



Kirkby Stephen in 1605:

The year of the second Market Charter.

A report prepared for the Heritage Lottery Fund

By
Margaret Gowling M.Phil.

Front cover by Ken Ormonde.

NW0073

Acknowledgements

James I, in the early years of his reign, renewed the market charter of Kirkby Stephen. Today the weekly market and the Luke Fair still survive. The celebrations in October 2003 are intended to celebrate this continuity of trading.

This report was prepared to justify the application by Kirkby Stephen for grants towards this celebration. It aims to show what the village was like when the 1605 charter was granted, and how, over the rest of the century, its trade and social life developed. The funding for this year's Charter Fair comes from the Heritage Lottery Fund, the Local Heritage Initiative, the Countryside Agency and the Nationwide Building Society; they have all been extremely generous. Without them many of the events could not take place and the Charter Fair Committee is extremely grateful to them.

The information for this report has been gathered mainly from primary sources, and I am very grateful for all the help and patience shown by the archivists at the Cumbria Record Offices in both Kendal and Carlisle. In addition, my thanks go for the warm welcome given by the many local people who have helped me with details of their properties and deeds. A vast amount of interest has been shown by the local community and the number of people who are currently delving into the history of their family, their house or some other aspect of Westmorland life has been one of the most encouraging aspects of this work.

Ken Ormonde, who drew the sketch for the front cover, has also taken a superb series of slides to record the history shown in the present buildings of Kirkby. Members of the Upper Eden History Society have undertaken a survey of South Stainmore which will be on display at the Charter Fair. Entitled *'Then and Now'*, it gives a glimpse of the community in the early 17th century and at the present day. The survey used evidence from both archives and buildings, but without the help of local people, it would not have been complete, nor as much fun to do. Our thanks to everyone who helped.

Finally, a vote of thanks should be given to the other members of the Charter Fair Committee who have worked under great pressure, despite other commitments, all this year.

Part 1 The New Market Charter of 1605.

Introduction

Kirkby Stephen, a market centre for the Upper Eden valley since the Medieval period was granted its second market charter in 1605, by James I. The 3rd Earl of Cumberland, a member of the Clifford family and lord of Kirkby manor, had applied for the charter at a time when the king was consolidating his administration in the border counties. A charter was important for the community as no trading was allowed outside a market, thus without one there could be little expansion. Kirkby seems to have had two market charters; the first was issued in 1353, and its conditions applied until the second one was granted. This latter confirmed the original rights but changed the market day from Friday to Monday, while retaining the two annual fairs, one at St Mark's tide in spring, the other at St Luke's tide on October 18th.

At the beginning of the 17th century, Kirkby was a small rural community in the Upper Eden Valley, a part of the Westmorland estates of the Clifford family, which were centred on Appleby Castle. The area was part of the border country that had suffered turmoil since the 14th century; with the Union of the Crowns under James I came greater hopes of peace. Throughout all the years of turmoil, Kirkby had managed to maintain its market rights. However, it remained a small village, surrounded by even smaller hamlets, a village of farmers with no resident landed gentry until the late 16th century.

This work has two aims: first to examine Kirkby Stephen in 1605 at the time of the granting of the second charter, and secondly to look at the effects of this grant over the following century. It is a sequel to the work which was done two years ago on the

community at the time of the first market grant. The problem of finding contemporary source-material, while not as acute as that for the medieval community, still presents great difficulties for a study which is concerned with a small village. There are no contemporary maps and the only surviving sketches were by Machell, a late 17th century antiquarian, whose main interests were churches and armorial bearings. Travellers and diarists dismissed the place in a single sentence,¹ and official returns, the only statistics available, give a distorted picture of a declining village, giving 300 households for Kirkby in 1563 and 147 in 1674². Other sources show that in reality, the village was growing and that the basis for the figures was questionable.

Written sources are disjointed and sporadic for much of the early period. Kirkby's charter did not give it borough status. The use of the word *town* in this work indicates the built up area or township of Kirkby within the parish. Like other small rural communities, it was administered by manor courts: those of the Cliffords, the Whartons and the Musgraves each covered parts of Kirkby. Many of these records have disappeared, and the Clifford ones, which cover the greater part of the township of Kirkby, do not begin until 1695. The Quarter Sessions court books begin in 1660 and are part of the Appleby records, and while the parish registers for Brough begin in the mid 16th century, the early ones for Kirkby Stephen have been lost. The surviving ones begin in the late 17th century. These registers and the Clifford papers are lodged in Kendal record office.

However, in Carlisle Record Office, where the diocesan records are housed, there many wills and inventories dating from around 1570 for the villagers living in Kirkby Stephen. The making of these was a trifle haphazard, some are very brief, but they

represent a wide cross-section of the inhabitants. Many quite poor families made them in order to provide guardians for their children and young widows. Although there are a number of problems in using them, they are invaluable in that they give a glimpse into the lives of ordinary people at the local level. It is possible, for example, to find what John Dickinson of Kirkby owned when he died in 1619, how many sheep Thomas Robinson of Crosby Garret had in 1605 and what Edward Myneres, the first school master of Kirkby, ate in 1605.³ There are, of-course, still plenty of puzzles remaining. Who was Master William Swinbank, was he related to the vicar of the time, did he run a business or was he just wealthy? How did Agnes Smith of Stainmore survive? Who was the well-dressed Thomas Trippet? The wills and inventories to be discussed are samples taken from those of the Upper Eden Valley from Brough to Mallerstang for the period around 1605. Others taken nearly a century later will be used to show the development of consumerism and wealth in some local households which, it may be argued, was the result of the trading initiatives taken earlier in Kirkby.

This does not pretend to be a scientific sampling of inventories: there are not enough to be statistically significant for any one decade. All the study can do is to give some indication of the economic life in the area.⁴ Above all this is an attempt to illustrate the lives of the ordinary villager during the 17th century. This is an aspect which needs more attention, for it would appear that the development of Kirkby was not the result of investment or initiative of the landed gentry, but by the more humble householders like the Bousfields, the Haistwhittles, the Thompsons and the Raws.