby and his assistant, Richard Clerke.<sup>872</sup> As was typical, the tax was tiered based on freemen's service to the guild, a reliable indicator of wealth. Mayors – current and former – owed 20s, while the aldermen, bailiffs, and burgesses were to contribute 15s, 10s, and 5s respectively.<sup>873</sup>

The guild found it difficult to enforce the order without any outside assistance. Most burgesses simply ignored the February announcement, and the guild was forced to

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1625, collections were taken up for repairing the “common pipes” of the burgh. BRO B1/8, 93, 96, 110, 142, 180.

<sup>869</sup> Such as keeping the streets and ramparts clean, see BRO C1/1 CMM, fols. 70r, 89v.

<sup>870</sup> See TNA, E351/3484-3505, “Works (Military) and Fortifications,” 1603-1625.

<sup>871</sup> BRO B1/7, fols. 129r, 130r. In 1609, the secondary minister, Gilbert Dury, was allocated £6.

<sup>872</sup> See Ch. 3, p. 188-90, for background on the tenure of ministers in Berwick during this period.

<sup>873</sup> BRO B1/7, f.51v.

reissue it in October 1605.<sup>874</sup> Of 116 burgesses listed on the guild roll, a total of ninety-one still owed their share.<sup>875</sup> Seven former mayors, as well as Robert Jackson, the current mayor, owed 20s; seven aldermen owed 15s, sixteen bailiffs owed 10s, and sixty men owed 5s or less.<sup>876</sup> Over the winter the guild began to threaten further measures, and in March 1607 authorized the magistrates to ward those with the debt still outstanding.<sup>877</sup> Whether anyone was actually imprisoned is not recorded, but over a year later, in October 1608, the guild still owed Selby £20 out of the £73 promised him for his five years of service.<sup>878</sup> The guild, increasingly desperate, extended the tax to non-freemen, specifically stallengers and widows, who would be taxed 12d per annum for their use of the town commons.<sup>879</sup> The next July, the revenue collected from the sheep's grass was also designated to pay the lingering debt of £20.<sup>880</sup> Finally, in January 1610, fed up with the resistance it encountered, the guild delegated the responsibility of collecting money for the preachers to the head alderman, who also served as the chief church warden. He would now be responsible for paying the preachers' fees "out of his own purse" with the understanding that he would "receive the same again at the hands of the parishioners according to the voluntary sessment of every man."<sup>881</sup> The problem of extracting payment from the townspeople was removed from the records, then, and no more is heard of the matter. Berwick's leaders considered it their responsibility to care for the spiritual

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<sup>874</sup> Several burgesses were encouraged, successfully, to contribute to the fund out of money they received out of debts or rent payments. See, for example, BRO B1/7, fols. 51v, 57v.

<sup>875</sup> BRO B1/7, fols. 59r-v.

<sup>876</sup> BRO B1/7, fols. 66r-v.

<sup>877</sup> BRO B1/7, fols. 62v, 97v.

<sup>878</sup> BRO B1/7, f. 129r.

<sup>879</sup> BRO B1/7, f. 133r.

<sup>880</sup> BRO B1/7, f. 138v.

<sup>881</sup> BRO B1/7, f. 148v.



needs of the people, but when they encountered resistance from their own freemen, they were unsure of how to assert their authority and in the end delegated that responsibility. The trouble encountered by the guild regarding the preachers' funds seems to have been an exception in an otherwise successful recovery plan carried out by the guild in the early years of James' reign.

The marketplace is another area where Berwick's leaders made concerted efforts to revitalize the economy, understanding that now the town's livelihood depended on the traffic of goods in and out of their market and port. This was not a new role for Berwick – for centuries, it had serviced the whole cross-border region. Indeed, the demographic distribution of northern England and southern Scotland meant that Berwick had been, and would continue to be, the only market town for a very large area – in all of Northumberland, there were only five market centers in 1588.<sup>882</sup> In Scotland, other major export centers were clustered around the Firth of Forth, much farther north.<sup>883</sup> Once James withdrew crown funds, however, the guild recognized that Berwick's market was the community's main source of revenue.

A large part of the revenue coming in from the market were the tolls and taxes paid for goods coming in across water and land, including

on the water, inward bollage, anchorage, beaconage, barrelage; (on the water outward), toll of salmon, toll of coals, toll of corn; (on the land), package or toll

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<sup>882</sup> Dyer, "Small market towns," in Clark, ed., *CUHB*, vol. 2, 434. About half of those travelling to market centers in northern England during the sixteenth and early seventeenth centuries travelled over twenty miles, a greater proportion than those travelling to a market center in any other part of England. Alan Everitt, "The Market Towns," in Peter Clark, ed., *The Early Modern Town: a reader* (Longman, 1976), 193.

<sup>883</sup> Dyer, "Small market towns," in Clark, ed., *CUHB*, vol. 2, 446.

for pack, toll of the peddlers in the market, toll of corn which goeth forth of the gates, toll of horses and cattle, and other accustomed petty tolls.<sup>884</sup>

The guild leased the collection of these tolls to individuals for an annual fee; by the 1590s, the rate ranged from £23 to £26. During James' reign, the rent for the town revenue hovered between £32 and £46.<sup>885</sup> This was a high price to pay, limiting the collection of the revenue to a few wealthy burgesses, who presumably hoped to make a profit over the course of a year's collections in return for the upfront cost. In 1607, after volunteering as collector, Edward Turner refused to pay the whole fee of £44. For this he was fined, and finally, the reduced burden of £40 was shared by four men (including Turner).<sup>886</sup> Although there were still individuals who could and did rent the whole charge of the revenues, it became more common during this period for several men to share the cost, ensuring the guild obtained the funds it needed.

After the annual elections in the fall of 1604, the guild instituted changes in its marketplace, reclaiming a formerly contested arena of jurisdiction and at the same time hoping to increase the traffic of trade. The guild ordered the mayor and alderman, Thomas Parkinson and Leonard Fairley respectively, to provide two pairs of stocks "for the punishing of lewd persons," one for the prison and one for the marketplace. Butchers, reputed to sell only a few pieces of meat at a time to keep their prices "dear," were reminded not to sell sheep without their kidneys, and everyone was to keep their swine

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<sup>884</sup> BRO B1/7, f. 128r. (1608). Bollage and barrelage were different tolls applied to goods packaged by the boll or barrel.

<sup>885</sup> The rates for 1611-1613 are unknown, as the guild records for those years are lost.

<sup>886</sup> BRO B1/7, f. 111r.

locked up.<sup>887</sup> The mayor and alderman would also survey the streets of town, appointing inhabitants to clean their neighborhoods of “rubbish and filth;” in future, a “scavenger” in each quarter would carry “all ashes, rubbish, and other filth” out of the streets. For issues that might arise in future, the guild decreed that the mayor and bailiffs might enlist anyone to help them ensure “an orderly market.”<sup>888</sup> This sort of housekeeping was usually reserved for the bailiffs’ yearly presentments; by issuing these orders during a guild meeting, Berwick’s leaders sought to reassert their control over all aspects of the market.

In addition to general cleaning up, the guild took on projects to create new spaces for business, hoping to reinvigorate the economic life of the town. In 1606, Thomas Parkinson and Hugh Grigson, both prominent merchants who had served as mayor, undertook the costs of repairing the wharf of the maison dieu, an important unloading site for ships. They also promised to maintain it in working order for the following ten years. In exchange, they were to receive “for wharfage” a toll on goods coming into town, including sheep skins, wool, wine, beer, soap “and other barrel wares.”<sup>889</sup> The guild also ordered the building of two new market spaces, a Scots flesh market and an English fish market, using timber from several dilapidated houses inherited from the king’s grant.<sup>890</sup> Parkinson, Fairley, and the surveyor, James Burrell, were responsible for finding “convenient places” for the two markets.<sup>891</sup> Despite the best intentions of the guild, this

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<sup>887</sup> On butchers, see for example BRO C1/1, f. 36r (Bailiffs court 1594).

<sup>888</sup> BRO, B1/7, fols. 39v-40v.

<sup>889</sup> BRO B1/7, f. 78v. Barrels of salmon “which doth pay wharfage to the town,” were exempt.

<sup>890</sup> BRO, B1/7, fols. 39-39v.

<sup>891</sup> BRO B1/7, f. 39r.

project proved too ambitious for a number of years. It is unclear what happened to the plans for the fish market; the Scot's butcher's market was finally revisited in 1620, when the guild resolved on converting an old tenement owned by the town in Castlegate. The needed repairs would be paid for by a levy taken of the burgesses, who would be repaid, over time, by the rents and profits arising from "this good and necessary work."<sup>892</sup>

In the absence of the garrison, certain industries were also revitalized, along with the physical spaces of the town itself. It seems likely that many people looking for employment after the dissolution turned to the textile industry. Wool was one of the most important goods produced in the region, a consequence of the dual motivations of centuries of warfare (which encouraged pasturing rather than farming) and poor soil quality. Knitting, along with spinning and weaving, were common occupations in a region dominated by wool production. The importance of knitting was highlighted in September 1604, when John Park paid only a "small fine" of five marks when he became a freeman, "in regard of his great care he hath of bringing up young children and youth in teaching them and setting them on work to knit and spin."<sup>893</sup>

The increase in the labor force likely contributed to a dispute that arose amongst the knitters in 1605. Since Berwick's various occupational groups were not split into individual guilds, as they were in most urban communities, the governing guild found itself arbitrating the "dissentries" among the knitters and spinners. Along with "a multitude of infants and poor people," knitters were employing skilled workers, including

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<sup>892</sup> BRO B1/8, 113. By 1623, they paid £8 rent a year, of which 40s was abated for "their great cost." BRO B1/8, 161. In July 1625, it dropped to £5. BRO B1/8, 168.

<sup>893</sup> BRO B1/7, f. 31r.

apprentices. These apprentices were removed from their masters, who had taken them in when they were but “young and rude.” Now, “having taught and enabled them to work and to earn for their pains,” the masters lost this skilled labor force, “and so [the knitters] take the fruit and benefit of another’s pains and industries.” The guild appointed two men to “keep a book and register” of those apprentices and servants “which now or hereafter shall work or be placed with the said knitters.”<sup>894</sup> Two years later, similar complaints were made, and in early 1607, the guild ordered the registration of children who were employed “in the trade or mystery of spinning of wools and knitting of stockings.” The guild would also monitor their movement from one master to another.<sup>895</sup>

It is possible that another conflict arose at about the same time amongst those who made clothing, for in December 1605, Berwick’s leaders authorized the creation of an independent company of tailors. This company would function as its own guild, outside the control of the merchant guild. The new guild represented a major change in the economic structure of the town and demonstrates the great need felt by Berwick’s leadership.<sup>896</sup> The tailors, by forming their own company, could handle their own affairs with minimal involvement by the merchant guild.<sup>897</sup> The newly established company paid an initial fee and quarterly payments to the town for its charter of liberties, as well as yearly rent on the building allotted to its members by the merchant guild, thus providing another source of guaranteed income to the town.<sup>898</sup> The new company of tailors, then,

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<sup>894</sup> BRO B1/7, f. 64v.

<sup>895</sup> BRO B1/7, f. 95r.

<sup>896</sup> The knitters were likely not included in this company of tailors (traditionally, knitters would have been grouped with the weavers), but the trouble with the knitters still may have encouraged this development.

<sup>897</sup> Unfortunately, the company’s records do not survive, leaving many questions as to the size and success of the company.

<sup>898</sup> BRO B1/7, f. 72r.

would contribute financially to the governing of the town, while its members, as free burgesses, would continue to be responsible for taxes and other dues levied by the governing guild.

Berwick's leaders had sought more responsibility and authority, and James' dissolution and new charter certainly delivered. Perhaps the most immediate and pressing concern that arose immediately upon the dissolution was the status of the unemployed soldiers and their families. In 1604, almost half of the garrison's eight hundred men found themselves without employment.<sup>899</sup> For the three hundred and sixty men who remained on half pay, their salaries were not enough to sustain their families.<sup>900</sup> It is difficult to know how many former soldiers stayed in Berwick and how many left. Many soldiers were assigned to new posts by the crown; these were probably mostly single, younger men who were more mobile. Others, such as the garrison's notorious bankrupts, probably left town once they lost the protection of martial law. Many former soldiers with families, however, likely stayed in Berwick, and for many the transition may not have been so rough. Two hundred and thirty-four men in the 1598 muster came from Northumberland, and one hundred seventy-eight from Berwick.<sup>901</sup> These "soldiers of convenience" could have found other work in Berwick – for many, soldiering was merely

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<sup>899</sup> About 360 were left on half pay, and the 100 footmen on full pay. See TNA 351/3483, "Works (Military) and Fortifications, Berwick-upon-Tweed," December 1603-December 1604.

<sup>900</sup> While their contracts stipulated that they could only be away from Berwick for forty days per year; Bowyer asked whether they could "have liberty to go abroad among their friends and labor for their full maintenance." Bowyer also resisted the mayor's efforts to try soldiers in the town courts, specifically for cases of debt. Despite the January orders, Bowyer still referred back to the orders of Elizabeth's New Establishment, and requested permission to hold a marshal's court. SPO, *SP* 14/7, f. 128. "Propositions by Sir William Bowyer as to the pay of the soldiers at Berwick..." 21 April 1604.

<sup>901</sup> See Ch. 3, 152-3.

a stopgap before they settled into their permanent profession.<sup>902</sup> Many men worked side jobs, and pay was so frequently in arrears that for a good portion of the men, their status as a soldier was perhaps already losing its meaning before the dissolution.

Still, the guild was understandably concerned about the potential issues that could arise from the large number of disaffected men and their hungry families. When the dissolution was still only a rumor, and before the charter had been granted, Berwick's leaders petitioned James, seeking to forestall the worst effects by soliciting his continued financial support. Instead of complaining about the new burden, however, the townspeople used carefully crafted language; in a significant departure from Elizabethan rhetoric, Michael Sanderson, the mayor, argued that "the town and garrison are and must be all one body; the garrison's stipends are so small and their families so great, and they have lived so long together, that the townspeople are content the garrison shall have every liberty with them: and they will want together."<sup>903</sup> These families were now "unprovided of means to live, yet in respect to their birth and residency [in Berwick], by the law are there to be provided for."<sup>904</sup> This petition was a clear appeal for money, but still the shift in language is dramatic. Men of the garrison, and their families, were no longer counted as foreigners. Instead, a sense of comradeship is expressed. This reversal was undoubtedly intentional: the townsmen deliberately invoked the issues closest to

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<sup>902</sup> On "soldiers of convenience," see Andrea Shannon, "Projects of Governance: garrisons and the state in England, 1560s-1630s," (PhD diss, Dalhousie University, 2013), 145, 227.

<sup>903</sup> *HMC Salisbury*, vol. 15, p. 336, "The Mayor and Aldermen of Berwick to the Lord Cecil," 23 December 1603. These "poor families of the dissolved garrison are remaining still in Berwick to the number of 6,000 or 7,000" – a rather unbelievable figure given that a total of 798 men were counted in the 1598 muster. *HMC Salisbury*, vol. 15, p. 351, "The Mayor and Burgesses of the town of Berwick-upon-Tweed to the King," [1603]; SPO, SP 59/37, fols. 79-97, "Muster Book of Berwick," 10 June 1598.

<sup>904</sup> *HMC Salisbury*, vol. 15, p. 351-2, "The Mayor and Burgesses of the town of Berwick-upon-Tweed to the King," [1603].

their monarch's heart. For the queen, it had been national security concerns. In James' case, the guild created a narrative of local unity and mutual dependency that paralleled the king's lofty goal of British union. Much like his predecessor, however, James paid little regard to the petition. The garrison was reduced, and though many men were retained on half pay, this was not enough to provide for them and their families.

The union described by the mayor was not as complete as he implied, however. The king retained jurisdictional privilege over the one hundred or so men left in full pay. There was, initially, some confusion regarding the town's right to prosecute the remaining soldiers. In January 1604, Bowyer's instructions read that "if any offence happens between a soldier in the entertainment [pay] and a townsman the examination shall be taken by the mayor and officers of the town."<sup>905</sup> Days later, though, further instructions specified that men "presently employed ...for guard of the town and haven" were exempted from arrest in matters of debt.<sup>906</sup> Finally, in April, the king clarified that the old order remained in place: "If he be a soldier, the captain to order him, and if a townsman, the mayor."<sup>907</sup> Practically, however, without a marshal (or any other army administrative official) to hold marshal courts, the men in pay likely utilized town courts.<sup>908</sup>

After the dissolution, soldiers integrated into civilian life in several ways. Many were enfranchised into the guild, becoming full members of the economic and social

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<sup>905</sup> SPO, *SP* 14/6, fols. 8r-v, "Orders to be observed and enforced by Capt. William Bowyer..." 9 January 1604.

<sup>906</sup> SPO, *SP* 14/6, f. 39. "Additional instructions to Captain Bowyer..." 12 January 1604.

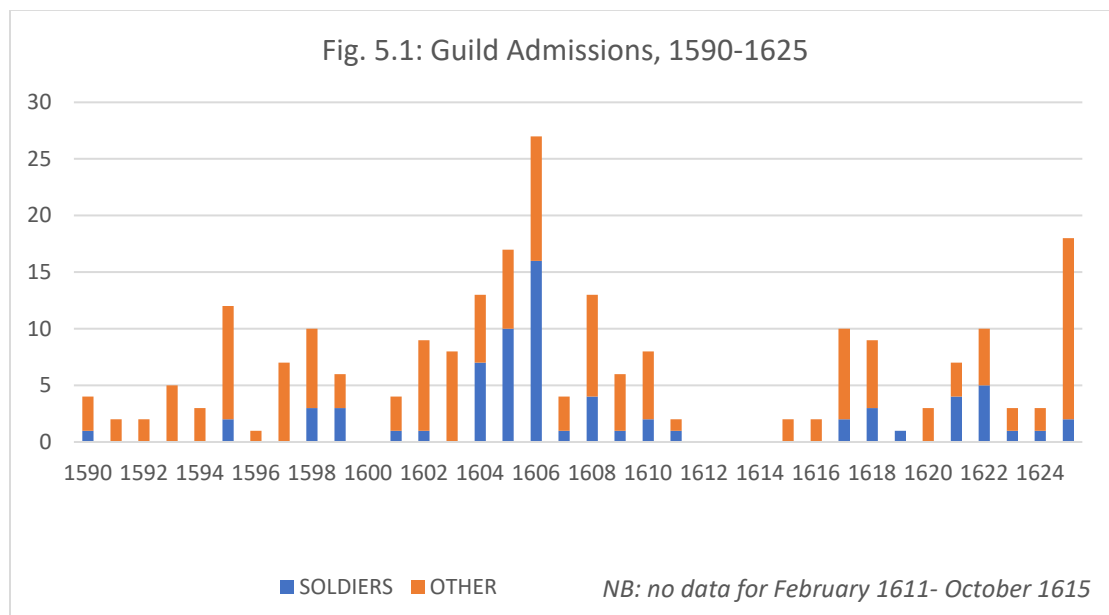
<sup>907</sup> The captain would only get involved in matters of capital punishment. SPO, *SP* 14/7, f. 128.

"Propositions by Sir William Bowyer as to the pay of the soldiers at Berwick..." 21 April 1604.

<sup>908</sup> SPO, *SP* 14/6, fols. 8r-v, "Orders to be observed and enforced by Capt. William Bowyer..." 9 January 1604.



community. Prior to Elizabeth's death, very few soldiers became burgesses, which was an expensive enterprise.<sup>909</sup> The freedom perhaps had little appeal, accompanied as it was by fees and dues. As a soldier, a man could still participate in the economy of the town without giving up his pay, since the army leadership was not attentive to those infractions. In the years following the dissolution, however, many more soldiers became enfranchised (see Figure 5.1). Unfortunately, the gap in the guild records from mid-1611 to mid-1615 prevents a similar analysis for the period following the second and final dissolution of the garrison, though there were likely fewer admissions then – those men were much older and sought merely some form of support to live out their days.<sup>910</sup>



Source: BRO, B1/7 and B1/8; *Register of Baptisms*<sup>911</sup>

<sup>909</sup> For example, Henry Brearley, BRO B1/4b, f. 84v and Scott, 295-300.

<sup>910</sup> The cost of admission during this period was usually two leather buckets, “for defense of fire.” 1616 Court Leet, in Scott, 307. See below, p. 277-8.

<sup>911</sup> While it remains difficult to know with certainty that men listed in the guild records were the same as those listed in musters, all attempts have been made to check connections. The names of men admitted to the guild were cross checked with muster lists and paylists: SPO, SP 59/37, “Muster book of Berwick,” 10 June 1598; TNA, E351/3483, “Works (Military) and Fortifications” (1603-04); /3492 “Works (Military) and Fortifications” (1611-1612); /3505 “Works (Military) and Fortifications” (1624-25). They were also cross checked with available wills to confirm identities and familial connections (DASC, DPRI/I).

Even if soldiers could not themselves join the guild, they could obtain apprenticeships for their sons. This was a practice even before the dissolution of the garrison in 1604.<sup>912</sup> For example, in 1607, John Carr, a horseman under Captain John Selby, left 20s to his bastard son for the time when he would “put out to apprentice.”<sup>913</sup> This gave the sons the chance to become burgesses one day, or at least have professions and be integrated into town life by forming connections with burgesses, who by law were the only men allowed to take on apprentices.<sup>914</sup> Beginning in 1610, the vast majority of the men entering the guild did so by apprenticeship or inheritance, as the oldest son of a burgess. This suggests that in 1603 or 1604, the guild began to enroll higher numbers of apprentices, since most apprenticeships lasted seven years.<sup>915</sup> In 1614, the guild tried to enforce the formal enrolment of apprentices at the beginning of their apprenticeship; this effort pointed again to growing number of apprentices entering service. Often, the young men only appeared before the council when their seven-year term had been completed and they were requesting entrance into the guild as burgesses themselves.<sup>916</sup> From 1614 to 1628, forty-three apprentices were enrolled officially with the guild. Of these, eleven

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<sup>912</sup> This practice is seen in wills of men leaving money for sons to be bound as apprentice: William Thompson: DASC, DPRI/1/1589/T1/1-2; and William Moore, DASC, DPRI/1/1599/M6/1-3.

<sup>913</sup> DASC, DPRI/1/1607/C1/1. The will was written in 1595.

<sup>914</sup> For example, BRO B1/8, 73, where burgesses who did not reside in town had rights like this one revoked.

<sup>915</sup> The scribe’s hand is consistent throughout this period, but of course it is possible that a man was admitted as an apprentice or son, but the scribe did not record it as such.

<sup>916</sup> See, for example, the guild’s reminder in BRO B1/8, 111 (1621). A seven-year term had been decreed by statute, 5 Elizabeth I, c. 4. According to this statute, men were not to be finished with the apprenticeship before they were twenty-four, since until then “he ...is wild, without judgement, and not of sufficient experience to govern himself. Quote in Donald Woodward, *Men at Work: Labourers and Building Craftsmen in the Towns of Northern England, 1450-1750* (Cambridge University Press, 1995), 55.

were the sons of soldiers.<sup>917</sup> The guild approved of apprenticeships, and seemed to be encouraging guild brethren to take on more in 1616, when jurors argued that they were a good way to integrate “diverse youths, fatherless and friendless who are now here...that they may not always be burdensome to the town.”<sup>918</sup> In May 1616, James Burrell registered two apprentices with the guild: John Alexander and Richard Forster, both the sons of soldiers. Their registration probably took place after their apprenticeships had already begun, since Alexander was admitted to the guild in 1619 and Richard Forster in 1622, despite their apprenticeships lasting ten years rather than the usual seven.<sup>919</sup> William Dixon, the third generation of that name, became an apprentice to John Sleigh in 1625. His grandfather was William Dixon, who had joined the permanent garrison by 1560 and built a house in Windmillhole.<sup>920</sup> He and his son, William, appeared in the muster of 1598. The third William was born in 1605 in Berwick and began his apprenticeship at the age of twenty: finally, the family of soldiers was transitioning into civilian life.<sup>921</sup>

Once the garrison was dissolved and the crown funds withdrawn in 1604, James became disinterested in Berwick for the better part of a decade, briefly reconsidering the

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<sup>917</sup> Why admissions went up in 1625 is unclear. In that year, eleven of eighteen admissions were noted as apprentices or sons. BRO, B6/1 “Book of Enrolments, List of Apprentices” fols. 298r-328r. Names cross-checked with muster lists: SPO, SP 59/37, “Muster book of Berwick,” 10 June 1598; TNA, E351/3483 “Works (Military) and Fortifications” (1603-04); /3492 “Works (Military) and Fortifications” (1611-1612); /3505 “Works (Military) and Fortifications” (1624-25).

<sup>918</sup> 1616 Court Leet, in Scott, 306-7.

<sup>919</sup> BRO B6/1, “Book of Enrolments, List of Apprentices” f. 304r. Their admittances are found in BRO B1/8, 82, 143.

<sup>920</sup> Catherine Kent, “Beyond the defensible threshold: the house-building culture of Berwick-upon-Tweed and the East March, 1550-1603.” (PhD diss, Durham University, 2016), 235, 240.

<sup>921</sup> BRO B6/1, “Book of Enrolments, List of Apprentices” f. 322v. *Register of Baptisms*, 63. Another William was born to William in 1598 (*Register of Baptisms*, 47); presumably, this son died young and the couple named the next son William as well.

border town to disband the final vestiges of the garrison in 1611. His commitment to build the bridge was a public commemoration of the success of union in the borders, and Berwick's enduring status as the "little door" connecting England and Scotland. On the ground, however, union was not so easily or obviously accomplished. It required deliberate effort and adaptation, and Berwick's inhabitants spent the better part of James' reign adjusting to the ramifications of his actions. Berwick's economy and society absorbed many former soldiers and their families, and its people reoriented toward the textile industry. Its leaders administered their various responsibilities, from revitalizing the market, bolstering town revenues through leases of new lands and holdings, and caring for the spiritual need of the people. The guild shouldered the mantle of responsibility eagerly and competently. This new equilibrium, however, would be challenged in the last decade of James' reign, particularly in the 1620s, when years of dearth were exacerbated by royal restrictions on the exportation of wool.

*1616-1625: New challenges for the market town*

Despite the best efforts of the guild and townspeople, the community declined over the last decade of James' reign in a trend that was mirrored all over England. This was due in large part to the external forces of war, dearth, and trade restrictions; it is unsurprising that Berwick's recovery after the dissolution of the garrison was not strong enough to stave off the effects of these troubles, since towns all over England faced similar problems. In 1617, restrictions on the exportation of raw wool implemented in 1614 created a nation-wide depression, while glut harvests of 1618 to 1620 were quickly

succeeded by the terrible harvests of 1622.<sup>922</sup> The exportation of wool was prohibited once more in 1622 by the king himself, sustaining the slump in trade. On a local level, in Berwick, the guild continued to search for new forms of revenue, especially in between crown installments of funds for the continuing burden of the bridge; the persistent hunt for revenue frustrated the townspeople, who responded with petitions and sometimes violence. Among the assessments collected and taxes levied, the guild increasingly relied on loans and support from the wealthiest members of the guild, town leaders like Michael Sanderson and William Bowyer. The guild maintained its control over the town, but Berwick's troubles would continue after the death of James and through the turbulent reign of Charles I and the onset of the civil wars.<sup>923</sup>

The immediate implications of James' final dissolution in 1611, unfortunately, cannot be known, since the guild records from 1611 to 1615 are missing. The final dissolution likely created much less disruption for the town, given that, by then, the relatively few men in pay were elderly. The erstwhile captain, William Bowyer, remained in Berwick and became a leading member of the community. The survival of a court leet from 1616 demonstrates that from the guild's perspective, little had changed. The practices that the guild had instituted in 1604 continued, such as renting buildings and fields and, of course, monitoring the market.<sup>924</sup> Many of the jurors' concerns were longstanding issues, such as reminders to use standard measuring tools, or to offer fish in

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<sup>922</sup> Clark, *English Provincial Society*, 317.

<sup>923</sup> See Speech by the recorder, Thomas Widdrington, to Charles I, June 1633. John Rushworth, 'Historical Collections: 1633', in *Historical Collections of Private Passages of State: Volume 2, 1629-38* (London, 1721), pp. 175-244. *British History Online* <http://www.british-history.ac.uk/rushworth-papers/vol2/pp175-244> [accessed 15 August 2017].

<sup>924</sup> 1616 Court Leet, in Scott, 306-311; see also BRO B6/9. The court leet was similar to the bailiffs court; both involved named jurors conducting surveys of the town.

the town's market before they were cured or sold wholesale. Bakers, meanwhile, risked fire by having their ovens in their thatched houses; the jurors suggested that they "emplastered" the inside walls around the oven with clay. This concern with fire coincides with other measures taken the previous year. It is possible that there was a fire sometime in 1615; in October 1615, when the guild records resume, the standard price of admission to the freedom became two leather buckets – necessary tools for fighting fires before modern plumbing.<sup>925</sup> The market was also, as it had been historically, troubled by bakers who came into Berwick and sold "little" (light) bread, and butchers who forestalled the market by buying cattle from the Scots in Castlegate. The jurors' remedies to these problems indicate the guild's ongoing effort to maintain the reputation of Berwick's market as a fair one, where people would want to do business.

It is difficult to determine whether the Scottish presence in Berwick changed in composition or legality after 1603. Despite the abolition of border laws in 1604, Scots continued to conduct their business in separate markets on the edge of town.<sup>926</sup> In certain respects, however, there was a clear shift in local Anglo-Scottish relations. One hint is provided from the very end of James' reign: in 1625, butchers complained to the guild regarding John Skeall (or Sheile), a Scottish butcher who sold meat in the regular market rather than the Scottish market, and on days other than designated market days. Skeall protested that he was married to the widow of John Salmon, who had been a butcher, the "ancientest in all the burgh." This union made him eligible to sell meat in the main

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<sup>925</sup> See BRO B1/8, *passim*. A fire could also explain the missing guild records.

<sup>926</sup> On the abolition of Border Laws, see Galloway, *Union of England and Scotland*, 67. It is unclear whether Scots still needed a license to trade in town.

market. Cross border marriages had been illegal, though fairly common, under Elizabeth. Now, these unions were legal and more public: Elizabeth Salmon, the woman in question, married Skeall in Berwick's church in 1618.<sup>927</sup> His marriage to Elizabeth, in the end, did prove advantageous to Skeall: while the guild restricted him to selling meat only on the two market days, he was permitted to remain in the general market.<sup>928</sup>

In many respects, the guild's actions during the last decade of James' reign demonstrate continuity with its efforts to increase revenue in the first. In 1620, according to "laudable custom," a decaying tenement in Sowtergate claimed by no one was "taken into the town's hands to be made habitable or other[wise] disposed of for the benefit of the burgh." Another project of local benefit was initiated by an enterprising burgess, Thomas Smith. Smith had been employed by the guild in 1617 to maintain the water courses in town and to build a wall near one of the town gates.<sup>929</sup> In 1620, he petitioned the guild for permission to build a corn mill on town grounds. He offered to build the mill at his own cost and charge, and to pay a yearly rent for it. The guild agreed to survey the land but reserved the right that "it may be erected at the town's charges for the best advantage." Just a month later the guild agreed that Smith, along with William Morton, would lease the land and build the corn mill, paying £7 per year for the rent; clearly, the mill was expected to turn quite a profit.<sup>930</sup>

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<sup>927</sup> John Salmon had married Elizabeth Hommey in June 1605. John Sheile married Elizabeth Sammon in September 1618 (*Register of Marriage*, 18, 24). Meikle counts four cross-border marriages among the gentry during Elizabeth's reign, see Meikle, 268. March Laws, and therefore those forbidding cross-border marriages, was abolished by the English Parliament in 1604. See Galloway, *Union of England and Scotland*, 67.

<sup>928</sup> BRO B1/8, 195.

<sup>929</sup> BRO B1/8, 37. For his labor, he received twenty sheep's grass and 5s.

<sup>930</sup> BRO B1/8, 93, 95. The guild probably encouraged William Morton, a wealthy merchant, to sign on to guarantee the payment of rent.

Building violations, meanwhile, were seen as another opportunity for income. Mark Saltonstall, former mayor and alderman, had encroached several feet onto High Street when constructing his new building near the Shoregate. For this violation, he was to pay 6s a year to the guild. The next year, Elias Pratt, a burgess blacksmith who was still on the garrison's payroll in 1625, possessed a building that encroached "one yard or thereabouts" onto an important thoroughfare along the ramparts near Briggate.<sup>931</sup> Instead of being fined, however, the town put Pratt's skills to good use. He was enlisted to "set up a sufficient gate of wood and timber" at the opening of the passageway. Not only was Pratt to build the new gate, but he was also to help cleanse the rubbish that had accumulated there, and "to keep and maintain the said way passage passable for all manner of carts and carriages to be brought that way." He was also charged with locking the gate at night. As long as he performed these duties, Pratt would "enjoy the said encroachment rent free."<sup>932</sup>

Revenues obtained from rents did not always come through for the guild, however. In 1620, the guild issued a new lease of the governor's house, another prominent vestige of the royal garrison, to the former captain William Bowyer, for thirty-one years.<sup>933</sup> The town expected a great windfall for this extended lease: Bowyer

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<sup>931</sup> Pratt appears in the Jacobean paylists; see TNA, E351/3492, 3505. "Works (Military) and Fortifications," 1611-1612, 1624-1625. He was evidently a burgess as well, however, because he had an apprentice, John Ingram, admitted to the guild in 1621. BRO B1/8, 107.

<sup>932</sup> BRO B1/8, 132.

<sup>933</sup> Located in the southeast corner of town, it was more of a complex, with stables, kitchens, backhouses, and a residence called St. George's Hall. Its early history after the dissolution is unclear, and it does not appear in the lists of other 1604 rentals. By 1620, however, Sir Robert Jackson held the lease for the governor's house, occupied by William Bowyer and his son-in-law, Thomas Hodgson. Thomas Hodgson married Kathren Bowyer in January 1602; see *Registers of Berwick* vol. 2, 17. They had two children: Susannah, born September 1606, and Phinneas, born December 1609 (*Registers of Berwick* vol. 1, 64, 70).



promised to pay £40 in two installments, and thereafter a low yearly rent of 20s.<sup>934</sup> The £40 never materialized, however. Bowyer was elected to the office of mayor just months later, and the next July, the guild halved his £40 fee (yet unpaid), commensurate with his efforts to improve the state of the house and grounds. Finally, even this £20 fee was relieved the following October, when Bowyer was elected mayor yet again (and, presumably, took on many of the town's debts as a result).<sup>935</sup>

The guild continued to seek out new sources of revenue, but the records reveal that beginning in 1620, Berwick's leaders were forced to take dramatic steps to obtain needed funds. In 1620, the bell in the bell tower was sold to Mr. John Durie in Scotland for 12d a pound, a total of £36 10s; the money was "to be employed for the general good and common benefit of the burgh."<sup>936</sup> The following year, the guild sold another bell, that of the tollbooth, in London.<sup>937</sup> This time, the money was needed to repair the lead water pipes and conduits which were "in great ruin and decay."<sup>938</sup> In 1623, the guild decided to take down all the iron gates since they "do daily decay with fret and rust." They would be

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<sup>934</sup> Robert Jackson, meanwhile, had done much to improve "all the said houses, they being at his entrance in great ruin and decay." In light of his improvements and his surrender of the will "for the good of the town," he was allowed to continue living in St. George's Hall with his servant John Wilkyn, under a twenty-one year lease for 10s per year. BRO B1/8, 117 (July 1620).

<sup>935</sup> BRO B1/8, 134, 143.

<sup>936</sup> BRO B1/8, 88. In 1633, Charles I required a proper accounting of this bell, along with the iron gates, which presumably he considered still to be royal property even after the new charter of 1604. See Scott, 201.

<sup>937</sup> Presumably the town had another bell to mark the hours and to call people to worship. On this "urban form of timekeeping" in early modern Germany, see Bernd Roeck, *Civic Culture and Everyday Life in Early Modern Germany* (Leiden: Brill Academic Publishers 2005), 57. On bells and urban identity, see Margo Todd, "What's in a name? Language, Image, and Urban Identity in Early Modern Perth," in *Dutch Review of Church History* vol. 85, iss. 1 (2005): 379-395.

<sup>938</sup> BRO B1/8, f. 113, 128-9. The guild paid a plumber to come up from Newcastle in 1622 to lay pipes in the town; in 1624, the town permanently contracted Edward Sweet to be the plumber for periodic "attendance" to the pipes and conduits. BRO B1/8, 130, 170.

replaced with “good and strong wooden gates,” though the iron would not be wasted, but “taken down and sold to the best advantage.”<sup>939</sup>

Poor relief was another strain on local resources. Even before the additional pressure of the poor harvests of the 1620s, the economic revival experienced under the early part of James’ reign was “socially selective,” as one historian put it, and subsistence migration continued even after the economic recovery of James’ early reign. The population of towns across England rose in the early seventeenth century, as low disease rates coupled with increasing birth rates and high rates of rural in-migration.<sup>940</sup> Baptism numbers in Berwick do not follow this trend, probably because of the population loss after the dissolution of the garrison. Annual baptisms during Elizabeth’s reign averaged 101.7, while for James’ reign the average dropped to 79.4.<sup>941</sup> It is likely, however, that there were large numbers of new comers from the surrounding countryside. Berwick’s leaders were certainly preoccupied with the large numbers of “beggars and ill-disposed persons” who entered the town and drained its limited resources. Indeed, their focus on maintaining walls and gates stemmed from this concern – having working gates and walls clear of rubbish allowed the guild to oversee people entering town and to restrict access to “such honest persons as to [the burgesses] shall be well known.”<sup>942</sup> Like many towns, Berwick’s leaders distinguished between the town’s own poor, whom it had the

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<sup>939</sup> BRO B1/8, 156.

<sup>940</sup> Clark, *English Provincial Society*, 302-3

<sup>941</sup> *Register of Baptisms*, 1-96. The records exist from 1574 on, but a gap of more than six months appears in 1587, so this year was not included in the calculation.

<sup>942</sup> BRO B1/8, 156, 158.

obligation to care for, and those poor who entered Berwick and begged illegally.<sup>943</sup> As early as 1616, the court leet suggested that “the quarter-books should be examined as to what new-comers are in this town,” since “inmates and strangers” are coming to town to “take liberties in our commons, and stint our grass for our cattle.”<sup>944</sup> Indeed, the jurors found that “there is more beggarly bastards remaining in this town than in any town in England, considering its size, for there is no punishment inflicted on such offenders here, as in other places.”<sup>945</sup>

Under Elizabeth, the queen’s council and guild had shared the responsibility of poor relief,<sup>946</sup> even after Elizabeth’s poor laws of 1598 and 1601 – issued in the aftermath of another period of dearth – set the responsibility of caring for local poor squarely on the shoulders of the churchwardens and overseers of the poor in every parish.<sup>947</sup> After the dissolution, the four churchwardens, led by the head alderman, administered poor relief

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<sup>943</sup> See Thomas Max Safley, ed. *The Reformation of Charity: the secular and the religious in early modern poor relief* (2003), and Charles Parker, *The Reformation of Community: social welfare and Calvinist charity in Holland, 1572-1620* (Cambridge University Press, 1998).

<sup>944</sup> 1616 Court Leet, in Scott, 307-8.

<sup>945</sup> 1616 Court Leet, in Scott, 309.

<sup>946</sup> In 1588, for example, the queen’s council appointed the churchwardens to designate worthy beggars to receive a poor badge, while in 1592 it authorized “poor commons, stallengers, and widows” to collect the “residue” of the mown grass in the meadows. BRO C1/1, CCM fols. 68r-v, 96r. In 1594, the guild collected a sessment, of burgesses and stallengers alike, to fund a “weekly benevolence” for the poor. BRO B1/4b, f. 75v. At this time, the two beadles were removed and replaced by William Mackerell, who was in charge of distributing the money to the poor. In 1599, the bailiffs found that they found that the poor were taking advantage of the town by coming and staying, so that “in short time they will be accounted stallengers and inhabitants” and thus be eligible for town relief. BRO C1/1, f. 55r. The governor and mayor were to put a stop to the “great numbers of beggars [who] go on begging at men’s doors;” the bailiffs also requested that “some honest men of trade ... would take charge of the poor children to see them on work. BRO C1/1, f. 60r.

<sup>947</sup> Paul Slack, *The English Poor Law, 1531-1782* (Basingstoke: Macmillan, 1990), 11. These were passed at a time “when the problem of poverty was unusually severe,” after the terrible harvests of 1596 and 1597. Slack, 3. See also Paul Slack, *Poverty and Policy in Tudor and Stuart England* (New York: Longman Press, 1988), 127-8 on the “fundamentals” of the poor law established in 1598 and confirmed in 1601, and how this system was “eminently suited to small rural communities,” 129.

with the assistance of designated overseers, called beadles.<sup>948</sup> In 1623, the guild standardized the assistance provided to the poor: yearly, the mayor, bailiffs, and burgesses would give the churchwardens £7 to administer to the deserving poor.<sup>949</sup> The “extraordinary concourse of strange and wandering beggars who daily frequent the street,” meanwhile, would be addressed by the constables and beadles, who would collect these beggars for evaluation by the mayor and bailiffs.<sup>950</sup> This order did not solve the problem; the next year, when “strangers” continued to “lurk within this burgh,” the mayor and bailiffs merely tasked a new person, the quartermaster, to “take a new view of all the inhabitants of this burgh.”<sup>951</sup>

During the last decade of James’ reign, the guild’s best efforts could do little to forestall the dearth and need that would eclipse the town by the king’s death. The situation in Berwick was echoed across England, when communities large and small were impacted by national policies forbidding the exportation of raw wool, the most common form of textile exported from England. In 1614, William Cokayne, a member of the Eastland Company and future Lord Mayor of London, proposed that only dyed and dressed English cloth, rather than unfinished wool, be exported out of England. James supported the scheme, creating and licensing the New Merchant Adventurers’ Company in November 1614 when the old Merchant Adventurers refused to lend its support. The venture was a total failure: unfinished wool sat in warehouses while the Dutch, the principal buyers of unfinished English cloth, took their business elsewhere, and other

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<sup>948</sup> For examples of appointments of beadles, see BRO B1/7, f. 146v (1609); B1/8, 15 (1616).

<sup>949</sup> BRO B1/8, 149.

<sup>950</sup> BRO B1/8, 147.

<sup>951</sup> BRO B1/8, 165

countries banned the importation of English finished cloth.<sup>952</sup> In January 1617, James restored the Merchant Adventurers, but Cokayne's scheme helped plunge England into a severe trade crisis and depression.<sup>953</sup> Across England, the end of James' reign was marked by dearth, poverty, and attempts to care for the growing number of poor in local communities.<sup>954</sup> Then, in 1622, James proclaimed a similar prohibition against unfinished wool; despite the failure of Cokayne's project, it remained a "fundamental proposition" of the crown "that British wool was indispensable for the continental textile industries," and thus prices would drive up once it was pulled out of the market.<sup>955</sup>

These prohibitions on the exportation of unfinished cloth directly impacted Berwick's merchants in their trade of the region's primary export (besides fish), wool and woolstuffs. Historically, the crown had made exceptions for Berwick's merchants in the wool trade, in consideration of their proximity to Scotland and importance as a regional center of export. Whereas traditionally the laws of the staple required all wool exported

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<sup>952</sup> Barry Supple, *Commercial Crisis and Change in England 1600-1642: a study in the instability of a mercantile economy* (Cambridge, 1959), 52-72; Braddick, *Nerves of State*, 77.

<sup>953</sup> Continental demand for English cloth continued to decline once the Thirty Years' War began in 1618. See Peter J. Bowden, *The Wool Trade in Tudor and Stuart England* (London: Macmillan, 1962), 187-88; Supple, 33-51; Vivienne Aldous, 'Cokayne, Sir William (1559/60-1626)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004; online edn, Jan 2009 [<http://www.oxforddnb.com/view/article/5824>, accessed 31 July 2017].

<sup>954</sup> Peter Clark, particularly, emphasizes the good harvests as being key to sustaining the local economy before 1620, although he also sees 1617 as the turning point, after which James' need for funds as well as other political and religious pressures "increasingly threatened" the peace and prosperity of his early English reign. See Clark, *English Provincial Society*, 304, 316.

<sup>955</sup> Bowden, 212-13. Thus, when continental production continued even after prohibitions on the export of unfinished wool, the "only explanation" acceptable was that there was a flourishing smuggling trade (rather than the production of unfinished cloth on the continent, which was in fact the case). Between 1620 and 1622, exports of wool had already dropped significantly; Supple, 55-56.

<sup>955</sup> James Stuart, James II and VII King of England, Scotland, and Ireland, *The Proclamations of King James I 1603-1625*: 229. "By the King. A Proclamation for the preventing of the exportation of Wools, Wool-fels, Yarn, Fullers earth, and Woadashes, and for the better vent of Cloth, and Stuff made of Wool, within this Kingdom." [Oatlands 28 July 1622] (1622) in James F. Larkin, c.s.v. and Paul L. Hughes (eds), *Stuart Royal Proclamations, Vol. 1: Royal Proclamations of King James I 1603-1625* (online edition, 2013).

from England to pass through Calais, where the staple company could charge customs, the crown had authorized the coarse wool produced in northern England to be shipped directly to the continent.<sup>956</sup> This trade was now disrupted in 1614, and again in 1622. In Berwick, too, significant numbers of wealthy and even not wealthy men owned sheep. Richard Clerk, Berwick's longtime vicar, died in 1607; among his many books he owned five sheep.<sup>957</sup> Aristotle Knowsley, Berwick's longtime schoolmaster, had amassed fifty-five sheep by his death in 1628. Henry Collingwood, a local gentleman, owned the same number when he died in 1620; he owed money to the shepherds and a "tithe wool" to guild leader William Morton.<sup>958</sup> Robert Temple, a successful burgess who owned a shop, died in 1619, leaving eighty sheep, as well as twenty-eight hogs and six kyn, to his seven children.<sup>959</sup> Margaret Armorer, likely related to Cuthbert, a longtime constable of the horseman from a Northumberland family, possessed two hundred of "the best sort" of sheep in 1633.<sup>960</sup> It is difficult to know the direct impact of the exportation ban on individual members of the community, but it is clear that the town as a whole suffered.

Depression resulting from these policies had set in by 1617, and was exacerbated by the ongoing bridge project. Indeed, mounting costs of the bridge likely explains the guild's decision to enclose Cocklaw field in the summer of 1617, a decision which would provoke a violent reaction from the townspeople. The king's final installment of £8000 had been sent north and spent on the bridge. Construction continued, but now the town

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<sup>956</sup> Bowden, 108.

<sup>957</sup> DASC, DPRI/1/1607/C7/1-4.

<sup>958</sup> Surtees Society, vol. 142, p. 142.

<sup>959</sup> DASC, DPRI/1/1619/T3/1-4

<sup>960</sup> DASC, DPRI/1/1633/A3/1. SPO, *SP* 59/37, f. 91v. "Muster book of Berwick," 10 June 1598.

took responsibility for the costs of labor and material without knowing whether James would commit any more money to the project.<sup>961</sup> Casting about for new sources of revenue, Berwick's leaders found that certain grounds in the town bounds "by reason of the encroaching of other neighbor towns in Scotland...yield little or no profit." The mayor, justices, and bailiffs surveyed the grounds to determine whether they should be enclosed for "the general good of the borough."<sup>962</sup> Cocklaw field was one of those surveyed. It was a large field, comprising two hundred and sixty-five acres running along the border of Scotland, north of Gainslaw and west of Balderbury fields.<sup>963</sup> Its location made it susceptible to the kind of encroaching mentioned in the guild records; in 1616, the court leet presentments had suggested that those who cared for the fields – the poinders, noltherds, and field greives – "should have their meadow grounds allotted along the higher Cocklaw, by which means the Scots would be debarred from any commodity there."<sup>964</sup>

Following the surveys of the fields, the guild leaders announced in October that Cocklaw field would be enclosed by digging a long, narrow ditch around the bounds of the field and likely forming the removed dirt into a makeshift barrier, perhaps combined with some kind of fence – a process known as diking.<sup>965</sup> Once the field was enclosed, and

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<sup>961</sup> In October 1617, the guild sent Thomas Parkinson (currently the head alderman) to London to petition for more funds. BRO B1/8, 44.

<sup>962</sup> BRO B1/8, 37. The bounds were lands that belonged to the freemen and lay outside the town walls; Cocklaw was one of many fields here (Scott, 437).

<sup>963</sup> BRO, B1/8, 45. Fields closer to town, specifically the Snook and Magdalene fields, as well as the marshal fields (north of Magdalene, along the sea), had been granted to Lord Home (Scott, 326).

<sup>964</sup> 1616 Court Leet, in Scott, 307. Cocklaw, along with these fields and others, were traditionally run for every year by the "townsmen, old garrison, and commonalty" of town (BRO, C1/1 24v).

<sup>965</sup> A dike, or dyke, is a word "used from ancient times as the boundary of lands or fields, as the fence of an enclosure, as the defence or part of the defences of a camp, castle, town, or other entrenched place. In such excavations water usually gathers or flows: hence sense 2," a ditch or conduit. "dike | dyke, n.1". *OED*

a “convenient house built upon the same ground for the general good of the borough,” the guild would begin to collect a tax of 3s per animal pastured in Cocklaw for the summer. The total number of cattle in the field was not to exceed two hundred in the first year, and the fee would be collected at the beginning of summer, “upon their entrance.”<sup>966</sup> Many inhabitants questioned the guild’s right to enclose the field, when previously it had been available for use of all of Berwick’s inhabitants. Berwick’s leaders quickly realized that there was a limit to the townspeople’s patience regarding taxes, particularly in hard times.

In March 1618, dikers were appointed to dig the ditches and the work had commenced, prompting a “riotous company...[to] pull down the Cocklaw dike” in protest. This is one of only two references in the guild records to what must have been a violent and shocking affair for the whole town.<sup>967</sup> The enclosing of fields had become a common phenomenon by this period, and enclosure riots, correspondingly, a common form of agrarian protest. Enclosing had been a common practice in the fifteenth century, a logical response of landlords to the demographic loss of that century; as population again increased in the sixteenth century, riots became more common.<sup>968</sup> Seventy-three

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*Online.* <http://proxy.library.upenn.edu:2946/view/Entry/52707?rskey=EnsisY&result=1&isAdvanced=false> (accessed August 2, 2017).

<sup>966</sup> BRO B1/8, 45.

<sup>967</sup> BRO B1/8, 68. At another point the records referred to “the casting down of the Cocklaw dikes.” This kind of protest was not unique; in 1629, hundreds of people were involved in the destruction of ditches and banks created to drain the Fens, an area of Lincoln and Nottingham that was used as common pasture but owned by the king. The protests resulted in £5000 worth of damage over the course of several weeks. The four ringleaders were fined £1000 each, and smaller fines were also distributed. See “The King’s Attorney General v. Moody and others,” in Samuel Rawson Gardiner, *Reports of Cases in the courts of Star Chamber and High Commission* (Camden Society, 1886), new ser. vol. 39, 59-65.

<sup>968</sup> Though recent efforts have been made to discuss urban enclosure riots as well; see Christian D. Liddy, “Urban Enclosure Riots; Risings of the Commons in English Towns, 1480-1525,” *Past and Present*, 226 (Feb. 2015): 41-77. While enclosing had been a logical step to take in the late fifteenth century, given the demographic decline and the difficulty of finding tenants, by the 1520s the demographic upsurge beginning in the 1520s resulted in “the intensification of violence in villages” (Liddy, 43). Andy Wood has written the definitive account of enclosures, rioting, and the language of rights that rose up around it, in the rural



men were found guilty of participating, including five burgesses, who were disenfranchised for their involvement the following October at the head guild: William Crow, William Johnson, Elias Pratt, Martin Garnet, and Thomas Himers.<sup>969</sup> In early 1619, twenty participants, including Pratt and Garnet, wrote a letter to the guild leaders to ask forgiveness. They confessed that

we have in the highest degree done amiss by our uncivil and unlawful assembly, at what time inflamed and set on by the preservation and instigation of some subtle and malignant persons who (now we perceive) made us the actors of the their malicious purposes to disturb and wrong the town and procure our own utter undoing by unlawful pulling down and defacing the enclosures and dikes of the new far fields, erected and enclosed for the good of the town by the order and consent of the great guild.<sup>970</sup>

What good the letter did is unclear, as the guild still issued subpoenas out of the Star Chamber upon twenty-seven men, including both Pratt and Garnet as well as William Crow.<sup>971</sup> All people who participated in the “unlawful assembly” were further fined 5s in autumn of 1619.<sup>972</sup> Elias Pratt and William Crow were readmitted to the guild the next year, after “diverse times humbly submit[ting]” themselves to the guild.<sup>973</sup>

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context, in his *Riot, Rebellion, and Popular Politics in Early Modern England* (Basingstoke: Palgrave Macmillan, 2002). Both authors agree that “enclosure riots were provoked by and mediated through a language of rights;” for Wood, those rights were articulated through religious language and “an assertive reading of scripture.” Liddy, however, finds that in the medieval urban context, the “language of rights” was “derived from the ideas and practices of citizenship.” Liddy, 77 (quotes Wood, 101). See also R.B. Manning, *Village revolts: social protest and popular disturbances in England, 1509-1640* (Oxford: Clarendon Press, 1988), which discusses enclosure riot cases from central courts, primarily Star Chamber.

<sup>969</sup> BRO B1/8, 51, 68.

<sup>970</sup> BRO B1/8, 72.

<sup>971</sup> Himers dropped out of the records after his disenfranchisement. It is unclear when William Payman was added to the list of malefactors; he clearly protested the enclosure project, as evidenced below. BRO B1/8, 72. Records of only fifty-nine Star Chamber cases from Northumberland are extant from James’ reign. Berwick’s guild or mayor does not appear as a plaintiff, and these names cannot be found as defendants, in G. Barnes ed., *List and Index to the Proceedings in Star Chamber for the Reign of James I*, 3 vols (Chicago, 1975).

<sup>972</sup> BRO B1/8, 75.

<sup>973</sup> BRO B1/8, 93.

Meanwhile, the controversy continued and Cocklaw remained unenclosed.

Determined to garner support of the freemen at least, the guild leaders confronted the seventy-eight guild members in attendance at the meeting in January 1619, ten months after the violent protest:

All of them, being particularly called by their names, were examined what they thought of the erection and building of the Cocklaw dikes, and whether they allowed and approved the order made the 10 October 1617 for the said enclosure; they all allowed and confirmed the said order saving 3 persons, viz William Payman, Edward Conyers, and Nicholas Lee.<sup>974</sup>

Payman must have been the most vocal of these protesters – he was issued a subpoena along with the rioters themselves.<sup>975</sup> Work on the dikes finally proceeded. When it was completed is unclear; in September 1620, the guild determined that income from Cocklaw would go toward the bridge work, for which “the town was at great charge.”<sup>976</sup> To have immediate access to the funds, the guild leased the whole field to five prominent burgesses for a total of six years for £110.<sup>977</sup> William Fenwick, Oswald Armorer, Thomas Juskipp, George Smith senior, and Edward Wilson would now be responsible for collecting fees from, and facing the wrath of, Berwick’s inhabitants.

The destruction of Cocklaw’s dikes was not the only expression of violence. In the summer of 1620, the mayor Michael Sanderson complained that he and three sergeants at the mace had “a riotous assault” committed against them while they went about their work on the bridge. Since this violence concerned the bridge, a project that

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<sup>974</sup> BRO B1/8, 71. Conyers and Lee make no more appearances related to the Cocklaw dike.

<sup>975</sup> BRO B1/8, 72.

<sup>976</sup> BRO B1/8, 99.

<sup>977</sup> BRO B1/8, 99.

had received crown support, Sanderson made his complaint to higher authorities, soliciting a response from the privy council. They called on the bishop of Durham to assist in the matter, since he was presently in Berwick and had been granted “a superintendent care and oversight of that work.”<sup>978</sup>

The townsmen expressed their discontent with the guild in less violent, but no less troublesome, forms. In July 1621, William Payman came forward once more, along with another burgess, John Eaton. They “exhibited to the guild this scandalous presentment” that complained of various abuses by the guild leaders, reminiscent of Elizabethan grievances regarding the army.<sup>979</sup> Both men were significant burgesses. Payman had been admitted to the guild in 1603. He was not in the army as of the 1598 muster, and his occupation is not listed, but he did pay a £5 admittance fee, which suggests that he was an outsider to town; indeed, there are no other Paymans listed in the guild records at all.<sup>980</sup> He had a history of noncompliance: in 1610, he was presented before the guild for refusing to pay his quarterage tax of 12d, and another 12d for speaking “diverse unreverent and contemptuous speeches before Mr. Mayor and alderman.”<sup>981</sup> He was also one of three burgesses who publicly opposed the building of the Cocklaw dikes out of the seventy-eight questioned at the head guild in January 1619, and the only man not

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<sup>978</sup> The men committing the offense were: John Luspeth, bailiff of Tweedmouth, William Luspeth, William Coke, and “others.” “Pages 251-276,” in *APC vol. 37, 1619-1621*, ed. J V Lyle (London: His Majesty's Stationery Office, 1930), 251-275. *British History Online*, accessed August 16, 2017, <http://www.british-history.ac.uk/acts-privy-council/vol37/pp251-275>, 262. See also SPO, PC 2/30, f. 571. “A letter to the lord bishop of Durismie,” 23 July 1620.

<sup>979</sup> BRO B1/8, 114-5.

<sup>980</sup> BRO B1/7, f. 30v.

<sup>981</sup> BRO B1/7, f. 156r. The 12d was to go to the preachers; in 1619, he owed 16d to that end. BRO B1/8, 74.

involved in the riots themselves who was issued a subpoena.<sup>982</sup> In 1620, however, he served as a juror, and was therefore one of the “12 appearing men,” so he had a certain influence in the community.<sup>983</sup> Indeed, perhaps his status as a fearing man gave him the leverage to present his complaint to the guild, though in the end he proved a poor partner to Eaton. He refused to sign the formal complaint, and fell silent when it came time to explain their written grievances to the guild, leaving explanation to his coconspirator. Eaton likely came from an army family. He does not appear in the guild records until 1615 (his admittance may have been recorded in the missing records for 1611 to 1615), and his profession is unknown.<sup>984</sup> He was possibly the son of Thomas Eaton, who joined the guild in 1598 and in 1604 was listed as a footman of the old garrison.<sup>985</sup>

In their complaint, Payman and Eaton focused on the legality of the guild’s appropriation of the town common land, vis-à-vis its status as a gift of the crown. They called out

Mr. Mayor, bailiffs and the most part of the burgesses, for that they have given consent and have enclosed and have let and set for years, part of the bounds or commons of Berwick, called by the name of the Cocklaw, to the number of 300 acres of ground, more or less, contrary to the king’s most royal gift and to the great hurt and impoverishing of the poor inhabitants of the town.<sup>986</sup>

Similarly, other fields had been misappropriated; Eaton and Payman accused the mayor, bailiffs, and “the greater sort of burgesses” of having taken the best meadow land for

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<sup>982</sup> BRO B1/8, 71.

<sup>983</sup> BRO B1/8, 104.

<sup>984</sup> BRO B1/8, 11.

<sup>985</sup> TNA, E351/3483. “Works (Military) and Fortifications,” 1603-1604. BRO B1/5, f. 39r. His admittance fee was £3 6s 8d. In 1592, Thomas Eaton, Mr. Vernon’s “servant and chandler,” was brought before the bailiff court for selling candles to Scots. (BRO C1/1, f. 19v). Samuel Eaton, who joined the guild in 1618, could have been John’s brother. He joined as the apprentice of John Morley. BRO B1/8, 57.

<sup>986</sup> BRO B1/8, 114.

themselves, “as though it were their own, and hath given to the poorer sort of burgesses what they list [like] and to some no meadow at all, and yet they look that we should be thankful to them as though it were their own fee simple.” The guild answered that common lands had only been “let or disposed of” by the general consent of the whole guild; indeed, William Payman himself had “set his hand” to the order “for letting the Cocklaw to farm.” The general guild still approved of the plan, as evidenced by yet another survey taken that very day, during which “with free consent” all the freemen agreed except Payman and Eaton, who “allege themselves to have a particular right therein.” Once the case was heard, the head guild was adjourned a week; then both Eaton and Payman were disenfranchised.<sup>987</sup>

The drama over enclosing Cocklaw field, then, lasted at least four years; the reactions to the enclosure ranged from violent destruction to written petitions. This episode highlights Christian Liddy’s conclusion that “enclosure, whether undertaken by local landlords or by the town corporation, opened up long-standing fissures within the urban political landscape.”<sup>988</sup> Enclosure, even when undertaken by the guild, called into question the rights of the burgesses to the town’s common land, as laid out in the charter. It authorized the town burgesses to question the moral superiority of the community leaders, and forced those authorities to obtain, repeatedly, the public support of the burgesses for a project it had already deemed the best course of action. Ultimately, however, the guild leaders were able to quell the voices of protest and retain their power.

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<sup>987</sup> BRO B1/8, 115-6. It seems that neither attempted to become re enfranchised, at least not before 1626, almost five years later. Liddy discusses a similar case of head burgesses attempting to involve “the commons” in decision-making about the common lands, for example in Nottingham, 1480. See Liddy, 70.

<sup>988</sup> Liddy, 72-3.

These local difficulties were compounded by those on the national scale. In 1623, a year after James' proclamation prohibiting the exportation of wool, the sheriff and justices of the peace of Northumberland reported to Berwick's council on the "great loss" suffered by the inhabitants of the countryside since the enactment of the prohibition.<sup>989</sup> In the town, too, the people were suffering. Though specific data are not available, the growing impoverishment of the town is evident in the guild's dramatic (and expensive) decision to send representatives to London to petition for the lifting of the prohibition. John Wilkin, John Marshall junior, and Edward Moore would be "our intercessors." Marshall and Moore were sons of burgesses who were enfranchised for the occasion, on the eve of their "voyage into some foreign parts, where [they] allege [their] said freedom will be to [their] advantage."<sup>990</sup> John Wilkin was a merchant, not native to Berwick, who had been enfranchised in 1609 for the price of £40 and would go on to serve as a fearing man.<sup>991</sup> All three of these men were active merchants who shipped goods, including sheepskin and wool products, in and out of Berwick to Amsterdam, Leith, and Flanders.<sup>992</sup>

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<sup>989</sup> 1623 report to Berwick: Scott, 194. The order was read in the guild in the spring of 1623. See BRO B1/8, 151. For a similar complaint to the privy council, see *CSP Dom Jas I, vol. 3 1619-1623*, vol. 130, no. 8. "Sheriff and Justices of Northumberland to the Council," 2 May 1622. Though these laws against export failed at suppressing foreign production of cloth, they did succeed in keeping the price of wool very low at home, which benefitted producers of cloth rather than producers of wool. See Bowden, 214.

<sup>990</sup> BRO B1/8, 137.

<sup>991</sup> His enfranchisement was experimental; at his admittance, he was ordered to move his family to Berwick, and the guild decreed that "no strangers to be admitted before trial of John Wilky," for at least three years. BRO B1/7, f. 136v. His large fee indicates both his status as an established merchant, who could afford to pay such a price, and also the guild's unwillingness to make the freedom readily available for strangers. What is left unsaid is why Wilkin was so anxious to join Berwick's guild, and where he came from. For his service in the guild, see BRO B1/8, 9, 1615, *passim*. In 1618 he served as head alderman; BRO B1/8, 65.

<sup>992</sup> TNA, E190/161/2-13, customs of "new impositions." Edward Moore was the son of Thomas; he would go on to own the majority of the local fisheries, buying them, with his brother Andrew, from the Earl of Dunbar's son-in-law in 1635 (George Homes' younger daughter Elizabeth married Theophilus Howard in

In their petition, the guild emphasized Berwick's geographic location and the community's dependence on trade with Scotland.<sup>993</sup> The wool brought to Berwick for export, furthermore, was "so coarse and full of white stickle hairs, as they are not fitting for cloth and new manufacture," as certain merchants had found to their chagrin after bringing "30 experienced Dutchmen with their families" to produce cloth.<sup>994</sup> Even if they could make cloth of the wool, the merchants argued, Berwick was so far away from "any clothing town or place for sale thereof (being 6 score or 100 miles at least, and that by land)," that it made no sense to attempt its sale in England. If Berwick were to cease exporting wool, finally, Scottish wool would be diverted to other ports, "whereby not only the King doth lose his custom, but also the town doth lose, as well, the profit."<sup>995</sup>

The king did not change his mind, but this did not stop the merchants of Berwick from continuing to export wool. In 1624, the privy council sent a stern letter to the lieutenants and JPs of Northumberland as well as Berwick. They had received reports that "the abuse in conveying away wools, woolfells, etc, contrary to his Majesty's proclamation, is too frequent and common, and that his majesty's officers, endeavoring to do their duties in the prevention thereof, find little or no encouragement or assistance in

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1612. Howard became the second earl of Suffolk in 1626. Scott, 430; Victor Stater, 'Howard, Theophilus, second earl of Suffolk (1584–1640)', *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [<http://www.oxforddnb.com/view/article/13938>, accessed 3 Oct 2017].). Andrew Moore (b. 1587) was eleven years older than Edward (b. 1598) (*Register of Baptism*, 26, 40); his admittance to the guild is not recorded, indicated it may have taken place during the record gap of 1611-1615. On new impositions, see Braddick, *Nerves of State*, 53-54.

<sup>993</sup> Scott, 194.

<sup>994</sup> Scott, 195. The Dutch both served as a market for and competition of English cloth production; see Supple, *Commercial Crisis and Change in England 1600-1642*, 33-51. See also chart in Bowden, *The Wool Trade in Tudor and Stuart England*, 29 – the northern counties produced "very coarse" wool compared to the rest of the country. Coarser wool, in turn, was worth less than fine wool (the finest being produced in the west counties). The northern counties were found to produce wool "of the poorest quality" by English manufacturers, even in the late seventeenth century, Bowden, 69.

<sup>995</sup> Scott, 195.

the execution of that service” from local justices. The justices of Northumberland and Berwick were to lend their assistance immediately, since “the due execution thereof doth much import the good and welfare of this kingdom.”<sup>996</sup> The difficulties of enforcing the royal will along the border, then, persisted even after the union of the crowns, which did not lessen the border’s distance from London. This distance continued to serve as an advantage for the border community.

Berwick was clearly in bad, and worsening, financial shape as James’ reign progressed. The guild’s financial commitment to the bridge in a time of economic depression and trade decline caused it to take controversial actions, like the enclosure of Cocklaw field. At the same time, certain men profited from these developments. Over this period, several men stand out as benefactors to the community at large, whether by loaning money to the guild or petitioning to the crown on the town’s behalf. While reliance on a few important men, or families, was not an uncommon phenomenon in early modern towns, Berwick’s small size exacerbated this reliance, ensuring that a few wealthy men dominated the guild government and town administration. It was common, for example, for a few men to be called on consistently to donate more funds than others in times of need. In 1617, Hugh Grigson (serving as mayor), Thomas Parkinson, Mark Saltonstall, Robert Jackson, Thomas Burrell, and Michael Sanderson each contributed £6 13s 4d to purchase a gift for the king. Contributions from other guildsmen ranged from

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<sup>996</sup> SPO, *APC* vol. 39. 1623-1625, no. 405. “A letter to the Deputy Lieutenants and Justices of Peace in the countie of Northumberland and towne of Barwick and to the Commissioners of the middle shires,” 4 February 1624.



only 10s to 40s.<sup>997</sup> Circumstances such as these arose continuously, and thus over time the guild became increasingly indebted to a small number of men, resulting in their preferential treatment by the guild, such as the granting of low rents. The richest citizens filled the void left by crown officials: in influence, as well as by becoming objects of resentment. This development occurred in other cities as well; in Kent, “municipal indebtedness now became an overwhelming preoccupation” after 1617.<sup>998</sup>

Michael Sanderson was the most prominent of these men in the early seventeenth century, a wealthy and powerful burgess and the subject of several public complaints.<sup>999</sup> He entered the *cursus honorum* in 1598, serving as a bailiff, and the next year as a juror and churchwarden – all public positions of authority in town.<sup>1000</sup> He served as mayor twice: in 1603 and again in 1619.<sup>1001</sup> His first mayoralty coincided with Berwick’s efforts to obtain a new charter; his successful trip to London in 1604 ensured his long career as an influential freeman until his death in 1631, when his estate was valued at £2,890. A good portion of this was property, while the inventory of his goods was also impressive: his bedchamber alone was worth over £43. His leases and tithes of neighboring estates, as well as a lease on fisheries in Berwick, totaled £545.<sup>1002</sup>

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<sup>997</sup> BRO B1/8, 33-34. These efforts were to raise £100; ostensibly this was a loan, since there was “no stock in the town chamber.” In March 1622, John Law came to the guild complaining that his 40s still had not been repaid him; the council responded that “diverse other burgesses have disbursed moneys upon the same occasion which are as yet unpaid.” BRO B1/8, 132.

<sup>998</sup> Clark, *English Provincial Society*, 340. He also notes that the town’s habit of “borrowing heavily from magistrates’ private pockets” not only fostered oligarchy and alienation from the common folk, but also made public office more unpopular.

<sup>999</sup> His enfranchisement is not recorded, but he likely entered the guild as the son of either Christopher or Thomas, both of whom served as fearing men beginning in 1563. Christopher only served for several years, but Thomas was on the guild council until 1573. See B1/1 and B/2 passim.

<sup>1000</sup> BRO B1/6, f. 1r, 12r.

<sup>1001</sup> BRO B1/8, 79.

<sup>1002</sup> The total value of his estate was significantly greater than almost all of those of the list of knights, gentlemen, and lairds assembled by Maureen Meikle, though the latest will she includes was dated 1608

Sanderson was, unsurprisingly, a dominant presence in the guild records. He was a member of the private guild, and helped direct many of the guild's recovery efforts after 1604. His role as an important lender, both in Berwick and across the region, was no less influential. When Edward Story, disenfranchised for "bad behavior" in 1620, sought to regain his freedom, he could not afford the £20 fee; Sanderson, to whom Story's disrespect been directed, showed his goodwill by petitioning on Story's behalf and then even paying the fine.<sup>1003</sup> Story "became his debtor" that day, joining many others who were indebted to Sanderson some way or another over his period of influence in the guild.<sup>1004</sup> Sanderson loaned money, in large and small amounts, to a wide variety of people: carpenters and masons, pensioners and laborers, burgesses and even the Earl of Home.<sup>1005</sup> Ten years after the completion of the stone bridge, James Burrell still owed him £2 13s 4d "for the old bridge"<sup>1006</sup> He loaned money to men of Tweedmouth and Spittal, as well as farther afield across the region and into Scotland. He could call in these debts anytime, as he did in 1622 regarding a £40 loan he had given to the preacher Gilbert Dury "for the use of the poor people of Berwick." Dury, unsurprisingly, was unable to pay back this debt upon Sanderson's demand; the guild interceded and created a

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and the lists do not factor in the worth of their land. See Meikle, 137-40. DASC, DPRI/1/1631/S3/3-10. Much of the £43 was in clothing, with one cloak alone valued at £10. Sanderson owned two houses in Sandegate, half the rights to the palace (royal storehouse), the maison dieu (in Bridggate), several burgages in Shaw's Lane, connecting Marygate to Walkergate and Soutergate, running along the fortifications on the east side of the town, two other burgages in unnamed locations, a house in Marygate, and a tenement in Westerlane.

<sup>1003</sup> Just the previous year, the guild had determined that anyone joining the guild as a stranger, not by familial bonds, would be required to pay the large fee of £20. BRO B1/8, 71.

<sup>1004</sup> BRO B1/8, 125. The nature of Story's "disrespect" toward Sanderson is not made clear.

<sup>1005</sup> Upon his death, most of his wealth was in debts owed to him; indeed, there were so many individuals owing him money that the debts were divided into three categories: those "supposed to be good" (£1152 6s 1 ½ d), "doubtful" or "indifferent" debts (£361 9s 8 ½ d) and "desperate debts" (£654 7d).

<sup>1006</sup> DASC, DPRI/1/1631/S3/4v-10r. Burrell: f. 7v, under "desperate debts."

payment plan for Dury over the course of several years. Sanderson was apparently displeased with this arrangement, for soon afterward, William Bowyer, recently reelected mayor, determined that the town would loan Dury money obtained by the recent sale of Berwick's bell in London to pay Sanderson. He was granted £10, with the understanding that the town would recall the loan when it was needed for repairing the old conduits and laying new pipes in town.<sup>1007</sup> Sanderson, clearly, was a force to be reckoned with.

This degree of dominance in town was met with resentment, and at times, resistance. The timing of several complaints against Sanderson suggests that during his second mayoralty from 1619 to 1620, he took certain liberties, overstepping his authority, that prompted a response in guild brethren. Eaton and Payman had expressed certain grievances with Sanderson in their Cocklaw petition, but their concerns related to his negligence of mayoral duties, an unremarkable criticism levied against many other mayors throughout this period. Theirs was not the only complaint presented in 1621, however. Another grievance, submitted by Brian Kellow, was much more public and therefore of a very serious nature to the guild, which sought to protect its jurisdiction, an attitude reminiscent of certain encounters between the guild and Elizabeth's governor and marshal.

In July 1621, Brian Kellow was brought before the guild for publicly humiliating Sanderson by having him arrested in the streets of Berwick. He claimed that Sanderson owed him for three hundred and sixty-five barrels of salmon.<sup>1008</sup> Kellow had been

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<sup>1007</sup> BRO B1/8, 128.

<sup>1008</sup> BRO B1/8, 118.

admitted in 1606, though he was not native to the town.<sup>1009</sup> After his freedom was granted, he appeared in the guild records periodically for debt cases.<sup>1010</sup> His wealth is unknown; were the accusation true, he was clearly a very successful merchant, but he was not involved in guild governance at all and never had any apprentices admitted. The guild's adjudication of the case is not recorded, but it ended with Kellow relenting: "upon his knees did humbly confess and acknowledge his unjust vexation and scandalous accusation." Sanderson graciously forgave him publicly.<sup>1011</sup>

Kellow's dramatic – and unsuccessful – action in Berwick was not his first attempt at redress. First, he had "maliciously exhibited diverse petitions" in "his majesty's courts" at Westminster and Durham. He clearly understood that seeking restitution from Sanderson in Berwick would be difficult, given the latter's influence over the guild there. It is unclear why he finally brought his case to Berwick's court, but his suspicions proved correct. After the failure of his plea before Berwick's guild, Kellow had recourse to one more court. A year later, in 1622, Kellow brought his grievance to a fourth venue, the Council in the North's court at York.<sup>1012</sup> Alarmed at the prospect of the Council in York becoming involved in what it saw as a case under its own jurisdiction, the guild asked him to bring it back to Berwick, and Kellow complied. Finally, however reluctantly, Berwick's leaders declared that "the accounts were not right and straight" and

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<sup>1009</sup> BRO B1/7, f. 82v. His admittance was contingent upon him moving his family to reside in Berwick.

<sup>1010</sup> BRO B1/7, f. 151r. In February 1610, for example, he came before the guild, requesting repayment of the 40s he had lent to Mark Saltonstall, then mayor, to be used by the town at the "last plague time."

<sup>1011</sup> BRO B1/8, 118.

<sup>1012</sup> See Ch. 1, pg 56-7, for another case where the guild sought to protect its jurisdiction from the Council. See also Reid, *King's Council in the North*, 297-99 on the jurisdiction of the Council in the North's court.

thus merited investigation. In October, the guild appointed men to examine his claims.<sup>1013</sup> In February 1623, this group found, surprisingly, that in fact it was Kellow who owed Sanderson over £79. Kellow denied £37 of the debt, trying to make demand of more barrels of salmon, but could not prove the debt and the commissioners' report was taken as the final word.<sup>1014</sup> Kellow made one last complaint the following September, and another commission was put together to investigate his claims; he promised that this would be his last complaint.<sup>1015</sup> The final sentencing in the case is unrecorded, but Kellow's attempts to have his case heard at three outside courts – ecclesiastical courts at Durham, regional courts at York, and central courts at Westminster – point to his determination to have a fair hearing, something he was sure not to receive in Berwick.

Sanderson was not the only prominent guild leader. Another significant member of the community was William Bowyer, the captain in command of the reduced garrison beginning in 1604. At the dissolution, Bowyer was about forty-nine years old. He had only been in Berwick since 1593, having come from London to serve as a captain of one of the bands of footmen.<sup>1016</sup> He was on the muster of 1598, but sometime after this was transferred to Carlisle; this is where the crown found him in 1603.<sup>1017</sup> Bowyer was likely chosen for his years of experience across the northern border region; by his own description, too, his status as a foreigner (from London) ensured that he was “not engaged

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<sup>1013</sup> BRO B1/8, 145. The commission included three burgesses, John Shell, William Fenwick, John Catterall, and Benjamin Clark, preacher, with John Sleigh and Mr. James Arnett providing assistance.

<sup>1014</sup> BRO B1/8, 148.

<sup>1015</sup> BRO B1/8, 152.

<sup>1016</sup> TNA, *SP 59/37*, f. 89r. “Muster Book of Berwick,” June 1598.

<sup>1017</sup> *HMC Salisbury*, vol. 15, 260-1. “William Bowyer to Lord Cecil,” October 1603. Bowyer made already have been called out for his dissolute behavior; in this letter, Bowyer assured Cecil that the Earl of Cumberland was performing his duty of border commissioner admirably. He concluded that “he hath signified my innocency to the garrison.”

by partiality of clan or friendship with the inhabitants” of the borders, and thus could serve as an impartial arbiter, the perfect person to instill law and order.<sup>1018</sup>

Bowyer was not well liked by the soldiers themselves, however. In Carlisle, he had acquired a poor reputation, both as a military captain and as a civilian. In January 1604, hearing that Bowyer had been made Berwick’s captain, a group of two hundred and fifty soldiers wrote the king from Carlisle, protesting Bowyer’s appointment with a list of his crimes.<sup>1019</sup> Most of the complaints had to do with Bowyer’s behavior on raids in the borders and into Scotland, during which he had released notorious criminals and removed himself from dangerous skirmishes. In Berwick, he “placed his young son-in-law [Thomas Hodgson] as his lieutenant, a man that yet did never see [the] enemy” and for his ensign, a “swearing drunken fellow.”<sup>1020</sup> In Berwick, people regarded Bowyer as “a great merchant beyond the seas, and coming to Berwick became a merchant of pays.” As for his behavior in Berwick itself, the soldiers minced few words:

Captain Bowyer, an impudent lecher, all places bears testimony of his incontinent life; Berwick hath him for his lechery in most hateful detestation, Carlisle for the like there, doth vomit him up for the most infamous whoring fellow that ever had entertainment in that city...from such a governor, such a captain, such a sodomite, God and your majesty, deliver the town of Berwick.<sup>1021</sup>

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<sup>1018</sup> Elizabeth and her government certainly would have agreed with this statement, given her appointments to Berwick’s council, but James seemed to have thought otherwise, given his preference for appointing local men to the border commissions. See Watts, 134, and Ch. 4, p. 207. *HMC Salisbury*, vol. 16, 376, “Captain William Bowyer to Viscount Cranborne,” 4 December 1604.

<sup>1019</sup> These soldiers were “late of your garrison of Berwick, now at Carlisle and Jedworth for employment.” SPO, *SP 14/6*, f. 41r, “Petition of 250 soldiers, late of the garrison of Berwick...” 12 January 1603.

<sup>1020</sup> See above, pg. 279, n. 933.

<sup>1021</sup> SPO, *SP 14/6*, f. 43r, “Petition of 250 soldiers, late of the garrison of Berwick...” 12 January 1603. Bowyer’s career previous to his involvement in the army is unclear, perhaps he was a merchant.

This petition came to nothing, and Bowyer became the captain at the end of January 1604.<sup>1022</sup>

The vitriol against Bowyer may have added to the restlessness of the garrison immediately following the dissolution at Christmas 1603. His poor reputation was no secret to Bowyer himself, who tried to rehabilitate his standing by advocating for the soldiers to Cecil, whom he had met at court “at the beginning of the new establishment.”<sup>1023</sup> By February, Bowyer could boast that he was “liked and outwardly beloved of all men there...notwithstanding their forepast fury.”<sup>1024</sup> His perception of his own approval was premature, however; in 1611, George Nicholson, the crown’s treasurer in Berwick, petitioned to Salisbury on behalf of the soldiers still in pay. They came to him, Nicholson told Cecil, because they still distrusted Bowyer and believed Nicholson to be a better promoter for them.<sup>1025</sup>

Bowyer seems to have had a completely different relationship with the townspeople. Despite the soldiers’ claims of the “hateful detestation” Berwick held towards Bowyer for his notorious reputation as “the most impious person,” he was, it seems, welcomed into the community.<sup>1026</sup> He had two children born in Berwick, and his duties as captain did not prevent him from becoming active in the guild as well, although

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<sup>1022</sup> *HMC Salisbury*, vol. 16, 147. “John Crane to Lord Cecil,” 22 June 1604.

<sup>1023</sup> In January, he noted, he himself had been “traduced at Berwick as one seeking their ruin.” He also reminded Cecil that he had saved the crown upwards of £10,000, and requested a £20 grant in fee farm *HMC Salisbury*, vol. 15, 354-5. “Sir William Bowyer to Lord Cecil,” [1603]. *HMC Salisbury*, vol. 16, 171. “Captain William Bowyer to Lord Cecil,” 11 July 1604.

<sup>1024</sup> Still, he entreated Cecil that orders of further reductions and changes “may not be discerned to proceed through him.” *HMC Salisbury*, vol. 16, 27-28, “Captain Bowyer to Lord Cecil,” 16 February 1604.

<sup>1025</sup> SPO, *CSP Dom Jas I, 1611-1618*, vol. 63, no. 54 [SP 14/63 f. 79], “George Nicholson to Salisbury,” 30 April 1611.

<sup>1026</sup> SPO, SP 14/6, f. 41r, “Petition of 250 soldiers, late of the garrison of Berwick...” 12 January 1603.

it was not until after the final dissolution of 1611 that he became a freeman of Berwick.

In 1615, he had become one of the “twelve,” or a member of the private guild.<sup>1027</sup>

Whatever the townspeople of Berwick may have felt toward Bowyer personally, the guild leaders certainly recognized the benefit of his advocacy on their behalf in London, especially in the absence of their former access to the crown through the garrison. His presence added legitimacy at formal occasions, such as the possession of crown lands and buildings in the summer of 1604.<sup>1028</sup> His promotion of the new stone bridge, in particular, was assistance much needed and appreciated by the townspeople, especially after the death of Dunbar in 1611; he had advocated for the bridge as early as 1607, and redoubled his efforts in 1611.<sup>1029</sup> Bowyer’s connection to London became even more important as the bridge project wore on and more people became involved.

In April 1620, the privy council, concerned with the slow progress and high cost of the bridge, enlisted the bishop of Durham to serve as its overseer of the bridge.<sup>1030</sup> The involvement of Richard Neile, the bishop, may have alarmed the townspeople, who until that point had been solely responsible for the bridge’s construction. It was likely in response to this development that the guild passed a special measure allowing Bowyer to be elected the town’s mayor, even though he had never served as alderman. They sought to sidestep this “ancient custom,” instituted to ensure that that a potential mayor “might

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<sup>1027</sup> *Register of Berwick*, vol. 1, 63, 70. A daughter Margaret in September 1605, followed by a son, George, in November 1609. His actual admittance to the guild is missing; very likely he enrolled between 1611 and 1615, in the years of the missing records. BRO B1/8, 9.

<sup>1028</sup> BRO B1/7, f. 28r-v.

<sup>1029</sup> *HMC Salisbury*, vol. 19, 153-4. “Sir William Bowyer to the Earl of Salisbury,” 16 June 1607. SPO, SP 14/61, f. 95f, “Sir William Bowyer to Salisbury,” 6 February 1611.

<sup>1030</sup> *APC vol. 37, 1619-1621*, ed. J V Lyle (London: HMSO, 1930), 123-24, 170. *British History Online*, accessed August 16, 2017.



attain to such measure of knowledge of the town's affairs" by aiding the mayor as alderman first. This practice was not a requirement dictated by the charter, however, and the mayor, bailiffs, and burgesses found that "a person of special ranks and qualities" could skip the step of aldermanship to become mayor. Bowyer had been the guild's "approved good friend for many years by past, as well in the time of military discipline as since his highness' happy reign, hath borne places of eminent authority."<sup>1031</sup> Bowyer's connections at court made him an even more attractive candidate, given that "his majesty coming into these parts is shortly expected, and it concerneth the credit of the town to have a magistrate of special worth and quality for his highness' better entertainment." It is unclear why the guild expected a visit from the king, as this never transpired.<sup>1032</sup>

Bowyer was duly elected mayor in September 1620, and the town was still in dire straits regarding the bridge. The guild borrowed £50 from Mark Saltonstall to pay the back wages of bridge laborers.<sup>1033</sup> Immediately following the annual election, perhaps on Bowyer's suggestion, the guild recalled an endowment that it had loaned to prominent burgesses that now totaled £160. This money had been given "by good and well-disposed persons" for the "use and benefit of the poor"—it may even have been a surplus of the poor account, as was found in the 1610s in more southerly cities.<sup>1034</sup> Now, however, the guild recalled the loan, and decided to reallocate it. Once it had collected the money from the borrowers, Michael Sanderson, Sir Robert Jackson, John Shell, the estate of John

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<sup>1031</sup> One sign of the king's goodwill that the order mentions was his elevation of Bowyer to a JP in 1604 (*CSP Jas I, 1603-1610*, vol. 6, 13, "Additional instructions to Capt. Bowyer..." 12 January 1604.

<sup>1032</sup> BRO B1/8, 101. SPO, *APC*, vol. 37, 1619-1621. "A letter to the lord bishop of Durismie," 23 July 1620. See also PC 2/30, f. 571. At the conclusion of the letter, the authors state that the king was currently on progress → locally?

<sup>1033</sup> BRO B1/8, 99.

<sup>1034</sup> Namely, in Faversham and Maidstone in Kent. Clark, *English Provincial Society*, 302.

Shotton, and the minister Gilbert Durie, Berwick's leaders determined that it would be put toward debts arising from the construction of the bridge, for "the town hath expended divers sums of money in soliciting and obtaining of payments for the bridge work, which could not be charged in his majesty's account."<sup>1035</sup>

Bowyer served as mayor four years in a row, and then one more after a year's respite. To have such a long tenure as mayor was unusual, but not unprecedented; Thomas Parkinson served as mayor from 1594 to 1597, and again in 1600.<sup>1036</sup> During both long tenures, the town was suffering from dearth and drought, and, in the case of Bowyer, the continual, pressing financial need to complete the stone bridge. Indeed, the final account of the bridge gives some indication as to why Bowyer served such a stretch as mayor. In 1634, in the Exchequer's final account of the bridge, £100 was granted to William Bowyer, £20 each year for five years, "in regard of his good and faithful [work] done diverse years about the works of Berwick Bridge, and of sundry elections and continuances of mayor of that corporation, to his great trouble and extraordinary charges."<sup>1037</sup> Ultimately, the economic desperation of the town enabled the guild to overlook Bowyer's bad reputation in favor of the practical assistance he provided for the town through his wealth and connections. This was not an uncommon phenomenon; similar adaption can be seen in other urban centers, which also floundered into deeper

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<sup>1035</sup> BRO B1/8, 106.

<sup>1036</sup> Scott, 479.

<sup>1037</sup> TNA, E351/3585, "Works (Military) and Fortifications," Account of Berwick Bridge 1611-1634.

and deeper debt over the course of the seventeenth century, and especially after the catastrophic early 1620s.<sup>1038</sup>

### *Conclusion*

In 1623, a trip to London was an expense the burgh could hardly afford. Berwick's guild nevertheless sent representatives to petition the king regarding his prohibition on the export of wool. His proclamation was a blow to the merchants of Berwick, and their actions clearly demonstrate that the town was in a bad state. After recalling the burgesses' difficulties in adjusting to life after the garrison, the petitioners concluded by reminding James of the starring role Berwick had played in his triumphant entrance into England two decades earlier:

And this poor distressed place (as in all due allegiance it might) was that *Port à Paris* to his Majesty's first footstep into this English kingdom, and is now most happily become the very heart of great Britain united, being an ancient, a famous and renowned place both in war and peace.<sup>1039</sup>

Berwick's people harkened back to James' accession as the town's last and most glorious appearance on the national stage. While they argued for its continued significance based on its location and its history, it was a difficult case to make. In truth, Berwick's economy was in decline and its people suffering.

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<sup>1038</sup> See, for example, Margo Todd on the town of Perth, a reformed Scottish burgh whose leaders were willing to condone kneeling to receive the Lord's Supper at a specific moment in time when they hoped to receive financial assistance from Charles I in the 1630s, to be put toward a new bridge. Margo Todd, "Weather, Finance, and Urban Religious Dissent in Early Modern Scotland: A Different View of the Perth Articles" (2017).

<sup>1039</sup> Scott, 195-96.

While it remains difficult to tease out the causes of Berwick's lamentable state, reflected in towns all over England,<sup>1040</sup> there is no question that James' accession had brought unique and dramatic changes to the border town. He restructured local government, withdrew substantial crown funding, and altered the economic functioning of the town. Throughout James' reign, Berwick's leaders creatively sought out ways to adjust by creating new forms of revenues to keep the town solvent and its people fed. Until about 1617, these efforts, from the point of view of the guild, seemed to have been in large part successful.<sup>1041</sup> In 1617, and the onset of national depression and war on the continent, followed by years of glut, then dearth, and nationally-imposed trade restrictions, the guild's efforts came to be vocally resented and resisted. Without the possibility of direct intervention from the crown, the guild seems to have had greater difficulty ensuring the obedience of its people.

Berwick's identity, so shaped by national and international affairs, had been completely altered in 1603. For James, the success of his border commissions, and the general pacification of the border, meant success: the border region truly had become the "very heart" of his united kingdom.<sup>1042</sup> Berwick's symbolic relevance as the heart of the country did not pay the bills, however. Indeed, James' bridge, which would be an enormous long-term benefit to the town, in the short run caused a good deal of anxiety for Berwick's leaders.

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<sup>1040</sup> See, for example, Clark, *English Provincial Society*, 317-47, on the problems arising after 1617 in Kent; and Patterson, *Urban Patronage in Early Modern England*, 212-20, on Leicester and its patron, the earl of Huntingdon, and the tensions that arose locally because of national policies.

<sup>1041</sup> Barring the abandonment of projects like the new markets, put off for fifteen years, and also the institution of a "free school," which in 1616 the guild acknowledged was infeasible, after having raised £159 for the purpose. BRO B1/8, 12, 44, 49. It was forced to return this money to the donors.

<sup>1042</sup> *RPCS*, 1<sup>st</sup> ser., vol. 6 (1599-1604), p. 560.

The financial difficulties its leaders encountered during James' reign would not abate under Charles. In 1633, Berwick's recorder Thomas Widdrington described Berwick as a shadow of its former self, "the ruins of a poor, yet ancient borough."<sup>1043</sup> Berwick's significance as a border garrison would return briefly during the fraught years of the Civil Wars, but ultimately, for Berwick's inhabitants, the success of union meant obscurity.<sup>1044</sup>

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<sup>1043</sup> John Rushworth, 'Historical Collections: 1633', in *Historical Collections of Private Passages of State: Volume 2, 1629-38* (London, 1721), pp. 175-244. *British History Online* <http://www.british-history.ac.uk/rushworth-papers/vol2/pp175-244> [accessed 15 August 2017].

<sup>1044</sup> See Scott, 202-15 on Berwick's fortunes during the civil wars.

**Conclusion: “Her head she lifts on high, since quarrels all be past”**

Afront the bound of Scottish ground, where staid the furious broil  
 Of English wars; and Nations both were put to equal toile.  
 Now won, then lost, a thousand turns it felt of fortunes will,  
 After so many miseries, wonder, it standeth still.  
 And still it stands: although laid waste it were and desolate,  
 Yet always after every fall it rose to firmer state:  
 So that for strength best fenced towns it matcheth at this day.  
 The Citizens were soldiers all, and serv'd in wars for pay.  
 But after service long performed, and hard adventures past,  
 Of joy and mirth the gladsome signs it putteth forth at last.  
 And now her ancient honour she doth vaunt in happy plight,  
 When to her Sovereign Lord she yields all service due by right.  
 Whose blessed Crowne united hath great Britain now at last,  
 Whereby her head she lifts on high, since quarrels all be past.<sup>1045</sup>

The Scottish poet John Jonston wrote these words shortly following James' ascension to the English throne.<sup>1046</sup> Berwick's role as the symbol of union was cemented in the minds of James' people; it would be known in history as a town formerly fortified for war now nestled into the very heart of Great Britain.

In the decades after the dissolution of the garrison, however, Berwick's people suffered. The community had still not recovered, ten years later, from the poor harvests of the 1620s; in 1633, the townspeople had the rare chance to petition their king directly. Charles I passed through Berwick on his belated journey to his northern kingdom where he would be crowned king of Scots eight years after the fact. When he stopped in Berwick, the recorder Thomas Widdrington spoke of Berwick as “a town at this day as useless, as arms in time of peace.” The community was but a shadow of itself, “the ruins

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<sup>1045</sup> John Jonston, in William Camden, *Britain, or A chorographicall description of the most flourishing kingdoms, England, Scotland, and Ireland, and the ilands adjoining...*(London, 1637), in *Early English Books Online [EEBO]* 818.

<sup>1046</sup> The poem is undated, but Jonston died in 1611; see his DNB article, J. Derrick McClure, ‘Johnston, John (c.1565–1611)’, *Oxford Dictionary of National Biography*, Oxford University Press, 2004 [<http://www.oxforddnb.com/view/article/14944>, accessed 31 Oct 2017].

of a poor, yet ancient borough.” Its erstwhile glory as a border garrison was now represented by only “useless and obsolete canons, ...strong yet desolate walls, ...[and] the relics of sometimes warlike soldiers.” Widdrington tried to solicit the king’s financial support by arguing that Berwick, “though in the skirts of either kingdom,” continued to be relevant, since “[it] yet may serve for your Majesty to cast your eye upon, as a little map of both your great kingdoms, as a participating of the nature of both.”<sup>1047</sup> Charles was unmoved by these pleas. Two years later, the situation had hardly improved when the traveler William Brereton visited Berwick and found its harbor as “a most shallow, barred haven, the worst that I have seen.” Brereton concluded that “there being, therefore, no trade in this town, it is a very poor town, [with] many indigent persons and beggars therein.”<sup>1048</sup>

The turbulent years of the civil wars saw Berwick’s strategic importance elevated, briefly, once again. In 1638, the majority of Scots signed the National Covenant, demonstrating their opposition to Charles’ religious innovations and expressing their intention to resist them. Charles interpreted this as a signal of war, and accordingly reestablished a permanent garrison in Berwick in 1639. The town’s sympathies, however, lay with the Scots, who subsequently invaded north-east England, only withdrawing after the Treaty of Edinburgh was signed in 1640. This treaty saw the king’s soldiers removed

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<sup>1047</sup> John Rushworth, 'Historical Collections: 1633', in *Historical Collections of Private Passages of State: Volume 2, 1629-38* (London, 1721), pp. 175-244. *British History Online* <http://www.british-history.ac.uk/rushworth-papers/vol2/pp175-244> [accessed 15 August 2017].

<sup>1048</sup> This he found in spite of the fact that the Tweed was “most infinitely stored with salmon”—one of Berwick’s most important exports. William Brereton, *Travels in Holland, the United Provinces, England, Scotland, and Ireland 1634-1635*, Edward Hawkings, ed. (The Chetham Society, vol. 1, 1844), 95. A “barred” harbor was one that was “obstructed by a bar,” for example of sand, which blocked ships from entering. “barred, adj.” *OED Online*. June 2017. Oxford University Press. <http://proxy.library.upenn.edu:2946/view/Entry/15729?redirectedFrom=barred> (accessed August 09, 2017).

from Berwick. During the early years of the civil wars, continual rumors of invasion from local royalist forces caused Berwick's leaders to appeal for the Scots for aid, which resulted in the establishment of a small Scottish garrison in Berwick. The town was finally free of soldiers at the end of the first civil war, in 1646. When the second civil war broke out in 1648, royalist troops held the town.

Conditions worsened seriously during this occupation, since the soldiers had no pay and few provisions. The townspeople of Berwick were required to billet the soldiers without recompense. The mayor and burgesses reported that

Not many that knew the place would believe our estate were so distressed as it is, so as thereby not only many of the poor are enforced to pawn their clothes, but likewise many have already cast up their house. Indeed, our condition is more lamentable than can be expressed. Nay, it can scarce be imagined the misery we are fallen into.<sup>1049</sup>

Still Berwick's time as a garrison was not finished; the next year, Cromwell's forces came north, quartered in Berwick, and in 1650 defeated the Scots at Dunbar.<sup>1050</sup>

Cromwell's triumph and the establishment of the Commonwealth was a happy conclusion to a troubling time for Berwick's people. And this period of peace was commemorated with yet another building project: finally, after almost a century, Berwick received funds to build a new parish church, one of only three churches built during the Commonwealth period and the only one still in use as a parish church today.

The story of Berwick during the civil wars and beyond cannot be considered in detail here, but it can surely be said that Berwick never regained its status as the "chief

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<sup>1049</sup> Scott, 211.

<sup>1050</sup> See Scott, 202-214.

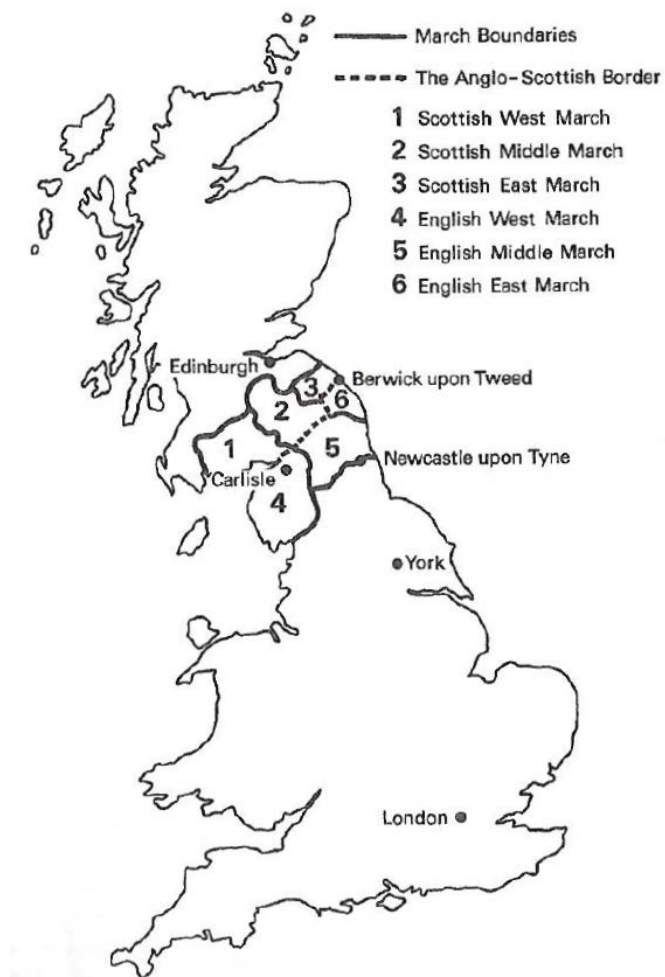


key of [the] realm.” The reigns of Elizabeth and James each inaugurated dramatic demographic and administrative changes. While both Elizabeth and James left a physical mark on the town, with her walls and his bridge, the reach of the monarch was much more penetrating than mere building projects. Under Elizabeth, the townspeople undertook daily negotiations with both the authorities and the soldiers they confronted. Then, the town underwent dramatic upheavals wrought by James’ accession to the English throne, an occasion in which Berwick’s symbolism as the “little door” into England was thrust into the national limelight, only to fade as Berwick’s inhabitants confronted the reality of James’ dismantling of the erstwhile town of war. In these shifts, Berwick’s people adapted to external forces that redefined the border itself, and thus also the town’s place in the borders and in the kingdom.

Ultimately, it was the involvement of the crown in Berwick that makes it such an important town of early modern Britain. And it is precisely the complex interplay described in these chapters between official policy and actual implementation, locals and foreigners, townspeople and soldiers, tradition and change that most enriches our understanding of the piecemeal, labored process of state-building under Elizabeth and James. Indeed, a top-down examination of this process under Elizabeth and James may incline the historian to conclude that their centralizing efforts in the Anglo-Scottish borders were a success. It is important to remember that the people in Berwick had often a very different perspective.

## Appendix A: Maps

*Map 1: The Marches of England and Scotland*



Source: Maureen Meikle, *A British Frontier? Lairds and Gentlemen in the Eastern Borders, 1540-1603* (East Linton: Tuckwell Press, 2004), xix.

Map 2: "The True Description of her Maiestes Town of Barwick," c. 1570



(c)British Library Board, *BL Cotton Augustus I.ii. f.14.*

Map 3: "True Description," Inset with Street Names



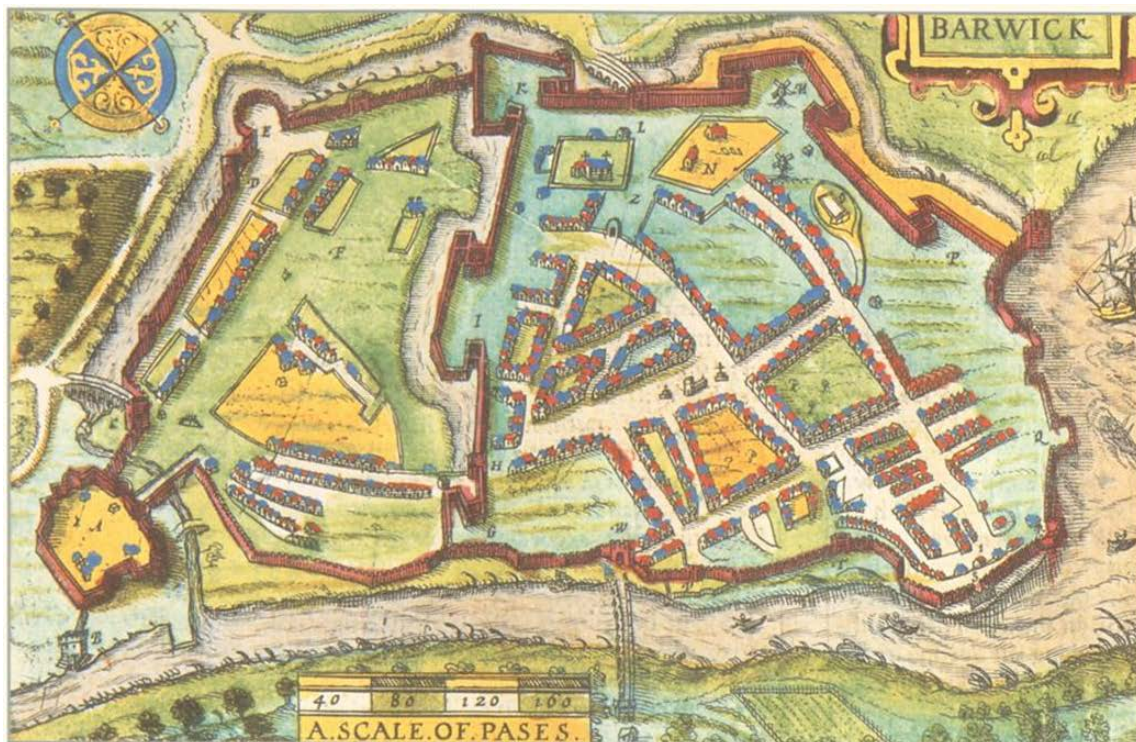
Street identifications courtesy of Catherine Kent, *Beyond the Defensible Threshold*, 142.

Map 4: Berwick, 1564



Reproduced in Frederick Sheldon, *History of Berwick-upon-Tweed: being a concise description of that ancient borough, from its origin down to the present time*, 1849.

Map 5: Berwick, 1610



Reproduced in Jeffery John Speed, *Tudor Townscapes: The town plans from John Speed's Theatre of the Empire of Great Britaine 1610* (Waddesdon, Buckinghamshire, 2000), 26-27.

## KEY

A	Castle
B	Wyte wall
C	S.Marie gate
D	Bell Tower
E	Lordes mount
F	The Grenes
G	West mount
H	New Marie gate
I	Middle mount
K	Search-house mount
L	Cow-gate
M	Mill mount
N/O	2 Store houses
P	Hunsdons new mount
Q	Hunsdons mount
R	Pallace Tower
S	Copons Tower
T	Shore-gate
V	Maison decu
W	Bridge-gate
Y	Kinges Stables
X	Talebooth and state-house
Z	Parado
1	Pallace

### Appendix B: Mayors of Berwick, 1603-1625

<b>Year</b>	<b>Mayor</b>	<b>Head Alderman</b>
1602	Hugh Grigson	Henry Hitton
1603	Michael Sanderson	Lyonell Strother
1604	Thomas Parkinson	Leonard Fairley *
1605	Robert Jackson	John Shotton
1606	Mark Saltonstall	Thomas Clerk
1607	Hugh Grigson	William Vernon
1608	Robert Jackson	James Burrell *
1609	James Burrell	Stephen Jackson *
1610	Leonard Fairley	Henry Hitton
1611	James Burrell	
1612	Michael Sanderson	
1613	John Orde	
1614	Thomas Parkinson	William Ackrigg
1615	Mark Saltonstall	John Shell
1616	Hugh Grigson	John Law
1617	Stephen Jackson	John Morley
1618	Thomas Parkinson	John Wilkin
1619	Michael Sanderson	William Fenwick *
1620	Sir William Bowyer	Thomas Bradforth
1621	Sir William Bowyer	William Austen
1622	Sir William Bowyer	William Austen
1623	Sir William Bowyer	John Marshal
1624	John Orde	William Strother
1625	Sir William Bowyer	William Orde *

*Source:* Scott, 479; BRO B1/7-8. Elections took place at Michaelmas, at the end of September, of the year listed.

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B1/1-8	Guild books 1513-1627
B6/1	First Book of Enrolments, 1570-1636
B7	Enrolment book of Rules for the Garrison and Town of Berwick, 1560-77
C1/1	Bailiffs Court Book (1568-1573) and Common Council Minutes (1573-1601)
/2-3	Bailiffs Court Books, 1599-1603
C2/1	Court books for pleas of land, 1605-1638
C2/5-7	Court books for pleas of debt, 1560-63, 1598-99, 1623-25
H1/1-6	Bridge Account books, 1611-1635
H2/1	Annual Account book, 1603-1610
Y2/1	Typed transcript of charter of James I
1380/2/1	“Boke of All Manner of Payments...”
1380/3/1-4	“A Brief Declaration...”
1380/4/1	“A Booke of the Chardges...”
1380/5/1	“Peticular Booke of Payments...” 1586

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DPR: Register of Wills



Kew, The National Archives

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E101	King's Remembrance: Accounts Various
/64/5	Book containing a report as to provisions and stores for Berwick, 1567-69
E122/219/34	Customs Accounts, Berwick 1567-68
E134	Exchequer: King's Remembrancer: Depositions taken by Commission
E190	Exchequer: King's Remembrancer: Port Books
/161/1-13	Port of Berwick, Collector of New Impositions Overseas
E351	Exchequer: Pipe Office Declared Accounts
/149	Victualling Army against northern rebels, 1569-70
/226-229	Payment of Army sent into Scotland, 1560, 1569-71
/765-775	Customs, New Impositions on Foreign Merchandise, 1613-1624
/827-843	Customs of New Impositions at Ports, 1608-24
/3471-3506	Works (Military) and Fortifications, 1558-1625
/3521-22	Works (Military) and Fortifications, 1639-41
/3524-30	Works (Military) and Fortifications [victualling] 1575-1604
/3375, 3585	Works and Buildings, the Tweed bridge 1608-34
WO 55/1939	Correspondence Entry Book, Governor of Berwick 1581-92

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