



Guild and Governors

The Governance of Berwick

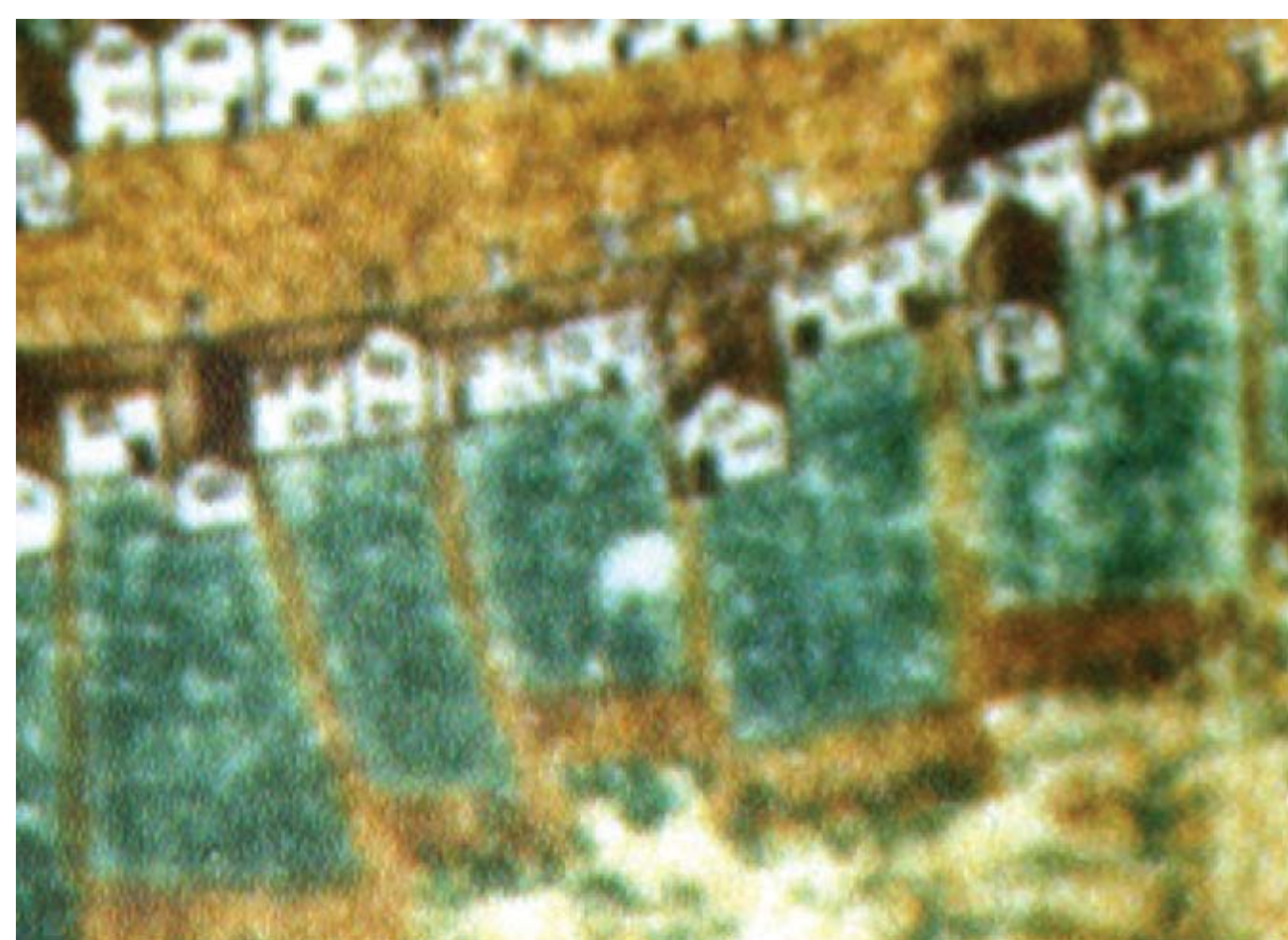


Early Days of The Guild

“A town neither wholly regulated by English or Scottish laws, but by customs and usages in some things different from both, yet rather inclined to English laws, and more effecting Scotch fashions and language”.

The official Recorder’s verdict on Berwick during the visit of King Charles I in 1633.

Berwick was first mentioned in the 9th century and was Scotland’s principal port by 1124 when King David I granted it the privileged status of a Royal Burgh, alongside Roxburgh (near Kelso), Stirling and Edinburgh. In return for taxes and assistance with defence, the residents had the exclusive right of trade within the town. As the closest port to Europe, Berwick was the wealthiest town in Scotland throughout the 12th and 13th centuries, with its customs duties contributing a great deal to the Scottish exchequer.



Burgage plots in 16th century

The town (which belonged to the king in its entirety) was divided into four wards, each under the charge of a Bailie, or bailiff. In later years four bailiffs were still appointed, a reminder of these early roots.

The original burgesses of Berwick were those who held a plot of land (known as a “toft” or burgage plot) within the Burgh. They had responsibilities in the governing of the town.

Free tradesmen formed guilds such as the baxters (bakers) and fleshers (butchers). They guilds protected standards of trade within the town, and met regularly to discuss the business of the day and share new knowledge.



Great Seal of the Berwick Guild of Freemen. A version of this is first used in 1212.

The simple bear/tree symbol is a visual pun on the town’s name. The tree is specifically a wych elm, so it reads “bearwych”



A medieval guild meeting.

It was not necessary to be a burgess in order to be a Freeman but eventually, the terms became interchangeable and the individual trade guilds merged to form the Guild of Freemen which still exists today. The towns affairs were regulated by the Statutes of the Guild, which were codified, probably in 1249, by Robert Bernham and another prominent Freeman, Simon Maunsel

The King appointed a Provost to represent him. The Provost and the Bailies were responsible for collecting royal taxes. Later, rents on royal land were paid to the Guild, which kept the money and paid a “ferme fee” to the king.



Seal of Alexander II, 1198–1249.

In about 1235 the Mayoralty of Berwick was created in a charter granted by Alexander II. The first Mayor was possibly Robert Bernham who is known to have held the post in 1238 and 1249. Berwick was unique as being the only town in Scotland to have a Mayor. Whereas English Mayors wear red, the Mayor of Berwick has a purple robe because of this royal appointment.



Guild and Governors

The Governance of Berwick



A Military Presence

The first known Governor of Berwick was Gaufridus de Nevile, appointed in 1174 when the English first took control of the town through the Treaty of Falaise. After 1296, when Edward I took it back from the Scots and massacred the inhabitants, aside from some short spells in Scottish hands, Berwick was governed by the English as a garrisoned Scots town until 1604. During this time, Berwick became a fortress, with the largest garrison in the country and a captain or governor as the leading official. (There were sometimes two captains, one for the town and one for the castle.)

The Governor was aided by a "King's Council" appointed by the Crown, and the elected Mayor was a salaried Crown Officer who served on the King's Council with the Governor. There was a separate exchequer for the military and a separate judiciary in the form of a Bailiffs' Court.

The Guild retained control of trade and the two authorities seem to have had a grudging respect for each other and to have depended on each other to an extent. There could, however, be clashes. In 1672 the garrison occupied the Guild's Town Hall because the Guild had failed to provide the troops with a suitable Guard House.

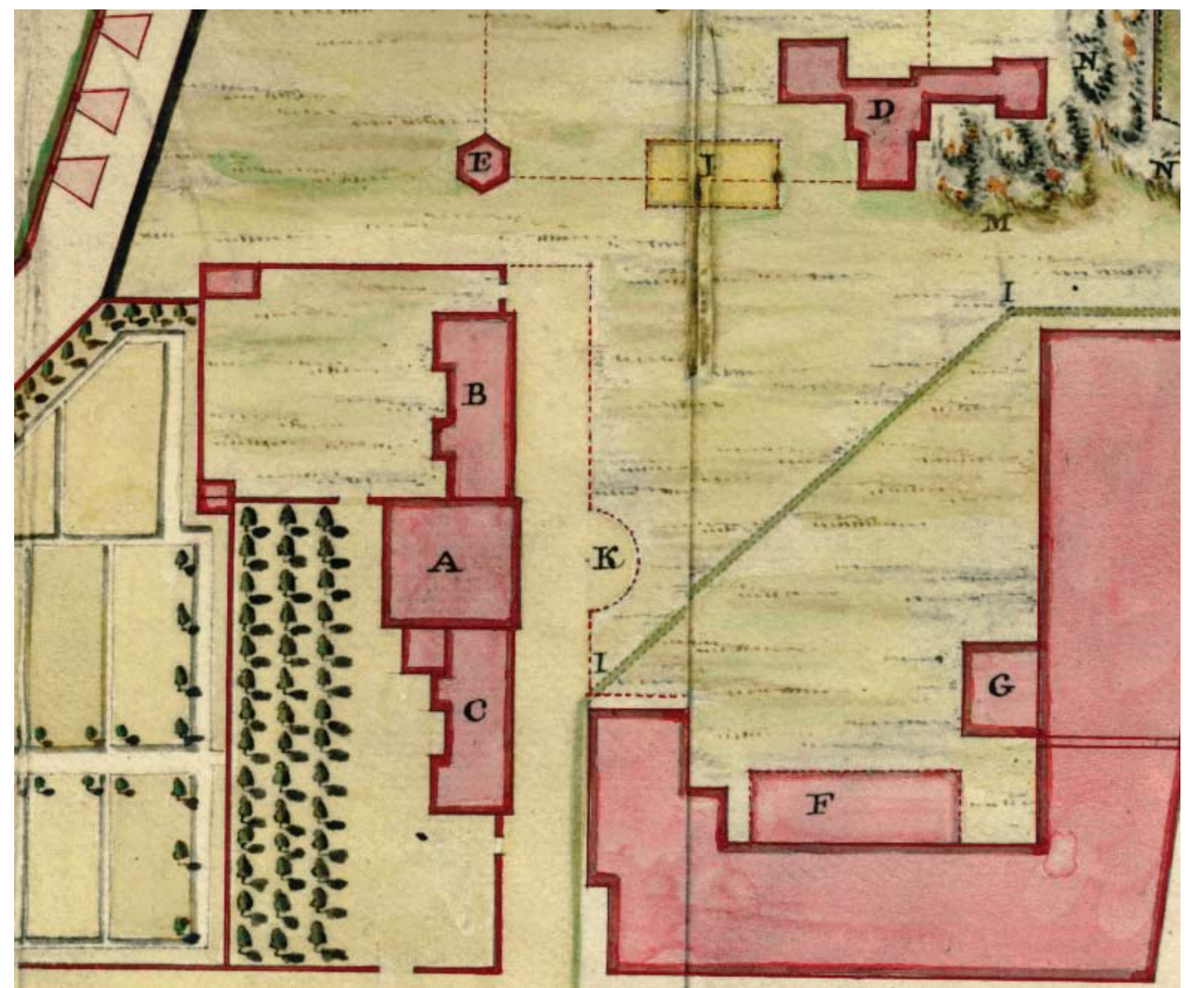
The military were governed by standing orders called the Rules of the Garrison. These tell us much about the way the garrison guarded and patrolled the town and the punishment that might be meted out to any soldier who disregarded the rules. Reading these statutes, one is left in no doubt that an "apartheid" system was in operation. Scots were regarded with deep suspicion as they might be a threat to the town. No Scot without official permission was allowed within forty feet of the walls, and they were not allowed into the town without a royal passport or a licence from the Governor. Scots who did have these documents were not to be mistreated.

Any Scots living in the town had to be registered. Records from the Bailliff Court state that each month every house would be searched for "Scots, vagabonds and common scolds", and if any were found there illegally, the burgess whose house it was would be fined. The court record from 1557 lists the Scots who were resident at the time. Most of them were women – usually servants but some wives. Indeed, even the Porter (gatekeeper) John Watstone, who lived by the walls, had a Scottish wife. This shows a certain degree of tolerance considering that, for obvious reasons, no Scot was allowed on the Walls.

James may have coined the phrase "United Kingdom" but it was far from that. Berwick continued with a dual administration, albeit a more equal partnership after 1604, when James VI/I renewed the town's charter. Civilian matters

were once more run by the Guild of Freemen while military aspects were run by the Governor.

In 1643, during the Civil Wars, Berwick was occupied by a Scottish force in support of Parliament. They were ousted by Royalists in April 1648 but in September, Cromwell retook Berwick and made it a major garrison town once more.



Detail of map, 1791. The Governor's House (A) was built c.1719 at the same time as the Barracks. It replaced a late medieval "palace".

Much of the surrounding area was used for military purposes. The house contained a brewhouse to the rear, stables (B), a kitchen and offices (C). Nearby was the bakehouse (D), an artillery store (E), stables (F) and a cockpit (G).

The authorities were on alert once again and the military presence under the control of the Governor, was maintained during the Jacobite risings of 1715 and 1745 and during the various 18th century wars in Europe. The garrison then consisted of the Governor, about 30 officers and 210 privates though this increased in wartime. Most of the peacetime soldiers were in fact "invalids", still of serviceable age but unfit for overseas or front-line service.

By the end of the 18th century, the post of Governor had lessened in importance and was usually given to an older officer as a sinecure before his retirement. With the end of the Napoleonic Wars, the garrison left Berwick in 1815.



Guild and Governors

The Governance of Berwick

The 1604 Charter



Detail of the 1604 charter with an illustration of the new king top left.

In 1603, peace broke out in the Borders when James VI of Scotland became James I of England. The need for the Berwick garrison diminished drastically. The Guild petitioned the Crown and obtained an extended charter in 1604. This put the Guild back in control of civic affairs, as it had been before the Anglo-Scottish Wars.

“[This Charter created] anew the said Mayor, Bailiffs and Burgesses into one corporate and politic body [and] that our said Borough of Berwick-upon-Tweed from hence Forth for ever hereafter may be, shall be and remain a free Borough of itself and that the men of the same Borough be free burgesses [who] may have within the said Borough a Merchant Guild... and all other liberties, privileges and free customs belonging to that Guild in as ample manner and form as be Fore they have had accustomed or ought to have.”

The rights granted in this charter still apply to many of the customs of Berwick such as the market and the privileges enjoyed by the Freemen.



King James VI of Scotland became James I of England on the death of Queen Elizabeth in 1603.



The Mayor, Mrs Adams with the Sheriff to her right, takes part in the 1956 Walking of the May Fair, one of the first duties of the newly elected Mayor.. The 1604 charter defined the Mayor as being Clerk of the Market. This event marks the Mayor’s ceremonial inspection of the market.



Plaque in Holy Trinity Church, Berwick dedicated to the life and work of Colonel George Fenwick. The church was rebuilt through Fenwick’s efforts. Fenwick became Governor of Berwick in 1649 and between 1654–60, served as its MP.



Guild and Governors

The Governace of Berwick



Who's The Governor?

For England

1174: Gaufridus de Nevile

For Scotland

1295–1296: Sir William Douglas

Presided over Berwick when it was sacked by Edward I in 1296

1328–1333: Sir Alexander de Seton, Lord of Seton & Winchburgh

1333: Sir William Keith

Keith claimed seniority to Seton when he led a small relief force into Berwick during the English siege of 1333.

For England

1440–?: Henry Percy, 2nd Earl of Northumberland

For Scotland

1461: Sir Robert Lauder

1474: David Lindsay, Earl of Crawford

1478: Sir Robert Lauder (again)

1482: Patrick Hepburn, 1st Lord Hailes

For England

1484–?: Henry Percy, 3rd Earl of Northumberland
(Henry VIII) Sir Thomas Clifford

1539: William Eure, 1st Baron Eure

(Mary I) John Conyers, 3rd Baron Conyers

1559–1562: William Gray, 13th Lord Gray of Wilton

Presided over the early building of the Elizabethan Walls.

1563–1568: Francis Russell, 2nd Earl of Bed Ford

An effective governor and Warden of the East Marches of Scotland who negotiated between Queen Elizabeth I and Mary, Queen of Scots.

1568–1596: Henry Carey, 1st Baron Hunsdon

Carey was a cousin of Queen Elizabeth and served as an MP for Buckingham. He was knighted in 1558. In 1564 he was made Captain of The Gentlemen Pensioners, effectively Elizabeth's personal bodyguard. He was made Governor of Berwick in 1568 and in 1569 was instrumental in quelling the Rising of the North, a rebellion of Northern Catholic earls. for this he was appointed Warden of the East March.

1596–1598: Sir John Carey, 3rd Baron Hunsdon

Served in a supposedly temporary capacity after his father died until the appointment of Lord Willoughby. Became Governor in his own right on Willoughby's death.

1598–1601: Peregrine Bertie, 13th Baron Willoughby de Eresby

Willoughby served in the Netherlands gaining a reputation for bravery. He was a popular Governor of Berwick but was criticised from some quarters for appointing friends to posts unsuited to them. He also disobeyed an order to dismantle Berwick Castle and building himself a "pleasure house" there instead. He was the last Governor of the garrison before the Union of the Crowns brought peace between England and Scotland.

1601–1603: Sir John Carey, 3rd Baron Hunsdon (again)

For Great Britain

c.1610: Sir James Dundas of Arniston

1639–?: Robert Bertie, 1st Earl of Lindsey

The son of Peregrine Bertie, Lord Willoughby, he served the King during the Civil War before his death at Edge Hill in 1642.

1649–?: Colonel George Fenwick

Born in 1603, George Fenwick spent three years in New England and was Governor for Saybrook, Connecticut before returning to England. He became MP for Morpeth in the Long Parliament, and he fought with the rank of colonel for Cromwell's Roundheads during the Civil War.

In 1649 was appointed governor of Berwick after its surrender to the Parliamentary forces. He is best remembered for promoting the construction of Holy Trinity Parish Church.

1660–1675: William Widdrington, 2nd Baron Widdrington

1675–1686: Henry Cavendish, 2nd Duke of Newcastle-upon-Tyne

1686–1688: William Widdrington, 3rd Baron Widdrington

1689–1690: Philip Babington

1691–1699: Richard Leveson

1702–1711: Edmund Maine

1713–1715: Sir Henry Belasyse

1715–1718: Sir Charles Wills

1718–1719: George MacCartney

1719–1732: Joseph Sabine

1732–1733: George Wade

Wade is remembered for his programme of building military roads and forts in the aftermath of the 1715 Jacobite Rising.

1733–?: Richard Russell

1735–1740: Philip Honeywood

1740–1741: Thomas Whetham

1742: James Tyrrell

1742–1753: Thomas Howard

1753–1765: John Guise

1765–1778: Robert Monckton

Monckton had a distinguished military and political career. He is perhaps best remembered for being second in command at Quebec during the Seven Years War.

1778: Sir John Clavering

Bizarrely, he had died in Calcutta (now Kolkata), India, the year before he is recorded as Governor of Berwick.

1778–1780: Sir John Mordaunt

1780–1795: Hon. John Vaughan

1795–1808: Hon. William Howe, later Viscount Howe

Howe saw extensive service in the War of the Austrian Succession and Seven Years' War. He rose to become Commander-in-Chief of British forces during the American War of Independence, winning a hard fought victory at Bunker Hill.

1808–1833: Banastre Tarleton

Born into a merchant family in Liverpool, Tarleton rose to prominence serving under Lord Cornwallis in the War of American Independence. He gained a notorious reputation for brutality during the conflict though much of it was Colonialist propaganda. He became MP for Liverpool in 1790 and supported the continuation of slavery as it profited his constituency and in particular, his family. For his support of the Government he was rewarded with the Governorship of Berwick in 1808, a post he held until his death in 1833. He was the second-last Governor.

1833–1850: Sir James Bathurst

The last Governor of Berwick.



Sir Charles Wills



George Wade



Robert Monckton



Sir William Howe



Banastre Tarleton



Portrait, possibly of William Gray.



Henry Carey



Peregrine Bertie, Lord Willoughby



Guild and Governors

The Governance of Berwick



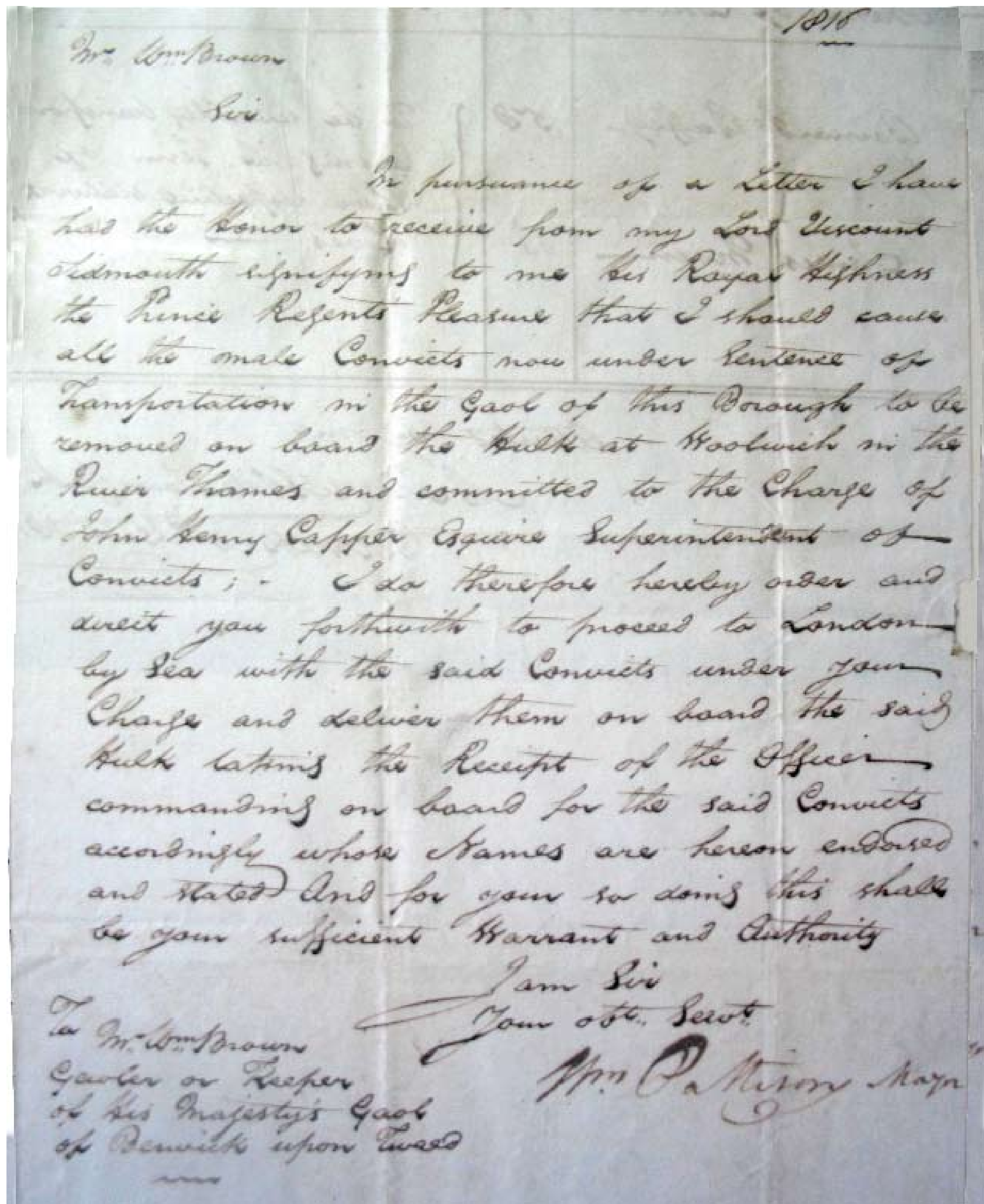
The 1835 Corporations Act

After the Guild resumed the governance of Berwick in 1604, the freemen elected a Mayor, four Bailiffs and a number of other officers at Michaelmas each year. . The Mayor and all ex-Mayors, together with the Recorder, were Justices of the Peace with powers equal to those of the King's Judges.

The Guild met frequently to discuss matters and give the Mayor and the Bailiffs instructions upon which to act. This "government by public meeting" meant the status of Freeman was of great value. The holder had the right to attend Guild meetings and thus participate in the government of the Borough, to vote in parliamentary elections (the town returned two members until 1885), to exemption from certain taxes, to exclusive privileges in carrying on his trade, to use or benefit from his share of the common lands and even to privileges if in gaol.

The Guild continued to govern the town until the Reform Act of 1835 which created an elected council for Berwick, Tweedmouth and Spittal. The Guild continued to represent the Freemen but the management of their Estate was in the hands of the new elected Council. A Committee was elected to represent the Freemen's interests.

After the First World War the functions of local government expanded. Berwick Borough Council attempted to finance its broader remit using the income from the Freemen's Estate. The terms of the 1843 Act forbade the sale of parts of the Estate and were proving a serious obstacle to the development of the Borough. The Guild offered to apply for special powers to obtain rights of sale or lease, but this was ruled out after a public enquiry. After protracted negotiation, an Act was passed in 1926 which created a Trust to run the Estate. The Act also provided for a Freeman's Committee to be elected annually. It is this under this Act and the Arbitrations of 1933-34 that the Freemen's Guild now operates.



Letter dated 1816 from William Pattison, Mayor to William Brown, the Gaolor at Berwick Town Hall, confirming a sentence of transportation on certain prisoners in his keep. This judicial power persisted until the 1835 Corporations Act.



The Corporation arms adorn the town walls by the cattle market, now Castlegate car park. Because it was classed as the "County and Town of Berwick-upon-Tweed", Berwick Corporation ran all the services of any council, including police and fire services until the local government reforms of 1974.



Guild and Governors

The Governance of Berwick



Admission to the Guild

From the earliest times Burgesses and Freemen had assembled in their Head Guild (their annual general meeting), and decided who should be admitted to the Guild and to the Freedom. Freemen were admitted by birth, servitude, grant or (until 1835) by purchase from the Guild.

Every first son born after their father's admission was entitled to be made free on attaining the age of 21 but the middle ages saw such a high death rate due to plague, fire and war that in 1513 the Guild agreed "all sons of Freemen, except the eldest, shall be made free, paying to the Chamberlain or treasurer 6s sterling and all other duties according to use or custom". In other words, second and subsequent sons could to buy the Freedom for 6 shillings (thirty pence). This was later modified a number of times.

In 1652 it was agreed that while those sons were ineligible to be made free by right of patrimony, they could be apprenticed by nominal servitude to their father or to their widowed mother if she carried on her husband's business. No payment was required, and nor did the son need to be resident in the Borough, but he had to be between the ages of 16 and 19. The use of this form of entry was extended to apprenticeships to their grandfather if he was a Freeman (1741) or their uncle if he was a Freeman (1748). The Guild recognised that those who had served their apprenticeship were skilled and worthy to take up the Freedom. The right to the Freedom was cherished in families. It was natural for fathers to pass on skills, tools and customers to their sons.

Eventually these nominal apprenticeships were replaced in 1783 to allow all sons to take up the right of the Freedom if they were born after their father's admission, with a final change in 1923 to admit sons born before their father's admission. Interestingly, the original right of entry to the Freedom by apprenticeship still applies.

However, the continuity to the Freedom by birth was often lost in a family. Until the Municipal Corporations Act of 1835, admission through purchase was used to incorporate new traders into the Guild. The new Freemen came from many countries. Names such as Burgon and Fleming showing their place of origin, are still on the Roll. By these means the heads of most business families of the town became Freemen. Freedoms could be gifted often to the Governor or Members of Parliament. Other prominent people conferred the Freedom include The Duke of Cumberland and Lord Nelson.

After 1835 this right to confer the Freedom was withdrawn from the Guild and the new Borough Council was given the right to confer Honorary Freedoms. These Honorary Freemen did not have any of the rights and privileges of Freemen. In

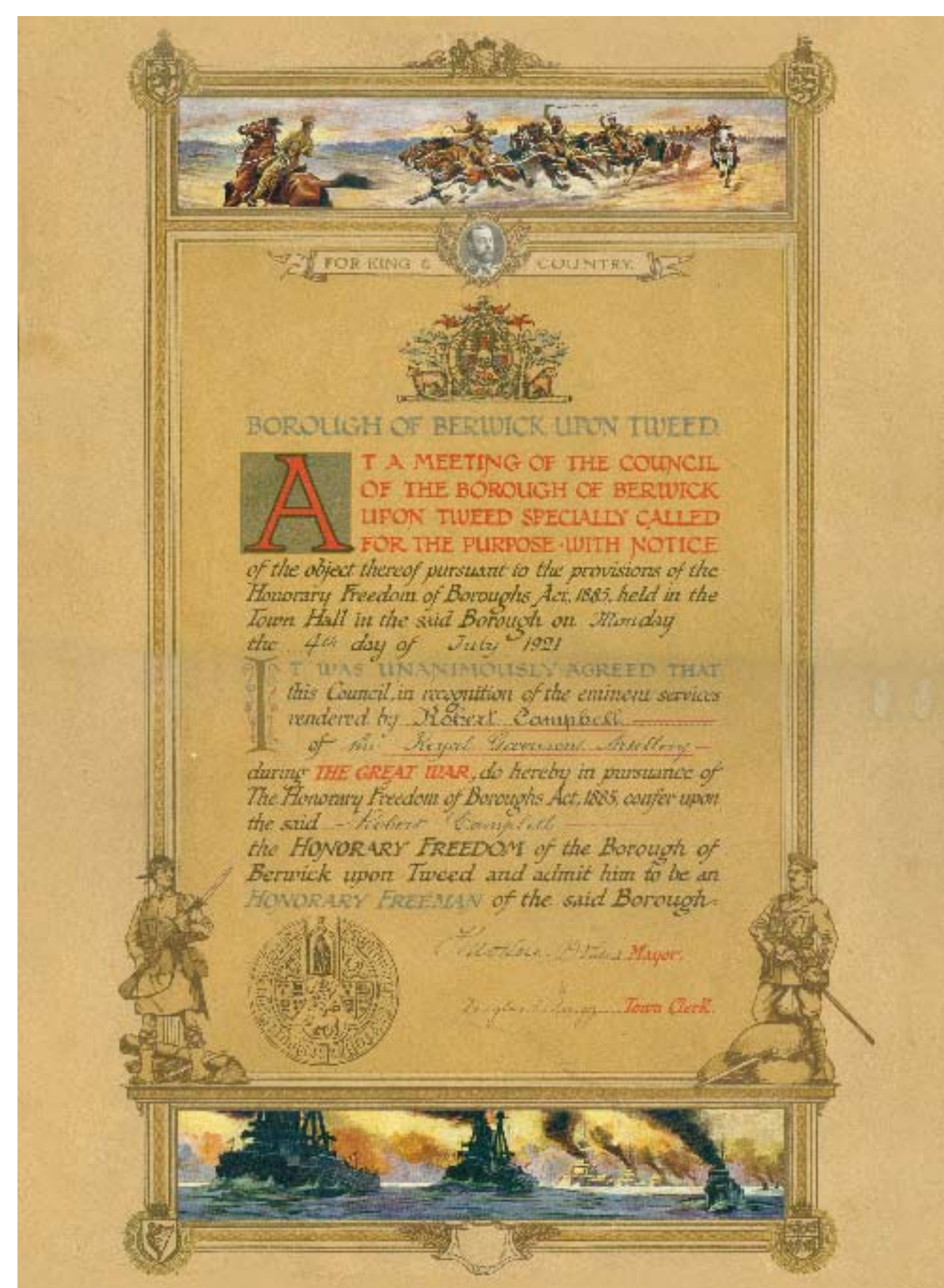
1921, the Council conferred Honorary Freeman status on all men returning from action after the Great War.

In exceptional cases Freemen could be expelled from the Guild. Theft was an automatic case for expulsion or a bar to entry. Some Freemen were suspended or even expelled for lack of respect to the Mayor.

Widows had always assumed the seniority of their husband (if the first wife) and were entitled to Meadow Money (see later panel) and voting rights upon their husband's death. In 2009, the Guild allowed daughters the same rights as sons with regard to the Freedom. It now allows inheritance through the female as well as male line.



The Civil Party (the Mayor, Cllr. Isabel Hunter and Sheriff, Michael Richardson) pose for a photograph on the Town Hall steps with newly admitted Freemen.



After 1835 the right to confer the Freedom was withdrawn from the Guild but the new Borough Council was able to confer Honorary Freedoms, though no rights were attached to this. In 1921, the Council conferred Honorary Freeman status on all men returning from action after the Great War.



Guild and Governors

The Governance of Berwick

Bounding About



The original Bounds of Berwick were defined in a Charter of Robert Bruce, as being that land on the peninsula between the River Tweed and the sea to the south of a line from the Castle along the Bardyke (assumed to be Spades Mire) to the "Elstanburg" (old stone fort). The present Bounds were defined in a truce of 1438 as including all the land between the river and the line of the present border. It is probable that these bounds were patrolled by the garrison from that date. In 1542, it was decreed that the Bounds were to be perambulated so often as to keep them well known.



Riding of the Bounds

The riders gallop on the Haugh. Horse races and games are still held here or at nearby Gainslaw Hill farm.



Spades Mire.

This maybe the Bardyke which once marked the northern edge of the Bounds of Berwick. In the distance is a small rise to the right of the white building which may be the "Elstanburg".

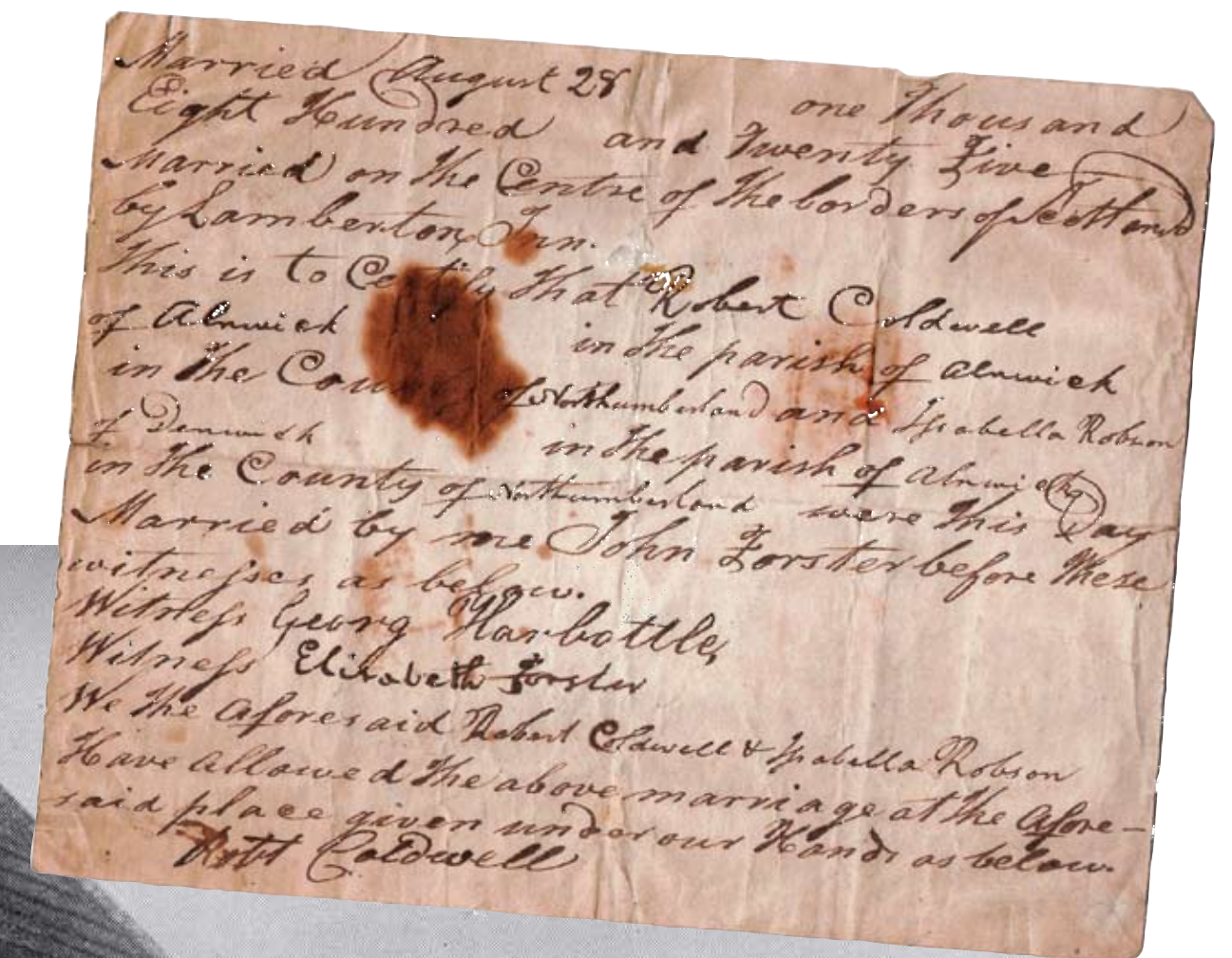
In 1605 the burgesses set up stones and dug ditches to mark the bounds of their property and in 1609 they rode the Bounds for the first time. At first this was twice a year, later once a year on 1st May. The Mayor was allowed to spend £20 on a feast at Michaelmas. In 1661 and 1667 this fell upon a Sunday and the Guild authorised that the money be spent upon a dinner following the Riding of the Bounds. The event became a festival with the town bells rung and cannons fired. The Mayor provided ribbons for the horses and the Town waits, the civic musicians, welcomed the Mayor and other dignitaries back on their return to the Scotsgate.

Traditionally, horse races followed the ceremony. This was believed to commemorate the crossing of the Border by Margaret Tudor to marry James IV in 1503, when it is stated that when she crossed the Border, "leaping, wrestling and

cudgel racing took place". Except for the period from 1726 to 1729, when it was cancelled due to lack of funds, the ceremony has continued.

There are three road crossing points on the border with Scotland. At each of these there were tolls where fees were collected. Due to the difference in law between England and Scotland, they were also famous for marriage ceremonies. Lamberton Toll north of Berwick was at one time more popular than Gretna Green, and as late as 1844 there were 150 marriages in the year.

The toll houses were also depots for smugglers, whisky being the most favoured commodity.



Wedding party at Lamberton Toll and above, a Wedding Certificate issued by John Forster in 1825 to a couple from Alnwick.



Guild and Governors

The Governance of Berwick



The Freemen's Estate

Since 1235, the Alexander II Charter had confirmed the rights of Berwick Freemen to the commons and pastures of the town—the Liberties of Berwick. They had hereditary rights of usage, although under the feudal system the ownership of the land was vested in the monarch.

When, in 1603, the Guild petitioned for a new Charter returning the government of the town to the Guild, they also petitioned for the land rights of the Royal Manor between the Tweed and the border. About two thirds of these lands were granted to the Freemen—some 3,280 acres—for their use, with the remaining one third being granted to Sir George Hume, the Earl of Dunbar. In 1657 the Guild purchased the Manor of Tweedmouth and Spittal for £570.

By the beginning of the 19th century the majority of the land had been enclosed and some was let as farms. It was divided into three portions. The Treasurer's Farms, Meadows, and Stints. The Municipal Corporations Act of 1835 replaced the Guild with an elected Council to run the town's affairs and the Freeman's Estate. A growing anti-Freeman Association now had powers within the Council to divert more payments from the Freemen to the town. The rights of Freemen to the benefits from the land outside the "Treasurer's Farms" land were supposed to be maintained, but problems arose in the division of money from rents. The Berwick-upon-Tweed Corporation (Freemen) Act was passed in 1843 ratify the rights of the Freemen, redefining the land into four Schedules. Despite the 1843 Act there were still problems and a new Act was passed in 1926 to create the Berwick-upon-Tweed Corporation (Freemen) Trustees. The Trustees are five Freemen elected by the Freemen and five non-Freemen appointed by the Council.

Schedule 1 Meadows

This land was divided into parcels varying in size which were distributed at an annual Meadow Guild meeting between Freemen and Freemen's widows on the basis of seniority and held for their own benefit.

Schedule 2 Stints

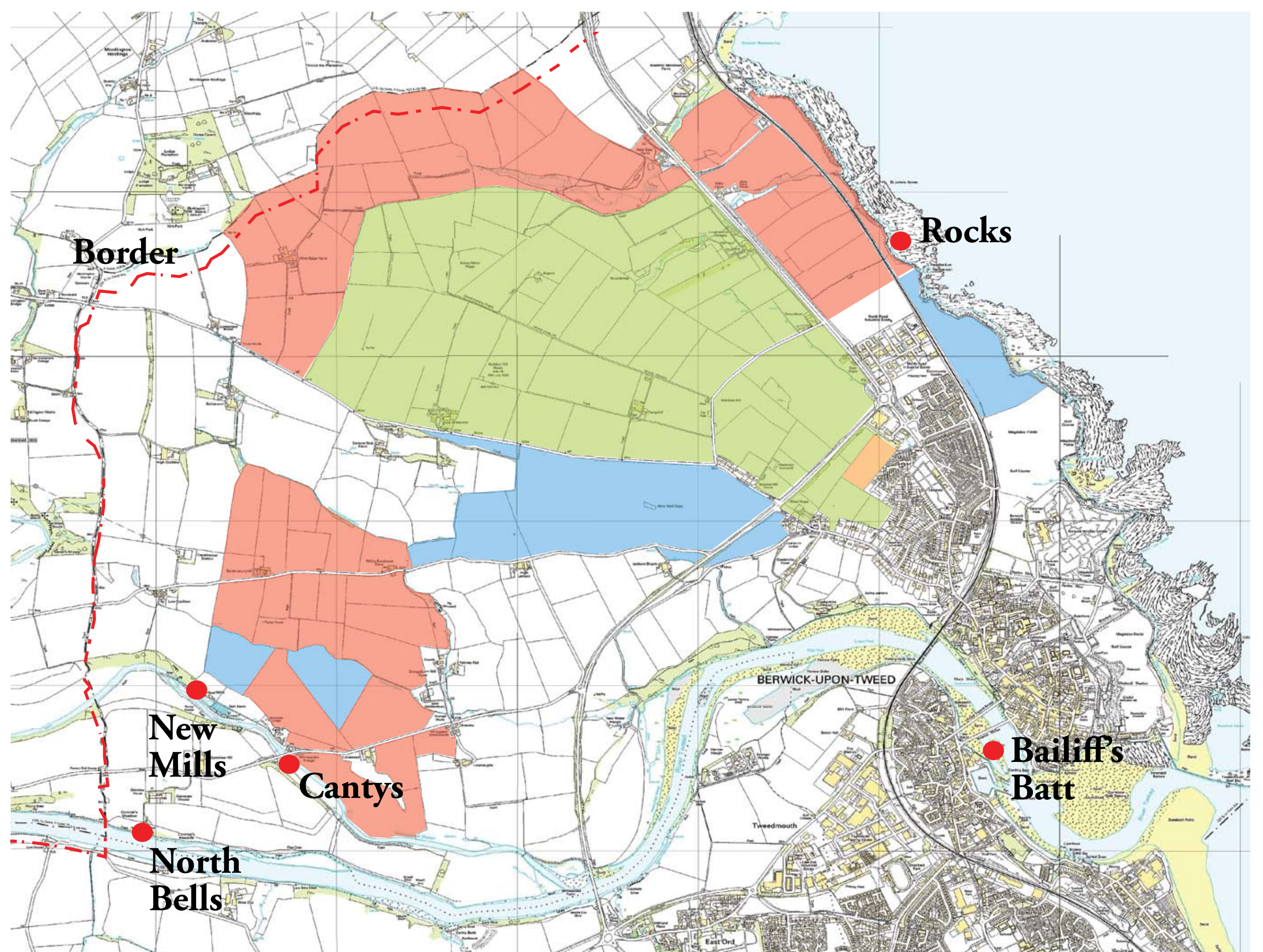
Open fields up to 1761 to which each Freeman was allowed certain rights of pasture. In time they were enclosed and let as farms. The rent from each farm was divided into "Stints in lieu of Meadows" and at the annual Stint Guild, a portion was allocated to the Freemen and Freemen's widow according to seniority as with the Meadows.

Schedule 3

33 parcels of land totalling 823 acres that, prior to 1835, had been part of the Meadows. Money from the rents in this Schedule was to supplement that from Schedule 4 should the need arise. Otherwise, it was distributed to Freemen.

Schedule 4 The Treasurers Farms

This consisted of farms which were enclosed in 1685 and were let out. This income, along with that from tolls, fishing rights and other assets in town, was used to pay Officers of the Guild and finance the running of the town.



The Liberties of Berwick

The Liberties of Berwick are basically that land between the river and the border.

The revenue from the Treasurer's Farms alone was rarely adequate for the upkeep of the town. Other sources of revenue were tolls and taxes on goods being imported and exported. While the Guild had always controlled salmon fishing—only a Freeman could practise it—from the 17th century, they created five new fisheries at New Mills and Cantys on the Whiteadder, North Bells and Bailiff's Batt on the Tweed and Rocks on the coast, though these were not particularly good spots. The seven small quarries at New Mills and the mill itself were also streams of revenue for the Guild.



Guild and Governors

The Governance of Berwick



Meadow Money

The income from Schedule 1 (Meadows) and Schedule 2 (Stints in Lieu of Meadows) of the Estate is distributed to the Resident Freemen and widows of freemen in unequal shares according to seniority. There are 333 meadows and 163 stints in lieu of meadows, a total of 496. The total income is divided into the same number of parts, with different values according to the table below.

The calculations are complicated (see table, right) but for example, the 75th person on the Resident Roll receives 31.25p from every £100 total income from the two schedules. If the number of persons on the Resident Roll is less than 496, the cycle of distribution is started again after the last person on the Roll has received his or her share. Thus, for example, if there are only 300 names on the Resident roll, the 301st share, worth 18.75p per £100 total, is given to the first person on the Roll, the 302nd share to the second person, and so on until all the shares have been distributed. Today this equates to about £500–£600 for middle ranking Freemen.

Meadow Money is distributed by the Trustees, and delivered by hand to each recipient by the Trustees' Messenger, thus ensuring that it is received by the correct person and that he or she is still

alive and resident in the borough. The Trustees' Messenger is a Freeman who also acts as the Freemen's Messenger, distributing newsletters to Resident Freemen and daughters of Freemen. An additional allowance is paid to the senior Resident male Freeman, commonly known as the Oldest Freeman, who also holds a gold headed walking stick for the duration of his seniority.

	Percentage of total income per group (%)	Number of Meadows per group	Percentage of total income per Meadow	Recipient in order of seniority on resident roll
1	0.6875	1	0.6875	1
2	2.5	4	0.625	2–5
3	2.5	5	0.5	6–10
4	3.0625	7	0.4375	11–17
5	6.375	17	0.375	18–34
6	19.0625	61	0.3125	35–95
7	22.75	91	0.25	96–186
8	26.0625	139	0.1875	187–325
9	12.625	101	0.125	326–426
10	4.375	70	0.0625	427–496
Total	100	496		



Above: Aerial view of the Liberties of Berwick.

(courtesy Northumberland Aerial Views)

Right: William Paxton Unthank, Oldest Freeman in the 1960s.



Guild and Governors

The Governance of Berwick



MPs in Berwick: Early Days

Berwick has changed nationality 13 times and is possibly the only town to have been represented in both the English and Scottish Parliaments. Few records of its Scottish parliamentary history survive but the Burgh of Berwick was represented in Robert the Bruce's Parliament in 1326. The English retook the town in 1333 and it was left unrepresented in either Parliament until between 1471 and 1479, when it was in Scottish hands for the last time and sent representatives to the Parliament in Edinburgh.

Berwick was first represented in the Parliament at Westminster, during Henry VIII's reign. Neither the constituency nor the House of Commons bore much resemblance to what they are today. Then, "Berwick" borough meant only the town on the north side of the river and the land up to the Scottish border, not the 892 square miles stretching down the Northumberland coast to Lynemouth near Ashington.

Because of the number of times it had changed nationality, Berwick was a constitutional oddity and was not fully legally incorporated into England until 1836. As such Berwick and (briefly) Calais were the only non-English places to be represented in the English Parliament. It was probably first enfranchised as an English borough between 1491 and 1512, but no names of representatives survive from that period. The earliest MPs we know of are John Martin and John Cooper, in the English Parliament of 1529.

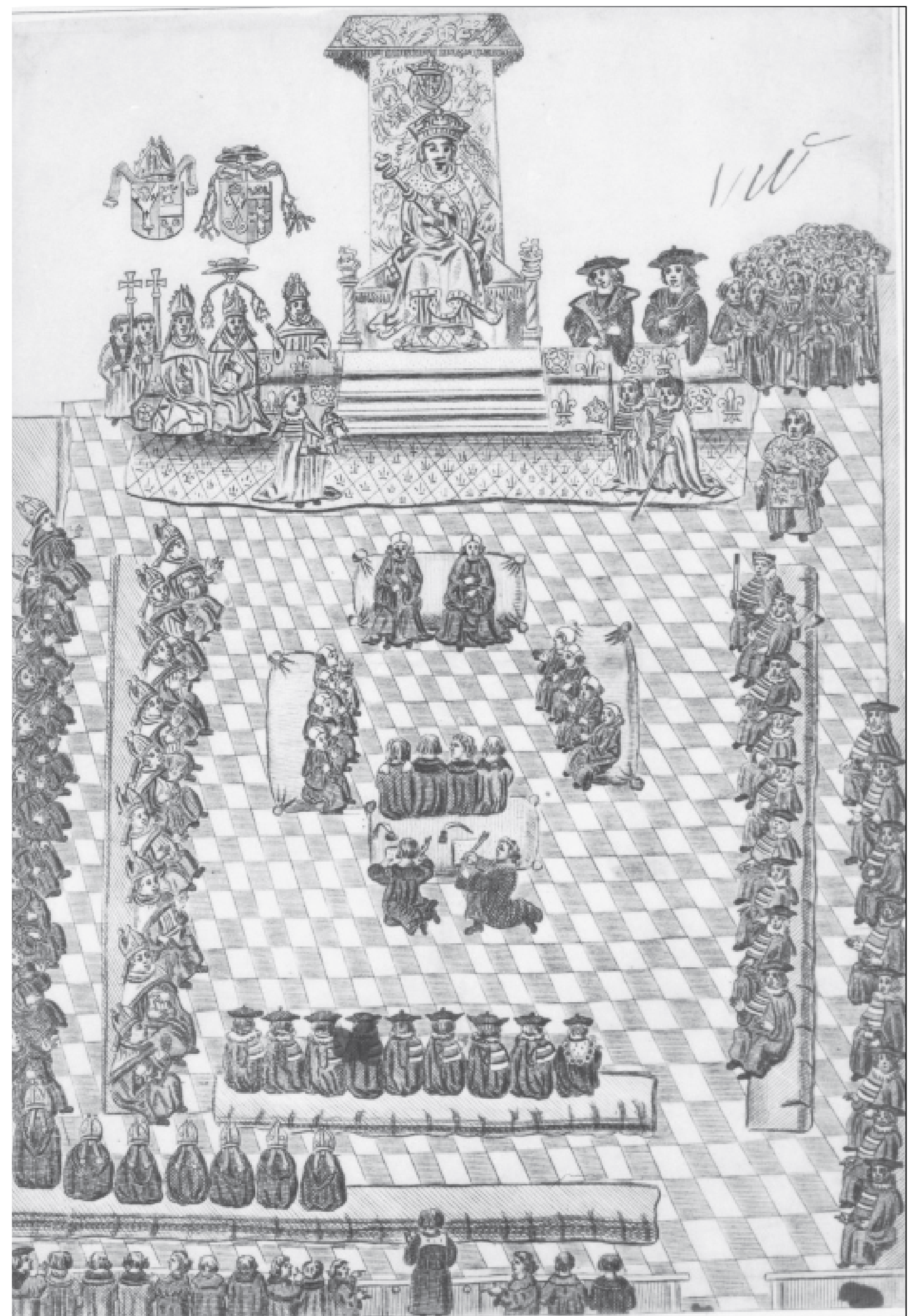
Parliament then was vastly different from today. There were no political parties and no Prime Minister. The business of the early Parliament was twofold: to approve the Crown's tax proposals and for members to serve the interests of their electorate in the spheres of trade and employment. Sessions were much less frequent, with only 10 Parliaments in the whole of Elizabeth I's reign of 44 years, being an MP was hardly a career choice. Although the Guild paid an allowance to cover some expenses, the MP had to have a separate means of financial support.

Berwick was represented by two MPs but, until the Reform Act of 1832, these were chosen only by the members of the Guild of Freemen, who fluctuated in number. In the 16th century the electorate was less than 70; it grew to 200 during the English Civil War and by the end of the 17th century it was about 260 strong.

Although the Freemen, whether or not resident in Berwick, had the last word in the selection of MPs, they were subject to pressure from various local interest groups, notably the Governor and officers of the garrison, influential families such as the Greys, Widdringtons and Rushworths and members of both the Anglican and Presbyterian clergy.

Elections were rarely contested; there is no record of any in Berwick during the whole of the 16th century. The selection of candidates usually produced an acceptable balance of interests, often one military and one civil representative.

After the Union of Crowns in 1603 which put an end to Border warfare, and the new Charter of 1604 which effectively gave the Freemen complete control of the economic life of the town, Berwick grew in both prosperity and population.



State opening of parliament by Henry VIII.



Guild and Governors

The Governance of Berwick



Rotten Boroughs

The term “Rotten Borough” was used to describe those places with a very small electorate over whom a wealthy patron could exercise undue influence. Such was the case in Berwick. The elections themselves took place in the Guildhall and the Freemen were polled in order of seniority, beginning with the Mayor and aldermen. The choices of each elector were made openly and were recorded by the candidates’ agents as well as by the official returning officer.

After the English Civil War, the increased influence and power of Parliament meant more competition for election. By the late 18th century, national political parties evolved in the shape of the Whigs and Tories, and this development was reflected in Berwick as factions developed amongst the leading Freemen. The leaders of these factions were often motivated by the desire to be appointed to government posts that offered a steady income. This led to the tactic of the losing candidate petitioning to overturn the result, a tactic seen increasingly in Berwick elections.

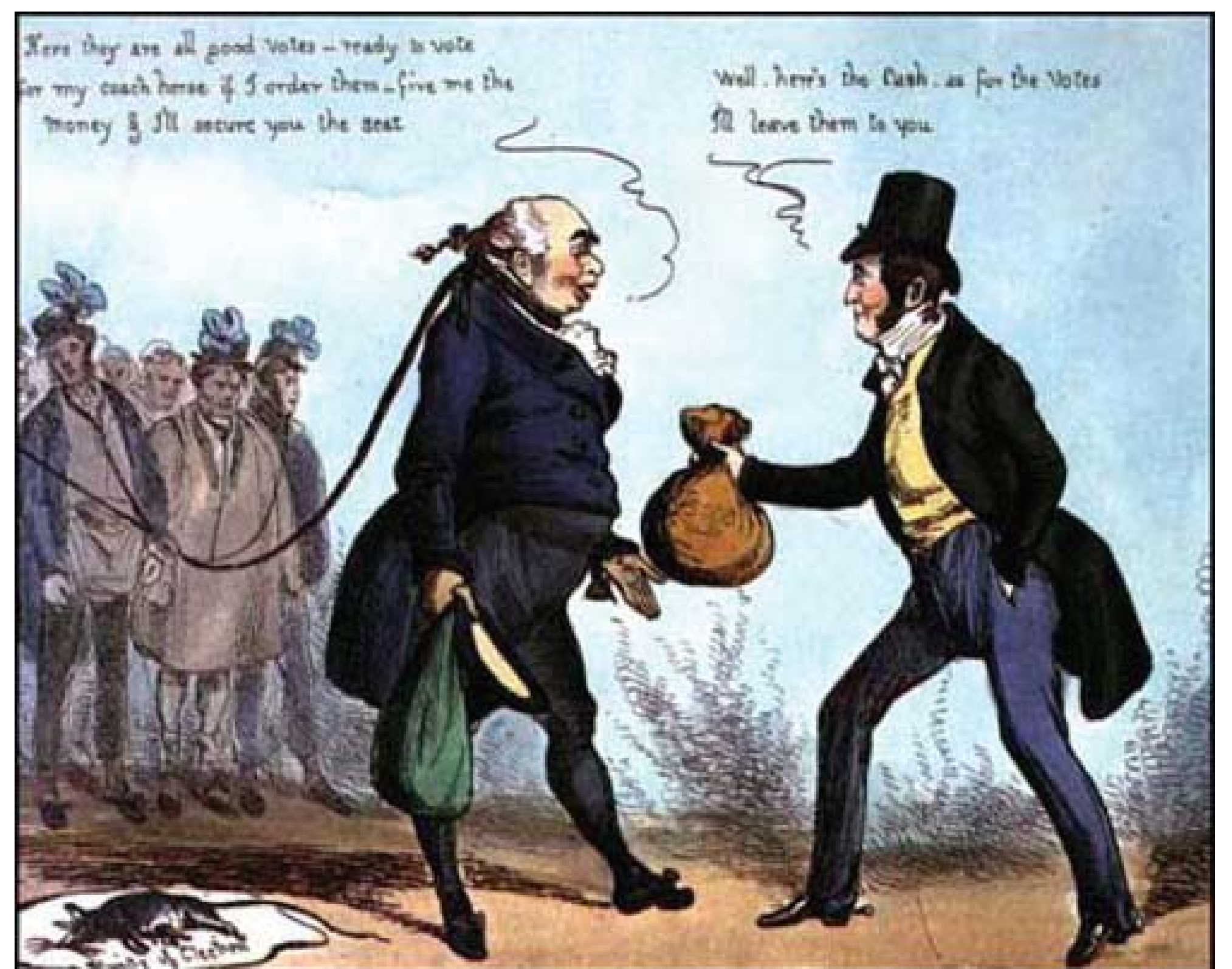
Most voters expected a monetary reward for the promise of their support, known as “treating”. This was regarded not so much as bribery but as an exchange of favours between those concerned. Once their promises had been made, Berwick voters had the reputation of sticking to their word! To become an MP in Berwick in a contested election cost a lot of money and so the factions therefore needed to have links to wealthy candidates and backers. The by-election of 1786 cost John Delaval over £6,000.

Manipulation of the roll of Freemen was regularly practised and as the years went by, the number of Freemen increased: by 1750 it was nearly 700 and by 1800 about 950. The town was unable to sustain all the Freemen economically and migration, especially to London, was common. By 1800 only just over half the Freemen were resident. If a close-fought election was in prospect then the intentions of the voting Freemen who lived away from Berwick became important. In London, potential electors were entertained and their transport “subsidised”. A story was told by John Wilkes that the captain of his ship carrying supporters was bribed by John Delaval to go to Norway instead of Berwick. (The ship had in fact been forced by storms to land the voters in Scotland.)

Berwick had acquired a reputation for its electoral corruption, “almost as famous for its elections, as for its smacks and its salmon.” Parliamentary reform was long overdue on these grounds and on many others. Despite the Great Reform Bill of 1832, in the closely fought by-election of August 1859, the dispute resulted in a Royal Commission “to inquire into the corrupt practices at Berwick-upon-Tweed.”

In 1857, the Tory candidate Charles Gordon had been defeated by one of the sitting Liberal MPs, Dudley Majoribanks, by only two votes. Rather than file a petition against the result, he gave £2 to each of his supporters and donated £2,000 of the £2,500 needed to build St Mary’s church on Castlegate. After two fractious elections in 1859 in which Gordon won, the Commission was set up and found that both sides had been guilty of bribery. The difference was that Majoribanks had not known about it whereas Gordon had. Majoribanks regained his seat in 1860 and served for three terms. Gordon served as MP until his death at 45 years old in 1863.

The Representation of the People Act, 1867, extended the franchise to rate-paying householders and the Redistribution Act of 1885 changed the old constituency. The last two sitting members of the old borough constituency were Captain David Milne Home and Hubert E H Jerningham. The Berwick constituency expanded to take in Alnwick, Belford, Glendale and Rothbury but the number of members returned dropped to one. The enlarged size of the constituency and the extension of the franchise to agricultural householders produced a considerable increase in the total electorate, which rose to 9691.



“How To Get Made an MP” by William Heath, 1830.

Agent: Here they are all good votes—ready to vote for my coach horse if I order them. Find me the money & I'll secure you the seat.”

Candidate: Well, here's the cash, as for the votes I'll leave them to you.”



Guild and Governors

The Governance of Berwick



Notable 20th century MPs

Sir Hubert E H Jerningham (1842–1914)

Sir Hubert E H Jerningham was from Gloucestershire and educated in France, an excellent grounding for his career as a diplomat throughout Europe. One of the last two members of the old borough constituency (with Captain David Milne Home, for the Conservatives) Hubert E H Jerningham (1842–1914) was returned as the Liberal candidate at the by-election of 1881 shortly after retiring. He was a well-respected MP until the boundary changes brought about by the Redistribution Act of 1885.



Sir Hubert E H Jerningham

In 1874, he married Annie Liddell and set about building Longridge Towers. He took a close interest in local history and wrote a History of Norham Castle. Among other published works, he re-edited The Siege of Berwick—A Tragedy a play about the 1333 siege produced at Covent Garden in 1793. After Berwick, he became Colonial Secretary for Honduras followed by jobs in Mauritius and a final appointment at Trinidad and Tobago until 1900. His wife, Annie, died in 1903 and in tribute to her memory he erected a statue in 1908 on Bankhill.

Sir Edward Grey (1862–1933)

When the 23-year-old Sir Edward won the seat it was the end of an era for political Northumberland. Many landowners did not take the sudden loss of influence well and on some estates, cottagers suspected of having used their newly acquired votes in favour of Sir Edward were promptly evicted.



Sir Edward Grey

Long before his retirement from public life in 1916, Sir Edward Grey had secured the distinction of being the most celebrated and able representative in Parliament for Berwick. Sir Edward's biographer, G M Trevelyan, summed up the his electorate's lasting affection: "the feeling for him in the Berwick Division... was personal as well as political, and increased year by year." He spent eleven years at the Foreign Office. On the eve of the Great War, in early August 1914, Sir Edward famously predicted, "The lamps are going out all over Europe; we shall not see them lit again in our lifetime." He resigned from the Foreign Office in 1916, largely because of failing eyesight but remained active in Liberal politics.

Mabel Philipson (1887–1951)

Mabel Russell was born in 1887. She was a leading musical comedy actress when, in 1917, she married Capt. Hilton Philipson.



Mabel Philipson

In 1922 her husband was elected as MP for Berwick but was unseated on petition and a by-election was called in June 1923. Mrs. Philipson was chosen as the Conservative candidate to replace him and became the third woman MP at Westminster. Mabel Philipson won a spectacular victory and was given a great welcome when she returned to Berwick after the result declaration. She was reelected in December 1923 and October 1924 and stood down in 1929. Her Private Member's Bill for the Registration of Nursing Homes in 1927. She proved to be a conscientious and popular member bringing glamour and excitement to the Berwick political scene. At the time a newspaper stated "Mrs. Philipson's attractive personality appealed to all classes".

William H Beveridge (1879–1963)

William Beveridge was a British economist and social reformer best known for his 1942 report Social Insurance and Allied Services (known as the Beveridge Report) which served as the basis for the post-World War II welfare state put in place by the 1945 Labour government.



William Beveridge

As a civil servant, in 1908 he worked under Winston Churchill at the Board of Trade where he implemented a national system of labour exchanges. In 1919 he became Director of the London School of Economics and in 1937, Master of University College, Oxford.

During World War II Beveridge created his Report which outlined the concept of workers paying National Insurance in return for assistance to the sick and unemployed. In 1944 he was elected as a Liberal MP in a by-election following the death of George Charles Grey (cousin of Sir Edward Grey) at the Normandy landings. His parliamentary career was short-lived losing the seat in the 1945 general election, probably due to a combination of his personality, absence from his seat as he had been co-ordinating the national campaign. He was replaced by a serving army officer, Robert Thorpe.



Guild and Governors

The Governance of Berwick



The Town Hall

There has been a Town Hall, or tolbooth as it used to be called, at the lower end of Marygate since the earliest days of Berwick's history.

Amongst the rights of a royal burgh was the license to hold a market run by the Freemen. Originally, this may have been marked by a "Merket Cross". In 1364, King David II ordered that all burghs should have a tron, an early form of official weights and measures control. Thus, early civic law and tolbooths were associated with markets and naturally developed into centres for the general governance of the town.

The Guild of Freemen of Berwick are known to have existed since the early 13th century. When the first tolbooth was first built is unknown but Berwick's is the earliest recorded in any Scottish Burgh, when the proposed sale of a Berwick property to Bishop Archibald of Moray (1253–98) was proclaimed "*in tolbotha*". This early tolbooth must have been a substantial building as in 1284 there is a record of a burgh bell being used to convene meetings of the Guild. This infers there must have been a bell tower. The tolbooth may have existed even earlier as, during the reign of Alexander II (1198–1249) the Mayor and burgesses bought a prison for the burgh. It is possible this was located within the tolbooth; it is a function fulfilled by many tolbooths in Scotland and later, the Town Hall housed a gaol until 1849.

John Speed's map of 1610 shows a building labelled "*Tollbooth and State House*" with a tower. Jorvin, writing in 1672 described, "*the town-hall... over which is the clock-tower of the town*".



Detail of 1747 map showing the Town Hall that existed prior to ours.

In 1669 a new tolbooth was built with a steeple housing a clock. This is shown on a 1682 map and again on two early 18th century maps. These show a building divided into two parts. To the west is the tollbooth and to the east is the Exchange, a predecessor of our Buttermarket which had a similar form and function. A double staircase was located to the south side of the tollbooth. This led to

the Guild Hall where the Freemen would meet to discuss the running of Berwick and where the Court sessions were held. The ground floor was occupied by four cells which still exist within the present coffee shop.

In 1749 this tolbooth was in a state of decay, and a committee was formed to build a new "*Tolbooth Steeple and proper Gaol*". The plans submitted by the Freeman, Joseph Dodds approved and in 1750 Dodds was authorised to demolish the old building.

Originally the entrance to the first floor was to be from a double staircase on the south-west side of the building as before. This traditional layout was later abandoned in favour of steps leading to the magnificent portico we see today. Covered areas on the ground floor called piazzas contained shops. This main part of the building was more or less complete by 1754. The Buttermarket section was built later, replacing the previous Exchange and was completed in 1764.

The Guild Hall is on the first floor and originally served the same function as its predecessor. It was the room where the Freemen met and also the Court sessions were heard. Quarter sessions were held here until 1951. Above the Buttermarket was a Day Room and an Assembly Room where dinners and civic functions would take place. These were later subdivided to create the Council Chamber and other rooms including one for the local police.

On the upper floor was gaol. Felons and Debtors were segregated. Opinions of the standards of the gaol were divided. The local vicar, Rev. Thomas Johnson, wrote in 1817, "*there is perhaps no place in the Kingdom where the prisoner is more securely lodged, or his comfort more attended to, than in the Gaol of Berwick.*" A year later, prison reformer Elizabeth Fry was more disapproving:

"Nothing can be more defective than this small prison... The whole prison is so exceedingly insecure, that the criminals cannot be permitted to make use of their day-room except in the presence of the jailer. Thus they are almost constantly confined in their comfortless sleeping-cells. Nor is this provision deemed sufficient; when their cases are bad, THEY ARE CHAINED TO THE WALL. The injustice and barbarity of such a mode of confinement are too conspicuous to require a comment."

The use of the cells ceased when, in 1849, a new gaol was built in Wallace Green.



The Guild meet in the Guild Hall to confer Honorary Freedom of the Borough on volunteers of the Northumberland Fusiliers, 1901.