

ART. I.—*The medieval fence of Rydal and other linear earthworks.* By W. G. COLLINGWOOD, M.A., F.S.A.

Read at Penrith, April 17th, 1929.

IN the last report of the Earthworks Committee of the Congress of Archaeological Societies an appeal was made for the study of 'linear earthworks,' that is to say dykes other than ramparts of ancient forts and dwellings. This paper is intended as a contribution to the study by giving an example of an important boundary fence of which we have a detailed record and date, and by collecting a number of dated notices of similar works.

In 1275 Sir Roger f. Gilbert de Lancaster acquired from his relative Margaret de Brus, late wife of Robert de Ros of Wark, her part of 'Rydale, Amelsete and Loghrigg.' Adjoining to this property William de Lyndesey held Troutbeck, Applethwaite and Windermere in right of his wife Alice, one of the heiresses of William de Lancaster III. Lyndesey's tenants let their live-stock stray into Rydal, and Sir Roger, being a landowner with a great objection to trespassers, took steps to have his manor fenced, as described in a document in possession of Mr. Stanley H. le Fleming of Rydal Hall, by whose leave we print it. Dr. William Farrer (*Records of Kendale*, ii, p. 20) noticed it, with remarks on the inaccuracy of the names, which he can hardly have seen in the original. Sir Daniel Fleming knew it, but probably did not decipher it, as he marked it in his list of 'evidences' *Rydal C. Lege*, that is to say, "Read it (when I can)." Miss Armitt's rendering is not quite satisfactory; and that is our apology for transcribing a record of very considerable interest relating to the heart of the Lake District six hundred and fifty years ago.

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Rydal (C. 17), May 3rd, 1277. Hoc scriptum cirograffatum testatur quod cum plures contentiones orte essent inter dominum Rogerum de Lancastre ex parte vna et Willelmum de Lyndesey ex parte alia, die Inventionis Sancte Crucis Anno Regni Regis Edwardi quinto, et quod cum dictus Rogerus petebat forisfactas de hominibus dicti Willelmi pro aueriis eorundem captis in foresta ipsius Rogeri in Rydal, Et predictus Willelmus dicebat se et homines suos non debere ameriari sed tantum dare pro quolibet boue uacca et equa in predicta foresta inuentis per eschapium, et etiam pro porco, obulum, et etiam pro quinque bidentibus obulum, et pro quinque capris vnum denarium, ita quieuit inter eosdem—quod idem Rogerus concessit pro se et heredibus suis quod includere faciet octies uiginti pertacas, per rodam uiginti pedum, uidelicet a superiore parte parci sui de Rydal, ubi parcus fuit die confectionis presentium, uersus Rogerloge, sequendo rectas diuisas inter Rydal et Scandale: et dictus Willelmus concessit pro se et heredibus suis quod ubi dictus Rogerus includere desinit, sequendo rectas diuisas predictas, quod includere faciet octies uiginti pertacas uersus le Crag in le Grencoue.

Concessit etiam predictus Rogerus quod, si aliquid de terra dicti Willelmi per parcum suum includeret, quod tantum de terra sua propria extra parcum suum dicto Willelmo per excambium dimittet, et super terram suam ibi extra parcum suum dimissam (quam longe parcus dicti Rogeri se extendit uersus le Crag in le Grencoue nec ex alia parte de Routhm[ere] extra clausum uersus le Lauerdgrag—*these words in brackets interlined*) ullum imparcamentum faciet.

Concessit etiam predictus Rogerus pro se et heredibus suis quod includere faciet ex altera parte de Rydall, de aqua de Routhm[ere] vsque le Lauerdgrag per rectas diuisas inter Rydal et Gresm[ere]. Et predictus Willelmus concessit pro se et heredibus suis quod includere faciet medietatem de le Lauerdgrag usque le Arngrag per rectas diuisas inter Rydal et Gresm[ere]. Et Margareta de Ros includere faciet aliam medietatem inter le Lauerdgrag et le Arngrag per rectas diuisas predictas. Et ista clausa fiant ante festum sancti Michaelis anno supradicto.

Conuenit etiam inter eosdem quod, si aueria ipsius Willelmi et hominum suorum infra predictam forestam predicti Rogeri de Rydal per eschapium capiantur, quod debetur pro quolibet auerio ut supra, quousque per considerationem domini Regis ut eius consilii discussum fuerit utrum dictus Rogerus capiet obillos pro aueriis captis in forma predicta, ut alio modo ameriamenta. Et ambe partes concesserunt quod ista discussio fiet infra festum

Omnium Sanctorum anno supradicto presenti, ita quod per donacionem et captionem predictorum obillorum neutri parti (nec eorum heredibus quousque predicta discussio fiet inter eos, quod fiet infra supradictum tempus—*these words in brackets interlined*) fiat preiudicium, et ambe partes ostendent pro statu suo coram domino Rege ut eius consilio sine placito quod pro eis uiderint prodesse, et super hoc capient consideracionem, et de illa consideracione contenti erint inperpetuum.

Concesserunt etiam ambe partes quod recte diuise fiant inter eos apud Scamdalbeck juxta parcum inter Rydal et Scamdal, et etiam de terra ipsius Rogeri in Withirslack, secundum tenorem carte sue, per sacramentum proborum hominum Juratorum. Concesserunt etiam ambe partes quod per exstenta proborum hominum fiat excambium inter eosdem de terra ipsius Rogeri in Lickeberg' et terra ipsius Willelmi in Crossetwayt, ut quod predictus Rogerus habeat per rectum exstentum contra terram de Lickeber que dicto Willelmo et heredibus eius per escambium inperpetuum remanebit terra ipsius Willelmi ad valorem in Crossetwait.

Et ad istas conuenciones fideliter ex utraque parte obseruandas, tactis sacris scriptis Jurauerunt, et se fide media obligauerunt et presenti scripto cyrograffato sigilla sua mutuatim apposuerunt, Hiis testibus, Dominis Henrico de Staueley, Rogero de Burton, militibus; Willelmo de Wyndesheu[er], Gilberto de Quytby, Johanne de Crashuthyn, Gilberto de Brunolsheuid, Ricardo de Gilpyn, Ricardo filio Julian[e] et aliis. Hec interlinaria, scilicet "quam longe parcus dicti Rogeri se extendit uersus le Grag in le Grencoue nec ex alia parte de aqua de Routhem[ere] extra clausum uersus le Lauerdgrag," "nec eorum heredibus quousque predicta discussio fiat inter eos, quod fiet infra supradictum tempus," Hec interlinaria facta sunt ante consignationem presentium.

[Seal wrapped up, described by Miss Armit as shattered. Endorsed—] Riddall. Edward: C (17).

The indenture is then to this effect:—Sir Roger de Lancaster and William de Lyndesey had been at variance about the beasts of William's tenants (at Ambleside) which strayed into Roger's hunting-preserve of Rydal. The usual penalty had been a halfpenny for every ox, cow, mare, pig or five sheep, and a penny for five goats caught trespassing; but Roger was not satisfied. The dispute was settled on May 3rd, 1277, when Roger undertook to

make a fence of 160 perches in length, reckoning by a rod of 20 feet to the perch (i.e. 3200 feet or nearly three quarters of a mile long) from the higher part of his park at Rydal, as the park then stood, towards Rogerloge (Roger's lodge, of which later) along the bounds between Rydal and Scandale. William undertook that from the end of Roger's fence he would have a fence made of the same length along the said bounds towards the Crag in the Green Cove (a place unknown, of which later). Roger agreed that if his fence included any of William's land he would let him have as much on the Scandale side in exchange. Moreover, Roger would make a fence along the bounds between Rydal and Grasmere from Rydalwater (up Nab Scar) to Lord's Crag; William would continue this fence to a point half-way between Lord's Crag and Arn or Erne Crag, and Margaret de Ros would continue this fence to Erne Crag. All these fences were to be made before Michaelmas, 1277.

As to the penalties for straying live-stock, it was agreed to refer the question to the king or his council, without making this matter a law-suit. An opinion was to be got before All Saints' day, 1277, and it would settle the terms finally; but in the meantime the usual payments were to be made 'without prejudice' to either party. Both also agreed that juries of respectable men should fix the boundaries between Rydal and Scandale, near the fence at Scandale beck; and the boundaries at Lickbarrow, where Roger was to make an exchange with William for land in Crosthwaite (Westmorland). And they swore on the Holy Scriptures that they would observe this agreement and sealed the counterparts in the presence of the witnesses named. It is added that the interlineations had been made before the execution of the indentures.

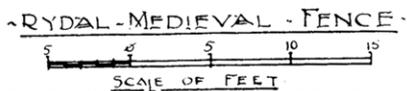
The witnesses are not inaccurate. Sir Henry de Staveley, before he was a knight, witnessed a Westmorland

charter in 1260 (these *Transactions* N.S. xx, 72); he was a knight in 1275 when he witnessed Margaret de Brus' or Ros' charter of Rydal to Roger de Lancaster (*Kendale* ii, 20). In 1278 he and Sir Roger de Burton were on a jury for awarding the bounds of Rosgill (N.S. xiv, 14) and next year the same two witnessed for Roger de Lancaster again (N.S. x, 450) together with Gilbert de Wyteby or Quitby. The last was of Whitbysteads in Lowther (N.S. xxiv, 299) and in 1286 witnessed a grant in Bampton (N.S. xxii, 307). William de Wyndesheuer or Wyndesoure was owner of Heversham in 1282 (N.S. xxv, 316) as his ancestral estate inherited from his great-grandmother Agnes, daughter of William de Lancaster I. He was also of Fenton in North Cumberland, and as such appears in the Wetheral charters nos. 203 and 220 in 1292. Gilbert de Brunolshevid or Burneside is well known. He was appointed by Isabella de Clifford as under-sheriff of Westmorland from October 15th, 1290, and again in the next year (O.S. iv, 320). In 1272 he witnessed for Gilbert de Witeby, named above (N.S. xxiv, 299) and in 1275 acted as attorney to Roger de Lancaster (*Kendale*, i, 266). He died in 1310. Richard de Gilpyn acquired land about 1272 in the lower part of Kentmere (*Kendale*, i, 317), where his descendants still flourish. John de Crashuthyn or Greysouthen we do not know as a landowner; he may have been a lawyer, for there were two clerks of that name a little later (*Bishop Halton's register*, i, 269; ii, 88, 137); a John f. Christiana de Craysothen is named, without date, in *St. Bees*, p. 557. And Richard f. Juliana may have been a brother of the William f. Juliana who witnessed a deed relating to Lancaster in 1285 (*Furness Coucher* ii, p. 203); as he comes last, and sometimes the clerk added his name to the witnesses, perhaps he was the writer of this document.

Of the place-names, Witherslack and Crosthwaite (in Westmorland) and Lickbarrow (in Windermere parish)

need no further note; the connexion of the parties with these places can be seen in *Records of Kendale*. 'Rydal' and 'Scandale' are so written at their first mention, so that 'Scamdale' is no doubt a clerical error, and other forms quoted elsewhere are erroneous. We know 'Lauerd-grag' (Lord's Crag) from the grant of 1275, in which 'Arngrag' appears as 'Erne krag' (Heron Pike); both crags on the ridge between Nab Scar and Fairfield. The Crag in the Greencove (not 'Grencone') is the only name not still in use; if the first fence is described as running downhill and then starting again at the high end of Rydal park, it would bring this crag to somewhere about the point called on the Ordnance map Low Pike (1657 ft.) nearly on a level with Erne Crag or Heron Pike (2003 ft.) and make the fences on the two ridges parallel. But if the Green Cove was near the foot of Rydal-water, William de Lyndesay had to fence the valley bottom, and there would then be a continuous line, broken only by the lake, from the top of Rydal park down into the valley and up again by the precipitous rocks of Nab Scar to Heron Pike or Erne Crag. Why the upper ridges were not fenced, considering that goats were, by the tariff, twice as mischievous as sheep, does not appear unless the Rydal Park north wall then ran completely across the valley. If that were the case, not only is the fence explained but we should have support for identifying Roger-loge with Rydal Old Hall on the great hummock of rock on the left-hand before entering Rydal from Ambleside. It can hardly mean anything else than Sir Roger's lodge or hunting-box; not a fortified dwelling though in a defensible position; and this place-name gives an earlier instance of the word than any in the Oxford Dictionary, which has under 1290 "*Logges in quibus piscatores possent hospitari*" and other quotations showing that a lodge was not a fort. The 'St. John's How,' quoted by Miss Armitt (*Rydal*, 564) from a corrupt copy of a deed of

The following measured sections and notes have been kindly supplied by Mr. R. E. Porter.



- SECTION - N^o 1 -



- SECTION - N^o 2 -

The wall from Swanstone on Rydal Water passes up the face of Nab Scar and ends about halfway between the summit of the Scar and Lord's Crag. The last portion has long been ruinous. From the end of the wall the ditch runs in as straight a line as possible, past Lord's Crag to the summit of Erne Crag where a later wall turns abruptly down the Crag to the Rydal valley. There is no trace of a ditch or wall beyond Erne Crag in the direction of Great Rigg.

The ditch has been excavated so that the material was all thrown out on the Rydal side. In places the ditch is quite deep and the embankment is also very clearly visible.

Section no. 1 is taken at a point just south of Lord's Crag at an elevation of 1500 feet; no. 2 at a point about 60 yards from the end of the ditch at Erne Crag, the elevation being 1750 feet.

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1575, can hardly have been a chapel-site; it is not mentioned in this or in any ancient deed; but the suggestion may be made that it was a miswriting of 'Sr. John's How,' referring to Roger's son John or to his descendant Sir John, whose daughter brought Rydal to the Flemings in 1443.

Now this great fence must be that of which parts are still visible as a dyke on the Nab Scar ridge. It could not have been a stone wall, for the ridges are remarkably free of loose stones, and the carriage of enough to build a wall up there on the heights would have been costly and hardly practicable between May and the September following. Nor could it have been a paling, for so long a paling would require an enormous amount of good timber and proportionate time. As a dyke remains, the whole was probably made by digging a ditch, throwing the upcast to one side, driving in rough posts at intervals on the top of the upcast and wattling boughs and brushwood from post to post; that is, the stake and binder or edder fence anciently and still in use in this country. Such a fence is not durable though rapidly made, but according to Sir Daniel Fleming it was one of the duties of the manorial tenants annually to repair this fence.

This example at Rydal is worth the lengthy description because it gives us the date as well as the construction of an important linear earthwork, and serves to explain a number of cases in which we have either the remains or the records. And as the subject has not been very fully treated in these *Transactions*, and the remains are sometimes liable to misinterpretation, it may be allowable to give a list of linear dykes known to the writer, with another list of those he has found mentioned in ancient documents.

The Roman Vallum and Wall we need not dwell upon, nor the Holm Cultram seadyke, nor the Scots Dyke (described by Mr. T. H. B. Graham, these *Trans.*, N.S. xii,

47). Of defensive dykes the 'Baron's' and the 'Bishop's' are described by Mr. Graham (N.S. xiii, 24*ff.*), Mr. Curwen (*Castles*, 193*ff.*) and Canon Wilson (*Rose Castle*, 184); Salkeld (N.S. xiii, 28); Great Orton (*Castles*, 196); Borrowdale, Westmorland, the hedge 'on account of the Scots' mentioned about 1180 (*ibid.* 199); perhaps Clifton dykes, Westmorland, refers to a similar defence; and the Penrith registers say that in April, 1601, the Town-dyke was 'newly casten for the defence of the towne.' Other ancient town-dykes may not have been defensive but simply delimiting, as the medieval dykes between Penrith and Catterlen, Plumpton dyke and Skeugh dyke (Jefferson, *Leath Ward*, 17); Cannerheugh (*ibid.* 328); Castlecarrock, Brackenthwaite, Albyfield, Cumrew and the double dyke near Carlatton (N.S. xix, 104; xx, 25); those at Renwick (N. & B. ii, 435); Cleator (O.S. i, 286); Gathorn (*Castles*, 201); and the Flookburgh town-dyke (Stockdale, *Annales Caermoelesenses*, 250). It looks as though the cultivated land of many townships were in the middle ages enclosed by dykes; but some dykes surrounded the parks or hunting-grounds of private owners. These at Smardale beck seem to be the earlier form of the park, before the stone wall of 1560, and the dykes of Bleaberry haws and Appletreeworth in High Furness may be perhaps connected with the Deirsgard or deergarth of the charter (Farrer, *Lancs. Chart.* 442) of 1170-84. Mr. H. S. Cowper's ancient dyke of Hawkshead High Park (O.S. ix, 200) may be of this class.

Next, to collect examples from charters. The Cistercians of Holm Cultram were great dyke-diggers. They began (1150 or soon after) with dyking their precincts and then the whole Holm. The 'new dyke' near the Waver, is named soon after 1150 (*Register*, p. 28), and the 'outer dyke' towards Kirkbride, in 1190 (*ibid.*). About 1200 the 'monks' dyke' towards Bromfield is noticed (p. 80). Whenever they got land they dyked it round:—Kirkby-

thore by 1179 (charters 157, 167, 174); Flimby c. 1180 (49*a*); West Seaton c. 1185 (55); Distington early 13th century (91); Warnell before 1232 (221) and various parts of Inglewood before 1252 (227). There were other dykes than those of the monks; Brandesdic near Flimby must have been that of one Brand before 1180 (49*a*); Bricius of Penrith, c. 1230-60, had a dyke on his land running from Honeyspots farm along the north bank of the Eamont and enclosing St. Wilfrid's Holme and Isis Parlis caves; near Burgh-by-Sands, by 1200, Dermann had enclosed his land and called it Dykes; and the ploughed lands at Burgh in 1240, at West Newton in 1262 and at Wigton in 1270 (charters 2, 202, 108*a*) were dyked around and the fences opened after hay and harvest to allow the abbey's animals to pasture on the fallows. Traces of these very early fences to townfields may be identified and ought not to be mistaken for prehistoric remains, ancient as they are.

In looking through Chancellor Prescott's *Wetherhal* we note:—at Wetheral, c. 1175, the dyke near Edwin's house, running to the Eden, and the statement that Werric had made a dyke thereabouts (charters 38, 43, 56); and on the opposite side of the river, about 1225, a dyke that ran beside a footpath to the Eden (charter 54); at Birdoswald, c. 1200, the 'ancient dyke' (p. 225) is probably Roman; at Croglin, 1231-36, leave was given to dyke or otherwise enclose two acres (charter 155); at Ousby, c. 1236, the dyke of Castleslack, which is on the south of Sunnygill near the bridge to Melmerby, was not Crewgarth, the 'fort' over a mile to the west (charter 183); at Renwick, c. 1240, was a dyke running to the king's highway (charter 175); at Culgaith a dyke had been destroyed in 1273 (page 316*n*); at King's Meaburn, c. 1290, a small field was dyked around (charter 219); and at Cumwhinton, date not mentioned (charter 237), a dyke formed part of Wetheral bounds. It will be noticed that

the Augustinians do not seem to have been such dyke-diggers as the Cistercians, but Wetheral records supply these ten examples.

St. Bees Register offers the following, which are added here because neither Canon Wilson nor Chancellor Prescott gives a list in their indexes and the instances are not generally known. Before 1179, Cospatric f. Orm grants that the monks may dyke Salter (charter 33). About 1202 a dyke at Ponsonby is mentioned (charter 288), and in 1246 the prior of Conishead allowed Calder Abbey to enclose with a dyke or a hedge the alderwood on the south of the abbey (page 306*n*). Early in the 13th century Adam de Millom allowed St. Bees to dyke the saltworks at Millom (charter 57), and a dyke there near the 'Se-wal' is named in *Illustrative Document* xlvi. About the same time at Newton, Gosforth, dykes are mentioned, on one of which a graystone or boundary mark stood (charters 110, 111, 118). About 1230 there was already an ancient dyke at Winscales, about 3 miles S.E. of Workington, and others are mentioned c. 1258 (charters 74, 344). About 1250 a right of way between Hothwaite (Whitehaven) and Whillimoor was to be dyked (charters 136-138) and c. 1260-80 the croft of Robert f. Stephen was near a dyke (charter 181). About 1285, Embleton park was to be enclosed, though c. 1210 the vill was surrounded by a great *sepes* (pp. 569, 571). Late in the 13th century the 'old dyke' at the millpond of Hale is named (charter 307). About 1460 various dykes at Moresby and Distington are mentioned (charter 496) and in 1474 the dyke of Christopher Sandys at Rottington (charter 493).

The Furness Coucher ii, edited by Mr. Brownbill, contains a few mentions of medieval dykes. The 'Blake-dik' in Millom (p. 539) is named c. 1260-80 and discussed by the Rev. W. S. Sykes in these *Trans.* n.s. xxvi, 135; the same writer (*ibid.*, p. 132) indicates the position of the 'dyke under Coklayk' (charter of 1279, p. 537),

part of the bounds of Kirksanton Meles; which dyke is not named in earlier charters referring to the same place. Mr. Sykes has also discussed (these *Trans.* N.S. xxiv, 246) the dyke which he identifies with Throstlegarth in Upper Eskdale, made by Furness Abbey about 1290 in consequence of John de Hudleston's leave to enclose pastures 'fossato, muro vel pelicio' but not too high for the deer to leap (*Coucher* ii, p. 566). A dyke at Angerton Moss (near Foxfield in Furness) is named in 1290-93 (p. 770) but in 1424 (p. 773) was "the olde dike extending to Whelpsate crag," a rock south of Angerton farm. And in 1430-31 William, lord Harrington, allowed Furness Abbey to "make a wall and a dyke at thaire will be twyx all the bowndes and the devyses [i.e. divisions] of [Dalton and Leece in Furness] also ferre als the boundes of thayre sayde lande and tenementes stretches" (p. 789).

We have now noticed over 70 'linear earthworks' in our district; no doubt there are more; and the object of the list is to suggest sites where these dykes may be identified by field-workers who have opportunities for local research. It is recommended by the Earthworks Committee that such finds should be measured and plotted upon Ordnance maps to the six-inch scale, and the results will be welcomed by our Society.
