

### III.

NOTICES FROM ORIGINAL DOCUMENTS RELATING TO JOHN ANYSLEY, CONSTABLE OF NORHAM CASTLE, PRISONER IN SCOTLAND IN 1514, AND OF HIS MURDER ON HIS JOURNEY TO ENGLAND IN THAT YEAR. BY EDWARD PEACOCK OF BOTTESFORD MANOR, NEAR BRIGG, LINCOLNSHIRE, ESQ., F.S.A.

The following document, although I cannot claim for it the merit of illustrating the national history of Scotland or England, at the eventful period of the battle of Flodden, is of considerable interest, from its connection with that memorable contest. It is also not without importance, from the light it throws on the lawless state of society, which existed on the borders.

Norham Castle was taken by the Scots, on one of the latter days of August 1513,<sup>1</sup> but a very few days before the battle of Flodden. On the 4th of September, the Earl of Surrey issued from Alnwick his well-known challenge to King James. Among the affronts to the majesty of England set forth therein, the chief one is that the Scottish sovereign "had caste and betten downe the castel of Norhame, and crewella had murdered and slayne many of the kynges liege people."<sup>2</sup>

Of John Anysley's life little is known, or at least has been recoverable by me. We may, I think, assume without much fear of error, though there is, as far as I have seen, no proof of it, that he was a Northumbrian gentleman, of the same stock as the Aynsleys of Shaftoe and Little Harle Tower. The Durham records quoted by Mr Raine shew that he was

<sup>1</sup> The late Mr Raine states that it fell on the 29th. *North Durham* vi.

<sup>2</sup> *Battle of Flodden*, from a MS. in the possession of David Laing, Esq., LL.D., V.P.S.A. Scott.

constable of Norham in 1509-10, and that he received during that year the large sum of L.153 for repairs. His original account book for 1510 was in the auditor's office at Durham when Mr Raine wrote his history; <sup>1</sup> a John Aynesley, no doubt the same person, was in the commission of the peace for Northumberland in 1512.<sup>2</sup>

One solitary despatch to his master, the Bishop of Durham, has been preserved, by having the good fortune to find its way into the hands of Sir Robert Cotton. It now forms a portion of the volume marked Caligula, b. vi., in the library of the British Museum. As it has been given very fully in abstract by Mr Brewer,<sup>3</sup> it is not needful to reprint it. The details are such as one would expect the commandant of a great border fortress to communicate to his superior in those disturbed times. The date of the document is 11th September 1512. The writer thinks the height of the war is over for this year, but advises that precaution should be taken against Scotland for the next. He goes on to inform the bishop, that his buildings at Norham go well forward. The west gate is completed, with two floors and a roof, "and atorgreece,<sup>4</sup> with ninety-two newelles,"<sup>5</sup> and concludes by requesting him to send by the next ship a barrel of saltpetre, "for making of fire balls, and mending houre powder." The letter is signed John Anislow. After this, we meet with his name no more until after the fall of the fortress he commanded. The Scottish Chamberlain roll for 1514 furnishes us with the information that he was a captive in Scotland for thirteen weeks.

"Compotum Reverendissimi in Christo patris Jacobi Archiepiscopi

<sup>1</sup> *North Durham*, 290.

<sup>2</sup> Brewer's *Cal. Stat. Pap.*, vol. i. p. 445. *Rot. Pat.* 4 Henry VIII., part i. m. 6.

<sup>3</sup> Vol. i. p. 414.

<sup>4</sup> A winding stair. Gryse is an old word for a step, perhaps not yet obsolete.

"Greece or tredylor steyre *Gradus*." *Prompt. Parv.* i., 209.

"The lady . . . glydes down the *grece* and gos to the kyng."

*Early Eng. Allit. Poems.* E. E. Text Soc., 85.

"Thesteers or *gryses* coming vpp to the altare." [1566.] Peacock's *Ch. Furniture*, 81.

<sup>5</sup> The Newel, Noel or Nowell (Fr. *Noyau de Montée* or *d'Escalier*), is properly the column round which the steps of the stairs wind, but as a section of the column is almost always formed by the end of each step, the steps themselves were usually called newels, and the stairs are to this day usually spoken of by workmen as newel stairs.

Glasguensis camararii de Fiff redditum apud Edinburgh secundo die mensis Augusti anno Domini millesimo quingentesimo decimo quarto.

Expense . . . . .

Et allocatur comptanti pro expensis quondam Johannis Hainsly capitani de Norhame et Edwardi Gray capitanei de Chillinghame presunariorum in quadraginta marcis remanendo cum dicto computante in Falkland ad spacium tresdecim septimanarum tempore quo dicta castra et fortalicia erant expugnata et deiecta ad terram per quondam dictum regem Jacobum quartum pie memorie prout constat auditoribus super compotum xxvj<sup>te</sup> xij<sup>s</sup> iij.

<sup>1</sup>

No other record of John Anysley's murder is known than what follows. The object the murderers had in view must ever remain a mystery. We may surmise, however, without any violent improbability, that it was an act of revenge committed by Englishmen on Scottish soil, as a retaliation for some injury or affront to one of the numerous cadets of the powerful house of Grey. No family was more widely spread, and few have had so great and long continued influence. Possibly there may have been some quarrel between the murdered man and Edward Grey,<sup>2</sup> the captive governor of Chillingham. His murderers, if at all related to Sir Edward Grey, were but very distant cousins; the Sir Roger Grey of the text is undoubtedly Sir Roger Grey of Horton, Knight, who married a sister<sup>3</sup> of Thomas Lord Darcy, K.G., who was beheaded in 1538. This Sir Roger had a brother Lionel, who was sometime porter of Berwick. The two families became united towards the end of the sixteenth century, by the marriage of Sir Ralph Grey of Chillingham with Isabel, daughter and co-heiress of Sir Thomas Grey of Horton, son and heir of the Sir Roger mentioned in the text.<sup>4</sup> It would be interesting to ascertain whether the Chillingham and Horton Greys were kinsmen, or but namesakes; my firm conviction is, that future research will prove them to have been of

<sup>1</sup> Chamberlain Roll 349, m. 4, in H.M. Register House, Edinburgh.

<sup>2</sup> Sir Edward Grey, Knt., of Warke, Chillingham, and Heton. He was still an Esquire only in 1529, when he was outlawed at the suit of Nicholas Horsley, of Ulchester. *North Durham*, 328.

<sup>3</sup> Her name is given variously, Jane or Isabel.

<sup>4</sup> See ped. in Raine's *North Durham*.

one blood; the heraldic evidence, such as it is, goes however the other way. Grey of Chillingham bore *Gules a lion rampant within a border engrailed argent*. Grey of Horton, *barry of six argent and azure, on a bend gules a bezant*.

Clement and Cuthbert Muschiaunce, *i.e.* Muscamp, do not occur in the printed pedigree;<sup>1</sup> there cannot be much doubt, however, that they were sprung from that Robert de-Muscamp (*de musco campo*), on whom Henry I. conferred the barony of Wooler. The direct line of the baronial house ended in daughters *circa* 1249, but members of the family occur in the succeeding reigns, till that of Henry VIII., when we find Edward Muschampe of Barmoor,<sup>2</sup> son of George, son of John of the same, marrying a daughter of Sir Roger Grey of Horton. The printed pedigree is very imperfect; although Clement and Cuthbert Muscamp do not appear therein, it is highly probable that they were near relations of Sir Roger Grey's son-in-law.

Nothing can be more positive than the statements we have, that the castle of Norham was utterly destroyed, "caste and betten downe," says Lord Surrey, speaking perhaps on vague rumours. "Expugnata et deiecta ad terram," says the Archbishop of Glasgow, who must have known the truth well enough. Such strong contemporary evidence would be received by the most sceptical on any matter where there was not absolute proof to the contrary. No one, however, who knows the existing remains, either from personal inspection or accurate representations, can doubt that the massive tower, which still mirrors itself in the Tweed, is at least as old as the time of Bishop Pudsey. The original fortress was built by Ralph Flambard, bishop of Durham in 1121;<sup>3</sup> and it was the opinion of the elder Raine, that some portions of Flambard's work were embodied in the present keep.<sup>4</sup>

<sup>1</sup> *North Durham*, 266.

<sup>2</sup> He had an annuity of xx. marks from the king, for services done in the borders. Let us hope one of them was inflicting punishment on his kinsmen. The arms of the family were a pun on the name. Their earliest seal is a circle, charged with seven flies. The visitation of 1615 gives *Azure three butterflies argent*. But other coats have been used by the family, *e.g.*, Robert de Muschans, 1250. *Barry of six*. . . . and . . . . a chief. . . . The bearing *argent, a chevron between three crosses formee sable*, has been attributed to the Muschamps of Barmoor.

<sup>3</sup> *Sym. Durh.* sub. anno.

<sup>4</sup> *The Priory of Hexham* (Surtees Soc.), p. 84, n.

As the decree books of the court of Star Chamber for the reign of Henry VIII. are not to be found, it is impossible to tell what was the result of Elyanor Anysley's "lamentable and petuous" complaint. From what we know of the power and position of the Greys, it is to be feared that the chief actors in the tragedy did not receive the reward they seem to have merited.

My most grateful acknowledgments are due to Thomas Dickson, Esq., curator of the historical department, General Register House, Edinburgh, not only for furnishing me with the extract given above from the Chamberlain's Roll of Scotland, but also for having made long and minute searches among many other records in his custody, in the hope of finding something that might illustrate Anysley's untimely fate.

*Star Chamber Proceedings.—Henry VIII. Vol. I., AB-AP., fol. 181.*

"To the kyng our Sou'eyn lord.

"In her most lamentable & petuous wise shewith and Compleyneth vnto yo<sup>r</sup> moste excellent highnes yo<sup>r</sup> pore & dayly oratrix & bedewoman Elyanor Anysley wydowe late wife to John Anysley Esquier that were (sic) the seid John Anysley beyng Capetayn of Northm lying & adionyng apou the border of Scotland in Northumb'land whiche castell in the v<sup>th</sup> yere of yo<sup>r</sup> moste Royall Reign with a mightie & puissunte armye of Scottes thethier brought by James the Scottishe kyng then yo<sup>r</sup> great Ennemye was beseged and for lakk of ordennce artilarie & other prouision of warr necessarie for defens of the same not hadd & pvided within the seid Castell and the seid armye made contynual assautes thereto boith day & nyght vnto the tyme the seid Castell was wonne & takyn by greatt force & violence where the seid Anysley did not onely lees all his goodes catalles & substūce but also was takyn p'isoner by the seid Scottes & caryed into Scotland where he did remayn vnto such tyme that yo<sup>r</sup> said oratrix with the ayd helpe & supportcon of her frendes dyd redeme the said John Anysley by certein fynnes & raunsome to the right great & Importunate charge & costes of her self and her frendes and so it is most drad sou'eign lord that the xxviij day of Novembire in the seid v<sup>th</sup> yere as the seid John Anysley was comyng homewardes into this yo<sup>r</sup> Realme of England one S Roger Grey knyght & lyonell Grey brother vnto

the seid S Rog<sup>r</sup> of ther ppenced malice onely to murder the said John withoute any cause of his parte to them gyven the seid S Rog<sup>r</sup> & lyonell to accomplishe ther vngracious acte Ryotusly assembled vnto them one Clement Muschiaunce Cudbart Muschunce Ector Grey Rouland Beall Willm Beall & Willm Howbour with other Scottishemen in ther Companies with whome the seid S Rog<sup>r</sup> & lyonell were then allyed & confederate to gither the seid day & yere whiche was in the tyme of warr contrarie to yo<sup>r</sup> peace lawys crown & dignitie sou<sup>r</sup>eign lord with force & armes in man<sup>r</sup> of warr arreyed that is to say with Jakks splentes & sallettes swerdes buklers speres and other man<sup>r</sup> of weypons did lye in awayte in two seu<sup>r</sup>all places within the Realme of Scotland ther to do & comytt the seid abomynable murder the seid S Rog<sup>r</sup> & Cudbert muschunce with dyus Scottishmen layin secrete man<sup>r</sup> in one place & the seid lyonell Grey Clement muschunce Ector Grey Rouland Beall William Beall & William Howburn with other certeyn Scottes lay in a bushmet in an other place and the seid John Anysley the day & yere aboue seid intending to haue comen home into this Realme accompanied with one murrey his sunte attendyng upon hym beyng in Godes peace & yo<sup>r</sup> having neither weypon ne other thyng. . . . . re aboute them not feryng of any bodely hurte by any of yo<sup>r</sup> subiectes ffurthwrth moste gracious sou<sup>r</sup>eign lorde the seid lyonell Grey Clement muschunce Ector Grey Rouland Beall Willm Beall & Willm howburn whiche dyd lye in awayte as is aboueseid to murder the seid John Sodonly issued oute before the seid John with . . . . . drawyn in ther handes and ther they in moste furyous man<sup>r</sup> came rennyng upon the seid John & Henry murrey which John & nery when they sawe the seid Ryotous & ewyll disposed psones come upon them so rygorously & cruelly fell down upon ther knees petuously holdyng vpp ther handes and crying for m<sup>r</sup>cie and requiryng the seid lyonell with the abouenaymed ewyll disposed psones in the hono<sup>r</sup> & reu<sup>r</sup>ence of almygh[ty] God to haue petie upon theym & to saue ther lyves whereunto the seid lyonell with the seid ewyll disposed & cruell murderers toke no regarde but then & ther neither feryng the punyshment of God ne of yo<sup>r</sup> lawys the seid John & Henry ther knelyng upon ther knees they cruelly fellonously & tyrannously dyd kyll & murdre the seid John Anysley & Henry murrey aft<sup>r</sup> whiche murder so cruelly & hanously done & comytted the seid murderers to the intent that the seid haynouse

& shamefull murder shuld not be knowyn the seid murderers cruelly & maliciously did al so hew cutt & mangle the vesages & faces of the seid John & Henry in suche wise that ther was not left the space of iij fyng's brede in no place of ther faces that was holle vncutt or mangled. And further did bury the bodies of the seid John & Henry in a secrete place in the felde whereas the seid murder was comytted & done but yett not withstanding that the seid wyfull & shamefull murder was done neu' so secretly by the will of God it was knowen & came to lyght & knowlege of ye seid oratrix within ij or iij dayes aft' the seid murder so comytted & done by means wherof yo' said oratrix caused to be brought the ded body of the seid John her husband to be buried in England which hadd at least xvj mortall or deadly wounds and for so moche moste dradd sou'eign lorde that the seid most haynous willfull & abhominable murder was comytted & done within the realme of Scotland wherby the seid offenders & malefactours cannot by the ordre of yo' own lawes be ther of Indicted so ther punyshment cane haue by any suyt of appeall and also the seid S Roger & lyonell Grey be of so greatt auctorite powre & substance and so gretly ffrended & alyed within the seid countie of Northumberland that yo' seyd oratrix could neu' haue any remedie ageynst them ne none other of the seid murderers ne yett cane onles yo' moste petuous & gracious ffauor to her be shewed in that behalf. Therefore pleassith it yo' highnes of yo' most aboundaunte grace to grunte vnto yo' seid pore oratrix suche sharpe hasty & spedie pees to be directed vnto the seid opyn & willfull murderers comaundyng them & eu'y of them by v'tue of the same to appere before the lordes of yo' moste honorable counseil at a certein day at ye palace of Westm by yo highnes to be lymytted ther to aunswere vnto the p'mises and further to pvyde & ordeyn suche ferefull punyshment for the seid offenders in the p'misses wereby yo' subiectes may take Insampl to do or comytt any suche wilfull murder in tyme to come and yo seid oratrix shall dayly pray to god ffor the psuacon of yo' moste royall estate long to Indure."