

**REPORT ON THE FIELD WALKING GROUP'S STUDY OF  
OLD HALL, NETHER STAVELEY  
and other remains of buildings in the New Hall Estate. 1992**

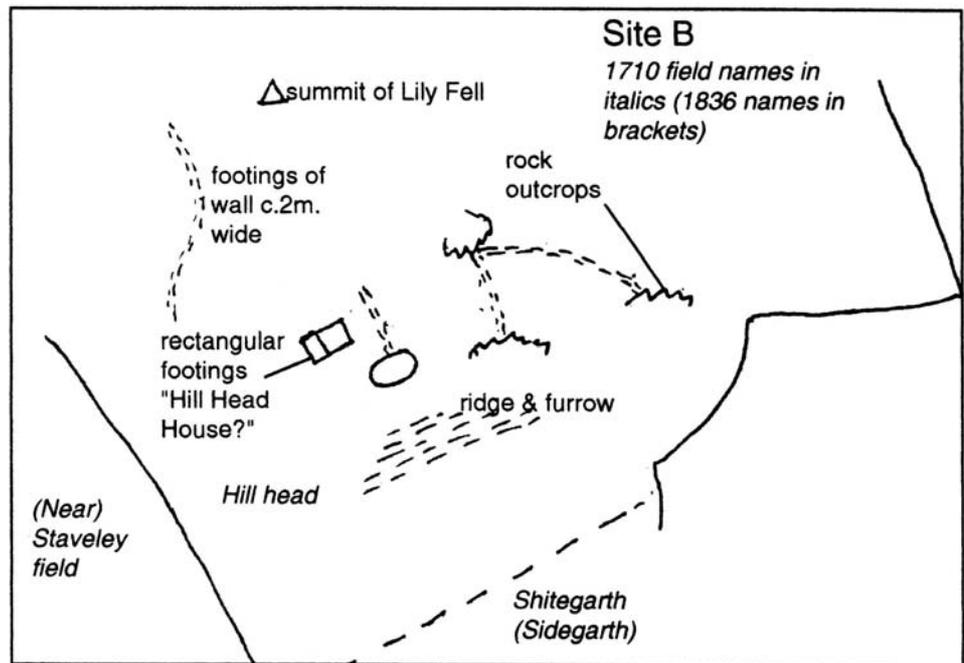
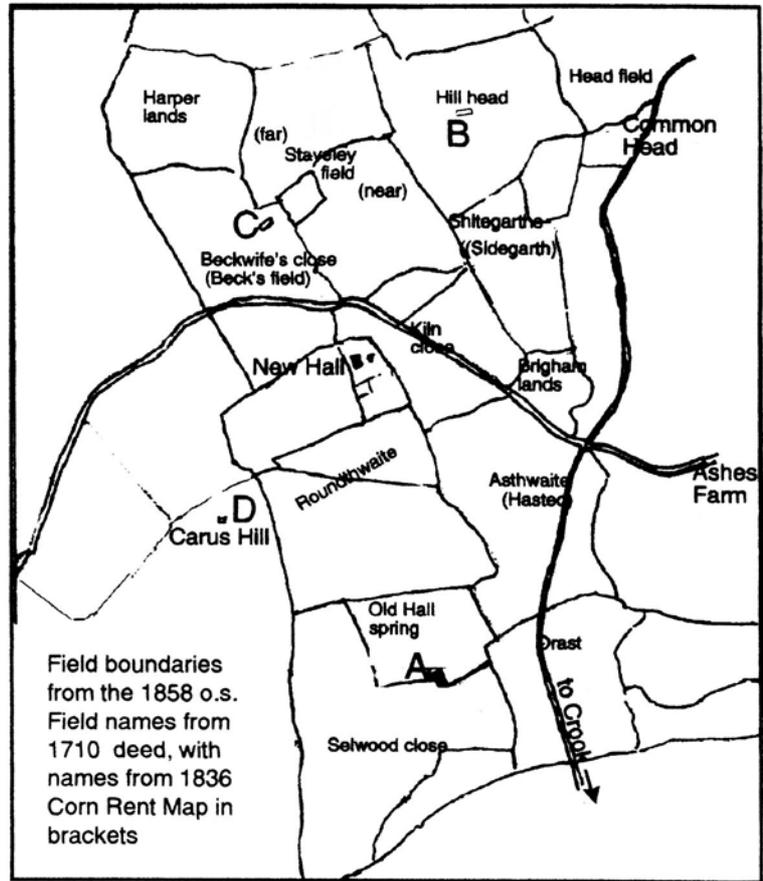
**Visible Remains**

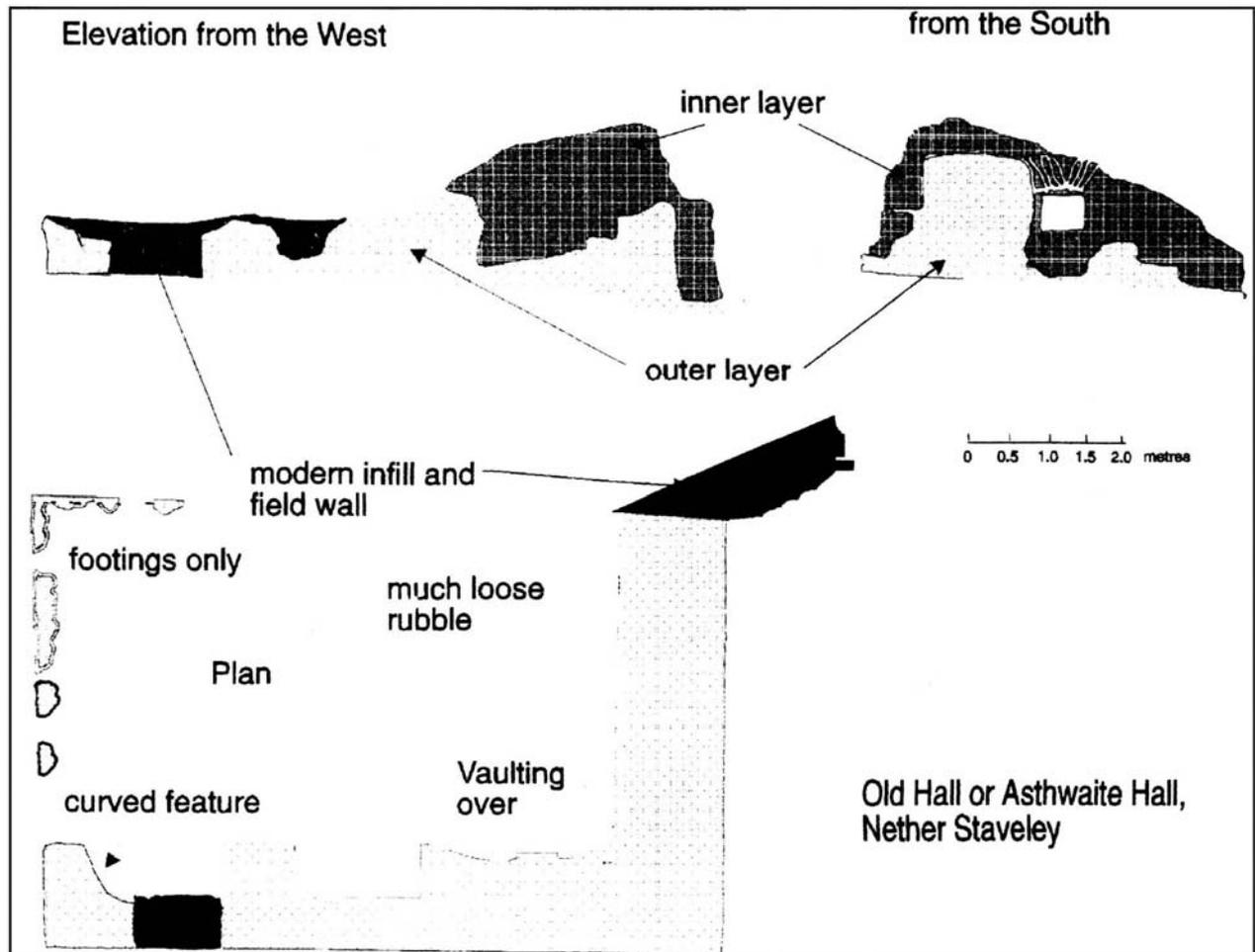
1. The remains of the Old Hall (A on map) are at the edge of Old Hall Spring (Map Ref 464966). A corner of the building stands about two metres high, pierced by a window or doorway. Part of the vaulted roof of the ground floor remains, and also what may be the curved back of an oven, with traces of plaster. See plan overleaf

2. The remains of another building (B on map) are on Lily Fell (Map Ref 464975). Little survives but the outline of a rectangular building and of the oval bank of what is perhaps a pond. There are some ridges nearby showing arable cultivation and some vestiges of walls which may once have enclosed the site. See plan below

3. The probable footings of the walls of another rectangular building (C on map) at 462975, and further ridge and furrow at 462977.

4. On the summit of Carus Hill at 46039679 a rectangular stone "cairn" (D on map), approximately 3 metres square in plan and 1.7 metres high. Scratched in the stone on the south side is the name P? Clark and a date 188?. The natural summit of this hill is a dome-shaped rock and the "cairn" provides a roughly level platform. There is no indication of what it was for. All these remains are on private land, and the Society is grateful to Mr. G. Leighton, the owner, and Mr. Frank Nelson, the tenant, for permission to examine them.





### Documentary evidence

1. The clearest early account of the New Hall area comes from 1596<sup>1</sup>. Robert Bindloss died in 1595, owning among other things “A capital messuage called Asthwaite Hall in Nether Staveley, late tenant Thomas Carus, and one other messuage thereto adjoining late tenant Richard Carus and two other messuages, Brackenthwaite and le Headhowse, late tenants Katherine Beck and Robert Beck, gentleman, her son, and 13 other messuages in Nether Staveley” (“*messuage - a house. “capital messuage”- an important house, the centre of an estate.*)

2. Other documents mention Asthwaite, the earliest of them from 1301<sup>2</sup>. In 1345 Richard Washington granted a house and land in Asthwaite to his brother John on condition that John would make 10 roods of wall a year until the land was all enclosed<sup>3</sup>. Perhaps this house was Asthwaite Hall.

3. The last mention of Asthwaite is in 1651<sup>4</sup>, when Richard Braithwaite of Bumside paid rent for the lands in Asthwaite that his parents had inherited from Robert Bindloss, his maternal

grandfather. One year earlier, in 1650 we find the first mention of New Hall in an offer<sup>5</sup> to rent Braithwaite’s entire estate, including Burneside and “New Hall”. So it is clear that at some time between 1596 and 1650 the Braithwaites had built a new “capital messuage” in Asthwaite to replace the old one. Ever since then “New Hall” has been the usual description of the area.

4. By the 1690s the Old Hall was a ruin, in a condition not perhaps very different from today’s. In 1692 Thomas Machell describes it - “ There is.. an Old Hall in Nether Staveley. There is nothing standing but the vaults and walls. And there is another Hall within twelve score yards. Both belong to Mr. Braithwaite.”<sup>6</sup>

5. In 1710 Thomas Shepherd bought the Braithwaite lands. The conveyance<sup>7</sup> lists the fields with their names and acreages, including “Staveley Field with Hillhead House 8 acres, Beckwife’s close within the field and Hudson’s close 8 acres, Old Hall Spring 4 acres, Staveley Field, the Hillhead, Hollow Croft and Hagg Brow 10 acres” One customary acre of 1710 appears to be approximately equivalent to 2 statute acres.

6. These fields can be to some extent identified on the 1836 tithe map<sup>8</sup>. It is on the

strength of this identification that we suggest that the structure on Lily Fell, "Hill Head" in 1836, may be the remains of "Hill Head House" of 1710 and "le Headhowse" of 1596. In this case the foundations of the building in Beck's Field may be those of "Brackenthwaite" which was tenanted by Richard Beck before 1596. On modern maps Brackenthwaite is the name of the whole Carus Hill area.

## Discussion

Asthwaite means "the clearing amongst the ash trees." It is one of several local names which suggest woodland clearance, perhaps in the period AD 1000-1300 when the population was expanding and the climate was kind. It seems likely that the area which about 1300 became known as Nether Staveley had several scattered farmsteads or even hamlets within it. As well as Asthwaite there were Fairbank, Hollins and Toutorn (the Borwick Fold area). The people who lived in them were under the lordship of the Barons of Kendale, and paid rent to the Baron either in kind or in money. But, probably more important, they served him as soldiers when need arose, either by manning his new castle at Kendal, or by fighting off Scots raiders, or both. Local legend has it that there was a beacon to warn of Scots raiders on Carus Hill. The stone "cairn" is certainly in an excellent position to be seen for miles around. It seems quite possible that the vaulting which is all that remains of the Old Hall is part of a semi-fortified building. There is similar vaulting at Hollin Hall a quarter of a mile to the south and in the other more complex "peles" like Kentmere Hall, all dating from this troubled period of border warfare. Most houses of the period were simple wood and thatch structures. You had to be rich to build in stone.

The late 14th century was a period of plague, bad weather and Scots raids, but towards the end of the 15th century there began another period of prosperity and expansion. There was money in Kendal's growing cloth trade, and among those who prospered was the Bindloss family, who held land in Asthwaite from 1471<sup>9</sup>. Another rising minor gentry family at this time of opportunity was called Carus, and they held Asthwaite, probably as Bindloss sub-tenants from 1477<sup>10</sup>. A William Carus from Asthwaite Hall was Rector of Windermere until 1586. The Thomas Carus who was "late tenant" of Asthwaite in 1595 was one of Queen Elizabeth's Justices. So it seems possible

that if the Old Hall was not built by Washington in the 14th century, as suggested by documentary evidence 2 (above) it may well have been built and was certainly lived in by several generations of Caruses in the years 1477-1595. It is appropriate that the hill above New Hall is called Carus Hill. At this time expanding population and prosperity probably led to more enclosure. Probably in 1596 there were several cottages in Asthwaite as well as the Hall, the house "adjoining" Brackenthwaite and "le Headhowse". Each would have its "close" round its arable patch. The ridge and furrow near our sites B and C and the vestiges of walls could be what is left of these.

The Braithwaites who inherited the Asthwaite lands in 1596 were a branch of an Ambleside family who, like the Bindloss had done well out of wool. Richard Braithwaite who became head of the family in 1616 was something of a literary figure in London. He married in 1617 and had 10 children in quick succession (his wife died in 1633). Perhaps it was with a view to establishing one of his younger sons as a land-owner that he decided to build the New Hall. Perhaps it was just a matter of fashion --many houses were at this time rebuilt in stone and slate instead of timber and thatch. Whatever the reason, it is probable that New Hall was built before the Civil Wars of the 1640s. Richard was on the losing side, and his land was for a time confiscated by the victorious Parliamentarians. In 1650 he was fined £1,151<sup>11</sup>, so by then he was in no condition to build houses.

Before the wars Braithwaite did attempt to improve his estate in another way, by buying a share in the Lordship of the Manor of Staveley. At this time three lords shared it: the Bellinghams of Levens owned about half the Crown about a quarter, and the Gilpins of Kentmere Hall the remaining quarter. Sometime about 1640 George Gilpin sold his Staveley lands and rights to Richard Braithwaite. The rents were very small but the Lordship brought a useful control over transfers of land and over the Manor Court which controlled the use of the common. Perhaps Richard built the New Hall to provide a place where his steward could hold the Court. It was certainly held there in later years as its records show<sup>12</sup>. An active Lord could increase his income by taking over the land of tenants who fell into debt, and by encroaching on the common. By some such means the Bindlosses in the 16th century or the Braithwaites in the 17th managed to expand the New Hall estate to approximately

its present size. Although “Hill Head House” still gave its name to a close in 1710 we may suspect that it was a ruin. We have from 1733 a list of those liable to “The Ancient Salary Due to the Curate” of Staveley<sup>13</sup> “New Hall Old Hall etc.” pays 12 shillings a year, four houses at Common Head pay 11 pence each, Ashes pays 9/6, and the only other payment from this area is “Luckbeck within New Hall - 11d.” It looks as if one small cottage had survived inside the demesne.

In 1703 Agnes Nicholson of Luckbeck paid a rent of 6/8 for a cottage valued at 15/4<sup>14</sup>. But within a few years the Lord of the Manor had bought her out. Thomas Shepherd, who bought the estate in 1710 sold it in 1729 to the le Flemings of Rydal. To the previous list of fields he added “that enclosure called Luckbeck parrook, 1 acre, formerly customary tenant-right and now the property of Thomas Shepherd according to common law.”<sup>15</sup>

The only important addition to the New Hall estate since then came after 1816 when the common was enclosed by Act of Parliament. That part of the common that included Carus Hill was later bought by Lady le Fleming. During the period of farming prosperity that followed, the le Flemings rebuilt both the house and the farm buildings at New Hall, and nothing remains of the Braithwaite’s 17th century building. Harold Mather, the grandfather of the present owner, bought New Hall from the le Flemings in 1906.

There is no evidence that any of the Lords of the Manor ever lived at New Hall. Instead they let it and its surrounding lands.

### What about the “cairn”?

There are local stories of the use of Carus Hill as a beacon site to warn of invasions. When Spanish invasion was feared in the 1580s leading men of the Kendal area including Robert Bindloss, owner of Asthwaite Hall. and Rowland Phillipson of Hollin Hall were certainly ordered to get the local fighting men ready and to “attend upon the beacons in the places where beacons have usually been set.”<sup>16</sup> But a list of beacon sites in Nicholson and Burn does not include any Staveley hills, and in 1887 when Westmorland lit beacon fires to celebrate Queen Victoria’s Jubilee. Staveley built its loyal fire on Reston Scar<sup>17</sup>. So the stone “cairn” on Carus Hill remains an enigma.

### Notes

1. Farrer - Records of Kendale vol 1 p 335 Inquisition post mortem of Robert Bindloss
2. Farrer I p.14
3. Farrer I p.282
4. Levens Dces. Rental 1651.
5. Farrer I 115
6. in M Ewing. "The Antiquary on Horseback" p. 108.
7. New Hall Deeds. Conveyance 15/12/1710. Access to these documents by kind permission of Mr. G Leighton.
8. Kendal Corn Rent Map 1836 KRO
9. Farrer I p. 327
10. Farrer I p.328
11. Farrer I p. 118
12. In Lowther MSS WRO. Carlisle.
13. WRO Kendal WR/68.
14. Staveley Court records WRO Carlisle /Lons/ 15/2/5 p. 87
15. New Hall Deeds
16. Kendal Corporation MSS. HMSC N report App iv p 302
17. Westmorland Gazette 25th June 1887