

ART. VII. *The Parkers of Old Town: with some Notes on the Branthwaites of Carlingill and the Birkbecks of Orton Hall.* By F. H. M. PARKER of Fremington.

*Read at Cockermouth, August 24, 1899.*

#### THE PARKERS OF OLD TOWN.

THE following paper, which I have ventured to lay before this Society, is compiled from a collection of notes and papers relating to the history of the Parker family, some part of which, it has been suggested, may be of more than private interest, owing to the long connection of the families referred to in them with the district covered by these *Transactions*.

Previously to the period referred to in this paper, the Parkers had been seated at Old Town, a mansion situated some little distance to the southward of Upper Hesket. Many entries relating to the family are to be found in the earliest registers, but these do not go beyond the Restoration—a fact to be regretted, as they might have afforded information as to the state of the district had they extended to the beginning of the century. North Cumberland suffered several Border raids at that time, notably the “ill week” at Orton, the work of the Grahams; while Hesket was also a sufferer at the hands of Willie Armstrong of Kinmont. The animosity with which Border frays were carried on at this period seems in a considerable measure due to the strong feeling roused by the summary arrest of Kinmont by the English Warden, and the surprise of Carlisle Castle and his release by Buccleugh, which forms the subject of the “Ballad of Kinmont Willie”—so strong, indeed, that it is said to have imperilled James’s prospect of succession. James  
himself

himself was industrious in procuring order; on his succession, he instituted a commission to ascertain the state of the Border lands on the English side. The breviat containing the results, now in the Lansdowne collection, shows their disastrous condition. The land surveyed amounted to 351,130 acres, the number of tenants was 1143; the land was worth by the year at indifferent rates £5,074 12s. 4d., while the rent then obtained was only £302 13s. 6d.

The Warden's action is condemned by Mr. J. H. Metcalfe, the historian of the Scropes, in his recent *Earldom of Wiltes*, though Armstrong had long been a menace to law and order. At the beginning of 1603 Lord Scrope, writing to Cecil, refers to his latest doings:—

Several complaints are submitted to Her Majesty by Rogier Aston "in great bitterness"—(1) for taking Robsay, (2) for forcing Kinmond's house, (3) for another roade on Kinmond.

I reply that Robsay, being, as they say, a Scotsman and servant to Johnston, confessed to myself that he was an Englishman, guilty of nightly burglaries, &c., in my office as appears by the enclosed, and for these had been demanded by me without effect, so I took him by march law. Kinmond being then in the King's prison, I was desired by the King and George Nicholson to assist in apprehending some of his men—viz., one Johnston, who had robbed the King's merchants of £1000 sterling, and with "Sandies Renion" were then in Kinmond's house. Being the murderers of Sir John Carmichael, the late Warden, I thought to do a favour rather than deserve complaint. This Kinmond since his release has spoiled the two towns of Heskettes.

For the present, it is not necessary to go further back than to the Rev. John Parker, who was incumbent of Selside during the last century. He was third son of Christopher Parker of Old Town, brother of Robert Parker, the liberal benefactor of Heskett and other places, whose untimely death through a driving accident is recorded in a memoir of the *Gentleman's Magazine* at the beginning of the present century, and uncle of Thomas  
Parker

Parker of Warwick Hall, High Sheriff of Cumberland during the reign of George the Fourth, who at his death left a sum of money with which the Infirmary was founded. The last named represented a branch of the family which died out with Mr. Wm. Parker of Skirwith Abbey in 1856.

The Rev. John Parker died in middle life, having filled the incumbency of Selside from 1773 till his death, and acted for some time as curate of Orton under Dr. Burn. His wife, Mary Nelson, was granddaughter of the Rev. Thomas Nelson, M.A., vicar of Orton for some thirty-three years. Of him little seems to be known; the only graduate of that name recorded in those days is an ex-fellow of Peterhouse, Cambridge; but there is little to connect the two. Her father, John Nelson, married Margaret Branthwaite of Carlingill.

The Rev. John Parker died in 1779, leaving one son and three daughters. The son, Christopher Parker, gave a set of communion plate to the church at Orton. He came to live at Petterill Green after the death of his uncle, Anthony Parker, and filled the post of High Sheriff in 1830. His eldest surviving son, Robert Holme Parker—godson, I believe, of Dr. Edward Holme, the scientist—was father of Mr. Thomas Holme Parker, who was Sheriff of Cumberland in recent years.

Among the children of his second marriage with Margaret Jefferson were the Rev. Christopher Parker of Skirwith, who built the beautiful church in the village there, and had previously been curate of Caldbeck and rector of Great Ormeshead; the late Mr. William Parker of Carleton Hill; Mr. Francis Parker of Fremington, the last survivor of a large family; and Nelson Parker, drowned on Christmas Day, 1859, in Australia, in attempting to ford the tidal river Clarence on horseback.

Mr. Christopher Parker married a third time. Of this marriage there was no surviving issue. The third wife was  
Mary

Mary, widow of Robert Milbourne of Armathwaite Castle, daughter of an unrelated Parker of Moorhouse Hill, who had in 1790 taken the name and arms of Parker, his own name being Field, under the provisions of the will of his kinsman, William Parker of Moorehouse Hill, whose four sons and seven daughters predeceased him by many years. Various particulars relating to the Royal License are quoted in the *Genealogist*.

#### THE BRANTHWAITES OF CARLINGILL.

The name of Branthwaite is one of the oldest in the two counties, having been assumed by a family to whom the Manor was granted by Alan, son of Waldeof. The estates passed out of the family when the heiress married one of the Skeltons, and for some generations nothing of importance is connected with the name.

The family of Carlingill were entitled to bear, Or, on a bend sable three lions *passant guardant* of the field, the blazon of their earlier namesakes. This *prima-facie* evidence of relationship suggests a point of genealogical interest. The older family is stated by Lysons to have received the lands from Alan as the dowry of one of his relatives. Now Alan was, as has been said, son of Waldeof, he the son of Gospatrick, whose father, grandson of the King of Scotland, married Aldgitha, granddaughter of King Ethelred. If, in the absence of particular research, reliance may be placed in this suggested descent, the Branthwaites of Carlingill could claim an ancestry with which few families could vie.

To pass to less speculative ground, we find Robert Branthwaite, settled at Westminster, a person of some consequence in the reign of James the First. He was, we learn from Visitation, gentleman gaoler at the Tower of London. Sir Richard Weston, K.G., appointed him his secretary, when "Lord Treasurer of England for the Irish Affairs."

Affairs." Afterwards he was agent to the Irish Judges, and the State papers record the "warrant of a grant to Robert Branthwaite of the office of constable of Dublin Castle".

He married as his second wife—by his first he appears to have had no child—a daughter of William Carter, of St. Martin's-in-the-Fields, "in the suburbs of London," and their son, Robert, at the Visitation, registers a pedigree as far as his grandfather. The arms were "Respited for proof, but no proof made." It is curious that Robert does not take this trouble, as the arms were registered in the name of his father, described as "Robert Branthwaite of Westminster, son and heir of Edmond Branthwaite of Carlingill, in Westmoreland." The younger Robert calls his grandfather Edward; I think his attestation is at fault, as the earlier document tallies with the Subsidy Rolls, which mention Edward Branthwaite, in the district of Tebay, Bretherdale, and Langdale, as late as the fourth year of Charles I. The younger Robert married a sister of Sir Thomas Burton of Bampton, and had at the time of the Visitation one child—a daughter. After this the direct line must have died out, as the property came into the hands of a collateral branch.

Under Charles I., Richard Branthwaite was a person of note in the county. He is referred to in a letter written at Penrith during the disturbances in 1644, preserved among the Portland MSS.

Sir William Armyne, Richard Barwise, and Robert Fenwick to William Lenthall :—

We have endeavoured all we can to settle all the people in Cumberland and Westmoreland in their obedience to the King and Parliament, and humbly offer to the consideration of the House the settling of the militia there and the appointing of Sheriffs . . . . and that Justices of the Peace may be appointed for both counties.

We send the names of several gentlemen . . . . that we thought fit to be Justices of the Peace . . . . and from them High Sheriffs for each county may be appointed.

In

In Cumberland—Sir Wilfrid Lawson and William Lawson, Esquire, of Iseild; William Brisco, Counsellor-at-Law, of Crofton; Thomas Cholmely, of Little Salkeld; Mr. Thomas Lamplugh, fit to be High Sheriff; Mr. John Barwise, Mr. Wm. Orfuer, Mr. John Skelton. In Westmoreland—Sir John Lowther, Bart.; Sir Richard Sandford, Kt.; Col. Edward Brigges, Esq., fit to be High Sheriff; Mr. Richard Branthwaite, Esq.; Jervis Benson, Mayor of Kendal; Gowen Braithwaite, Esq.; Colonel James Bellingham, son to Sir Henry Bellingham; Mr. John Dalston, Mr. Christopher Dudley.

Letters of the committees for compounding refer to him, relating amongst other things to the refunding of considerable sums paid by him for the disbanding of troops.

Possibly he is the Captain Branthwaite to whom Sir Phillip Musgrave refers after the accession of Charles the Second, who is stated to be living at Pendragon Castle.

In the MSS. of the House of Lords there are three letters, possibly from the same Richard Branthwaite.

In the first, dated 8th December, 1642, he complains that he has been a prisoner in the Tower sixteen weeks, to the decay of his health and the harm of his estate, and the estates of others entrusted to him; he prays that he may have the liberty of London, and live in some lodgings near the Temple.

A similar petition at the end of the month appears to have met with a favourable reception, as in February next he desires to be allowed to go to a house of his in Oxfordshire.

The Historical MSS. Commission states that among the Isham MSS. at Lamport Hall are about a dozen letters from Michael Branthwaite at Venice, 1623-4.

The younger branch of the family referred to descended from Edward Branthwaite, who married Isabel Birkbeck. His grandson, Edward, was father of Margaret Branthwaite, who married John Nelson. The younger Edward married Elizabeth Adamson, whose father, Robert Adamson

Adamson, may be the same as the donor of lands for the founding of a school at Grayrigg, while another of the same name founded a grammar school at Tebay. In the present century Rev. John Branthwaite, who was born at Kendal, was successively Fellow of Queen's College, Oxford, head master of Lancing College, and Principal of St. Edmund Hall.

The best known bearer of this name was probably William Branthwayte, Vice-Chancellor of Cambridge University, Master of Caius, and translator of the Apocrypha. His brother Richard, of Lincoln's Inn, was serjeant-at-law; his arms, Or two bendlets ingrailed, occur frequently in the contemporary records of the Herald's College. This family was seated in Norfolk, but as their ancestor came from "Sedber," which is not far distant from Carlingill, the probability of relationship justifies some mention of them in this connection, though their careers are fully described elsewhere.

#### THE BIRKBECKS OF ORTON HALL.

The Birkbecks are usually held to have derived this name from Birkbeck Fells, the neighbourhood from which the various branches of the family appear to have sprung. Long resident in the district—one of the name is mentioned as vicar of Orton in the fifteenth century, another in the State papers of 1587, as counsellor at the time of the disturbances between Francis Dacre and Lord William Howard's friends at Morpeth—they appear to have risen to influence in the county under the Tudors. The Rising of the North may have had something to do with their advancement.

One branch—that of Edward Birbeck, who under Edward VI. was granted Hornby in Brougham, or, as it is described in the subsidies of James I., in "Woodside and Moorhouses"—occurs in Dugdale's visitation.  
"Birkbeck's"

“Birkbeck’s house on Whinfield” is described in the State papers as a place where certain persons suspected of questionable dealings with the Scots are known to have met. Another branch appears in *Familia Minorum Gentium* of the Harleian Society.

In addition to these, there existed at Orton a family which was of some note at the end of Elizabeth’s reign, and presents a career of at any rate local interest. The history of this family has, I believe, never been the subject of a sketch, though its most important member, George Birkbeck, is occasionally referred to in connection with the old hall which he built.

About this time the “Dacre moiety” of the manor of Orton passed into the hands of co-heirs—Anne, Countess of Arundel, and Elizabeth wife of Lord William Howard—and was sold to Edmund Branthwaite, gentleman, Thomas and James Birkbeck, and Thomas Powley. The Warcopps, who owned half of the “Musgrove moiety” of the manor, also sold their share, and George Birkbeck was the largest purchaser.

George and Thomas Birkbeck—the latter probably, after George, the most prominent Ortonian—appear constantly in the Chancery proceedings, which give practically a history of them for at least two generations. George Birkbeck was the most prominent litigant. The first case occurs under Elizabeth. Sir Thomas Wharton, Kt., son and heir of Philip Lord Wharton, claims the lordship and possession of divers lands formerly the estates of Lord Wharton, who had conveyed them to him on condition that he should pay his father’s debts. He states that George Birkbeck has unlawfully entered upon these lands under a pretended custom of tenant right.

Another action is commenced by Lord Wharton, who recites that Sir George, his son, died greatly indebted to George Birkbeck and others, that he has undertaken to provide for their payment, and that George Birkbeck and  
other

other creditors have entered on certain estates belonging to him, availing themselves of this promise.

Sir George was son and heir of the third Lord Wharton, and died in the lifetime of his father, killed in a duel with his friend Sir James Stuart, eldest son of Lord Blantyre. Both combatants lost their lives. Sir Thomas also died in the lifetime of his father, and his elder son succeeded as fourth baron, and was grandfather of the brilliant and reckless Duke—"the scorn and wonder" of Pope's time. The subject matter of the above litigation shows the process of evolution at work.

In the middle of James' reign, George Birkbeck appears as claimant of certain lands at Orton, the title deeds to which, he says, have been obtained by Thomas Birkbeck, the principal defendant, who states that it is his property, part of the purchase of the "Dacre lands."

The case suggests that George's holding has been increased. In the pleadings several "field-names" occur, and one of the Birkbecks is found to have gone as far afield as Uxbridge, where he is living.

George Birkbeck died about the end of James' reign. Shortly afterwards his eldest son Brian files a bill complaining that he has been ousted by his brother Edward, who has got possession of the deeds and other evidences relating to his property.

Next Edward appears himself as plaintiff in a curious case, being unable to obtain the full amount of his wife's marriage portion. She was daughter of Thomas Wharton of Scales, a man of considerable wealth. The eldest daughter had married William Bindloss, whose father was an intimate friend of Whartons. On the death of Wharton, which occurred on a journey, the elder Bindloss, who had been with him, rode to Scales, searched the house, and seized all papers and securities to be found there and at another place of Wharton's at Scalthwaitrigg. Both he and his son on being approached refused to give any

any account of the money, which should be divided between Wharton's three daughters.

Amongst a number of other suits in which the Birkbecks were concerned is one relating to the tenure of certain Abbey lands at Wastdale, one George Birkbeck of Wastallhead appearing as complainant against Richard Crackanthorpp of Newbiggin.

Mr. Crackanthorpe, as part of his defence, says that "King Henry the Eight, by his letters patent, dated at St. Albans, the first day of November, in the 35th yeare of his raigne, did for the consideration of £255 3s. lawfull money paid into the Court of Augmentation, by Christopher Crakanthorpe of Newbiggin, in the County of Westmorland, Esquire, and this defendants ancestor, did give and grant unto the said Christopher Crackanthorpe and his heires and assignees for ever, amongst other things Hardandale in the bill mentioned and Wastdale with their rights, members, and appurtenances, which said Hardandale and Wastdale had been formerlie p'cell of the possessions of the dissolved monasterie of Belleland, otherwise Byland, in the County of York, to have and to hould," &c.

One other Chancery case turns on the history of these Birkbecks, and gives some idea of the extent of George Birkbeck's estate, and the appearance at Orton of the Petty family.

BIRKBECK V. PETTIE.

(Chancery, 1650.)

Humbly complaining sheweth unto your honors your Orator, George Birkbeck of Coatflatt, in the p'ish of Orton, als Overton, in the County of Westmorland, yeoman, that George Birkbeck, late of Orton, als Overton aforesaid, Gentleman, your orator's late grandfather, deceased, was in his lifetime lawfully seised in his desmesne as of fee of and in divers lands, ten'ts, and hereditaments, with the appurtenances situate lying and being in Overton, als Orton aforesaid, Raysbecke, and elsewhere, within the said County of Westmorland, called or knowne by the name of Warcoppe lands, which he the said George Birkbecke the grandfather, purchased of Sir John Dalston, Kt., and

Talbot

Talbot Bowes, Esq., and alsoe of and in All that Chamber and garth called firbancke Garth, which he had purchased of the then right honorable Ann, Countesse of Arundell, situate lying and being in Orton, als Overton aforesaid, And alsoe of and in all that moyetie and one halfe part of a water corne milne, with the appurtenances, called Raysgill Hall Milne, and alsoe of and all those lands, ten'ts, and hereditaments, with the appurtenances, situat lying and being in Houghton, in the County and Bishoppricke of Dunelme, commonly called and knowne by the name of Lingfield or Lingclose. And alsoe of and in the tenement right and customary estate of all that messuage barne and chamber called Newhall, then in the occupation of George Birkebecke the grandfather, and alsoe of and in one close of customary ground situate in Langdaile, in the said County of Westmorland, with theirre and every of theirre appurtenance. And the said George Birkebecke the grandfather being so seised and having an interest to settle and establish his said lands, tenements, and hereditaments, both freehold and customary, in his name and blood, Hee the said George Birkebecke the grandfather, by deed indented, legally executed under his hand and seall, and bearing date the eleventh day of January, in the fourteenth year of the raigne of our late King James over England, and made between him, the said George Birkebecke the grandfather of the one part, and Jeffery Ward of Raysegill Hall aforesaid, yeoman, of the other part, for and in consideration of the naturall love and affection which he the said George Birkebecke the grandfather, did then beare unto Bryan Birkebecke, his eldest and other his sonnes in the said indenture named, And for divers other considerations in the said deed expressed did for himself and his heires covenant, promise, and graunt to and with the said Jeffrey Ward and his heirs, That he the said George Birkebecke the grandfather, and his heirs should and would stand and be seised of in and uppon all the aforesaid lands, tenements, and hereditaments and premises, both freehold and copyhold, with theirre and every of theirre appurtenances, to the use and behoofe of the said George Birkebecke the grandfather, and after the decease of the said George and Margaret, Then of all the said lands, tenements, and hereditaments and premises, both freehold and customary, to the use and behoof of the said Bryan Birkebeck, eldest sonn of the said George, the grandfather, for the term of his naturall life, and after his decease then of the third part of all the said lands, tenements, and hereditaments and premises to the use and behoofe of her that should be the wife of the said Bryan at the time of his decease for the time of her naturall life, and after her decease and the decease of the said Bryan then to the use and behoofe of the first son of the body of said Bryan lawfully begotten or to be begotten, and the heires males of the body of the same first sonne, And for default of such issue then to the use and behoofe of the second, third, fourth, fifth, sixth, seventh, eighth, ninth and tenth sons of the body of the said Bryan lawfully begotten or to be begotten, and the heires males of the bodeys of the same sonnes respectively one after the other as they shall be in senioritie and age, And for default of such issue then to the use and behoofe of Edward Birkebeck, your orator's late father deceased, third son of the said George Birkebeck, the grandfather, and the heires males of his body lawfully begotten or to be begotten, with divers other remainders over in default of issue, as by the said deed if your orator had the same to produce more fully and at large it doth and may appear. And the said George Birkebeck the grandfather, and Margaret his wife, shortly after the making of the said indenture dyed, and the said lands, tenements, and premises descended and came to the said Bryan Birkebeck

Birkebeck, eldest son of the said George the grandfather, according to the tenor of the said deed. And the said Bryan by virtue thereof entered unto the said lands, tenements, and premises, both freeholds and copyholds, and thereof became seised of an estate for life, the remainder to the heires males of his body as in the said indenture is sett forth and declared. And the said Bryan being soe seised about        years since died without issue male of his body.

And your orator's father, Edward Birkebeck, being alsoe dead\*, and your orator his eldest sonn and heire now living, All the said lands, tenements, and hereditaments and premises, both freeholds and copyholds, with there and every of there appurtenance, are descended and come to your orator by vertue of the said indenture before menconed, and of the statute of transferring uses into possession ought to have the possession of the said lands and premisses, and to receive the rents, issues, and proffitte thereof to his owne use for his, your said orator's life, with remainder after your said orator's death to the use of the heirs males of your orator's body according to the tenure of the aforesaid indenture. But soe it as may please your honors that one Christopher Pettie of Overton als Orton aforesaid gent., has by some indirect means p'cured and gott the said Indentures of Entaile and all other the evidences and writings whatsoever concerning the said lands and premises and into his the said Pettie's custody and possession, and doth pretend and give out that he hath an estate in the said lands and premisses, and by colour thereof has gott into the present possession of some part of said lands and premisses and receives the rents, issue, and proffitte thereof to his his own use and hath so done for divers years last past without giving your orator any accompt for the same notwithstanding he hath been thereto often in a friendly manner required by your orator.

To the Lords Commissioners of the Great Seal of England.

At Dugdale's Visitation, in 1664, the occupant of Coat-flatt was Thomas Birkbeck, probably George's brother. By this time, we may assume that the fortunes of the Birkbecks were on the wane. Old George Birkbeck's evident hope that his family should be one of importance was not to be realised. In Burn's time the family appear to have disposed of their share of the Warcop lands, and the Petty monogram in the Old Hall, with the date 1689, shows that even the house that he built himself had passed into the hands of strangers little more than fifty years after his death.

The Historical MSS. Commission prints a petition by Captain John Birkbeck in 1646. The petitioner, who had

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\* His will, at Carlisle, proved July 22, 1634, mentions George, who gets the Durham property, other sons Thomas, James, and Edward, and Isabel his wife. George was then less than ten years of age.

been

been in service under the Earl of Denbigh, had been arrested for a small debt, which, in regard of the great expenses he had been at in the service of the State, he was disabled to pay till he had received some portion of his arrears. He asked, therefore, for discharge and protection till he should be able to satisfy the debt.

REV. ROBERT JEFFERSON, D.D.

Elder son of Robert Jefferson of Stoneraise and brother of Margaret, second wife of Christopher Parker of Petterill Green. He was fellow of Sidney Sussex College, Cambridge, and proctor; took orders and was appointed King's preacher at Whitehall under George III. and George IV.; he appears in that capacity in the first Clergy List, which was published in 1817. The Duke of Cambridge made him his private chaplain and gave him a signet ring, now in the possession of the Parker family. He was subsequently presented to the College living of South Kilvington, Yorks. The *Gentleman's Magazine* gives an account of him, and also of his brother Francis, who was Fellow of Peterhouse.

About the same time as Francis Jefferson, Robert Birkett was elected Fellow of Emmanuel. His mother was the youngest daughter of the Rev. John Parker of Selside. A few years later his brother John Parker Birkett and his cousin Thomas Parker Bowness were elected at Jesus College. The latter was son of Rev. John Parker's second daughter, who married Rev. George Bowness, many years rector of Rokeby, Yorks.

In conclusion, I should like to express my thanks to Rev. H. Whitmore and Rev. E. Holme for their kind assistance, and for permission to examine the Parish Registers of Westward and Orton respectively.

