

Contents

Kirkby Stephen

Introduction, general	Page 1
Conditions in 14th century Cumbria	Page 4
Kirkby Stephen: the church	Page 7
Kirkby Stephen: the village in 13th and 14th centuries	Page 10
Kirkby Stephen: the market	Page 13
Fairground Markets	Page 27

The Market Charter of 1353

Appendix: The manuscript and translations for by John Gowling	
I - Daily Wages 1352	
II - David Peckle 1350-1360	

1. Latin text of the original charter, with the names of Kirkby Stephen and Margaret Wyvil

2. a) Introduction

3. b) Translation

A Historical Background

IV - Poll Tax lists of Kirkby Stephen and surrounding parishes, Hazles, and Winton] 1379

by

Margaret E. Gowling, B.A., M.Phil.

Acknowledgements

Introduction

The Establishment of Kirkby Stephen as a Market Centre

Many people have helped in the collection of material for this project but I think we would all acknowledge the vital role played by Dorothy Waterworth who inspired and organised not only the funding applications for the Charter Fair, but also oversaw the various projects from exhibitions to publicity with such an infectious enthusiasm that the work although intensive, remained highly enjoyable. The conditions laid down by the Heritage Lottery that the background was to be authentic gave the impetus for this research. Cumbrian history is quite distinct from that of the rest of England in the fourteenth century yet apart from the work of Angus Winchester and Charles Phythian-Adams, very little has been published. As both these historians were concentrating on Cumbria as a whole, the Upper Eden valley was but a small part of their work. It was therefore necessary to use primary sources, but many old documents have been lost or destroyed. This work is based largely on the 14th century bishops' registers for Carlisle diocese, and the contemporary state papers of the king's justices. These sources have all been translated and published.

I am grateful for the help of the archivists at both Carlisle and Kendal record offices, to the archivist at York Minster and to Canon David Weston at Carlisle cathedral. My thanks to all the others who have helped in the search: they include Douglas Birkbeck, Margaret Mayne, Elizabeth Davy and Thomas Paul and to my husband, John, who has tackled the medieval latin, having worked with a group of latin translators under Paul Booth from the University of Liverpool for the past decade. Again, more thanks are due to Dorothy Waterworth who has typed this report when my ancient computer, faced with a deadline, crashed for good.

The Establishment of Kirkby Stephen as a Market Centre.

The market charter granted in 1353 formed a significant step in the development of Kirkby Stephen for it marked the change of a small agricultural hamlet into a market centre occupied by traders and craftsmen as well as farmers. To understand these changes it is necessary to look at the village in its Cumbrian context during the fourteenth century. The problem, however, is to find contemporary sources, for unlike parts of southern and central England, there are very few surviving documents, nor is there much pictorial evidence in the form of manuscripts or carvings. Many local documents were destroyed or lost through fire, pillage, or flood during the Scottish incursions, when the main administrative centres, such as the castles of Carlisle, Appleby, Brough and Hartley together with Carlisle cathedral and many churches were devastated or neglected.

The problem is exacerbated if one wants to find detail of the lives of the ordinary villager at a period when few people were literate; few church decorations or murals survive. A source like the splendid cartoons of the Lanercost Cartulary, which illustrates both peasant and cleric of Cumbria in the late medieval period would be ideal, but unfortunately the drawings cannot be dated and are unlikely to be earlier than the 15th century.¹ The choir of Carlisle Cathedral, rebuilt in the 14th century under Bishop Welton, is another potential source with its richly carved misericords and pillar capitals. However, although the pillars depict the agricultural year, the suspicion that they were not illustrating local conditions is aroused when that for September is found to show the harvesting of grapes; a highly unlikely task in the 14th century given the recorded number of harvest failures of rye and oats, accompanied by famine and high corn prices. The misericords are also a disappointment as a view of village life: there are a few people depicted in 14th century dress suffering unpleasant torments, but the bulk of the carvings are of the green man, a reminder perhaps that the disasters of the century brought the

¹ Todd JM. *Window onto Late Medieval Cumbria*, CWAA, tract XX, 2000

old magical beliefs to the fore.²

Documentary records, therefore, form the basis of this description of Cumbria despite the fact that they are sparse, sporadic and incomplete. So far it has proved impossible to find the original grant of Kirkby Stephen church to St Mary's Priory, York, and therefore even the dedication of the church remains unknown.³ Fortunately the bishops' registers for the period have survived. These have been translated and edited by Professor RL Storey. These give a picture of the bishops as both ecclesiastical and political leaders. They were the king's representatives in the north; Bishop Kirkby was sometime warden of Carlisle castle; later Bishop Welton was appointed warden of the West March. Their duties varied from attendance at parliament, [wherever it was held] and leading their men to battle, to supervising border defences, controlling the supply of arms and the removal of illegal aliens. In addition, the registers show that their diocesan duties included the collection of papal taxes, the suppression of false pardoners, the licensing of indulgence sellers, pilgrims and quest seekers [who were raising money for church buildings] as well as supervising the clergy and the church courts.

The other surviving documents for the period are the state papers which were lodged in London. Since the late 19th century, these have been gradually translated, calendared [abbreviated] and published. They include the Charter Rolls [CR], with Kirkby's first market charter recorded; the original has disappeared. They also include the Inquisitions Post Mortem [IPM] in which the possessions of major landowners were recorded on their death. The Clifford properties were listed in 1315, 1327 and 1422. In addition there are the Inquisitions Miscellaneous [IM] which provide the details of war booty, coroners inquests and lists of unlicensed aliens in Cumbria. The originals of all of these are in the Public Record Office [PRO]. Some sources have yet to be translated; these include the tax lists such as the lay subsidies and the poll taxes.⁴

² My thanks to Margaret Mayne, Carlisle, for directing my attention to the carvings. The conclusions are my own.

³ St Mary's Cartulary is in the Minster library at York.

⁴ Poll tax lists for Westmorland have just been published, ed. by CC.Fenwick

By using a combination of sources it has been possible to detect, through the haze of the past 650 years, an odd glimpse or two of the life in 14th century Kirkby Stephen. There are three aspects which are to be discussed: first the church and its vicar, secondly the villagers as revealed by the tax lists, and thirdly the manor and its farmlands. Separately they beg more questions than they answer, but together, they give some insight into the type of settlement found in the Upper Eden in 1353. The study will begin with a brief summary of the general problems found in 14th century Cumbria, for remote though it was, Kirkby could not escape from the general lawlessness, disease and disasters of the period.

1. Lawlessness

The efforts of the English kings to subdue the border counties were almost as destructive as the raids. Their armies traversed the country, commandeered livestock and demanded supplies of other necessities. The Bishop of Carlisle was responsible for collecting taxes to fund both the pope's crusades and that of his king. He was expected to provide an armed force and lead them to battle when required. This he did in 1346 at Neville's Cross in Durham. When unsuccessful in other partitions in 1337 his excuse was that "the cruel fury of the Scots" prevented this. In 1338 when Edward III demanded a tax of wool, he was informed that "the country are well nigh ruined by the fury of the Scots and [the bishop's] own fee they have almost utterly perished in many places". Frequent raids by the king, from 1315 certainly mention the burning, looting and the carrying away of beasts (more than 500 from Ewforth in 1315). Following the Scottish invasion into the Upper Eden in 1315 an inventory of Ewforth lists 24 tithes (small holdings) and 10 churches (large cattle farms) all burnt. Winton Mill and other buildings suffered a similar fate. Andrew de Haudis, who owned Hartley castle was the king's constable of the north. His attempts to calm the situation by reaching an agreement with the Scots led to his assassination a year, although the king himself negotiated a truce the following year. In 1330 the northlanders were still pillaging the country, complaining

Three major problems were to be found in this century:

- * Political unrest in the border counties of England and Scotland
- * A run of bad harvests led to famine in the first quarter of the century and again in the 1350s and 1360s. These were accompanied by cattle and sheep murrain. The cattle pestilence broke out a number of other times over the century especially in the 1350s.
- * The Black Death reached the north in 1348/9. There were fresh outbreaks in the 1350s and a major one in 1361/2 which probably was the cause of death of the vicar of Kirkby Stephen. In the 1380s Appleby market was closed because of the plague.¹

1. Lawlessness.

The efforts of the English kings to subdue the border counties were almost as destructive as the raids. Their armies trampled the crops, commandeered livestock and demanded supplies of other foodstuffs. The Bishop of Carlisle was responsible for collecting taxes to fund both the pope's crusades and that of the king. He was expected to provide ten armed men and lead them to battle when required. This he did in 1346 at Neville's Cross in Durham. When summoned to attend parliament in 1337 his excuse was that 'the cruel fury of the Scots' prevented him. In 1338 when Edward III demanded a tax of wool, he was informed that 'the clergy are well nigh ruined by the fury of the Scots and [the bishop's] own few sheep have almost totally perished in enemy raids'. Frequent petitions to the king, from 1315 onwards mention the burning, looting and the driving away of beasts [more than 500 from Brough in 1315]. Following the Scottish invasion into the Upper Eden in 1315 an inventory of Brough lists 24 tofts [small holdings] and 10 vaccaries [large cattle farms] all burnt. Winton Mill and other buildings suffered a similar fate. Andrew de Harcla, who owned Hartley castle was the king's commander of the north. His attempts to calm the situation by coming to an agreement with the Scots led to his execution a traitor, although the king himself negotiated a truce the following year. In 1330 the northerners were still petitioning the crown, complaining

¹ PRO .CMI 1377-88, Petition 125. Appleby burgesses complained that their markets were ruined by new ones, such as that at Kirkebistephane [sic]

14th Century Background: Problems in Cumbria

5

of 34 years of almost continuous war which left them unable to pay the king's taxes. Surprisingly the king was sympathetic and in 1333 he granted an unusual concession namely that 'All wishing to leave Westmorland---are to be allowed passage through the king's forests with the use of pasture there'. The raiding and invasions continued for the rest of the century. In the 1340s, Pendragon Castle was destroyed and Penrith burnt, and in 1346, Westmorland men were involved at the battle of Neville's Cross in Durham. The spread of the plague to Scotland has been ascribed to some of the raiding parties of the mid-century. Pele towers were built and Penrith town walls were strengthened

In the 1380s war flared up again and in 1388 Appleby was burnt following a battle at Hoff. . Cumbrians remained poverty-stricken for years. They were still petitioning the crown for release from their tax liabilities in 1390, and again from 1413-1415. Small wonder then that apart from the bishops' registers, there are few Cumbrian records left; most were burnt in the Scottish raids.

* Farming problems

There was a succession of poor harvests in 1315/16/17, and again, harvest failures were common in the 1350s and 1360s. There was also wide-spread cattle and sheep murrain, often of epidemic proportions. It has been suggested that in England generally, judging from the accounts by contemporary chroniclers, the summers were becoming cooler and wetter and the winters harder. Over the previous century, marginal hill land had been brought into cultivation to support a growing population and it was this land which suffered first from the decline in temperatures. The higher arable land was turned into pasture or abandoned, thus preserving under grass, the old arable pattern of ridge and furrow, still to be seen around Kirkby Stephen.

The Black Death

There are few records to shed light on the effect of the pestilence in this area. In Durham 40-50 percent of the tenants of the Priory died. In 1352, 'the greater part of the king's land in Carlisle had gone to waste for lack of labourers---' 'fisheries and mills could not be let' according to a

