

ART. XVI.—*Dalton Castle*. By HARPER GAYTHORPE,
F.S.A.Scot.

Read at the Site, September 9th, 1909.

THE date when a castle was first built at Dalton-in-Furness is involved in obscurity. West (*Antiquities of Furness*, 1774, p. x.) supposed that Agricola founded a castellum there, A.D. 79. Mr. Close of Dalton, after investigating the earthworks on the east side of the churchyard, concluded that there were "no vestiges of works which could be decisively attributed to the Romans, or any antiquities of that nation ever known to have been discovered at Dalton" (MS., c. 1810). Mr. Collingwood (*Lake Counties*, p. 66) suggested that "it is more likely that the earthworks were the ramparts of the Daltune of Domesday Book." The summit of this earthwork, some time after 1772, was a cockpit, and was not separated from the churchyard until the Rev. C. Couperthwaite, vicar, converted it into a garden, before 1805.

In 1257 we get the first reference to a prison at Dalton (Beck, *Annales Furnesienses*, 217-218), but the present castle, judging from its architectural details, could not have been built at that time. Some place, however, in which the abbot held his court must have been in existence earlier, for the *sac* and *soc* of King Stephen's charter of 1127 conferred on the abbot the power to hold courts and administer justice. As early as 1239 there is reference to a jury, in the agreement between the abbey and William Fleming of Aldingham that both parties should hunt over Stainton, Dendron and Leece, and that recompense for damage or trespass should be assessed by a jury convened for that purpose (Beck, 203). The abbot had the privileges of trying thieves taken in his liberties,

and of holding a market or fair for three days ; the latter was first granted at Westminster on May 13th, 1239, and later at Oxford, July 26th, 1246. In 1292 he claimed, among other privileges, that of having a gallows at Dalton, and was allowed the pillory and tumbrel (or ducking-stool) in Dalton only. The site of the latter can be identified with Cuck-stool-dub at the entrance of the Broughton Road from Market Street.

No date for the building of the castle has been found, if the order from Edward II. to the abbot of Furness to deliver his peel near the abbey to the sheriff of Lancaster, &c., in 1323 be taken to apply to Piel Castle. But it is likely that towers were erected in this district as a result of the Scottish raids, 1314-46. On July 3rd, 1320, the prior of Cartmel informed Edward II. that Cartmel, Furness, and Lonsdale had been ravaged by the Scots (Close Rolls, quoted by Mr. W. B. Kendall, *Muchland and its Owners*), and the invasion of the county may have necessitated the building of a castle at the site which already was the headquarters of the abbey's civil administration.

The details of the structure, so far as they have been left after the decay and alterations of three or four hundred years, agree with this suggestion. These details are the remains of the mouldings of the south entrance door, the elliptical head of the window on the south side, the upper window on the north side and near the north-east corner, together with the base mouldings and the corbels inside for three tiers of rooms above the ground floor. These features point to the Decorated period, 1315-60. There may have been, and probably was, a previous courthouse which succumbed to the Scots ; but the present building does not seem to be older than the middle of the fourteenth century. It served as prison until one hundred and thirty-four years ago, and though the County Courts Act of 1846 abolished the ancient powers of Court Leet and Court Baron, they are still held in a modified form.

An early reference to the abbot's Court Leet (or law-day) is in 1336-7; this was a court of record, and exercised civil as well as criminal jurisdiction; it was held on October 24th. The Court Baron was held on the Saturday following Ascension day and on October 24th; this had anciently the right of holding pleas therein every three weeks of all actions under 40s. arising within the liberty. Other privileges and immunities granted to the abbot were the assize of bread and ale, the appointment of chief and petty constables for the liberty, the fines of amerciaments assessed at the Court Leet and Court Baron, and a duty upon all measured commodities coming in any ship to the Peel of Foudrey; the execution and return of all writs, &c., within the liberty by the bailiffs thereof granted to the abbot by Edward I., confirmed by Henry VIII., and in 1662 by special grant to General Monk, Duke of Albemarle, and his heirs. Since then the castle, together with the manor of Dalton and other properties, has descended to the present owner, the Duke of Buccleuch and Queensberry.

In 1336-7 the coroners for the liberty of Furness were William Tunstall, Thomas Travers, John Gentyll, and Roger Croft. On November 7th, 1410, pardon was granted to William Chaumpnay of Kirkby Ireleth for having, at Dalton, on the morrow of Whit-Sunday, 11 Henry IV. (May 12th, 1410), struck Richard Dymmer of Lees with a dagger worth 4d., of which the said Richard died on Monday, the feast of St. William, archbishop of York—June 8 (Calendar of Patent Rolls, Henry IV.).

The abbot's right to have actions for sums under 40s. arising within the liberty tried at his court at Dalton is illustrated by a trial at Lancaster on February 27th, 1413, before Ralph Staveley, sheriff of Lancaster. John del Schaghe (of the Shaw) of Furness complained that John Sanderson of Roose on Monday, October 17th, 1412, should have bought from him twenty ewes for 20s., but refused to pay. The abbot, by Richard de Inghland his

attorney, demanded his own court at Dalton to have cognisance of the plea before the bailiff of the said abbot there, and produced a charter of Henry III. by which the then abbot and his successors were quit of suit of counties and wapentakes in the county of Lancaster, and if any plea arose, contracted within Furness, it must be determined at his court at Dalton. This charter was confirmed by Henry IV., and it was agreed that the abbot should have cognisance of the plea in his court at Dalton; Tuesday, March 21st, 1413, being fixed for the parties to appear there. The result, however, in unknown (*Coucher Book*).

In 1535 Alex. Richardson was bailiff of the liberty of Furness and of Dalton; he was paid £8 for the former office, and 20s. for the latter. The perquisites of the courts of Dalton then amounted to £8 1s. 4d. Ten years later, Sir Thomas, Lord Wharton, warden of the West Marches, was steward or seneschal; John Preston of the Manor was deputy steward, and William Sandes receiver. In a commission to these from Henry VIII. dated Westminster, May 12th, 1545, it appears that the stone, lead and timber of the abbey were to be used for repairing the castle, "which tofore hath alwayes tyme out of mynd of man been used as a pryson and common gaole for the hole lordship of and domynyon of Furness and the liberties of the same . . . which said castle is now in great ruin" (Lancashire and Cheshire Record Society, vol. 35, pp. 204-5; Beck, 361). Five months afterwards, Preston and Sandes reported:—

There are 3 several chambers from the ground one above another, all the floors whereof have been made of timber. Now the said floors, as well the "yiestes" (joists), as the boards and planks, by reason that the Castle has not been sufficiently thatched for a long time, are so rotten with water that has rained upon them that few of the said "yiestes" and none of the said boards and planks can be used again. The roof of the said Castle is also decayed for lack of thatch [lead], and likewise the "wyndow doers" and the hinges and "yren stangers" of the said windows are rotten, "can-

kerred," and wasted away. The lime of the walls is washed out, so that the said walls are partly decayed at the corners and other places. For the repairs thereof we estimate that 6 fother of lead will be little enough for the gutters and thatching of the said Castle, which lead may be taken of the king's own lead lying at the manor of Furness. Also sufficient timber must be assigned within the king's woods for making the floors of the said chambers and for the roof as shall be thought meet by the workmen thereof, and by such as shall have the charge thereof. We think that half a ton of iron must be bought for the "stayngers" for the windows, hinges for the doors, and "spykyns or nayles" for the flooring, which iron may be bought in the country there for about £4. We think that one limekiln* must be made for the pointing of the said Castle and other necessaries about the same, whereunto old trees and woods which will never do for timber can be taken, which may be delivered within the said woods. We think that the cost of repairing the said Castle, besides all the premises, will be £20 at the least.

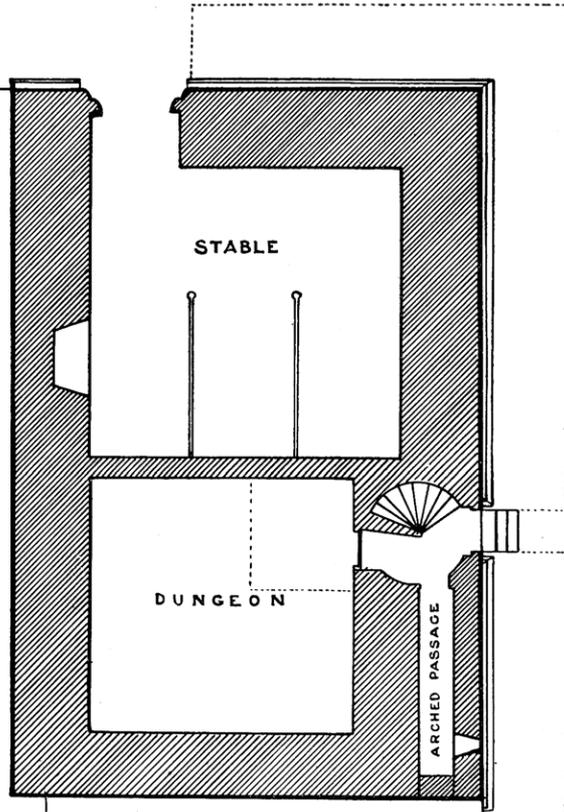
The following year, Sandes was directed by warrant to proceed to the immediate repair of the castle; but I have not found that document and cannot speak of what was actually done, or what other buildings are meant by "all the premises." There was evidently a lean-to building on the west, abutting on what is now Castle Street, as shown by the corbels which remain outside, but no trace of other structures.

West did not record the condition of the castle in his day (1774), but Close's edition of *The Antiquities of Furness* (1805) enables us to form an opinion; and the task has been much simplified by the kindness of Mr. Edward Wadham, agent to the Duke of Buccleuch, through whom I have had access to plans and sections by Sharpe & Paley of Lancaster of the castle as it was in December, 1854, before the repairs carried out under his superintendance in 1856.† Two photographs of the castle and surroundings

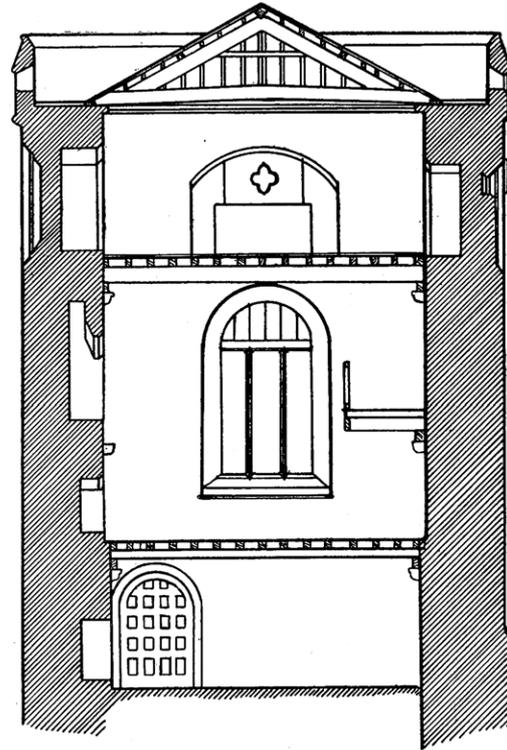
* A limekiln is shown on a plan of 1825, near the old cockpit on Mary Bank, near the present gates to the cemetery.

† These plans are here reproduced (on a reduced scale) from drawings made by Mr. R. P. Nelson through the kindness and under the direction of Mr. Wadham.

DALTON CASTLE, 1854.

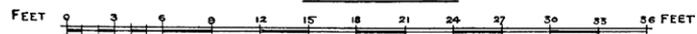


GROUND PLAN.



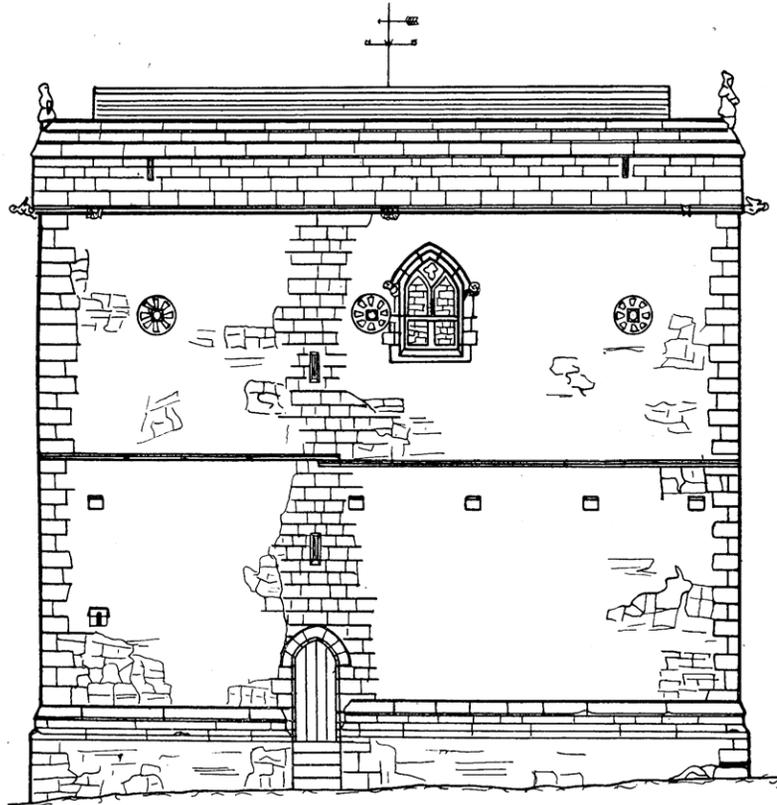
TRANSVERSE SECTION.

SCALE.

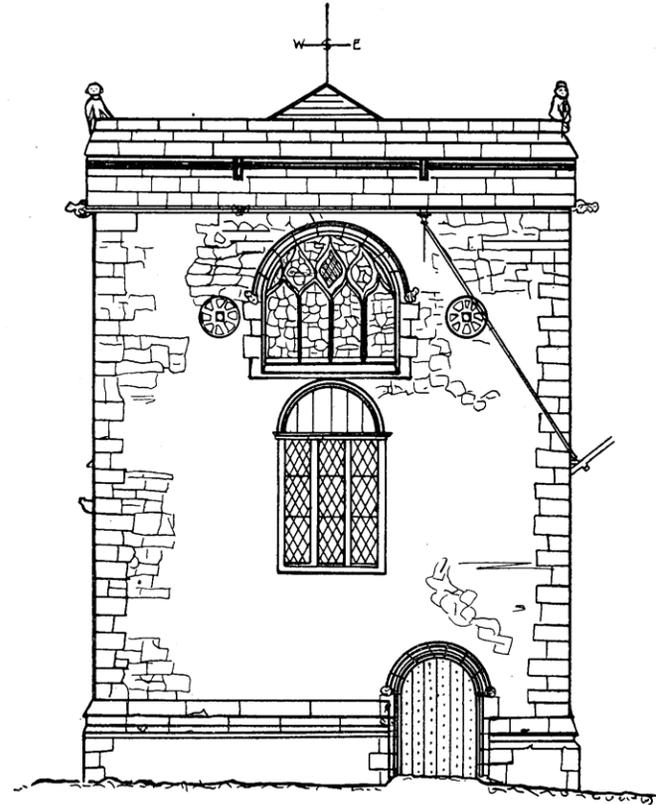


TO FACE P. 317.

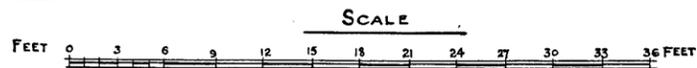
DALTON CASTLE, 1854.



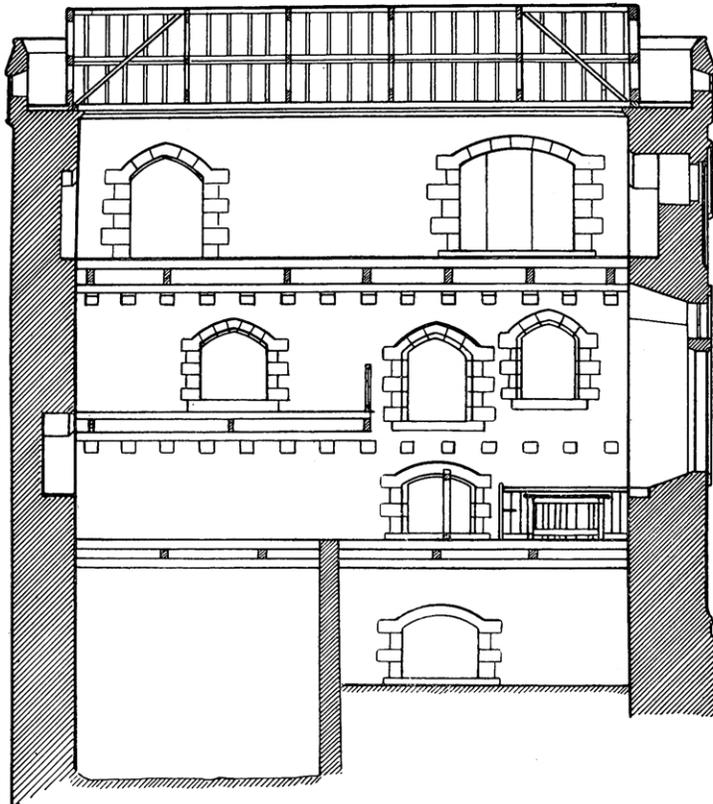
SOUTH ELEVATION



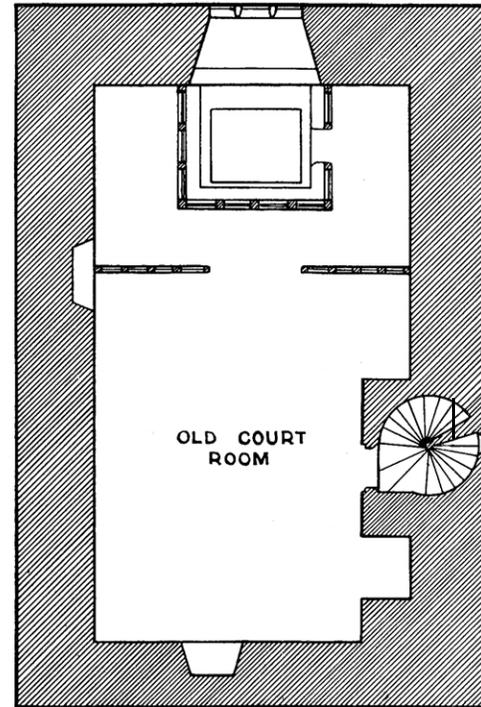
WEST ELEVATION



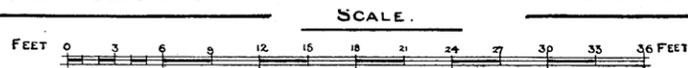
DALTON CASTLE, 1854.



LONGITUDINAL SECTION.



PLAN OF COURT HOUSE.



from drawings made after 1784, one from the churchyard of the west and south sides, the other of the east and north sides from the square, and another view, by Cuitt of Chester, from the south-east in 1817, and a fourth, from the east, a photograph of 1860, have also been helpful. Close says (*Op. cit.*, p. 345):—

The ground floor is divided into two apartments. The principal entrance into the edifice at present [1804] is by a small door in the west side, from whence a spiral staircase ascends to the room where the Courts for the Liberty of Furness are held From the court room the stairs lead to a room above, and to the top of the castle, which is surrounded by a parapet The highest apartment is lighted by the great window and the court room by the window below. The great door on the same side [the south] has been the ancient entrance; the small doorway on the west side has been broke through the wall [about 1704] in order to enter directly into the spiral staircase. The apartment immediately within the great door was, about a century ago [about 1704], converted into a stable, but the doorway leading from the ancient [south] entrance to the bottom of the spiral staircase is still visible in an interior wall. At the foot of the stairs there is a deep [5 feet 6 inch. deep] excavation called the dungeon, which appears to have had a room over it on a level with the ground floor of the adjoining apartment [the stable]. This higher room has been lighted by a small aperture* on the north side, but that below [the dungeon] has been completely dark, and is thought to have been a cell appropriated for the reception of prisoners. The ground plan of this edifice is an oblong square; the east and west sides each measuring 45 feet, the north and south 30 feet. The walls at their foundations are between five and six feet in thickness, and consist principally of limestone.

In his unpublished MS., written between 1805 and 1813, Close says further :—

Dalton Castle has 3 tiers of apartments or floors The great window on the south side is a round [elliptical] arch, consisting of 4 trefoil-topped lights, a quatrefoil in the middle above, with a roundel on each side of the lower part of the quatrefoil and [other

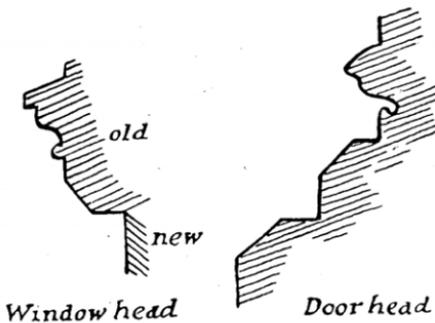
* The only light on the ground floor before 1804. This north window was built up when the cottages adjoining the castle on the north side were erected.

tracery] on each higher side; and a similar window has been on the east side The spouts under the parapet represented grotesque heads of demons.

It is evident that the walls are principally of limestone and the parapet of red sandstone, as are all windows and doorheads, jambs and tracery; also that all the windows have been altered or renovated in past times or removed long ago. On the east side the two small square-headed windows above the level of the string-course, one of one light and one of two lights, were probably inserted to light the anteroom to the court-room about 1704. The two-light window below the parapet and nearest the north-east corner has trefoil heads, and a quatrefoil at the top filled with slate. The sill, mullion, label mould, and one voussoir are new (1856). The two-light window nearest the south-east corner is similar to that just described, but is an insertion of 1856, in place of one with an elliptical top (see the view by Cuitt). Part of the jambs of the original window has not been removed, and one stone springer on the right is still visible. This window was like the upper window on the south side, and had an elliptical top which came nearly up to the parapet. In the parapet are slits for shooting arrows, or discharging missiles from the roof. There are three gargoyles, one with a grinning face; one in the middle has a shield with a boss in the centre; while that at the south-east corner is a winged figure. Two chimney-pots above the parapet occupy the place of the old stone angular chimney-stack shown in Cuitt's drawing. There are figures of fourteenth century warriors at the corners of the parapet; three are in a sitting posture; that at the north-east corner is leaning backwards, apparently shooting from a bow, but the arms are gone.

On the south side, the upper window has an elliptical and moulded head; it was apparently impossible to get a semicircular head in the height below the parapet. This window is now 12 feet 9 inches long; it was originally

only 9 feet 9 inches long and 8 feet 8 inches wide. It was lengthened three feet in 1856, and the window below (which lighted the "old court-room"—*i.e.*, the second floor) was removed. The present lengthened window has four lights with trefoil tops and leaded panes. The new tracery, different from that described by Close in his MS., consists of a quatrefoil in the centre and two others on either side; the latter not regular in form. The sill, three jambs on the left and



four on the right side, are new. The two gargoyles on the south side have been removed, and the base of one is used as an opening for a downspout. The south entrance door is 6 feet high by 4 feet 6 inch. wide. The moulding above is almost worn away, but enough remains to indicate what it has been. The walls have been roughcast. There is now no string-course on this side.

On the west side, the two-light window with pointed top, 6 feet by 3 feet 6 inches, near the south-west corner was inserted in 1856 to give light to the room on the ground floor, now used as an armoury for the Dalton Territorials. The two-light upper window, which before 1856 lighted the top floor above the old court-room, has a quatrefoil head and ancient jambs, but the mullion and other tracery is modern, and there is a new flagstone built into the old sill. Two gargoyles remain; the third, at the south-west corner, has gone; the middle one is a naked female figure. From the style of the red sandstone doorway in Castle Street it seems evident that it was inserted about 1704. There are two slits about 2 feet by 5 inches in the centre line above the top of the west

entrance to give light to the spiral stair, also one nearer the north side to light or ventilate the arched passage. In 1805 the doorway leading from the ancient south entrance to the bottom of the spiral stair was still visible in an interior wall. The string-course above the corbels meets the one on the north side at the north-west angle of the castle.

NORTH SIDE.—In 1805 the dungeon appeared to have had a room over it on a level with the ground floor of the adjoining apartment. This higher room, before the old cottages formerly on the north side were built, had been lighted by a small aperture on the north, apparently where there is now the lowest window, a square-headed single light with trefoil top, though the present window



Top window

appears to be a modern one. Above this window is a similar one of two lights inserted in 1856 to light the staircase leading to a room, now used as the Freemasons' Lodge room. The top window, of two lights, has a pointed arch, and moulding similar to that over the south door; part of the tracery, the mullion, and the jamb on the left or east side are new, but the other jamb is old. There are two slits in the parapet wall, but only one gargoyle under it.

The original internal arrangement, following the description of 1546 and Close in 1805, was as follows:— On the ground floor were two rooms; that on the south, 19 feet by 18 feet 2 inches and 7 feet 4 inches high to the top of the corbel, divided from the north room by a wall 1 foot 3 inches thick near the foot of the spiral staircase. The north room was smaller, being 16 feet 6 inches by 16 feet; it appears to have been lighted by a narrow slit. Under this room was the dungeon, 5 feet 6 inches high. At the foot of the spiral staircase is an arched passage 13 feet 6 inches long, 7 feet high to the springers, and 3 feet 7 inches wide; with a doorway 1 foot 10 inches

wide, and 4 feet 10 inches high to the springers. The passage extends to within one foot of the outside of the north wall; a doorway on the north side formerly led to this passage, and was built up when the cottages were erected (before 1804). The entrance to the spiral stair was originally from the south entrance doorway and not from the doorway in the west wall, which was most probably made about 1704.

The first floor in 1546, judging by the height of the corbels, was 7 feet 10 inches high. There is no evidence of its having been lighted by any windows, and access to it was only got through a doorway on the spiral staircase.

The second floor in 1546, by the corbels, was 9 feet 3 inches high. It is probable that this room was lighted by a window on the south side, less in height than that drawn by Close, and by the two square-headed windows now on the east side; but whether the middle one on the north side gave light to this room is doubtful. Assuming that the first, second, and third floors were relaid in 1546 on the original corbels, the lower window on the south side, which Close shows in 1805, was not possible; for its length brought it 3 feet 6 inches below the second tier of corbels. The rooms on the ground floor and first floor were probably used for storage, while those on the second floor may have been divided. Access to this room was also through a doorway on the spiral staircase.

The third floor in 1546 was, I believe, the original court-room, 11 feet 3 inches high from the top of the third tier of corbels to the ceiling. It was lighted on all four sides, and most probably divided by a partition. Access to this also was only through a doorway in the spiral staircase. Above this room was the parapet. In 1784 and 1816 the windows in this room were built up. Considering the estimate (£20) for reinstating the castle in 1546, it seems most probable that new floors were put in on a level with the corbels and a new roof added, the lead from the abbey being used as a "thatch," and the windows

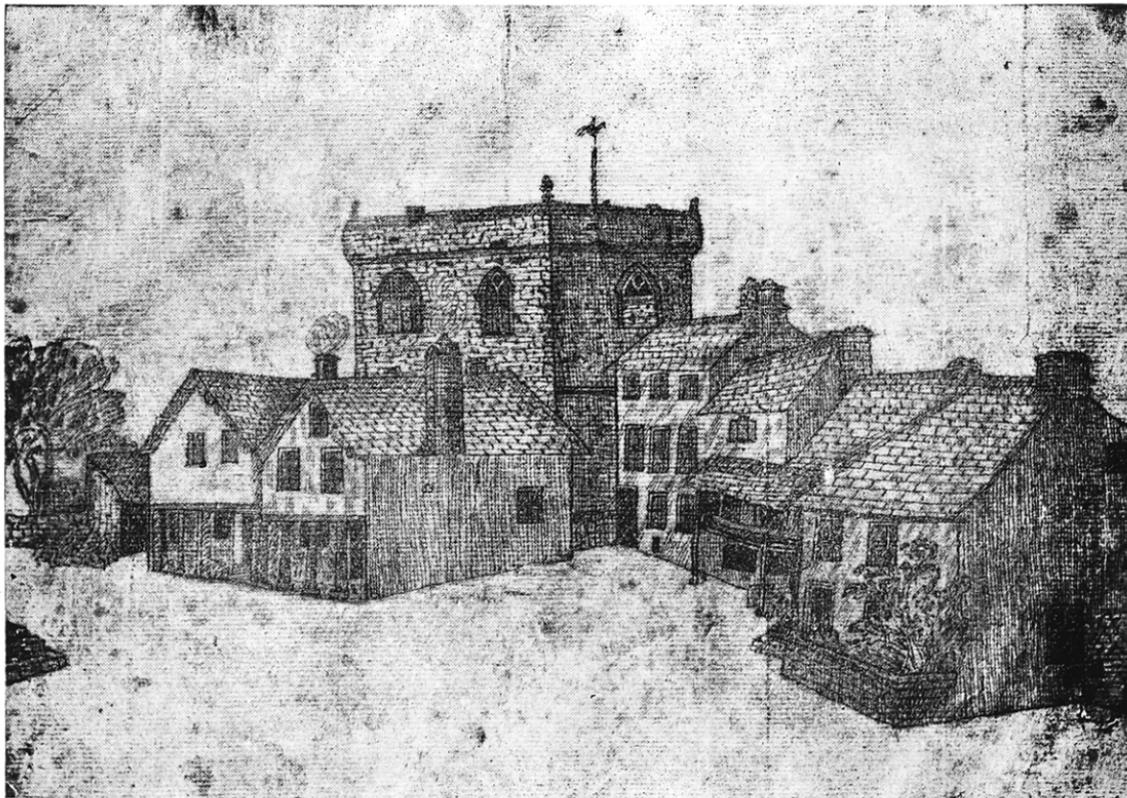
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and their fastenings and the doors repaired or renewed. Possibly the lean-to building or other erection on the west side was then removed, and other alterations made to buildings on the north or east sides where the market would be held. From the ground level to the bottom of the corbels on the west side is 16 feet 9 inches.

It is impossible to fix the date when new floors were again needed, but from Close's words, "about a century ago" (p. 346 of his edition of West), we may believe* that about 1704 not only was the ground floor converted into a stable, but that the first and third floors were then raised and the second floor was partly taken away, and the remainder raised and made into a gallery on the west and north walls; this gallery is 5 feet wide and 19 feet long, with access from a door on the spiral stair. The ground floor was then 9 feet high to the ceiling; the first floor rested on timber raised above the first tier of corbels; the gallery floor (previously second floor) rested on timber raised above the second tier of corbels, and the "old court-room"—*i.e.*, the second floor before 1856—where open to the ceiling from the floor was 16 feet high, and 8 feet from gallery floor to ceiling; while the height from the level of the top floor to the ceiling of the "original court room" (third floor) was 11 feet 3 inches.

When the ground floor was made into a stable, the ancient entrance in an interior wall which led to the spiral stair had been built up, though in 1805 it was still visible. Thus the west doorway must have been made when the stable was first used—*i.e.*, about 1704. The arched passage, mentioned earlier, led at one time to a doorway near the north-west corner, which was walled up after 1858, the thickness of the wall, as already stated, being only one

* Mr. Wadham, who has kindly read the proof, marks with a note of interrogation the author's conjectural restoration as stated in this paragraph. It ought perhaps to be said that at Mr. Gaythorpe's lamented death this article had not been finally prepared for the press; and in its present form it has been put together by the Editor from a rough copy and notes. Mr. W. B. Kendall also has been so good as to read the proof.



DALTON CASTLE, about 1784 :
from a drawing in possession of Mr. Wm. Butler.

TO FACE P. 322.



DALTON CASTLE, 1817 :
from the drawing by G. Cuitt, engraved in Gregson's "Fragments." TO FACE P. 323.

foot. This passage may have been used originally or after 1704 for ingress and egress of prisoners, or to a garderobe. In December, 1906, in taking out the decayed joists of that portion of the ground floor immediately above the dungeon, the workman found a passage 2 feet 4 inches wide in the thickness of the north wall, extending about three feet on either side of the window east and west. This cavity was not explored, but it had an arched top, and the lower part appeared to be filled with fallen rubbish. The wall on the south side of this cavity was only 14 inches thick, and the cavity itself was about on the same level with the arched passage.

The first floor above what was the stable in 1704 was until 1856 the "old court room." The window of three lights with semicircular top on the south side which lighted this room was 12 feet high, and 7 feet 6 inches by 5 feet 10 inches in the clear; it was glazed with diamond-shaped panes. Judging by Sharpe & Paley's drawing in 1854 it appears to have been made of wood, the jambs and sill being not more than 5 inches thick and the mullions 4 inches thick, and perfectly plain. The semicircular window-head may have been of stone, but it is shown in that drawing to be not more than 6 inches thick, the space between the top and the frame being filled with boards. The base of this window inside was 2 feet 6 inches above the level of the floor, and about 4 feet 3 inches above the first tier of corbels. This window may have been substituted about 1704 for a smaller one; Cuitt's view shows the square head of a narrow window just over the roof of the old house, which was probably the style of light on this floor, with possibly two or three such openings on this side and one at each end.

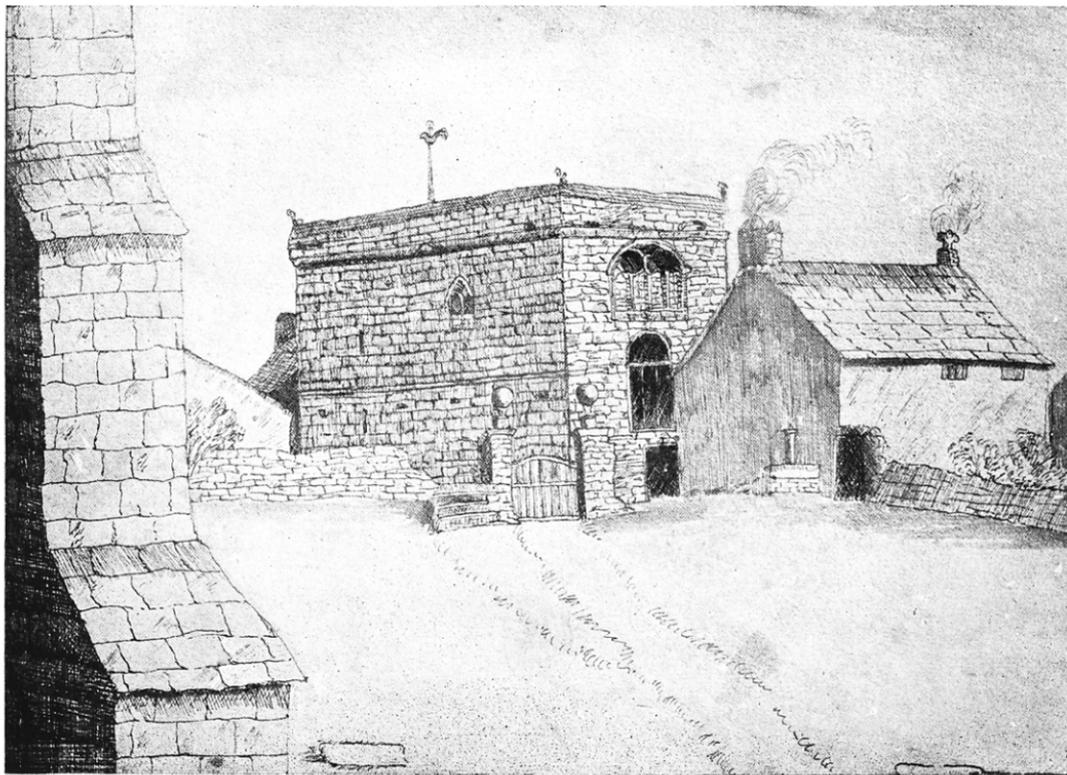
The use of the top floor in 1704 is not recorded, but about 1784 all the windows appear as walled up; in 1817 the east and south windows and in 1856 the west and south windows are shown as blocked.

The two old houses of limestone and brick, roughcast,

with an open space under the first floor, as shown in the illustrations, had their gables to the Market Square and the old Cross, drawn by Cuitt in 1817. The house nearest Skellgate had four round stone columns in front, 8 feet high, with 15 inch capitals and bases. Two of these columns were used in building the porch to new offices on the site of these houses in 1850-1, and were subsequently used for a porch to Bank House, formerly owned by Mr. Butler, where they are to-day. The old house was once occupied by James Kendall, painter and glazier, who painted a view of the castle. After 1851, Thomas Deason, blacksmith for Mr. Wadham, lived for twenty-six years in the new house on the site. The adjoining house was inhabited about 1844 by "Aggy" Palmer. The open space under the first floor was used by the public as a covered market or shambles, and at the back were two small shops, one occupied by Henry Turner, shoemaker, and the other in 1850 by Mesdames Dixon. In 1817 the roofs appear to have been thatched.

On the north side of the castle was a three-storey house, occupied about 1840 by Bella Woodend, and owned in 1858 by William Barben. Adjoining this was a two-storey dwelling, formerly occupied by Robert Helm, in the front of which was a penthouse. Next to this was another two-storey house formerly occupied by Miss Lawrence, post-mistress, and her sister and brother-in-law, Wilson, the excise officer. A fourth house projected into the square, with a small garden in front (where the Co-operative building stands now), occupied by Matthew Robinson, stonemason and town crier in 1849. These four houses were all pulled down after 1858.

The other drawing shows the west and south sides of the tower, the old vicarage and sundial (which is inscribed "I.W. 1753"), and the old gateway to the churchyard, now at Bank House. On the capitals of the pillars are the initials of the churchwardens of 1783-4—James Atkinson, Wm. Huddleston, James Parke, and Richard Gardner.



DALTON CASTLE AND THE OLD VICARAGE,
before 1826 ?

TO FACE P. 324.



DALTON CASTLE in 1859 or 1860 :
from a photograph in possession of Mr. Frank Fisher.

TO FACE P. 325.

Cuitt's view (1817) shows the window with elliptical head and the one with a pointed arch under the parapet, both built up, and one of the small square-headed windows on the east side and the two large windows and door on the south side. A flight of five steps leads up to the south door, and at the top of the tower is a semi-hexagonal chimney. The style of the buildings in front of the castle suggests the middle of the eighteenth century as their date. In the foreground is the old St. Andrew's cross, on a square base and pedestal with chamfered edges upon five steps. Close to its south-east corner were the stocks and whipping-post. In Jopling's view (1843) the whipping-post is shown at the north-east corner, without the stocks, and the cross, renovated between 1824 and 1843, had then a floriated head; it was replaced by the present Latin cross of limestone, 12 feet high, in 1869-70, which, with the new fish-stones, was erected at the expense of the Duke of Buccleuch. The whipping-post remained till 1859 (as Dr. Fell informed me), but the stocks were removed about 1856, and when the new cross was erected (1869-70) the ends of the stocks or whipping-post, of old oak, were dug up and burnt as fuel by the late vicar, the Rev. J. M. Morgan.

In 1851 the late Mr. William Butler, attorney, built new offices and a house on the site of the two old cottages, subsequently occupied by the Dalton Local Board until 1885, then as the Church Institute, and afterwards by the Dalton Liberal Club. They were finally bought and pulled down in 1896 by Mr. Wadham as agent for the Duke of Buccleuch, as were also two cottages on the north side, and the castle was enclosed with iron railings. The photograph taken about 1860, and kindly lent by Mr. Frank Fisher, shows Mr. Butler's buildings, before which the bailiff (Mr. Thomas Bateson) is standing on the steps of the Market Cross delivering the proclamation:—

Oyez! Oyez! Oyez! John Cranke, steward to the most noble Walter Francis, Duke of Buccleuch and Queensberry, Lord of the

late dissolved monastery and manor of Furness, and Liberty of the same, strictly chargeth and commandeth all manner of persons repairing to the Fair of what estate or degree he or they be, that they and every of them keep the Queen's Majesty's Peace, every knight upon pain of £10; every esquire and gentleman upon pain of £5; and every other person upon pain of 40s. And that no person or persons have or bear any habiliments of war, a's jack, steel coats, bills or battleaxes; but such as are appointed to attend upon the said Steward during this present Fair. And that none of you do sell or buy any wares, but by such yards and wands as are or shall be delivered unto them by the bailiffs of the town of Dalton. And the Fair to last three days, whereof this to be the second. And if any wrong be done or offered to any person or persons, he or they may repair to the said Steward to have justice ministered to them according to law. God save the Queen and the Lord of this Fair!

In connection with "habiliments of war," it may be noted that there are kept on the staircase the following pieces, not all traditionally connected with the castle, but a comparatively modern collection of arms and armour of different dates:—Two spears, three helms, one pair of gauntlets, one complete suit on the west wall, one half suit, three back and breastplates, four swords, one bayonet of the Crimean war period, and three halberds used at Court Leet functions.

The Court Leet and Court Baron, though shorn of their powers in 1846, are still held. The tenants of the manors of Plain Furness and of Dalton attend Court Leet and Court Baron or Bierlaw Court in May and October on the ancient dates, where they owe suit and service (and ought to do fealty) and pay their rents to the Duke of Buccleuch and Queensberry, lord of the manor. At the October court the bailiff and his Majesty's liege subjects assemble at the Cross about eleven in the morning, where the bailiff reads the proclamation or charter. The jury is sworn in in the Masonic Hall (first floor of the castle); the ale tasters, painlookers, inspectors of weights and measures are appointed. Then, at the Wellington Hotel, in separate rooms the three juries assist the steward

in business relating to wills and transfers of property, and other duties are performed.

The following particulars of the officers of Dalton Castle in the seventeenth and eighteenth centuries may be of interest. During the Civil War, Thomas Park of Millwood was high constable of Furness from 1642 to April 27th, 1647; he said there "never was heard of such troublesome and distracted times as those five years had been, but especially for constables." He was succeeded by William Papp. In 1649 Robert Cotton, gentleman, was clerk of all the courts within the lordship of Furness; he was paid £6 13s. 4d. per annum. James Postlethwaite was bailiff of the manor of Dalton from March 22nd, 1633, at £2 per annum; his patent and that of Robert Cotton were dated May 24th, 1642. Two years afterwards, during the wars, Sir J. Mayne's quarters were at Dalton. Sir Henry Slingsby says in his memoirs:—

Sir John Preston was drawn out into y^e field a mile of Dalton, near his house. The Enemy had taken into a little Town, and when Sir John Preston charged into y^e town after one shot given they quit it. There were taken, besides killed, 200 foot which were sent to y^e Prince, and 17 sailors and some rich country men were kept Prisoners at Dalton Castle, to be ransomed or otherwise. We lost not any, only Sir John Preston had his horse killed, and he was badly wounded in the head and recovered not for half a year after.

It is very probable that this fight occurred at Newton.

In 1711, Thomas Richardson, gentleman, of Dalton, was bailiff of the liberty of Furness. He appointed Thomas Browne of Dalton, yeoman, his deputy bailiff and gaoler of the castle for one year only. The latter entered into a bond (July 19th, 1711) for £200, and took certain perquisites, benefits and advantages accruing to the position of deputy bailiff, and bound himself to "truly, faithfully, honestly and justly execute the offices of bailiff and gaoler of the said Liberty of Furness, and would quietly deliver up unto the said Thomas Richardson y^e custody of y^e castle or gaol of Dalton or unto such person as

shall be bailiff, together with all and every person as then shall happen to be prisoner there." He also bound himself to pay £6 10s. by two equal payments. He had been gaoler the year before, and his bondsmen were John Wood of Dalton, gentleman, and Thomas Woes of Dalton, yeoman. In 1713-15 John Towers of Dalton, shoemaker, was gaoler, paying £7 a year; his bondsmen were John Kilner of Sunbrick and William Hunter of Hawcoat, yeomen.

In 1774 West (p. xviii.) describes Dalton as "a miserable and antiquated vill, once the pride, now the shame of Furness." In 1792 the *Universal British Directory* (pp. 49-52) states that the population of the parish, about 1190 in number, contained not one family of dissenters. It consisted of gentry, 11 men, 7 women; clergy, 6; surgeons, 3; farmers, 63; yeomen, 44; victuallers (including two at Barrow village), 14; blacksmiths, 8; shoemakers, 7; maltsters and tailors, 5 each; carpenters, grocers, weavers and bakers, 4 each; officers of custom, 3; masons, millers, carriers, butchers, turners, mariners, fishmongers, merchants, writing-masters, peruke makers, 2 each; and one each, attorney, gamekeeper, stone cutter, slater, "Mrs.," mantua-maker, cooper, flaxman, farrier, auctioneer, gardener, schoolmistress, clogmaker, master of the workhouse, agent at iron works, skinner, sadler, midwife, and sexton. The attorney was William Atkinson, and the steward to the Duke of Buccleuch and Lord Beaulieu was Thomas Atkinson. The vicar and headmaster of the Free School was the Rev. Christopher Couperthwaite, assisted by the Rev. Robert Outhwaite and the Rev. Robert Briggs, curate and second master.

According to West (1774), the castle was "till of late the gaol for debtors." Before March, 1774, "the jailor was [in part] dependent for his livelihood on fees rigorously exacted from the prisoners" (*Encyclopædia Britannica*, xii., 320a) but after the Act of 1774 every prisoner against whom the grand jury failed to find a true bill was liberated free of

charge, and the gaoler given a sum from the county rate in lieu of the abolished fees. In June, 1774, another Act was passed requiring justices to see that the walls and ceilings were regularly scraped and whitewashed once a year at least, that the rooms were regularly cleaned and ventilated that the naked should be clothed, and underground dungeons used as little as could be. With this period the use of the castle as a prison came to an end, and shortly after Mr. Edward Wadham's advent as agent to His Grace the Duke of Buccleuch and Queensberry (which office he still holds at the age of 80), he set about the renovation of the castle, with a view to adapting it to modern uses.

The principal alterations made in 1856 were:—(1) construction of new floor and two walls dividing the new jury room and clerk's office from the passage on the east and the room over the dungeon; (2) construction of the staircase at the north end, from south entrance door to court-room (now used as Masonic Lodge room) and building up doorways in spiral stair; (3) altering the interior with two storeys instead of three, by raising the floor of what is now used as the Masonic Lodge room to the level of the original fire-place above the second tier of corbels, and entirely removing the third floor; (4) removal of the lower, semicircular-topped window on the south and lengthening the window above by 3 feet; (5) new ceiling, hipped at the angles, about 24 feet above the level of the court-room; (6) a two-light window inserted on the west to light the jury room (now used as armoury) and fire-place and flue built up to the wall of the spiral stair; (7) the large elliptical-headed window on the east replaced by a two-light window; (8) a small two-light window inserted on the north to light the new staircase. The old court-room fittings consisted of a table, rails and two jury boxes; the latter, of old oak, were made into furniture.

The roof was constructed of old rough-hewn oak with cambered tie-bearers, and rested on a projecting stone

cornice, 9 feet above the level of the top floor. In 1907 it was found that the old roof was decayed, and it was replaced, under the superintendence of Mr. R. P. Nelson, and the old lead flats surrounding the top of the tower were relaid. The old roof had been built with gables, but the new roof is constructed with hipped ends. This brings the account of the fabric up to the present year after a history of not less than five and a half centuries.
