

ART. X – *Thomas first Lord Wharton's parks at Ravenstonedale and Wharton*

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A recent article in these *Transactions* by Mark Blackett-Ord drew attention to the survival of the walls of the deer parks at Ravenstonedale and Wharton in Westmorland, both of which were erected in the mid-sixteenth century by Thomas, first Lord Wharton.<sup>1</sup> Where Blackett-Ord concentrated on the field evidence, the present paper investigates the documentary materials more fully. These make it possible to offer a close date for the creation of Wharton Park, establish the line of its boundaries and add a little to our sparse knowledge of Lammerside Castle. There is also additional evidence concerning the erection of Ravenstonedale Park wall in 1560–1 and we shall draw attention to a previously unnoticed mid-sixteenth century map of the park. This deserves especial attention as one of the earliest extant maps of any part of Westmorland.

The park at Ravenstonedale is the more familiar of the two and for that reason will be considered first. The bounds of the park are well known: as a field monument it was noticed by the Royal Commission on Historical Monuments and sections of the pale are marked on the 1:25,000 Ordnance Survey map (as Park Dyke). It sits north of Ravenstonedale village, roughly oval in shape, with its northern wall following the line of the parish boundary. The park is bisected by Scandal beck which rises in the Howgills to the south of Ravenstonedale and flows through the park and on into the Eden. It has long been known (on the evidence of records partly printed by the Rev. W. Nicholls in 1877, the originals of which have remained undiscovered until now) that the park wall was erected by Wharton in 1560–1 largely using tenant labour.<sup>2</sup> The park included ground previously used by the tenants for their arable for which they were compensated with land outside the park.

The crucial documentary source is a volume of rentals (mostly of 1560–2) of Thomas Lord Wharton's estates in Cumberland, Westmorland and Yorkshire. Here may be found the document noticed by Nicholls, together with other materials, and the contemporary map which is reproduced as Plate 1.<sup>3</sup>

The map is drawn within a frame which gives the compass points. It is quickly apparent that this is not a measured plan but a bird's eye view of the park. This may be appreciated if the map is turned on its side and viewed from the left (west) when the confused patterning within the east of the park will be seen to form recognisable trees. The map shows only the major features of the landscape. The park is placed centrally and the park pale shown as a broad stippled band; again, an attempt to draw the wall rather than place it in plan. Gates through the pale are marked, together with internal divisions, a few buildings and woodland. The road from Kendal to Kirkby Stephen is drawn to the north of the park crossing Scandal Beck. Smardale Fell is shown schematically as a lump. In the south of the map, Ravenstonedale church and mill are crudely drawn in profile. A few secondary settlements are named including Ravenstonedale town (which is, however, not shown). A few additions were made to the plan in the eighteenth century: the stream



was labelled in two locations and had three arrows drawn showing the direction of its flow. A note that the wall was 12 feet high and that it was begun and finished in 1561 was written along the west edge of the pale.

The park is drawn to reflect the shape of the page rather than the dimensions of the park. The north/south axis is therefore greatly exaggerated. Where the map aids our understanding of the park is in its naming of the internal divisions. Five main fields and their acreages are shown, reading from the north-eastern corner, 'Fote of the Newpark' (35 acres), 'Langrigge', 'Wheatfeyld' and 'Vyncent Parke' (80 acres), 'Hagge and Mylncrofte' (37 acres), 'Small Asshes' and 'Thold parke' (45 acres) and 'Tadwray' (26 acres). The reference to the Old Park, Vincent Park and the New Park suggest that the park built in 1561 may not have been the first in Ravenstonedale. Closes called Old Park and Vincent Park were leased to Wharton and his son before the former's purchase of Ravenstonedale: likewise New Park was held by indenture by Robert Shawe.<sup>4</sup> It is not clear though that they were parks in the sense of enclosed deer reserves; it is more likely that they were merely enclosed fields.

In late 1559 Wharton engineered exchanges between himself and individual tenants and amongst the tenants, by which tenant land within the perimeter of the enlarged park was exchanged for lands either taken from other tenants or for new improvements. The lands surrendered to Wharton included parcels (measured in acres) in Vincent Park, Hagg and Wheatfield. As its name suggests, Wheatfield could well have been an arable openfield, but whether this was equally true of Vincent Park it is impossible to say.

All tenements with lands inside the extended park were surrendered to the lord and then regranted, with the appropriate subtraction and addition of lands, back to the tenant for the normal tenant right term of the life of the lord and the life of the tenant. Not all the tenants whose lands were redistributed had held land within the perimeter of the park, for a few in this position surrendered land outside the park to compensate tenants who lost land to the park and were themselves compensated with new improvements elsewhere in Ravenstonedale. In all, 69 tenants surrendered and received new lands. Fines were paid on the readmittance of the tenants to their tenements (although some tenants volunteered to contribute labour to the building of the park wall in lieu of a money payment). Whether this rearrangement of the tenants' lands was achieved voluntarily cannot be established. No litigation complaining of it has been discovered (although this is hardly conclusive one way or another). Nor is it possible to decide whether individual tenants were better or worse off following the triangular trade in land which took place. It appears though that some trouble was gone to to ensure that the acreage which tenants received in recompense balanced that which they lost. A simple equity was therefore maintained.<sup>5</sup>

The other relevant document in the volume of Wharton rentals is an account of the labour employed in the building of the park wall, the erection of which, it tells us, was commenced at Michaelmas 1560 and completed in November 1561.<sup>6</sup> The wall, the circuit of which was 801 roods, was built in 19 sections, varying in length from 100 roods to 5 roods (the last the work of a single man), each contracted to different gangs of wallers. The account shows how building involved three quite separate tasks, getting stone, leading it from the quarry to the wall site and the

walling itself. Virtually all the leading of stones was done by boon works – customary carrying services – of tenants on the Wharton estates. The getting of stones was mostly done by paid labour (454 roods against 189). All the walling, as the skilled job, was paid for either in cash at rates varying between 2s per rood and 2s 8d per rood (657 roods) or credited to the wallers as allowances against their fines on tenant rights (144 roods). The whole structure cost £128 16s. 0d., but this makes no allowance for the provision of labour by boons or in lieu of fines. The real cost was probably over £160, but this cannot now be easily calculated.

Wharton Park is much less well documented, nor is it visible with the same ease on the ground. Blackett-Ord used Hodgson's map of Westmorland of 1828 to show that the park extended from the southern boundary of Kirkby Stephen township in the north to the boundary of Wharton with Mallerstang in the south. It filled the valley bottom for a distance of about one and a half miles but was only half a mile wide. Such a layout would be unusual: medieval parks tend to be circular or oval (like Ravenstonedale itself). Two other objections also tend to the conclusion that the 1828 map does not show the medieval park. This representation of the park has the road down the dale to Mallerstang south of Nateby village going *through* it, a rather unsatisfactory layout, and it includes the small and ill-documented pele of Lammerside. On the evidence of field shapes, it seemed more likely that the original park was a large circular enclosure with Wharton at its centre, the boundary of which runs down the backs of the houses of Nateby village, then along the west side of the Mallerstang road before curving around in a westerly sweep down and over the Eden at Mire Close Bridge. From there it rises up the valley side, runs northwards past Easegill Head before turning north-eastwards virtually at Kirkby Stephen station. Here it runs roughly parallel to (and is visible from) the main road before turning eastwards, traversing the valley by passing Halfpenny House until it meets the road north of Nateby. Field inspection showed that the wall at the back of Nateby and near Kirkby Stephen station was as massive as the Ravenstonedale park wall, but the wall which forms the southern part of this circuit is, as it exists today, of nineteenth century construction.<sup>7</sup>

The matter is settled beyond doubt by a map of 1638 in the Lonsdale archives (Plate 2). This shows the entire area called Wharton Park on the 1828 map, but divides it into two sections; the park, which comprises the roughly circular enclosure mentioned before, and the lands to the south of this (including the site of Lammerside) which the plan calls Wharton demesnes. This, in turn, appears to be the situation described in a rental of the demesnes of Wharton in 1560. Here, first the park and then the demesnes outside the park are itemised. The field names of the demesne closes correlate closely with those on the 1638 map.<sup>8</sup>

The 1560 rental describes Wharton Park when it was 13 or 14 years old. The most explicit evidence for the building of the park comes from a digest of matters at variance between Wharton and the second earl of Cumberland, dated 1554.<sup>9</sup> Wharton had been an estate officer of the first earl's in the early 1530s, but he and the second earl (who inherited the Clifford estates in 1542 on his father's death) appear not to have been able to live in harmony until late in their lives. Whilst their rivalry may have had its roots in the shadow that Wharton cast over the young earl, many of the individual issues arose from Wharton's acquisition of extensive monastic lands in the barony of Westmorland in the mid-1540s (including Kirkby

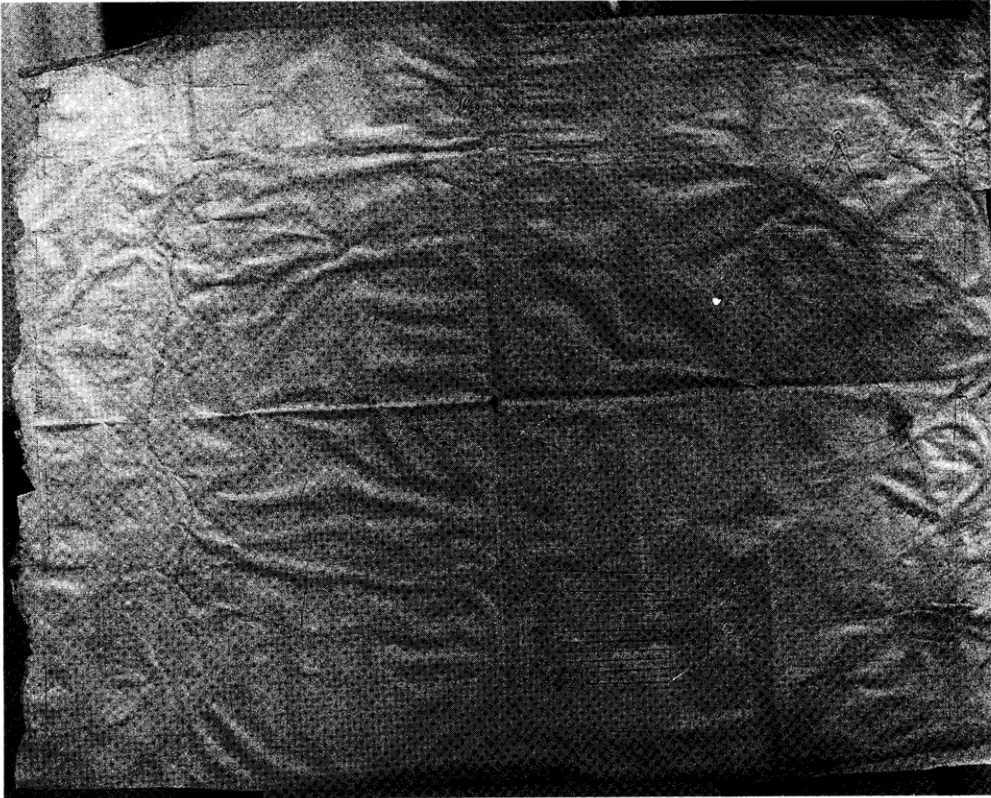


PLATE 2. Wharton demesne and parks by Francis Parkinson, dated on the reverse to 1638. The pale is the area within the 'jagged line' containing the closes numbered 1-4. Reproduced by kind permission of the Earl of Lonsdale.

Stephen in 1546). Wharton specifically complained that on 28 July 1553, the second earl had gathered a force of 40 men from Skipton and Langstrothdale in Craven who, in a riotous fashion, had pulled down a great part of Wharton Park wall. Whilst not denying that he had ordered the wall to be breached, Cumberland took a stand on his rights as the owner of the forest of Mallerstang in the upper Eden valley, the jurisdiction of which included Nateby town and field. Wharton had included 200 acres of Nateby in the park, so denying the earl his right of free chase; and to protect his liberty, the earl had ordered the pulling down of Wharton's stone walls within the chase. The source of Cumberland's antagonism towards the erection of the new park is thereby revealed. It is worthy of remark that the first earl had faced exactly the same problem with the erection of a park at Rylstone in the Forest of Skipton by John Norton.<sup>10</sup>

Nateby had earlier seen an ugly incident between a party of the earl's servants and Wharton's massed tenants.<sup>11</sup> On 23 September 1550, the earl's servants, who were travelling 'in the highway leading from Brougham to the chase of Mallerstang lying near the park wall of Wharton' to take their recreation in the forest, encountered a crowd (said to number 300) of Wharton's household servants and tenants under the

direction of Wharton's son, Henry.<sup>12</sup> As it happened, the two parties never engaged and the earl's servants passed peacefully towards Pendragon. They returned the following day by which time Wharton's force had been dispersed. Christopher Crackenthorpe and Thomas Hutton both went to see Wharton at Wharton Hall on the afternoon of the same day to ask why such a body of men had gathered against them. Wharton replied that it was because they had come to pull down his park wall, a claim which Crackenthorpe and Hutton strenuously denied.<sup>13</sup> The point which arises from all of this is that the park was new in 1550.

New is a slippery word, but other evidence suggests that the most likely date for the wall's erection is 1547. In 1549–50 John Warcop of Smardale and Lammerside launched a series of complaints in the Star Chamber against Wharton, alleging that Warcop and his ancestors had customarily possessed the right to intercommon with and take turves from within Wharton's manors of Wharton and Nateby. Wharton had recently sought to prevent this. In the most explicit of the bills, Warcop claimed his rights were to take common

in and upon all such lands, meadows and pastures parcel of the manor of Wharton set lying and being between Hakergill and the nether end of Wharton field as is sown with corn or that is used to be kept for hay called Within Akrgart from and after the corn growing on the same ground to be severed and carried until the feast of the Annunciation of our Blessed Lady next ensuing the severance of the same. And from and after the hay coming and growing of the same ground be made and carried until the said feast of the Annunciation of our Lady then next following that the same be again spared for hay.

And in and upon all such lands, pastures, feedings, commons and waste grounds within and of the said lordship of Wharton lying and being between the said bounds called Hakergill and the nether end of Wharton field aforesaid not being sown with corn, nor usually kept for hay called Without Akargarth, to take, have and use the said common for and at all times of the year.

And also in and upon the lands, meadows and pastures within and of the lordship of Nateby set lying and being from Hagell to Handgill, to have, take and use the common for and at all times of the year. . . .<sup>14</sup>

This is not as comprehensible as one might wish, but it seems to describe a rotation in which the ground was either cropped for corn or hay and opened for fallow after the cutting of the crop. It is not clear whether the corn and hay lands rotated. A further area, called Without Acregarth, was used as common. The general nature of the grievance is clear enough. In two of his bills Warcop says that he was unable to exercise these rights because three years earlier Wharton had enclosed these grounds with hedges and ditches to the area of 1,500 acres, of which 500 were in Wharton and 1,000 in Nateby.<sup>15</sup> These acreages need not be taken literally, but a sizeable enclosure is indicated and this must surely be Wharton Park. The most likely date of the park's creation is therefore 1547.<sup>16</sup>

Both Wharton and Nateby formed part of the patrimony of the first Lord Wharton. It may be conjectured that the creation of a park including lands in Nateby was made possible by Wharton's purchase of those tenements in Nateby which had formerly belonged to St Mary's Abbey, York, by letters patent dated 20 March 1546.<sup>17</sup> The way in which the park includes all the land between the western edge of Nateby village and the river Eden suggests that here too Wharton enclosed



within his park some of his tenants' arable lands (although we have no documentary evidence to confirm this supposition).

It remains to ask what happened to Lammerside. The Star Chamber pleadings between John Warcop of Smardale and Wharton confirm that Warcop was lord of the manor of Lammerside. Two of the bills also contain the allegation that Wharton's servants had destroyed the ditches and rails of a close of Warcop's at Lammerside called 'Thwat Bratten' or 'Thwatebreaton', a name now lost.<sup>18</sup> By the time of the 1638 map, the pele was situated in a close of Wharton's called Lammerside. It once seemed possible that the castle and the close had been purchased by Wharton or another member of the family between c. 1550 and the date of the map, but against this must be weighed the fact that the closes described by the map seem to have been in existence when the 1560 rental was drawn. Wharton could have purchased the Warcop interest at some point during the 1550s, but I have been unable to find evidence with which to prove this hypothesis. It could equally be that Warcop, having lost many of his rights through the erection of the park wall, abandoned his house and its ground and allowed it to be incorporated into the Wharton demesnes. But this too is unevidenced.

Like the park at Ravenstonedale, the park at Wharton included within it areas of arable. But whether the creation of the park involved the removal of a village or hamlet at Wharton (as Nicholson and Burn supposed) cannot now be ascertained. The 1560 rental shows that the lordship was far from depopulated, there remaining 16 tenements paying a rent of £10 12s. 2d.<sup>19</sup> The creation of the parks certainly entailed a major reorganisation of the landscape. Erecting a perimeter wall some 10 or 12 feet high clearly spoke volumes about the aspirations of Thomas Lord Wharton. But it must not be forgotten that both parks were commercial ventures. They may well have enclosed deer; the very height of the park walls suggests that, but we may also assume that the closes inside the park were used for grazing cattle. Whether Wharton maintained a demesne herd or leased the closes it is once again impossible to say, but the valor of the Wharton estates drawn up for Philip Lord Wharton in 1605 gave the rent of Wharton Park and demesnes as £110, *besides* the feeding of 200 deer, and the value of Ravenstonedale park and demesnes as £100.<sup>20</sup>

The park walls at Wharton and Ravenstonedale are, like the house at Wharton, memorials to the ambition of the first Lord Wharton. They need to be seen to get the measure of the man and to understand the antagonisms he provoked.

## Notes and References

- <sup>1</sup> 'Lord Wharton's deer park walls', *CW*2, lxxxvi, 133–39.
- <sup>2</sup> W. Nicholls, *The history and traditions of Ravenstonedale* (Manchester, 1877), 21–6.
- <sup>3</sup> Cumbria R.O., (Carlisle), D/Lons/L, Wharton Manors, rental of the Wharton estates, 1560–2, hereafter 'Wharton Rental'. (The Yorkshire section of this is printed in M.Y. Ashcroft (ed.), *Documents relating to the Swaledale estates of Lord Wharton in the sixteenth and seventeenth centuries* (North Yorkshire County Record Office Pubs., 36, 1984), 13–27).
- <sup>4</sup> Public Record Office E318/22/1205.

- <sup>5</sup> This account is based on the list of new admissions in the Wharton Rental, 228–277, the first part of which is printed (somewhat inaccurately) in translation by Nicholls, *op. cit.*, 25–6.
- <sup>6</sup> Wharton Rental, 284–295.
- <sup>7</sup> I am grateful to my wife for looking at these walls with me on the wettest day of August 1989.
- <sup>8</sup> C.R.O. (Carlisle), D/Lons/L, boxed plans, C312. For a plan of 1768 of the Wharton estate, *ibid*, plans part one, no. 422. Wharton Rental, 2.
- <sup>9</sup> Public Record Office, STAC10/15 fols 21r, 25r, 31v, which was first brought to my notice by Alan Fellows. I hope to discuss the feud between them in greater detail on another occasion, but for Wharton's early career, see R.W. Hoyle (ed.), 'Letters of the Cliffords, lords Clifford and earls of Cumberland, c. 1500–c. 1565', *Camden Miscellany* 31 (Camden Soc., 4th ser., 44, 1992), 120–21.
- <sup>10</sup> R.W. Hoyle, 'The first earl of Cumberland: a reputation reassessed', *Northern History* 22 (1986), 73–4.
- <sup>11</sup> Both parties lodged bills in Star Chamber against the other; Public Record Office STAC3/6/46 (*Cumberland v Wharton*), STAC2/22/182 (*Wharton v Thomas Blenkinsop and others* [Cumberland's servants]). Cumberland also had the Wharton force indicted at sessions; Public Record Office KB9/575 nos. 30, 32, 34. The longest of these indictments names 164 men as being present, mostly Wharton's tenants from Ravenstonedale. Other men indicted may be tentatively identified as Wharton's household servants, including his chaplains.
- <sup>12</sup> Public Record Office STAC3/6/46. Elsewhere it is said that they were 'in the highway lying near a new stone wall set within the forest now named Wharton Park wall', STAC2/22/182, answer of Thomas Clifford and others.
- <sup>13</sup> STAC2/22/182, answer of Thomas Clifford and others.
- <sup>14</sup> Quoted from STAC3/4/65 (the quotation modernised, but with placenames as in the original). STAC3/4/79 uses the same formula of words but with the variant spelling of placenames. I have not been able to identify the placenames. For the pleadings between Warcop and Wharton for Warcop's right of turbary on 'Wilbertfel', STAC2/20/140, STAC3/1/78 and the cross suit, STAC3/4/2, STAC2/20/127.
- <sup>15</sup> STAC3/4/65, 79.
- <sup>16</sup> Against this must be weighed Wharton's claims that both the first earl (d. 1542) and the second earl had hunted in the park, STAC10/15 fol. 25r. There was also an indictment made at the Westmorland sheriff's tourn on 24 April 1557 which alleged that Wharton had, on 24 January previous, blocked the way of the inhabitants of Mallerstang by enclosing both it and 70 acres of land with a stone wall in Wharton Park. It is possible that this indicates a further enlargement of the park; it is equally possible that the date is a fiction and the indictment a further stage in the struggle between Cumberland and Wharton. KB9/592(2) m.5.
- <sup>17</sup> *Cal. Letters and Papers of Henry VIII*, XXI (i), 504 (31).
- <sup>18</sup> STAC3/1/78; 4/65.
- <sup>19</sup> Wharton Rental, 4–7.
- <sup>20</sup> C.R.O. (Carlisle), Wharton Rental, 318. For the rents of the park in 1669–70, Ashcroft (ed.), *op. cit.*, 97.