

ART. XI. – *Lord Wharton's deer park walls.*

By MARK BLACKETT-ORD, M.A.

**B**OTH at Ravenstonedale and at Wharton, two miles south of Kirkby Stephen, there remain unrecognised the high dry-stone walls that enclosed the two parks belonging to the Lords Wharton. The Ravenstonedale Park wall can be precisely dated to 1560, and we can ascribe a C16 date to the Wharton wall also. Few other enclosure walls so early can be dated, and their structure is interesting.

Sir Thomas Wharton, a belligerent Lord Warden of the West Marches, had been created Baron Wharton in 1544 as a reward for his success against the Scots. As a diligent but ruthless upstart, he appears to have been extremely unpopular even with the Northern English. He enlarged his ancestral estate, which had formerly comprised just Wharton and Nateby, by acquiring much land in the North Riding, and by purchasing the large manor of Ravenstonedale which lies to the south west of Wharton. It was former Shap Abbey land, and he bought it from the Archbishop of York for £935. 16s.8d. in 1547.<sup>1</sup>

In 1555 when he was aged about sixty he broke his leg, and turned his attention to improving his family home at Wharton. The buildings acquired roughly their present form by 1559, as is shown by that date inscribed together with his arms on the gatehouse, and the motto

“Pleasur in faits d’armys”.

The following year he began to “impark” some of the Ravenstonedale tenants’ land. In c. 1688 Machell relates the story that Lord Wharton was struck blind before seeing the work finished; he comments, “a very foolish tale”, but notes that the park was never stocked with deer.<sup>2</sup> It is a very roughly circular area within an immense dry-stone wall over three miles long. It is divided north and south by the Scandale Beck, its northern extremity being Smardale Bridge on the Smardale Parish boundary.

We find today the southern line of the Ravenstonedale Park wall running only two hundred yards north of Coldbeck, on the northern outskirts of Ravenstonedale village. Some of it has been demolished to make the Ravenstonedale By-Pass. The early O.S. Maps show its line to the east clearly enough. The present enclosures within it are notably larger than those outside.<sup>3</sup> At NY 727 045, half a mile east-north-east of Ravenstonedale Church, the structure of the wall starts to become interesting, although here it has been reduced to no more than 5 feet in height. It soon turns slightly northward to ascend Ash Fell, clearly visible from the present A685 road to Kirkby Stephen to which it now runs parallel. Here parts of it stand to a remarkable nine feet. At one point two “wall ends” flush in the stonework suggest that there the work of one waller ended and that of another began.

It is a wall of medium-sized or small stones tapering from just over three feet at base to 20-24 inches at a height of nine feet. The top is a flat surface of loose stones. It differs from most later limestone walls not only by its height, but by its lack of any “throughs” or top-stones or stone-courses. But it has an unusual foundation plinth, which lies at



PLATE I. – The Ravenstonedale Park wall gateway at NY 727 058.

ground level or a few inches above it, and is either concealed by the structure or protrudes 6 to 12 inches on one side of it.

Where we meet the Smardale Parish boundary and turn north-westward the best preserved part of the wall is found. For twenty or thirty yards at a stretch it stands to a height double that of the field walls we are accustomed to. Just before it turns slightly northerly once more we pass a blocked gateway, on each side of which the wall rises to nearly nine feet. Perhaps this is the place which the Rev. W. Nicholls describes in *c.* 1876:<sup>4</sup>

“The entrance gate which, at the time the park was made, stood on one of the principal roads – viz., that leading from Tebay to Brough – still has over it two uprights, 9 feet high, crossed on the top by a transverse beam.”

As we follow the wall along the level and slightly downhill, the quality of the park grass contrasts with the heather without. The wall traverses some low limestone crags, much quarried for wall-stone, and passes beside the sandstone stump called Jervis' Cross, which allegedly ante-dates the Park. We are told that Jervis or Jarvis, the flag-bearer when the Parish boundary was once being ridden, died here from excitement or exhaustion and was commemorated by a stone with “a double cross roughly cut out upon it”.<sup>5</sup> It stands here still, but perhaps the cross has been recut. Machell's version of the tale, recorded in 1688/9, is this:

“... a footman called Gerrard who was to run the bounds of Russendale twixt sun and sun and began at the place where the cross stands in parke wall N. from Russendale about a mile from it; and came within the time, but being far spent, he came so near as to throw his staff to the place where he began and there fell down dead: upon which occasion that cross was erected, and is called by the name Gerrards Cross to this very day”.<sup>6</sup>

As the wall descends to the Scandale Beck, at Old Smardale Bridge which is approached by ancient green lanes from both east and west, the wall stands seldom to its old height. Beyond the bridge its appearance is insignificant, where it is closely flanked on its outer side by the sunken trackway for Newbiggin-on-Lune. After a quarter of a mile it is topped, on its inner side only, by some medium-sized stones that rest on one another diagonally, and protrude inwards two or three inches. Evidently when the original wall was robbed of its upper masonry, its broken top was finished thus. We follow what looks little more than a wide, straight field-wall for a quarter-mile south-west, when two right-angle bends close to one another move its line abruptly five yards to the right. Perhaps the boundary between two "lands" in one arable field that the wallers traversed did not align directly with the similar boundary in the next field and a sharp step to one side or the other was necessary. The wall then proceeds straight south-west until it reaches the head of Hag Mire and turns south-east. At the angle, a footpath leaves the Park through a narrow stile comprising a cleft in the wall edged with upright slabs. With imagination you could believe this gap was a large arrow-slit, which doubtless gave rise to the legend reported by Rev. W. Nicholls:<sup>7</sup>

"The Lord of the Manor meant to carry the wall not only down to the bottom of Dog-Bar, where it now goes, but on beside what is now the main turnpike road, but that the owner of that property was what in modern parlance may be called 'an ugly customer', and he vowed that he would shoot anyone who dared to come one inch beyond the bottom of the slope. The man was ploughing at the time, with his bow and arrows fastened to the plough, and the wallers, no-one liking to be first, they turned off at right-angles, and left the man with bow and arrows unmolested. And if you will look carefully when you next pass that way you will see a loophole for arrows left in the wall by the builders, whereby, perhaps, they could harass their surly and determined neighbour."

From this point the wall retains no original features at all, though its old course can be followed to the by-pass and to our starting point.

Copies of documents relating to the appropriation of this Park were available to the Rev. W. Nicholls, who noted that the "customary" tenants of Ravenstonedale were obliged by Lord Wharton to exchange their holdings for inferior ground "newly enclosed" or to share their neighbours' land, and that their only compensation was a proportionate reduction in their rents. It would hardly have been practical for customary tenants, (whose position under the Border system of copyhold called Tenantright was always obscure), to take legal action to protect their rights.

Lord Wharton appointed Commissioners who in October 1560 accepted surrenders from sixty-nine tenants at Ravenstonedale on his behalf, and who kept a record of the land surrendered and of any land granted in exchange.<sup>8</sup> Most tenants surrendered holdings comprising a number of different parts of the old common fields. Some of these were arable: "Wheat-field" and the strips whose plough-lines can still be seen in the Park today. Others were pasture: "Vincent Park", and "New Park alias Ash Fell Park". Some but not all of the tenants were obliged to get stones, lead them, and build part of the park wall. Edward Milner lost the land he possessed in New Park of the years rent of 36 shillings and was obliged to provide materials and labour for 10 roods of park wall, but one of the plots he received in a recompense was, "23 acres new improvement at Whitwall, Borwen Hills, and upon Ash Fell, adjoining to his house", which may have been convenient. But the loss of so much good land to the tenants as a whole was

bitterly resented. The eighteenth century copyist called the Commissioners' Award, "a note of the manner how the said Park was unjustly obtained".<sup>9</sup>

It must be debatable whether the Park was ever intended to be stocked with deer, although Machell and Nicholls assumed so. In Tudor times cattle-grazing land was valuable. At any rate in 1592 the third Lord Wharton was letting the Ravenstonedale "Park and Lord Grounds there" for no less than £100 per annum, at a date when his total income was only £2,107.<sup>10</sup> Furthermore the need for a deer park at Ravenstonedale is questionable since the Whartons enjoyed a deer park around their seat at Wharton, only five miles away. The height of the Ravenstonedale wall has always suggested that its purpose was to keep deer under restraint; but perhaps its true purpose was to preserve cattle from marauders.

A stretch of the Wharton wall just to the south of Nateby was demolished by the Highway Authority recently to make a parking area, which provoked us to make a study of its remains. They are at least as interesting as those at Ravenstonedale. The Wharton Park is an oblong area of about 800 acres, with Wharton Hall roughly at its centre, divided north-and-south by the River Eden. It included the best fields of many of the tenants at Wharton Village, which was moved to outside its perimeter. Thomas Hodgson's map of Westmorland (Lancaster 1828) shows the course of the wall clearly enough (Fig. 1). At its southernmost end it crosses the road from Kirkby Stephen to Mallerstang two

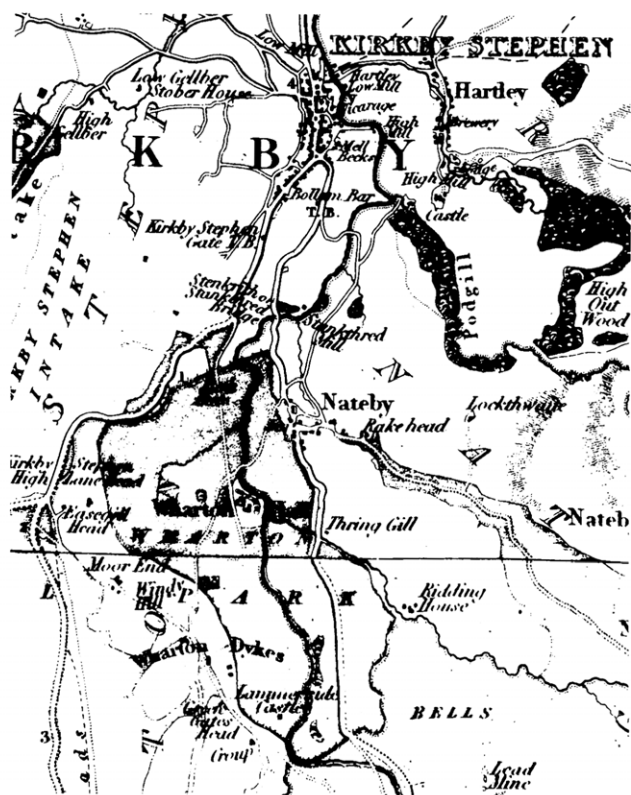


FIG 1. - The Wharton Hall deer park in 1828.

miles south of Nateby at the cattle grid onto the common, NY 776 046. But nothing of the old structure is to be found there. A modern field-wall uses its foundations to climb up the fell side to the east and then the north in an irregular sweep. Only when it descends by Kitchen Gill Sike to recross the Nateby road at Thring Gill is the old wall free from rebuilding, and its ruins stand in one or two places to seven feet high.

Modern walls mark its course until Nateby. Here the houses on the west side of the main street have deep garths. The back of them is guarded by the old wall, now mostly standing to its original height of over seven feet. Where a grass road between the houses is signposted as "Bridlepath to Wharton", a gateway in the wall can still be found; huge pieces of limestone form jambs to an opening wide enough for a cart to pass.

The wall runs north from Nateby for three or four hundred yards before turning abruptly west for a quarter of a mile, to recross the Eden. Along these stretches it is better preserved than anywhere, sometimes preserving its topstones for fifty yards or more. At the Eden, on each side of the stream are massive foundations, presumably to support some sort of fence hung across the river, which is here only the size of a large beck. Then we lose sight of old stonework again, until the wall nears the A685 Kirkby Stephen to Tebay road, to which it runs parallel as it approaches Kirkby Stephen West Station. The motorist will notice its irregularity of height where it rises and sinks from a nondescript four-foot six inches to a full seven-foot, with flat overhanging topstones.

Its structure is quite unlike any usual local enclosure wall of dry stone. Unlike the Ravenstonedale wall, its top is covered by thin limestone slabs laid flat, large enough to overhang by protruding about four inches on the inside of the wall, and kept in place by the weight of a few smaller stones on top. It stands to seven feet three inches high on firm ground at the level of these top stones, which is much higher than any common field wall, although notably lower than the Ravenstonedale wall; but like the latter, the original wall entirely lacks "through-stones". It rises from the base of forty inches, tapering to twenty inches below the topstones, with stones of average size on the outside and small fillers within. It is of a lighter and finer construction than the Ravenstonedale wall.

The wall is hard to follow past Wharton Dykes, a hamlet that presumably takes its name from it, but parts are in fine condition further south as the ground falls away towards the Eden once more. It skirts the ruins of the pele Tower called Lammerside Castle, which presumably had been abandoned before it was enclosed in the Park. After recrossing the Eden, we reach our southernmost point again.

If, as is likely, the Wharton wall enclosed a true deer park, we can hazard a guess as its date.

The Wharton Park is shown on Saxton's county map of 1576.<sup>11</sup> But the Wharton family were in no condition to appropriate their tenants' land in so grandiose a way before Sir Thomas had attained royal favour during the 1530s. A mid-16th century date for the Park is therefore likely.

Wharton Hall and its deer park remained in the hands of the Lords Wharton until the outlawry of the Duke of Wharton in 1728 caused them to be forfeited and sold to the Meaburn branch of the Lowther family. Until this time the park was doubtless still stocked with deer, and perhaps hounds were still kept at the Hall, for the Duke wrote to England for some stag-hounds to be sent over to him at Rouen in July 1729.<sup>12</sup> But the land was agricultural grazing again when it was leased as a farm to Richard Fothergill



PLATE 2. – The Wharton wall (internal face) at NY 773 072.

of Ravenstonedale in 1741.<sup>13</sup> The remark by *Nicolson and Burn* that in 1777 the Hall was “inhabited by no human creature but a poor hind”,<sup>14</sup> should not be misunderstood. “Hind” means a labourer. It seems likely that the Park ceased to be used for deer in about 1730.

If the Wharton Park was intended for deer and the Ravenstonedale Park was not, their difference in construction may be explained. We have few walls to compare either with. Only a little remains of the massively thick dike around Sir Launcelot Threlkeld's Park of 1500 at Crosby Ravensworth. But a few walls following the Wharton pattern exist. On Helbeck (or Hilbeck) Fell, north of Brough, a town pasture called the Intack had been enclosed and walled off from the Fell before the seventeenth century.<sup>15</sup> The most northerly portion of this wall survives at NY 798 182. It is over six feet high, it has no “throughs”, and has flat top-stones protruding on the outside. Presumably these were to keep wild animals out, whereas those at Wharton were to keep deer in.

Further information on the dating of pre-enclosure dry-stone walls would be valuable.

## References

- <sup>1</sup> L. & P. Henry VIII, vol. xxi.
- <sup>2</sup> Machell vol. III, p. 307. I am grateful to the Dean and Chapter of Carlisle for permission to quote from this MSS.
- <sup>3</sup> Noted in R.C.H.M. Westmorland (1936), p. 200.
- <sup>4</sup> W. Nicholls, *History and Traditions of Ravenstonedale*, (Manchester, 1877), p. 26, hereafter “Nicholls”.

- <sup>5</sup> Nicholls, p. 27.
- <sup>6</sup> Machell vol III, p. 307.
- <sup>7</sup> Nicholls, p. 34.
- <sup>8</sup> Nicholls, p. 24.
- <sup>9</sup> Nicholls, p. 26.
- <sup>10</sup> Nicholls, p. 41-2.
- <sup>11</sup> B.M. Maps C7.c.1.
- <sup>12</sup> Royal Archives; unpublished Jacobite State Papers: SP 118.
- <sup>13</sup> Catherine Thornton and Frances McLaughlin, *The Fothergills of Ravenstonedale*, Heinemann (1905).
- <sup>14</sup> N. & B., i, 561.
- <sup>15</sup> Helbeck manor papers.

