

AGRICULTURAL CHANGE AND COMMON LAND IN CUMBERLAND

AGRICULTURAL CHANGE AND COMMON LAND IN CUMBERLAND

1700 - 1850

By

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ABSTRACT

Traditionally, the eighteenth and early nineteenth centuries in England have been considered a period of unprecedented change in farming techniques and output, of the 'Agricultural Revolution'. Current opinion sees agricultural change taking much longer, over several centuries of change and improvement.

This thesis examines the contention that in Cumberland, a large county in northwest England, the period 1700 to 1850 did represent one of agricultural revolution. It is shown that isolation, a difficult physical environment, absentee landownership and peculiar tenures combined to retard improvement in both animal husbandry and field management.

Although the common arable fields had largely disappeared by 1700, the huge common wastes were vital to the local agricultural economy. Encroachment on the wastes is seen as a tolerated method of increasing farm holdings; but the key change was enclosure. Examination of various physical and socioeconomic variables leads to the conclusion that altitude and slope were the dominant factors in distinguishing early from late enclosures: soil, agricultural potential, distance from urban areas and number of landowners involved do not seem to have been important.

However, understanding is incomplete without considering the interplay of landlord and tenant: enfranchisement, intercommon and even personality conflicts played a part in the process.

Overall, it is concluded that if there was a Cumberland agricultural revolution from 1700 to 1850 it was largely confined to the enclosure of the common wastes: that other forms of agricultural advance had to wait the later nineteenth or even the twentieth century. The thesis provides new or revised data on several matters, such as the number and size of common arable fields, and the rate of enclosure of the common wastes, and puts a wide range of agricultural changes in the eighteenth and early nineteenth centuries into context.

ACKNOWLEDGEMENTS

When one has been working in a field for thirty years, even with long interruptions, one develops a great many debts for help and encouragement rendered. I began my Honours Dissertation, on Parliamentary enclosure in part of Cumberland, in the summer of 1962. At that time the Joint Archives for Cumberland and Westmorland had just been established, and over the next few years I spent countless hours sorting through bundles and boxes of papers and rolls of dusty maps in Carlisle and Cockermouth castles (the latter then housing the Leconfield papers). There is something romantic about conducting historical research actually inside a mediaeval castle; though in winter the thick stone walls at Cockermouth seemed to soak up every bit of heat given out by the inadequate portable electric heater. Throughout this period I owe a greater debt than I can express to the guidance of the then County Archivist, Bruce Jones, who taught me much about the use and interpretation of early documents. I was glad to be able to be able to convey some of my appreciation, although unavoidably at second hand, at his retirement party; and pleased that I was able to visit him with my family on my most recent trip to Britain. I have kind memories of the

entire Archives staff, and of the people in the Leconfield estate office, who fed me tea to stave off the worst of the Cocker mouth castle chill.

Many others in Britain have helped in different ways over the years -- at Cambridge; at Queen's College, Oxford; at the Public Record Office, Church Commission and British Museum in London -- too many to list individually. In recent years I have received welcome encouragement from John Beckett and Harold Fox, while John Chapman debated a point of interpretation via letter and kindly sent copies of many of his publications. I am grateful to the University of Exeter and its Department of Geography for making me a Visiting Research Fellow in 1988, thus allowing me to revisit my research area and to update my references. In particular, it is a pleasure to acknowledge the invaluable help of my old friend Gordon Mingay, who read the first (and very extensive) draft of my literature review and, as well as providing some useful insights and references, gave me by his reaction the encouragement to think I might really have something worthwhile to say about the agricultural revolution. It was therefore a matter of great satisfaction that an earlier draft of Chapter Three of this dissertation was recently published as part of a Festschrift produced in Gordon's honour (Dilley 1991).

In Canada I must acknowledge Lakehead University for providing a sabbatical leave in 1977-78 that enabled me to

complete my course work, and again in 1988. I am also grateful to Mrs Cathy Chapin for her expertise in completing the figures. Mrs Carol Otte provided invaluable assistance in learning how to operate SPSS on a mainframe computer. The Canada Council awarded me a Doctoral Fellowship for 1977-78, which greatly helped survival in that year. I owe thanks to McMaster University for accepting me as a doctoral candidate, to Peter George for his helpful comments on a preliminary draft of this work, and especially to Louis Gentilcore for his advice and encouragement as my advisor, and for staying with me and my topic over the years. I have formed many friendships among the McMaster faculty: I hope they find the final product worth the wait.

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Many things have conspired to delay the completion of this dissertation. Both the research and the writing, however, were essentially enjoyable. I do not think I want to do it again -- but I am glad I managed to finish it this time.

Robert S Dilley

Thunder Bay
1991 October

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CONVENTIONSAbbreviations used throughout:

- BM = British Museum
CH = Church Commission
CRO = Cumberland Record Office
PRO = Public Record Office
QCO = Queen's College, Oxford

Document reference numbers to manorial court records are not given in the text: these are detailed in Appendix A.

In some document reference numbers (notably those of the Benson collection in the Cumberland Record Office) the backslash (\) is used to denote that any subsequent letters and/or numbers are in superscript on the original document. This convention avoids confusion with footnote references.

A map locating manorial courts may be found in Appendix A, one for common arable fields in Appendix B and one for other types of common field and for common wastes in Appendix D.

The spelling in original documents has been modernised, though vocabulary, grammar and punctuation remain unchanged.

CHAPTER ONE

INTRODUCTION: CUMBERLAND AND THE AGRICULTURAL REVOLUTION

Introduction

The period from the end of the seventeenth to the middle of the nineteenth centuries saw tremendous changes throughout Britain in landscape, population, economy and society. The six millions of the time of William III -- most of them living on the land, travelling, if at all, by horse or by foot -- would have been bewildered by the eighteen millions fifteen years into Victoria's reign, awed by the industrialisation, unbelieving of the railways. Altogether, as Macaulay remarked in the middle of the nineteenth century: "Could the England of 1685 be, by some magical process, set before our eyes, we should not know one landscape in a hundred or one building in ten thousand" (1849: 281).

Among other things, there were tremendous changes in agricultural practices and agricultural landscapes throughout this period. For a long time these changes were referred to by historians of all kinds as the 'Agricultural Revolution'. In essence, it was argued that before the agricultural revolution the land was open and used in

common; techniques were primitive and based exclusively on hand and animal power; stock and crops were of poor quality and gave low returns. The eighteenth and nineteenth centuries changed all that. The land was enclosed and divided into fields; new machines and eventually steam-power were introduced and new methods evolved such as crop rotations and manuring; selective breeding of animals and improvement of crops were practiced. The agriculture of 1850 was immensely more efficient and productive than that of 1700.

More detailed research has cast increasing doubt upon this simple and appealing picture. Many changes and innovations can be dated back much earlier than had been popularly supposed. Many 'improvements' of the eighteenth and nineteenth centuries have been shown to be much less significant than believed at the time or since. The idea of agriculture being somehow 'modern' by 1850 has been exposed as fallacious: many major changes did not take place until the late nineteenth or even well into the twentieth century. Though the idea of an agricultural revolution has not died, the general view now is of agricultural change that has proceeded -- now faster, now slower, but still proceeding -- from the Middle Ages to the present. Even enclosure of the open and common lands, for long identified with the period of Parliamentary Acts to enclose from about 1750 to 1830, the 'Enclosure Movement', has been shown to have been of

major importance in earlier periods: to the point where some writers have represented the eighteenth and nineteenth centuries as a period of relative slowing-down of the rate of enclosure.

Despite this revisionist view of agricultural progress, it is argued here that, for the county of Cumberland, the period roughly from 1700 to 1850 was indeed the period when most radical changes took place; that there was, in effect, a Cumbrian agricultural revolution, even if there was not a national one. Cumberland has always been remote, sparsely populated and possessed of a difficult physical environment. These factors, combined with largely absentee landownership and the peculiar institution of customary tenure as outlined in Chapter Two, operated to slow agricultural change in the county. Whatever may have been happening elsewhere, therefore, it was not until the eighteenth century at the earliest that significant improvements affected agriculture in Cumberland.

The remainder of the dissertation comprises an examination of the different aspects of agricultural change. Chapter Three looks at livestock and Chapter Four at crops; showing among other things that Cumberland was never as dominated by sheep as has generally been supposed, and that crops long found elsewhere in the country -- such as turnips and even wheat -- made very belated appearances this far north. In Chapter Five the essential structure of the

common land system is examined. It is shown that common arable fields never achieved any real areal dominance, but that common wastes remained important much later than in most of the rest of the country, and are still of significance today. Chapter Six looks at the uses to which common lands were put, especially as resources for the tenants and cottagers.

Of all the changes undergone by agriculture in England and Wales since the Middle Ages, it is generally agreed that enclosure was the most far-reaching. Chapter Seven defines the different types of enclosure, and examines the process of encroachment. Chapter Eight attempts to chart the progress of enclosure nationally and in Cumberland. It also studies many of the reasons that have been adduced for enclosure, and relates them to the situation in Cumberland: showing, in fact, that all else paled into insignificance as a control on enclosure besides the dominance of terrain. Chapter Nine considers changes in attitudes towards enclosure, and charts some of the motivations that Cumbrians had for their enthusiasm -- or lack of it -- for the process.

Overall, the hypothesis to be examined is that agricultural change in Cumberland from 1700 to 1850 far exceeded in scope and intensity anything that had happened in the county before. Elsewhere in England and Wales the agricultural revolution may have taken so long that the term

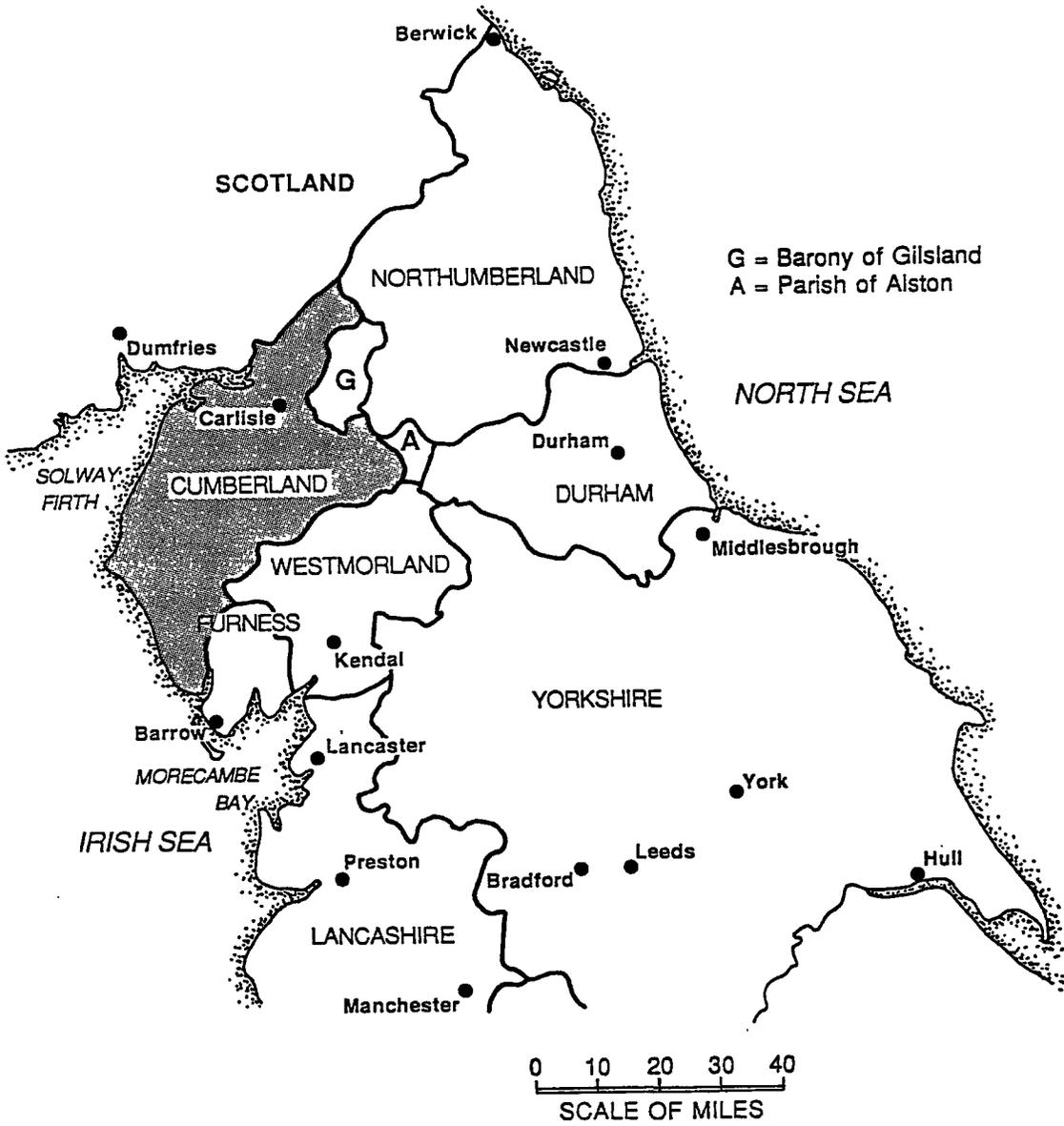
no longer has any real meaning. In Cumberland, at least, it is plausible to consider using the term for a period very much that to which it has traditionally been applied, and to see it as operating especially on the common lands. Chapter Ten summarises the evidence for and against a 'Cumberland agricultural revolution'.

The physical environment of Cumberland

Cumberland, before municipal reorganisation in 1974, was one of the largest English counties, with an area of almost one million acres or a little over 1500 square miles. It is located in the far northwest of the country, bounded by Scotland, the Pennines and the Irish Sea (Figure 1.1).

It may be noted that few of the many histories and topographies of the area have dealt with Cumberland alone. Most include at least the county of Westmorland and many, from the eighteenth century onwards, have included the wider area comparable to the modern county of Cumbria, which includes all of Cumberland and Westmorland plus the Furness district of Lancashire and some small parts of Yorkshire. Several deal specifically with the central mountain area that now makes up the Lake District National Park, and refer fleetingly if at all to the more lowland areas of Cumberland.

FIGURE 1.1 -- Setting of Research Area



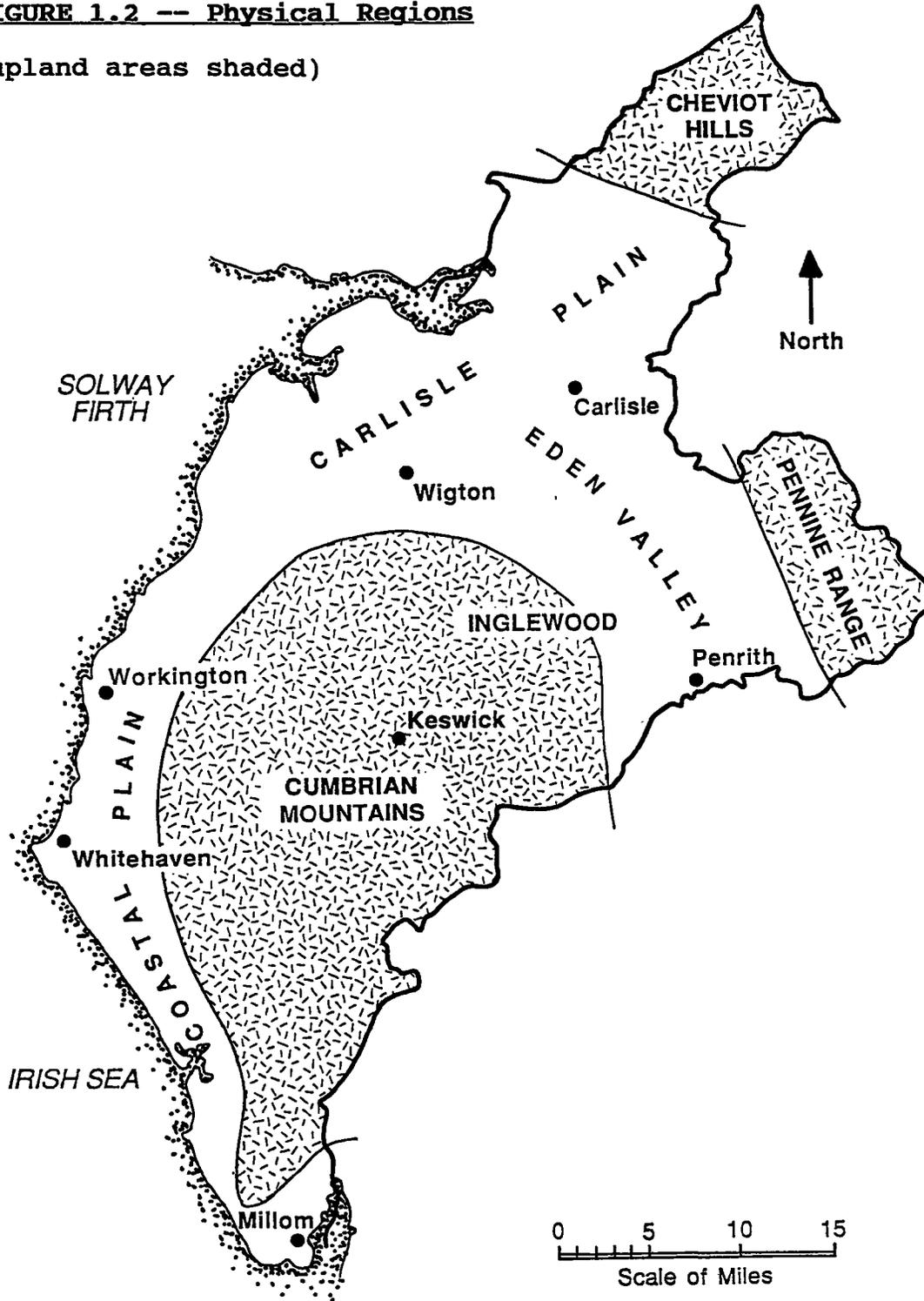
Thus the choice of Cumberland as the scene for this study is not based on any concept of it as a separate physical or historical unit. It is rather a matter of convenience, of the centralisation at Carlisle of records relating specifically to the county. Indeed, the area covered is a little less than the county: the Barony of Gilsland in the far northeast is omitted, as its records are stored in Durham; so is Alston parish, the only part of Cumberland on the eastern side of the Pennine watershed.¹ This excluded area amounts to only twelve per cent of the whole county, and to an even smaller share of the population (eight per cent in 1801). The term Cumberland is therefore used throughout to describe this slightly smaller research area, unless explicitly stated otherwise.

The physical geography of Cumberland is as diverse as that of any part of England; with two distinct mountain areas, broad river valleys, flat plains and marshy coasts (Figure 1.2). Precipitation over the Carlisle plain is comparable to that of the rest of lowland western England, at between thirty and forty inches a year; but there is a very steep gradient approaching the mountains, where totals reach over 100 inches. In the middle of the nineteenth

¹ The Barony of Gilsland consists of the civil parishes of Askerton, Brampton, Burtholme, Carlatten, Castle Carrock, Cumrew, Cumwhitton, Farlam, Geltsdale, Hayton, Kingwater, Midgeholme, Nether Denton, Upper Denton and Waterhead.

FIGURE 1.2 -- Physical Regions

(upland areas shaded)



century Caird (1852) laconically observed "The climate of West Cumberland is of a peculiarly moist character."

Surprisingly, sunshine totals are quite good for the latitude: high precipitation totals are more a product of heavy and prolonged rain rather than of an especially large number of rainy days. With the Pennines to the east and the Scottish border hills to the north causing something of a rain-shadow effect when the winds are from those quarters, periods of drought are more common than are often supposed.

At between 54 and 55° north Cumberland is on a similar latitude to Edmonton and Moscow. Although the relatively warm waters of the North Atlantic keep it from the continental extremes of those places, the climate is nonetheless not a friendly one for agriculture. The growing season along the west Cumberland coast is comparable to that of Lancashire, but it drops rapidly inland and with altitude (Coppock 1964: 33). In the uplands "A quite pitilessly raw, windswept, bitter freeze-and-thaw climate prevails for long periods every winter." The relatively cool and breezy summer ensures that the altitudinal limit for tree-growth is remarkably low: "It is at about 600 feet that we find today the limit for those hawthorn hedges that betoken the kindlier arable lands below, where the grass grows well and the dairy cattle thrive" (Pearsall and Pennington 1973: 115, 107). In the mid-nineteenth century Dickinson noted that

over most of Cumberland the profitable culture of wheat ceases at a degree of altitude ranging very little above 500 feet, and in some parts below that height. In the southern part of the county, where the distance is short from the mountains to the sea, and the land exposed to the fury of the south-western gales, wheat is hardly attempted to be grown so high as 400 feet above the sea (1852: 215).

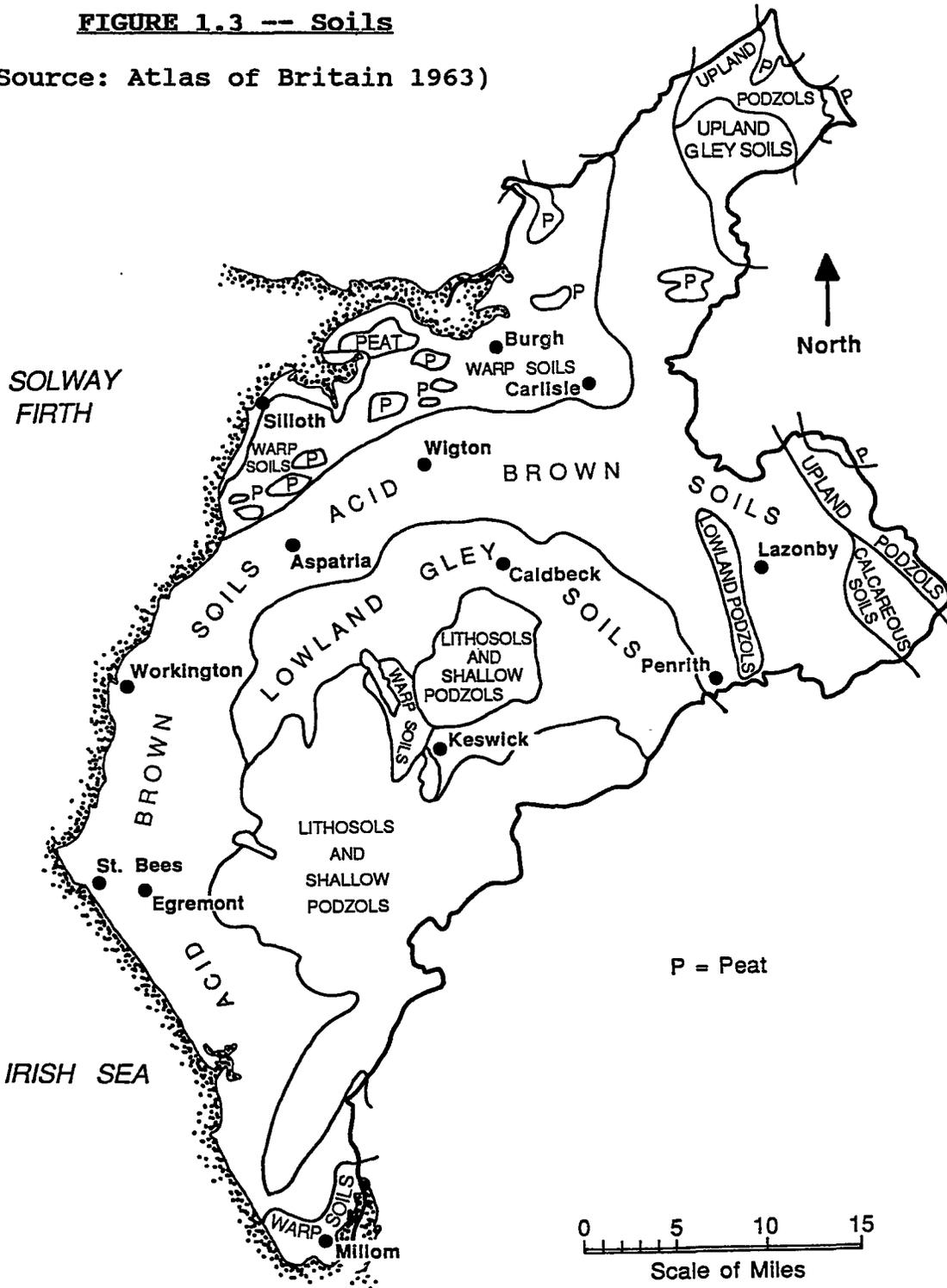
Soils are not particularly good: most are thin and/or acid, calcium and other mineral elements having been leached by heavy rainfall; the relatively small amount of coastal alluvium is interspersed with boggy peat and in places overblown with sand (Figure 1.3). However, the dominant factor in the physical environment is the relief. Slopes rise steeply from valley floors often near sea level to heights of over 3000 feet. This has clearly been a major factor in the distribution of settlement: only a few tiny hamlets are found above the 1000-foot contour. It has also been of great importance in the development of agriculture. According to Winchester

In many places it is the sharpness of the boundary between upland and lowland that is so distinctive of the Cumbrian landscape: in the space of no more than a couple of miles the traveller may pass from a landscape of rolling, rich-green farmland to one dominated by steep slopes and rocky rough grazing land.

The Ministry of Agriculture's land classification shows that nearly all the lowland areas of Cumberland are classed as Grade 3: potentially good agricultural land, but with

FIGURE 1.3 -- Soils

(Source: Atlas of Britain 1963)

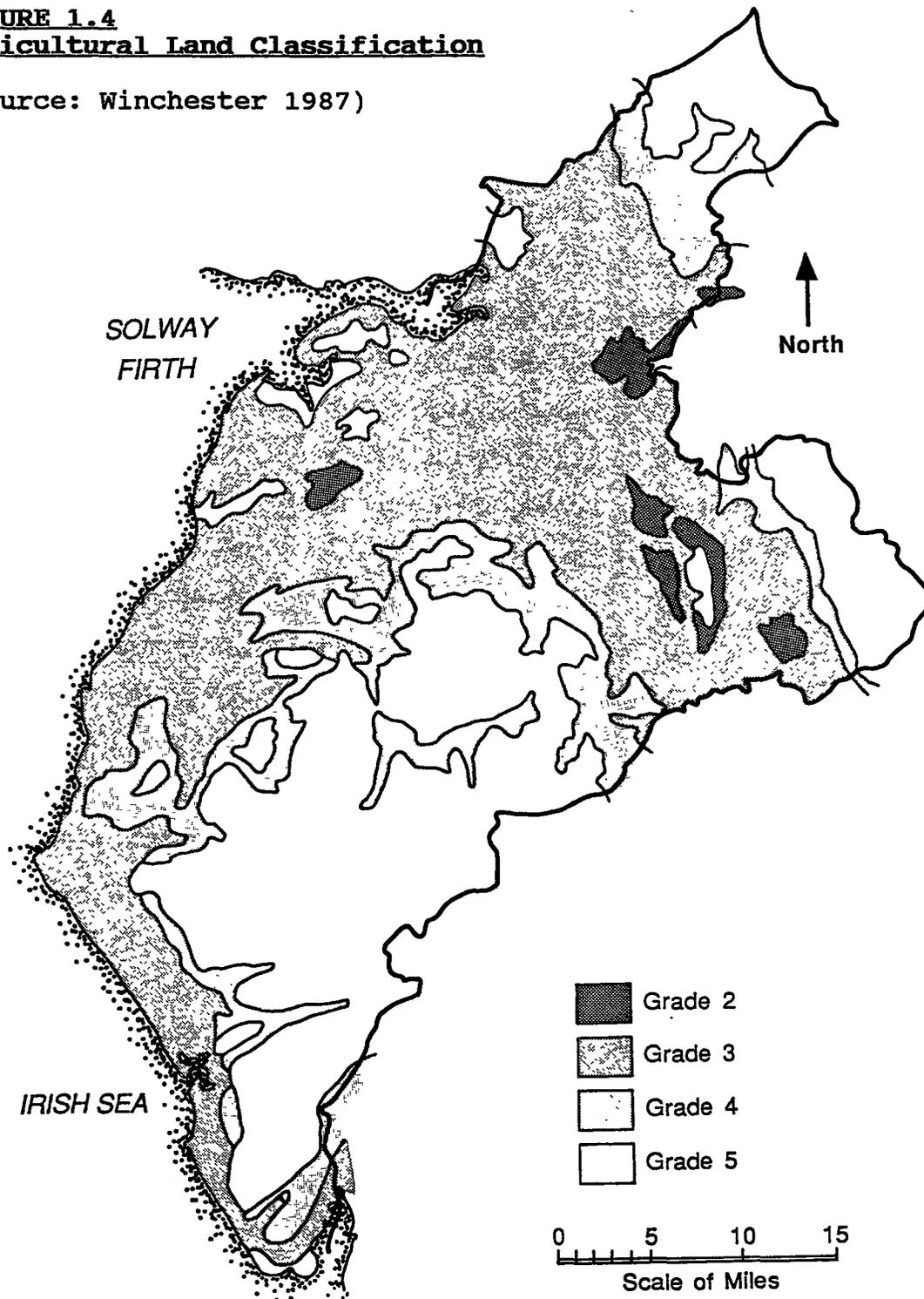


limitations due to the climate. There are only small pockets of Grade 2 land in favoured areas (Figure 1.4). The best land is in the Eden valley, running southeast from Carlisle, where the rainfall is moderate and there is protection from the harsh winds. The upland areas are rated Grade 5, the worst possible, due to poor soils, steep slopes and climatic extremes. The intermediate classification, Grade 4, is found only in the floors of the glaciated valleys of the Lake District and as a narrow band between the agriculturally poor uplands and relatively rich lowlands (Evans and Beckett 1984: 3-4; Winchester 1987: 9-10).

It should be noted that, though to a modern eye the lowlands of Cumberland seem fairly uniform, topographically and agriculturally, there are critical variations in the lowland landscape; especially in terms of drainage. Before the general development of artificial drainage in the nineteenth century, the pockets of heavy clay and the marshy hollows would have been significant obstacles to cultivation. Moreover, there are some very acute frost-hollows in the diversified drift-covered lowlands (Winchester 1987: 10; Pearsall and Pennington 1973: 107).

FIGURE 1.4
Agricultural Land Classification

(source: Winchester 1987)



Population and industry

As Winchester remarked: "Two adjectives are almost obligatory when writing of northern England before the Industrial Revolution: the North, it is generally agreed, was both poor and remote, characteristics which marked the province off from the rest of England." Poverty and isolation were especially characteristic of Cumbria, with Scotland to the north, the Pennines to the east and the sea to the west and south. Bouch and Jones 1961 wrote that "Until the eighteenth century the natural boundaries tended to cut the region off from the rest of England, so that it was among the least-known parts of the country, and the political boundary meant that until after 1745 the region never enjoyed fifty consecutive years of quiet." Northern Cumberland in particular was for long an area where the military of both England and Scotland tested their strength and the brigands of both sides looted what was left. Just before 1600 it was noted of one community about nine miles west of Carlisle that "there is situate within Drumburgh one stone house commonly called Drumburgh Castle the which is in great decay of reparation and it is a house of very good strength for the relief of the inhabitants thereabouts both for themselves and for their goods if the Scots should happen to make any sudden road or foray (as when the sea ebbeth they may easily do) (PRO/E/164/42). Edward I died on Burgh Marsh on his way to Hammer the Scots; Carlisle was the

starting point for Bonnie Prince Charlie's venture into England. Only in the last two centuries, with the development of the coal and iron deposits of Cumberland's west coast and with the surging interest in lake and mountain scenery, has the outside world paid much attention to the county (Winchester 1987: 2; Bouch and Jones 1961: 2).

Along with the physical diversity of this area goes a complexity of cultural landscape. Long populated by Celtic peoples (Cymru -- the Welsh for 'Welshmen' -- is the root word for Cumbria and Cumberland), the lowland areas of the coast and the Eden valley were infiltrated by English in the seventh and eighth centuries. A Danish invasion wasted Carlisle in 875, but there is little sign of their long-term influence outside the Eden valley. Far more important in the cultural development of the area were the Norse who arrived, mostly after some considerable time in Ireland, in the tenth century. Being, unlike the English, more interested in animal husbandry than in grain growing, they tended to settle in the upland areas, where they began to clear the valleys not only of wood and scrub but also of the myriads of glacial stones and boulders. Today, English place-names dominate lowland Cumberland, Norse ones the upland areas, with a few Celtic survivals here and there, and a great many compound names reflecting the generally peaceful nature of the settlement process. Scandinavian remains are found throughout the area and "their speech left

a lasting impression on the Cumbrian dialect ... many of the words still used in our Cumbrian dales would be understood in Scandinavia or Iceland today." Not long ago, shepherds in the area still used Celtic numerals to count their sheep (Bouch and Jones 1961: 4-8; Millward and Robinson 1970: 143; Rollinson 1967: 64-65).

The Norman imprint on Cumberland was limited, as until the late twelfth century the area was in the hands of the Scots: the county is significantly absent from Domesday Book. When Henry II finally took over the area it was divided not into counties but into baronies, with the Carlisle area and Inglewood Forest remaining in the king's hands. Inglewood "was famed as a hunting ground that contained every manner of beast that the hunter could desire, it had a wide repute for its timber, and its area was so great that, if we judge by the extent of land which came within the bounds of the forest in Henry the Second's day, it may reasonably be doubted whether any other forest in England approached it in size." The five wards that were set up -- Allerdale above and below Derwent, Eskdale, Cumberland and Leath -- remained as regional subdivisions until recent municipal reorganisation. The Normans also built castles and monasteries, and the latter often played a significant part in the agricultural development of the area. The monks of Holm Cultram (actually founded during a period of Scottish occupation, as a daughter of Melrose

Abbey), for instance, turned a great marsh into rich agricultural land. The monks did not build in the upland valleys, but this did not mean that they neglected them. St Bees owned much of Ennerdale and the huge estates of Furness Abbey -- almost a kingdom -- stretched into Borrowdale, whose ownership it shared with Yorkshire's Fountains Abbey. Sheep-rearing was the principal activity, and the abbeys gained a considerable part of their revenue from the sale of wool (Bouch and Jones 1961: 8-10; Millward and Robinson 1970: 155-160; Parker 1905; Rollinson 1967: 77-82).

Population figures before 1801 are difficult to establish. In the later sixteenth century Cumberland's population may have been around 40,000 to 45,000, for an average of about thirty persons per square mile (England as a whole was around seventy-five to eighty). There were large areas (as today) of unpopulated fell; there were also undrained marshes and preserved forests. "Still, there is no doubt that even in the parts where men could live the communities were small and isolated." Towns were few and far between. Winchester identified only five genuine mediaeval boroughs in Cumberland: Carlisle, Penrith, Keswick, Cockermouth and Egremont. In addition he felt that Wigton and Workington had urban characteristics, though not (at that time) official borough status (Bouch and Jones 1961: 16-17; Smith 1978: 203; Winchester 1987: 122-124).

Mediaeval roads were few and poor, with Roman roads still being used in some areas. As late as 1675 Ogilby noted only four roads on his map of Cumberland, and it is likely that none of them was usable by wheeled traffic. Isolation meant that people had to plan carefully to ensure they had enough food in an area of uncertain agriculture. Mining went on here and there, but there was nothing approaching organised industry before the seventeenth century. The principal export was probably wool: Cumbria, like the West Riding and the West Country, had a particularly high concentration of fulling mills. The monks of Holm Cultram were especially prominent in the wool trade (Williams 1975: 19; Bouch and Jones 1961: 18-21, 26-28; Winchester 1987: 117).

War and Border violence tended to keep population growth down: Rollinson notes that "Although there is little evidence to suppose that the Lakeland valleys were raided by the Scots, it is certain that the fertile lands surrounding the Lake District were devastated on more than one occasion." Also significant were recurrent outbreaks of the plague: in 1363 the Bishop of Carlisle complained to the Pope that "on account of the late pestilence, there is a lack of priests in the diocese" (Rollinson 1967: 87; Millward and Robinson 1970: 173).

The Union of the Crowns in 1603 did much to reduce Border unrest. Epidemics of plague and famine remained a

problem: Appleby argued that much of the mortality previously ascribed to disease should more accurately be seen as a result of famine: death from actual starvation or from eating bad food. The dissolution of the monasteries after 1536 has been described as a "northern tragedy." Trade and industry probably fell away once deprived of monastic organisation, though in time the monasteries were replaced by the demands of urban markets, and in the long term the changes seem to have benefitted the small independent farmers. Evidence from incomplete surveys suggests that the population of part of Cumberland rose by about forty-five per cent between 1563 and 1688. Rickman calculated an increase for England between 1570 and 1670 of a little over thirty-eight per cent. If this number is prorated over the somewhat longer period of the Cumberland example, the figures are roughly comparable. If this increase held for the whole county, then by the end of the seventeenth century there would have been some 60,000 to 65,000 people (Appleby 1973; Millward and Robinson 1970: 176-181; Rollinson 1967: 94-95; Smith 1978: 203).

There was some growth of mining and industry in the late sixteenth and seventeenth centuries. In 1564 the Company of Mines Royal was founded, bringing some forty or fifty German miners, mostly to the Keswick area, to search for and to exploit minerals of all kinds. Copper, lead and iron were mined. Building stone, especially slate and red

sandstone, were quarried. Working in, or for, the mines must have provided a useful supplement to farm incomes in many upland areas. West Cumberland coal was beginning to be actively worked in the seventeenth century. There was plentiful timber for fuel and charcoal-making, and innumerable swift streams to drive water wheels. These and other developments were under way, but there were severe retarding factors: though Jones suggested that the area, though poorer than the rest of the country, was not so by as much as was widely assumed then and even now. Still most important in this continuing poverty was isolation. Cumberland was far from markets. There were no navigable rivers, and until the developments of the coal trade there were only poor coastal harbours. Woollen cloth was an important product (though in this Cumberland was somewhat less important than Westmorland, especially Kendal), and although of generally rather poor quality was traded quite widely (Bouch and Jones 1961: 116-137; Jones 1955; Rollinson 1967: 103-111).

The population of Cumberland rose between 1688 and 1801 by eighty or ninety per cent to almost 120,000. While not as fast a rate as that of some of the more heavily industrialised counties to the south, such as Lancashire and the West Riding, the disparity was much less than it had been, and the increase was significantly higher than that for the country, which was somewhere between fifty and

seventy-five per cent, depending on estimates for the end of the seventeenth century. One of the factors behind these increases seems to have been the declining effect of plague epidemics as the eighteenth century progressed: Appleby found no Cumbrian evidence after 1650 to suggest that epidemics were checking population as they did in earlier times. However, there is little doubt that industrial growth, especially of west Cumberland iron and coal, was the principal driving force for population growth. Nef has described the west Cumberland industrial and commercial complex as it was in 1755 as "the most valuable industrial plant in England." The upland areas were still only lightly touched by industrialisation. The Mines Royal had ceased to function around the middle of the seventeenth century, though graphite extraction continued near Keswick, and there was a major slate quarry at Honister (still in operation today). It is significant that the much more rural Westmorland grew much more slowly (Smith 1978: 203; Appleby 1978: 109-154; Nef 1966: 7; Bouch and Jones 1961: 215-219; Rollinson 1967: 125-130).

Population growth in Cumberland was not even, and a significant number of parishes actually lost population from the late seventeenth to the early nineteenth centuries. The greatest population increases seem to have taken place in the areas of best agriculture, of richest mineral deposits and of access to the sea: all lowland characteristics.

However, there seems to be little evidence for the argument of Deane and Cole that Cumberland lost population by ten per cent in the first half of the eighteenth century. Some rural areas undoubtedly lost through migration, but more to growing urban centres within the county than without. Overall population growth seems to have been in line with the rest of the country for this half-century at about five per cent. Although agriculture nationally went through a bad period at this time, "Taken together, the evidence of rents, arrears, and the division of responsibility for taxes and repairs, suggests that the 1730s and 1740s were not decades of depression in Cumberland" (Deane and Cole 1969: 103; Evans and Beckett 1984: 6; Jones 1959; Lawton 1978: 316; Beckett 1982: 40).

It was above all a period of urban expansion. Carlisle doubled in size between 1688 and 1801, while Penrith nearly tripled. The biggest rates of increase, however, were in the new commercial and industrial centres of west Cumberland. Workington grew over sixfold in this period and Whitehaven by more than ten, making it comfortably the largest town in the western part of the county. By 1811 forty per cent of the population was living in towns of 1000 or more, and the number dependent on industry and trade exceeded those dependent on agriculture. Whitehaven and Workington in particular were drawing much of their increased population from the rural hinterland, but

even the slower-growing centres were participating in this short-distance rural-urban migration. Many of the upland areas continued to be remote, backward and unvisited. Kitchen's 1777 map of Cumberland illustrates this point: few mountains are named and no heights given; most of the lakes have unrecognisable shapes (and a mysterious unnamed lake appears in upper Eskdale); and a well-marked road is drawn over some of the highest and most impassable terrain (Bouch and Jones 1961: 215-219; Evans and Beckett 1984: 7-8; Rollinson 1967: 125-130).

Between 1801 and 1861 population rose by about another seventy-five per cent, to over 200,000. By now industrial development elsewhere was outstripping the rather limited Cumbrian effort, and this increase was significantly less than the national rate of 125 per cent. There was still little industry in the upland parts of Cumberland, other than a continuation of some mining and quarrying. Real growth was concentrated in the coal (and iron) industry, which was heavily concentrated on the west coast from Egremont to Maryport, though some was obtained inland at Dearham, Gilcrux, Bolton and Caldbeck, with an outlier east of Carlisle at Talkin. Woollen manufacturing was now concentrated in the Kendal area, but there were many cotton mills in Cumberland; chiefly in the Carlisle plain, but also at Penrith, Keswick and Cockermouth. Roads improved in this period: partly in response to the needs of the growing urban

centres and industrial developments; partly because those surrounded by industry in other parts of the country wanted access to the clean air and clear waters of the Lake District. The demands of the coal and iron industry had led to new harbours being developed on the west coast; most notably at Whitehaven, Workington and Maryport, and from the late 1830s rail lines began to be built in the area as roads could not handle the demands for bulk commodity transport. The area was finally being opened up to the outside world. With its human diversity, its topographical variety and its relative isolation, Cumberland provides an interesting scene for a study of agricultural change (Bouch and Jones 1961: 247-247, 277; Williams 1975: 207).

The 'classic' agricultural revolution

This study focusses particularly on the period from the beginning of the eighteenth to the middle of the nineteenth centuries. For the last seventy years or more this period of change, especially that from about 1750 on, has been widely referred to as that of the 'agricultural revolution', paralleling the better-known Industrial Revolution. Use of the term has been accredited by Overton to Marx; though Grigg pointed out that Marx, like Toynbee, actually referred to an agrarian revolution, stressing

property and land rather than techniques and methods (Toynbee 1919: 68; Overton 1984: 119; Grigg 1982: 181).

The real populariser of this period as the crucial one in agricultural change was Lord Ernle (R.E. Prothero). In his English Farming Past and Present, first published in 1912, he stressed the late eighteenth and early nineteenth centuries as the time when new crops and rotations, increased grain output, new breeding techniques, increased animal sizes and Parliamentary enclosure ended the system of common open fields (Ernle 1961).

Ernle considered the new fodder crops, notably clover and turnips, to be essential to the agricultural revolution. The introduction of roots and grasses encouraged the practice of avoiding two successive grain crops and saved the necessity of leaving a portion of land every year in unproductive fallow. It enabled the farmer to carry more stock and to maintain it during the winter months. Fodder crops also replaced the old fallows: turnips helped keep weeds down and clover fixed nitrogen from the air. Increases in stock meant more manure. Altogether, more could be produced without any need to extend the cultivated area. Ernle argued that such developments could take place only with the extinction of common rights: "Without the substitution of separate occupation for the ancient system of common cultivation, this agricultural progress was impossible." He also developed fully the

practice of attributing major advances to the efforts of a small number of prominent innovators. Successive chapters are titled "Jethro Tull and Lord Townshend," "The Stock-Breeder's Art and Robert Bakewell" and "Arthur Young and the Diffusion of Knowledge." The eighteenth century, in particular, was portrayed as the age of the agricultural hero:

The great changes which English agriculture witnessed as the eighteenth century advanced ... are, broadly speaking, identified with Jethro Tull, Lord Townshend, Bakewell of Dishley, Arthur Young, and Coke of Norfolk. With their names are associated the chief characteristics in the farming progress of the period.... (Ernle 1961: 149).

Ernle's account of the English agricultural revolution, spanning the years roughly from 1750 to 1850 and spurred by the innovations of a handful of key pioneers, quickly became widely adapted. Mantoux used Ernle as his principal source for the agricultural changes that accompanied eighteenth and nineteenth century industrial advances. In Kerridge's words, it "pervaded every nook and cranny, appearing as a matter of course in school textbooks, general histories, handbooks of economic history, agrarian histories, and university lectures," and it persists to today as the popular image of the period (Mantoux 1906; Kerridge 1969b: 468; Overton 1984: 120).

It did not take long, however, for the academic world to begin pointing to some serious cracks in the

picture. Saunders demonstrated that turnips were being grown on "Turnip" Townshend's estates when he was still a boy; Fussell showed that the increase in the weight of cattle during the eighteenth century was much less than Ernle had claimed; Marshall depicted Jethro Tull as something of an eccentric; Riches recounted significant improvements to Norfolk agriculture well before the mid-eighteenth century. As Woodward remarked: "One by one Ernle's agricultural heroes have been put to the test and found wanting." Plumb established that Sir Robert Walpole had developed turnip husbandry well before Townshend; Parker greatly reduced Ernle's estimates of the increase in rental of the Holkham estates under Coke while Bakewell's work has been dismissed by Beckett as "limited." There is growing evidence, in fact, that much of the prominence of at least some of the eighteenth century 'agricultural heroes' was a function less of their achievements than of their abilities at self-publicity, and that a great many of the innovations dated by Ernle to 1760 or later could have been found as much as a century earlier (Saunders 1915; Fussell 1929; Marshall 1929; Riches 1937; Woodward 1971: 324; Plumb 1952; Parker 1955; Beckett 1990: 4; Overton 1984: 120-121; John 1960; Jones 1965).

Further, there was growing evidence that Ernle's adoption of Young's attitude towards the "Goths and Vandals" of the common fields was less than fully justified.

Commercially-oriented farms, large and small, were to be found in the common-field townships, and a significant part of the London grain market was supplied from common-field arable. In Oxfordshire, at least, a good deal of progress was in fact taking place within the confines of the despised common fields. Farming behaviour was not necessarily regimented and monolithic. Farmers did not all grow the same crops in the same field and, more importantly, a measure of convertible husbandry had been introduced by the practice of sowing leys in the open fields. Clover and sainfoin were among the new fodder crops introduced into common-field Oxfordshire in the seventeenth century.

Increasing fodder supply allowed the keeping of more animals and thus an increase in manure, all leading to "an ascending spiral of progress" (Yelling 1978: 168; Havinden 1961: 83).

Although the inadequacies of many of Ernle's arguments were thus being exposed, the broad thrust of his approach to agricultural change still had its adherents. Mingay's 1963 "reconsideration" of the agricultural revolution criticised much of the detail in Ernle, and noted that many key changes predated 1750 or postdated 1850, but concluded that his identification of the late eighteenth and early nineteenth centuries as the period of the great 'agricultural revolution' should not "be relegated to the historians' lumber room of discarded terminology" (Mingay 1963b: 133).

In The Agricultural Revolution 1750-1880 Chambers and Mingay developed these ideas further. Ernle was again corrected and updated (as were some of his critics: Tull, it was stated, "was not quite the dogmatic crank that some writers have made him out"). However, the overall approach followed much the same set of topics: the spread of more flexible rotations, including roots, legumes and improved grasses; the ability to feed more stock, which in turn enriched the soil with their manure -- raising the yields of both cereal and fodder crops and thus allowing even heavier stocking; enclosure of common fields and wastes; the growing adoption of alternate husbandry on the light soils, and convertible husbandry on the heavier lands. Improvements in livestock, drainage, soil treatment and machinery were mentioned "rather for what they promised in the future than for their present advantages." Although again stressing the importance of developments in the first half of the eighteenth century and earlier, and although extending the period to 1880, the volume by its very title firmly placed the agricultural revolution in much the same time frame as did Ernle (Chambers and Mingay 1966: 60, 54).

Chambers and Mingay also supported Ernle's idea of the importance of early innovators and publicists of innovation. They did point out that, despite early eighteenth-century writers such as Ellis, the Laurences, Lisle and Tull, "the great names occur in the years after

1760," though Withers argued that "Scottish agricultural improvers had earlier antecedents than many of their English and Welsh counterparts" (Withers instanced William Cullen, whose agricultural lectures in the 1740s and 1750s "represented a striking example of that blend of practice and scientific abstraction which helped transform eighteenth-century Scottish farming through practical education"). William Marshall was acknowledged by Chambers and Mingay as "the soundest writer and the one with the most comprehensive understanding of agricultural practice." Horn has described Nathaniel Kent as another widely-read authority: the founder of a major land agency business who claimed that "Competent knowledge of Agriculture [was] the most useful science a gentleman [could] obtain" (Chambers and Mingay 1966: 73; Withers 1989: 144; Horn 1982: 4).

However, the individual described by Chambers and Mingay as the "most colourful, most readable, and certainly the most-quoted writer" was Arthur Young. Although derided for failing as a practical farmer when young, and with a predilection for exaggeration admitted even by his admirers, Young travelled widely, wrote extensively and became an internationally-known supporter of agricultural progress: "his advice was sought by leading agriculturalists in many countries, not forgetting Washington himself." On the basis of critical analysis of his writings, Allen and O Gráda concluded that Young was, contrary to many critical

comments, a careful assembler of factual data. However, they also suggested that the generalisations he later published were not always borne out by his own figures. He was a champion of all kinds of improvements, especially enclosure: in his own words

I know not so melancholy a reflection, as the idea of such waste and uncultivated lands being so common in a kingdom that loudly complains of the want of bread.... Bring the waste lands of the kingdom into culture, cover them with turnips, corn and clover, instead of ling, whins and fern, and fear not but that bread and beef will be plentiful.

Chambers and Mingay did qualify their enthusiasm: "How far the writings of Young, Marshall, Kent, Tull and a host of others contributed to the progress of the time it is impossible to say." Writings that now seem so advanced, even prescient, may have had only a limited circulation in their day and, as observed of Young, "it seems likely that much of the preaching in his and other writers' work was to the already converted" (Chambers and Mingay 1966: 74-75; Mingay 1975: 42; Mingay 1963a: 478; Allen and O Gráda 1988; Young 1773).

A somewhat different approach from that of Ernle and Chambers and Mingay was taken by Thompson who suggested that there were really three or even four 'revolutions' in agriculture between traditional common-field farming of the Middle Ages and modern factory farming. The agricultural

revolution "proper" began in the eighteenth century and involved technical changes in crop rotation and livestock, enclosure, and a greater market orientation. It was effectively over by 1815, and was followed by a "Second Agricultural Revolution" between 1815 and 1880 involving the replacement of labour by machinery and a great increase in the use of fertilisers. The third stage, though not clearly stated, was presumed to be the industrialisation of agriculture following 1914, while an even earlier revolution before the "proper" one was postulated (Thompson 1968).

An alternative agricultural revolution

The most vehement objections to the basic concept of the agricultural revolution as outlined by Ernle have come from Kerridge. Following an attack on some of the details of the then accepted image he nailed his colours firmly to the mast with the opening sentence of his 1967 volume The Agricultural Revolution: "This book argues that the agricultural revolution took place in England in the sixteenth and seventeenth centuries and not in the eighteenth and nineteenth" (Kerridge 1956; 1967: 15).

Kerridge began by outlining the still generally accepted image of the eighteenth and nineteenth century agricultural revolution, and then depreciating or dismissing each component of that image. Enclosure was not acceptable

as a criterion for revolution, as "The simple world in which all land was either common or enclosed turns out to be imaginary." The extension of cultivation was rejected as a yardstick as "this would be to misunderstand the nature of economic revolutions and to confuse technological innovation with mere economic growth." Moreover, the replacement of bare fallows by fallow crops was, according to Kerridge usually exaggerated. "The truth is, bare fallows continued even in the new husbandry, that is supposed to have abolished them." The importance of turnips and clover was minimised, while a cherished part of the general image was dismissed as "the supposed spread of an imaginary Norfolk four-course system" which was "almost wholly spurious."² Mechanisation "formed no part of the early modern agricultural revolution" while "As for field drainage, trench drains were known of old.... Large-scale pipe drainage was a notable advance, but it did not affect, far less revolutionize, more than a part of English agriculture." Overall, the conventional image of the agricultural revolution was described as based on "mythology" and on evidence that was a "broken yardstick,"

² "The most celebrated of the new rotations developed as a result of the introduction of turnips and clover was the so-called Norfolk four-course in which wheat, turnips, barley and clover followed each other in annual succession" (Beckett 1990: 13).

"inconsiderable and inconclusive," "unrealistic" and "over-rated" (Kerridge 1967: 16-39).

Kerridge argued his case from two points of view. One, that most of what he agreed were the key improvements in agriculture had already been introduced well before the eighteenth century; two, that "More important than the valid conventional criteria are those conventionally ignored." Thus large-scale drainage of low, flooded grounds was attributed particularly to the period before 1660; while fertilisers -- manure, marl and lime -- were deemed to be well known in the seventeenth and even sixteenth centuries. New crops are said to have appeared much earlier than traditionally depicted: "tobacco was already well established in the Vale of Evesham by 1619"; carrots and table turnips to be widespread by the late sixteenth century; though it was not until the middle of the seventeenth century that "there suddenly took place in High Suffolk an agricultural revolution, by the introduction of turnip husbandry, i.e. the field cultivation of fodder turnips." Similar claims were made for improved and "artificial" grasses, such as sainfoin or cocksfoot, and for clover. Experiments with crop and stock rotations were likewise traced back a century or two before 1700. The idea that, before enclosure, stock were left to fend for themselves was scouted: "in the sixteenth century and after, in common-field townships, common flocks and herds had not a

little care bestowed on them." While not much change was claimed for horses and cattle, Kerridge argued that there were considerable improvements in breed of sheep before the eighteenth century, and that the advantages of Bakewell's later and much-publicised experiments were generally exaggerated (Kerridge 1967).

Chief among the "conventionally-ignored" criteria Kerridge placed what he called "up-and-down husbandry," rotating alternately between arable and grass (elsewhere usually known as convertible husbandry).³ This development allowed at least as much grain to be grown as before, with less labour and cost, while allowing an increase in numbers of livestock. A whole chapter was devoted to the development of up-and-down husbandry, while another was given over to "Another advance ignored by conventional pictures of the agricultural revolution ... the floating of water meadows." This last involved the artificial irrigation of meadowlands and was described as "the crowning glory of agricultural technique" from the seventeenth to the nineteenth centuries. In summary, Kerridge claimed that what really constituted the agricultural revolution was the

³ Alternate husbandry is sometimes used as another synonym for convertible husbandry; but it is usually reserved to describe the later-developed "Norfolk System" whereby the ley part of the cycle involves the sowing of legumes such as clover, sainfoin or lucerne and roots such as turnips (Chambers and Mingay 1966: 4).

floating of the water-meadows, the substitution of up-and-down husbandry for permanent tillage and permanent grass or for shifting cultivation, the introduction of new fallow crops and selected grasses, marsh drainage, manuring, and stock-breeding; and that all of these had been developed before the eighteenth century (Kerridge 1967: 39-40, 257).

Kerridge renewed the attack shortly after in a remarkable polemic entitled 'The Agricultural Revolution Reconsidered'. It spared no-one, dead or alive, whose views differ from those of the author. Toynbee was a "tortured Christian Socialist"; Ernle "was mainly a literary man" and "no more a historian than Toynbee was." Arthur Young "was a mountebank, a charlatan, and a scribbler" who "led Ernle quite astray." Mantoux was dismissed as a dupe of Toynbee and Ernle. Thompson was castigated for attempting "to chop the Agricultural Revolution into pieces ... on the principle that a broken idol is better than none at all." Hoskins, Thirsk and E.L. Jones were all informed that they do not know what they are talking about. Kerridge then took after what he calls "the New Believers, in contrast to the Old Believers of the Toynbee-Ernle-Mantoux school. They retain the old theoretical bodywork, but run a new chassis of facts under it and somehow knock the two together." Here the particular target was Mingay, who was said to have failed to evaluate correctly the results of recent researches into sixteenth- and seventeenth-century English agricultural

history, to have wrongly cited several authorities, including Kerridge himself, whose "account of what he is pleased to call convertible husbandry in the Midlands contains a dismaying welter of multiple errors" and whose "account of the technical changes involved in the agricultural revolution is not only unproved, it is incredible." Mingay's population and production figures were all questioned: there were improvements in the eighteenth and nineteenth centuries, but the true statistics were such as "not wholly to flatten Mingay's balloon, but only to let most of the gas out of it" (Kerridge 1969b).

In opposition to all this incompetence, Kerridge restated the theme of his 1967 volume: that there was only one "strictly Agricultural Revolution in modern history, and this, as we know, fell between 1560 and 1767." The evidence for this was contained in the original documents, inaccessible to those less scholarly than Kerridge, and the writings of trustworthy contemporaries; notably William Marshall who, unlike the charlatan Young, "was an earnest student, a meticulous scholar, and a faithful reporter." Why had the false history of the agricultural revolution lasted so long? Because few students then knew French or Latin, and so could not access the relevant documents; because courses were taught by non-historians or urban historians; because too much emphasis was given to courses starting in or after 1750 (Kerridge 1969b: 460-470).

Response to Kerridge was milder than the original, though Whetham commented "It is sad that this learned and important book should be so marred by Mr Kerridge's belief that all historians were wrong until he was born to set them right" and Thirsk described his volume as "a disturbing mixture of solid fact and perverse interpretation." The first reply had come, not surprisingly, from Mingay, in an article immediately following Kerridge's in Agricultural History. Mingay outlined some of the errors and contradictions in Kerridge's arguments, concentrating especially on the question of output. In the period of Kerridge's revolution (1540-1700) population increased by about 3 million. Agriculture's success in feeding this increase meant, according to Kerridge, that little room remained for further improvement. However, from 1750 to 1880 population rose by about 19 million. Even allowing for the fact that there were more imports of food in the latter period, it seems not unreasonable to conclude that agriculture changed more radically then, simply to be able to feed so many (Whetham 1968: 257; Thirsk 1970: 259; Mingay 1969: 479).

Further, Mingay pointed out that Kerridge completely overlooked the whole matter of the institutional changes that were needed to provide the conditions for efficient farming: compact farms of suitable size held under individual management; the revision of tenures, leases and

husbandry agreements; the provision of adequate farm buildings, access roads, drainage and transport facilities for marketing; and sources of finance for farmers, which became increasingly important as farming became more capital-intensive. Finally, Mingay wondered why Thompson and others of the 'gradualist school' should be accused of spreading the agricultural revolution out over an impossibly long stretch of time. Agricultural change was a long-drawn-out process, and how long was "impossible"? Moreover, it did fall into clear stages:

Was it really a 'revolution'? If you compare the better farming of the middle nineteenth century ... with that two hundred years before, the revolutionary character of the change is apparent. And there was a revolution also in the total output, which made it possible in the hundred years before 1880 for a rural England of a few million people to become transformed into a heavily industrialized and heavily urbanized society of 26 million people, with as yet marginal dependence on the outside world for food. This was a revolution indeed.

Other criticisms of Kerridge included Broad's accusation that he overstated the importance of alternate husbandry before 1800, and Yelling's comments that "there is little mention of market forces, although their implied effects form a backcloth to the entire action" and that he did not adequately demonstrate the wide spread of turnips by the early eighteenth century. Indeed, Overton's analysis of probate inventories showed that the number of farmers

growing turnips in Norfolk and Suffolk remained low into the 1680s, and not until 1700 were fifty per cent doing so. Farm-sale advertisements in Oxfordshire revealed to Walton that as late as 1785-1836 less than two per cent of the notices for parishes at least half open mentioned turnips, and only just over six per cent for other parishes. In Hertfordshire, according to Glennie, artificial grasses and root crops became more frequent in inventories after about 1670. As for the water-meadows, Bowie pointed out that before the 1640s they were not so efficient nor their use on the Wessex downlands so widespread as Kerridge claimed (Mingay 1969: 481; Broad 1980; Yelling 1978; Overton 1984: 129; Walton 1978: 244; Glennie 1988; Bowie 1987).

More generally, Kerridge has been accused by Grigg of having relied too heavily on late eighteenth-century writers, who "were often strangers to the county they described, and ... concerned only with describing the best practice rather than average farming conditions," by Overton of having placed too much emphasis on a few precocious adopters of an innovation and by Woodward of simply having failed to demonstrate the reality of his revolution as compared with a later revolution (Grigg 1966: 7; Overton 1984: 122; Woodward 1971: 328).

The agricultural revolution today

There seems to be little argument about the broad outlines of what changed in crops, stock, implements and techniques in the eighteenth and early nineteenth centuries: the real debate is over just when these innovations were introduced and just what was the relative importance of each.

The principal improvements have already been outlined: enclosure; convertible and then alternate husbandry; improvements in livestock; drainage; soil treatment; new machinery. The immediate result of these improvements was an increase in grain output from 1700 to 1850 of about 120 per cent, and of livestock (sheep and cattle, body weight) of about 150 per cent. Expansion of the dairy sector and of minor branches such as poultry and market gardening are more difficult to measure, but probably significantly less. Agriculture in England and Wales in 1850 was able to feed three times the 1700 population, albeit with somewhat more help at the end of the period from imported grains and Scottish and Irish cattle and, in all probability, a lower level of food consumption among the poorer classes (Mingay 1977: 8).

Holderness provided more details, while conceding that there was still a good deal of uncertainty about actual numbers. He suggested that wheat output rose as much as 225 per cent between 1750 and 1850, though for other grains the

figures were a good deal lower: sixty-eight per cent for barley, sixty-five per cent for oats, with too little information about other cereals. Domestic output of mutton and lamb he estimated as increasing by 115 per cent over the same period, beef and veal by 110 per cent and pork and bacon by seventy-five per cent. Altogether, these figures, given population increase over that century, implied a per capita reduction from about one hundred to seventy-five pounds. However, these figures excluded imports from Ireland and also did not consider poultry, rabbits and game: not to mention poaching, an activity whose product played a part in feeding urban populations. Overall, Holderness concluded that "Broadly speaking, output from English agriculture rather more than doubled between 1750 and 1850. The principal components in the calculation in both cereal and livestock husbandry increased in step by about the same amount." Mingay considered that this unparalleled growth in the home market "above all, is what distinguishes the century 1750-1850 from preceding periods" (Holderness 1989; Mingay 1989a: 1).

As well as food, there was a significant increase in the output of industrial raw materials, such as wool, leather and timber: Holderness estimated a doubling of domestic wool output between 1750 and 1850. There was also animal fodder: according to Moore-Colyer "The capacity of British agriculture to respond to the increased demand for

meat products created by an expanding urban population between 1750 and 1850 was largely a reflection of a sustained improvement in the availability of reliable supplies of livestock feed throughout the period." As Mingay observed, this feed was needed not least for horses: in 1902 there were three and a half million horses used for agriculture, transport and pleasure, requiring 15 million acresworth of fodder (including imports). Numbers of people on the land rose steadily throughout the period, though their proportion of the working population dropped from probably over forty per cent in the late eighteenth century (and undoubtedly higher earlier than that) to under twenty-two per cent in 1851. Thus agriculture was expanding as its share of the nation's labour was falling. This allowed increasing numbers to be diverted into other occupations in industry, transport, commerce and personal services, where the productivity of labour was probably considerably higher than that in agriculture. This made an important contribution to the economic advances of the time (Holderness 1989; Moore-Colyer 1989: 334; Mingay 1977: 9-10).

The importance of enclosure was emphasised by Mingay's estimate that about two-thirds of the increase in output during this period was the result of cultivating new lands, only about one-third from increases in output per acre. In County Durham Hodgson found that "organizational

changes in the form of enclosures were more significant than technical changes in the form of new crops and new crop rotations." This may seem surprising in a period when improvement and innovation were so promoted. The reason, it was suggested by Mingay, lies first in the immense amount of money, labour and organisational effort that went into enclosure, and to the natural caution of farmers. The slow and very localised spread of information, at least until the middle of the nineteenth century, was another reason.

Although many new types of farm machinery were introduced in this period, most were still horse-drawn and did little to reduce labour needs: even the steam-powered thresher required a dozen hands to operate it. The main advantage of machinery, in fact, was the flexibility it gave the farmer, especially in allowing him to take maximum advantage of good weather for harvesting and haymaking. Before the later nineteenth century there was little point in saving labour, as the areas of arable farming, for which most machines were devised, usually had plenty of local cheap labour as well as the option of hiring hands from neighbouring towns or from gangs of itinerant Scots, Welsh and Irish. Indeed, the introduction of machinery was slowed down by the cheapness and availability of labour, as well as by the improved efficiency of hand-tools, the small size of most farms, the small and ill-drained fields, obstructions such as streams, hedges and trees, uneven surfaces, the hostility of

labourers to machines like threshers which reduced winter employment, as well as questions concerning the cost, efficiency, and reliability of the machines themselves. It should be noted, though, that Walton, analysing local newspaper advertisements for Oxfordshire farm sales and plotting the introduction and spread of such innovations as improved breeds of sheep, and machinery from seed drills to cake crushers, felt that the role of mechanisation in both eighteenth and nineteenth century agriculture had been underemphasised. This led him to conclude that "Changes in both the quality and variety of implements were not inconsiderable" (Mingay 1977: 10-18; Hodgson 1979: 98; Walton 1978: 246-248; 1979: 23-24).

Although production increased over this period, it did so in a far from regular manner. Following strong agricultural growth in the first half of the eighteenth century, there was a slowdown almost to stagnation for the next fifty years. In this later phase, in Jackson's words, "the growth of agricultural output lagged well behind the growth of population and, as a result, per capita levels of output and consumption of agricultural products fell." In view of all this, Mingay found it no surprise that agricultural progress at this time was slow and uneven: "One of the most obvious technical weaknesses of the age -- the inadequacy of knowledge for dealing with pests, blights and

diseases -- was one of the last to be remedied" (Jackson 1985: 333-334; Mingay 1977: 16).

The importance of newly-enclosed land was illustrated by Brown and Beecham, utilising data from 1840s experiments at Rothamsted, which showed that switching from a simple manureless wheat-barley-fallow rotation to the full Norfolk system of wheat-turnips-barley-clover with manure actually reduced annual wheat output and hardly increased that of barley: the Norfolk system had spread widely in the 1830s and 1840s as farmers attempted to intensify cultivation. Although turnips increased nearly tenfold, Overton remarked that "there is little point in growing turnips unless they are manured, yet one of the reasons for growing turnips was to produce an increase in supplies of manure." This new technology, then, was unlikely to have produced great increases in output without increases in the cultivated area (Brown and Beecham 1989; Overton 1984: 125-126).

The end of this period sees the beginning of what was widely called 'high farming'. Jones explained this phrase in economic terms: increasing output in an attempt to offset falling prices. There is also, he continued, a technical sense in which it meant an extension of mixed farming; the interlocking of cereal growing and the keeping of livestock, all at a much higher intensity than before. Chambers and Mingay dated the inception of high farming from

near the beginning of Victoria's reign, and typified it by its unmistakeable portents of progress such as the founding of the Royal Agricultural Society of England in 1838 and of the Rothamsted agricultural research station in 1843. "A new age had appeared, of carefully-controlled breeding, calculated feeding and scientific soil-treatment, supplemented by a wide range of mechanical devices and steam power." The integration of the various developments of the period was basic: "It was pointless having one of the component parts without most, if not quite all, of the others" (E.L. Jones 1962: 104; Chambers and Mingay 1966: 170; Brown and Beecham 1989: 286).

Leading up to and during this period there was a significant change in demand for agricultural products: the gradual shift towards higher consumption of meat and dairy produce influenced the expansion of livestock production and dairying, while the growth of large urban markets also encouraged more specialist production of market-garden produce, poultry, hops, and eventually fruit. There was also a long-term change in the balance between demand and total supply (including imports). Before 1750 output tended to exceed the market, causing low prices and considerable exports of grain. Between the 1750s and about 1815, however, the situation was reversed as population rose and poorer harvests could not keep up. At the end of the Napoleonic Wars, and for the next sixty years or so, output,

thanks to big increases in area cultivated and in imports, was roughly in balance with the market. At first prices fell sharply from the extraordinarily high pre-1815 peaks; then they reached a general level still somewhat higher than before 1793. In the long term livestock production moved upwards while the price and output of grain, increasingly influenced by imports, slowly declined. According to Walton there were several interlinked causes underlying the development of high farming, including technical developments in agriculture, the growth of the railway network and an expanding world economy. Particularly significant was the repeal of the Corn Laws in 1846, removing protection from domestic grain growing, encouraging diversification into livestock and requiring continuing grain operations to become more competitive. Even at the end of the period, with scientific farming coming into its own, the pattern of English agricultural practice was still far from uniform. Not all farmers were efficient or up to date, and there could be remarkable differences in technique even between neighbours. Grigg claimed that the advent of high farming marked the end of the classic agricultural revolution "not because there ceased to be the advances in technique, but because the changes were different in kind from those of the earlier nineteenth century" (Mingay 1977: 60, 65; Walton 1978: 249-250; Grigg 1966: 2).

Whether the changes of this period constituted a genuine 'agricultural revolution' is something on which opinion is still not entirely settled, though the current of opinion is running against that view. In 1977 Mingay qualified but by no means abandoned his earlier position. In his introduction to a series of contemporary documents, titled (rather defiantly) The Agricultural Revolution: Changes in Agriculture 1650-1880, he traced the development of modern farming back into the sixteenth and seventeenth centuries. However, the relatively rapid development of the last three centuries marked this off as a distinctive period. The most recent changes, beginning in the middle of the nineteenth century, needed to be separated off as different in kind, with the beginnings of modern agricultural chemistry and rapid improvements of farm machinery. This left the period 1700-1850, in which methods of production were developed that were significantly more efficient than those which formerly prevailed. "This is an unsatisfactorily vague definition, but it is perhaps as good a one as can be formulated in the existing state of knowledge"⁴ (Mingay 1977: 3-6). Further support for the continued, if somewhat weakened, emphasis on the Ernle

⁴ It is interesting, though, to note that Mingay's 1968 booklet for the Economic History Society is titled "Enclosure and the Small Farmer in the Age of the Industrial Revolution" (emphasis added), and not "in the Agricultural Revolution".

concept of the agricultural revolution came from Walton who, after summarising some of the countervailing evidence, concluded that "For all this, the prevalent image of the agricultural revolution remains much closer to Ernle's view than to any other" (Walton 1978: 242).

Others were more sceptical. Most writers since Kerridge have managed to look beyond his style of presentation and agree that he introduced a number of significant arguments. While Kerridge has won few adherents for his pre-1700 revolution he has certainly made many unwilling to commit themselves to any specific period when agricultural change was sufficiently more pronounced than any other to warrant use of the term 'revolution'. There are also political overtones in the current debate. Some writers have been attracted to Marxian interpretations of the period with its integration of social and economic factors and its concern about the relative powers of different groups of people to control the allocation of resources. From this viewpoint, Overton saw Ernle as an apostle of the ideals of the late Victorian aristocracy -- leadership, self-help and individualism -- and Tribe, rather more bluntly, as "spokesman for the Tory party on agricultural policy" (Beckett 1990: 9; Overton 1984: 135-137; Tribe 1981: 51).

Woodward surveyed the principal changes in four centuries of agricultural progress and concluded that "It

could well be argued that a single label is totally inadequate to encompass all these developments." Overton claimed "that the phrase 'agricultural revolution' is thoroughly confusing and is best dispensed with as a term referring to a series of specific historical events." Thirsk also suggested abandoning the term, arguing that it would make more sense if "improvements were analysed as a continuum, to be divided between periods of more or less rapid change" (Woodward 1971: 330; Overton 1984: 123; Thirsk 1987: 57-58).

As more detailed information of changes in production, techniques, land use and land ownership emerge the picture becomes, if anything, more complex and confusing. Whether this increasing detail will eventually justify or finally finish the term 'agricultural revolution' -- and if justify, for what period -- it is too soon to tell. For example, Grigg stated that "if the phrase 'agricultural revolution' is to have any meaning it must surely apply ... to a general and rapid increase in the productivity of the area under consideration." Developing this theme, Overton pointed out that yields of wheat in bushels per acre increased from about eight in the 1580s to about fourteen in the early eighteenth century and to about thirty in the 1830s. "In each case there was an approximate

doubling. Which period was the more 'revolutionary'?"
(Grigg 1966: 190-191; Overton 1984: 133).⁵

Conclusion

According to the 'classicists' new crops, new breeds of animal, and above all the end of common-land practices were the basis of a revolution that enabled Britain cope with rapid population growth, especially of the newly-industrialised urban areas. This concept can be traced to nineteenth-century writings, though it was Lord Ernle early in this century who did most to popularise it. The ideas of Ernle and his disciples are examined, as are later qualifications and modifications. However, proponents of this school of thought have all held to the central notion of the primacy to agricultural development of the period 1700 to 1900.

In stark contrast to this are the writings of Eric Kerridge, who set out not just to modify but to destroy the ideas of Ernle and his followers. In this view, the real changes in British agriculture took place in the two centuries preceding 1700, and that the real 'agricultural

⁵ Allen suggested a variation in Overton's method of calculating yields from probate inventories, but agreed "that most of the yield increases in early modern England occurred in the seventeenth century rather than the eighteenth" (Allen 1988; Overton 1979).

revolution' took place then. Virtually all the ideas and arguments of the 'classic' school are dismissed as based on ignorance or misinterpretation. Instead, the accomplishments of the sixteenth and seventeenth centuries are lauded: the introduction of new crops, such as clover and turnips, the development of new rotations and the artificial irrigation of meadowlands. Although Kerridge's ideas prompted an immediate defence of the 'classic' view, over time it came to be seen that he had introduced a number of important points; in particular that the origins of many innovations dated back a good deal further than had been generally accepted.

While there is still argument over these conflicting views today, there is general agreement that the views of neither Ernie nor Kerridge are satisfactory. From Kerridge, there is acceptance, based on growing evidence, that agricultural progress has been ongoing for centuries and that many innovations were introduced at an early date. With less unanimity, there is a general understanding that the rate of adoption and implementation of new ideas accelerated in the eighteenth and nineteenth centuries. However, it is increasingly pointed out that progress did not stop in 1850, 1880 or even 1900, but has been going on even faster and more effectively than before. The eighteenth and nineteenth centuries may well have seen great

changes in British agriculture: but not as far-reaching as those of the twentieth century.

Few would now be willing to use the term 'agricultural revolution' on a national scale to describe specifically the period 1700-1850 that is the focus of this study, or indeed any part of the eighteenth and nineteenth centuries. Mingay, one of the staunchest supporters of the general Ernle concept, has revised many of his ideas: noting, for instance, that the general trend of research in recent decades "has been to diminish the significance of the famous pioneers like Robert Bakewell and Thomas Coke, and to see the development of more efficient and more productive farming as a broader-based and more protracted process than was first suggested." In this he echoes Macdonald, who wrote that there is evidence "that the work of a Thomas Coke or of an Arthur Young pales into insignificance beside the example of the talented local farmer." Overall, Mingay now accepts that "Perhaps ... the whole idea of 'agricultural revolution' is inadmissible in a branch of the economy noted neither for the speed nor for the completeness of change in the past." However, although it is dismissive of Ernle and revisionist in content, it is interesting to note that a recent book in the Historical Association Studies series is entitled 'The Agricultural Revolution' (Mingay 1989a: 1; Mingay 1989b: 275; Macdonald 1979b; Beckett 1990).

What remains to be seen is whether changes in Cumberland followed the same pattern of long and reasonably continuous change or whether, as proposed, it was not until the eighteenth century that improvements really began to take effect in the county; that there was, in this one remote county at least, something truly approaching an agricultural revolution between 1700 and 1850.

CHAPTER TWO

AGRICULTURAL CHANGE 1700-1850: LANDOWNERSHIP

Introduction

In looking at questions of agricultural improvement and the reasons for changes in land use, the obvious place to start is with those who owned and those who worked the land. Without people there would have been no agriculture. This chapter considers many aspects of the relationship between landowners, tenants and agricultural progress.

The first part of the chapter looks at the different types of landowner and at the distinction that ran through British agriculture between the owner of the land and the person who farmed it, the tenant. Given this distinction, the importance of the relationship between landlords and tenants is clear. The principal mechanism governing this connection was the lease, so the next section looks at the role of leases and the benefits and disadvantages to each side of short and long leases.

The diffusion of innovation was clearly dependent on the interplay of landlords and tenants. Landowners might press new ideas on reluctant tenants; ambitious tenants might petition conservative landlords to permit improved

methods. The long-standing and unresolved debate over the importance of major national figures in agricultural innovation is considered, as are farmers' associations, agricultural periodicals and the concept of 'bottom up' diffusion: agricultural labourers spreading new ideas as they migrated from area to area.

The chapter then turns to look at the situation in Cumberland, and the extent to which it reflected the broader national picture. The curious northern system of customary tenure is explained. Also considered are the farm labourers. Finally, discussion of agricultural progress in Cumberland considers the role of major landowners in both encouraging better practices and in demonstrating on their own farms, and examines the importance of leases.

Landlords and tenants

Basic to agricultural change in this, or any, period was the interrelationship among those who owned and worked the land. The landed interest was at its height in the eighteenth century. Indeed, until the end of the nineteenth century at least ownership of land determined a person's standing within the community. As late as 1850 eighty-five per cent of the total farm area was occupied by tenants, the actual ownership being almost entirely in private hands. In 1750 less than five per cent was owned by institutions. The

civil wars and the Glorious Revolution had limited the powers of the crown and put the landowners firmly in the saddle. Their political strength was to remain virtually unchallenged for at least the next hundred years. The power came from the fact that some two-thirds of the members of the House of Commons were landowners, as were the lords-lieutenant, the magistrates and the parish officers. Therefore, in Mingay's words, "landowners controlled with the aid of the crown's patronage almost the whole policy-making and executive machinery of central and local government." Particularly significant may have been the total domination of the appointed rural magistracy. Whereas a modern elected local authority has to submit to the control of a department subject to Parliament, in the eighteenth century a non-elected local authority, with unlimited local power, virtually controlled the decisions of Parliament: as the Hammonds put it "Thus though the system of magistracy ... enabled the English constitution to rid itself of feudalism a century earlier than the continent, it ultimately gave back to the landlords in another form the power that they lost when feudalism disappeared." Well into the nineteenth century, according to Mingay "The duke in his mansion and the squire in his hall still exerted a traditional influence over the community of the land" and, as Mills wrote "many squires still gloried in the title of 'lord of the manor'" (Beckett 1989: 545-556; Mingay 1989c:

944; 1963a: 10-11; Hammonds 1927: 17; Mingay 1981: 14; Mills 1980: 16).

However, despite their control over administration and justice, there were many townships in which the squires did not monopolise land and property. Small, independent owners and entrepreneurs might have been important and even modestly powerful. Small property owners set up their nonconformist chapels, voted against the local lord, defied the law on church rates, elected the officials of their own village clubs and managed the village school. The power of the manorial lords was often restricted by the fact that the territory on manor, township and parish overlapped. Divided manorial control frequently meant that no one manor dominated, and the village leaders were able to make decisions independently of manorial influence (Mills 1980: 15-19).

The lesser landowners were many and conservative, and they fought against the larger landowners on every issue which affected their own agricultural interests: protesting against taxation, tithes, the prohibited export of wool, and the cost of enclosures. The real division in English landed society could thus be seen as not between the old landed families and the new, but between the small proprietors, who disliked what was happening and felt neglected, and those who were better placed by temperament or scale of operation

to take advantage of economic expansion and social fluidity (Mingay 1963a: 107).

There is something of a terminological problem in dealing with small landowners; in distinguishing modest owners who were distinctly 'gentry' from those who, though owner-occupiers, were clearly in a lower position on the social scale. Mills used the term 'peasant', though he admitted that "we cannot expect to find anything approaching a classic peasant economy even on a local basis within nineteenth-century England." Beckett remarked that contemporary writers, and many since then, referred widely to the 'yeoman', though this has always been an ambiguous word. "Legally, a yeoman was a freeholder who could meet the qualification for voting in Parliamentary elections, but the term was evidently applied much more widely, probably to most freeholders, copyholders, and even tenant farmers" (Mills 1980: 46; Beckett 1984: 113).

Perhaps the major reason for the differences of approach between greater and lesser landowners at this time was that during the late seventeenth and early eighteenth centuries most of the more important landowners seem to have abandoned large-scale commercial farming. They let most of their land out permanently to tenants and, Mingay said "so far were they from wanting to engage in farming that their estate policy was consciously directed towards avoiding vacant holdings." This was also a time of increasing

absenteeism among landowners. With more deliberate attempts to use marriage as a means of acquiring property it became increasingly common for an inheritance to be well scattered. With growing demands of public service landowners acquired urban properties in London or provincial capitals: increased participation on the London money market had the same effect. One important result of this absenteeism was the employment of full-time stewards or agents, though it was not until the later part of the eighteenth century that they became professional enough to compensate for the absence of the landowner (Mingay 1976: 83; Roebuck 1973).

Altogether, therefore, there came to be a very real distinction between the function of the landowner and that of the farmer. Farming became a kind of cooperative venture between landowner and tenant farmer, with each making his own contribution. The landowner provided the land and buildings and usually provided wood and other materials for repairs. A good landlord was concerned to improve the property and help the tenant to be more efficient, by enclosing waste for additional farmland, consolidating holdings in common fields, rebuilding farm buildings, undertaking flood control and drainage works, encouraging tenants to enrich their soil with marl, and involving themselves in promoting turnpikes, river improvements and canal schemes in order to obtain easier access to markets. The tenants, for their part, provided the working capital

for the farm -- the stock, plough team, implements, seed -- and of course paid the labourers and provided the skill and enterprise in cultivation (Mingay 1976: 84).

The tenants may have been taking the greater risk, in that they rarely had other sources of income to fall back on, but they also stood to make the greater profits. In the nineteenth century landowners were getting a return on capital of only about three per cent, compared with ten per cent or even higher for tenants. Such capitalist tenant farmers had come to dominate English agriculture not because of their greater efficiency, but as a consequence of a social and political system which led to the concentration of blocks of land in the hands of a few landowners who both lived in the countryside and depended on farming rents for their income (Mingay 1981: 14; Tribe 1981: 48).

Indeed, not all landowners were progressive or even up-to-date in their methods of management. "Many estates were still dominated by ancient tenures, copyhold, leases for lives, and in the north 'tenant right', all of which had the effect of restricting the landowner's control over his property and inhibited the undertaking of improvements." The system of tenant right in northern England meant that the tenants were virtually independent. According to Mingay "sometimes the new owner found it impossible to ascertain just how, or under what conditions, his tenants had come to occupy the farms." Leases for lives were not entirely bad

for the landlord, however. While returns might have been lower, so were inputs: Clay pointed out that "Once the fine had been paid the landlord, unlike the owner of a rack rented property, did not have a pressing interest in trying to ensure that his tenant's farming operations were yielding a profit. Nor, if he were losing money, did he have to worry about the security of rent arrears." The ease and cheapness of providing title and conveying property also made copyhold land attractive to small-scale investors in property, and even titled aristocrats were not unwilling to become tenants of copyhold or life leasehold land (Mingay 1976: 86; Clay 1981: 95; 1985: 207).

There were advantages for tenant-farmers in not owning the land they farmed. Less capital was needed to rent a farm than to buy one. It was easier and cheaper to set up one's sons as tenants than it was to buy holdings for them. Tenants had more mobility in bad times than owner-occupiers. If there were a run of bad seasons when prices fell the landlord would act as a buffer between the tenant and adversity. Mingay wrote that "Eviction was rare, and when times were bad the tenant might look for an abatement of rent and perhaps some help with repairs and improvements, and might not look in vain" (Beastall 1981; 429; Mingay 1981: 15).

Landlord-tenant relationships

Holderness argued that the most important relationship between farmers and the rest of society in the nineteenth century was that which bound landowners and landholders. Tenant farming was not unique to Britain, "but the symbiosis that developed between the two parties was regarded as the outstanding characteristic of British agricultural progress." Landed estates and their tenants, after all, occupied eighty-five to ninety per cent of the farmland, leaving at most fifteen per cent in the hands of independent owner-occupiers. Brenner claimed that the relatively harmonious relations between English landlords and the monarchy was a key element in the much greater success of English farmers compared with their continental (and especially French) counterparts in the eighteenth and nineteenth centuries. English landlords could and did enlarge their estates in favourable times. This stimulated agricultural growth as the large farms were leased to capitalist tenants who could afford to invest in farming, and who had a large labour market to draw on (Holderness 1981: 231; Mingay 1981: 14; Brenner 1976; 1982).

The long lease devised in the eighteenth century to encourage good farming fell into disfavour in the early nineteenth century. By 1850 the majority of British tenants were governed by yearly lettings. Nathaniel Kent thought leases the best method of cultivating an estate, but noted

that many landowners rejected them as they thought that way they could keep the tenant in a state of submission and dependence. However, Horn believed that Kent "probably exaggerated the problems of tenants-at-will in that few landlords would expel efficient farmers at short notice merely to satisfy a whim, and it was common for families to continue on the same farm for generations." Tenants without leases often stayed on their farms for longer than those with leases (Holderness 1981: 234; Horn 1982: 5; Mingay 1975: 43).

There were strong economic reasons for these informal arrangements. Tenants with capital and skill were hard to find, and they knew that an annual agreement left them free to move if they were not making a profit. On the other hand, few landlords were likely to want to evict a good tenant and be left with a farm on their hands. With prices dropping after the Napoleonic Wars farmers had to watch profit margins carefully, and they did not want to be tied down by a lease. If there was a lease, and a tenant broke it unilaterally, the owner had either to accept the situation or try to exact some form of penalty; a time-consuming and unpopular activity. It is doubtful whether leases were often used to encourage improvement: Habakkuk argued that their main aim was "to ensure that the tenant did not harm the property. They prohibited objectionable behavior, rather than enjoined behavior thought to be

positively beneficial; they kept the tenant up to standard rather than urged him forward" (Beastall 1981: 430-431; Habakkuk 1952: 93).

Despite the arguments in favour of short leases, it has been said to have been a sign of good landlord-tenant relationships that in the second quarter of the nineteenth century leases of three, five, seven or twenty-one years increasingly replaced tenancies-at-will or annual tenancies. Although the economic advantages may have supported the idea of short (or no) leases, it cannot have helped the tenant's long-term planning to know that a landlord willing to accept the financial consequences could evict him at short notice in a fit of bad temper. Overall, Walton argues that "it should not be imagined that the relationships between landlords and tenants were perfect, for it was the frequent complaint of contemporary writers that they were not." Some leases provided too little security; some were seen as too rigid, preventing the tenant from innovating or even adapting to changing circumstances (Beastall 1981: 430; Walton 1978: 245).

The interplay of landlords and tenants was obviously significant in the maintenance of the rural social hierarchy. Although it was basically a business connection, governed by the laws of property and tenures, "there was a strong customary, even feudal, air about the landlord-tenant relationship." Tenants were expected to farm to local

standards (which might not be very high), to pay their rents and to show a suitable subservience. Some were expected to vote as they were told, and many landlords assumed the right to hunt over the tenants' fields. As cited by Thompson, Joseph Arch -- farm labourer, lay preacher, union organiser and later MP -- had harsh words to say about this relationship as well as that of farmers and their labourers:

We labourers had no lack of lords and masters. There were the parson and his wife at the rectory. There was the squire, with his hand of iron overshadowing us all. There was no velvet glove on that hard hand, as many a poor man found to his hurt.... At the sight of the squire the people trembled. He lorded it right feudally over his tenants, the farmers; the farmers in their turn tyrannised over the labourers; the labourers were no better than toads under a harrow. Most of the farmers were oppressors of the poor; they put on the iron wage-screw, and screwed the labourers' wages down, down below living point; they stretched him on the rack of life-long abject poverty.

Beckett pointed out that the landowner had his own obligations, which he was expected to fulfil "by supporting local charities, setting rents at a reasonable level, writing letters on behalf of tenants, witnessing their wills, and even, on occasion, looking after their surplus capital." The relationship was not necessarily quite so mediaeval as Arch depicts (nor so rustically idyllic as Beckett): many farmers were tenants of more than one proprietor, and more than half of Victorian village

communities were not directly under the influence of any great landowner. Holderness observed "Indeed, it was sometimes the farmers and village businessmen who formed the real elite of country society, not the landed gentry" (Mingay 1981: 14; Thompson 1981: 457-458; Beckett 1989: 545; Holderness 1981: 231-232).

As mentioned, among the benefits to the tenant of these arrangements was the possibility of having his rent reduced in times of hardship. Indeed, the more 'dutiful' tenants often expected rents to be kept low: not least, wrote Mingay "as implicit compensation for political deference and the depredations caused by game and hunt." Landlords were reluctant to raise rents until tenants had reaped the reward of their improvements. So in districts where tenants had helped bring marginal land into cultivation rents were allowed to remain low. Larger landowners, who had other sources of income, were particularly likely to keep rents modest. Where a few large estates dominated a district then low rents became the 'custom of the neighbourhood' (Mingay 1981: 14; Beastall 1981: 433).

Arthur Young ascribed the low level of rents in his day mainly to the landlord's pursuit of popularity with his tenants; what he called "false magnificence." In 1830 the agent of the Marquess of Stafford's estate noted that rents were below the local average, and added "the tenants should

feel that they hold their lands on rather easier terms than their neighbours. It is fit and proper that those who hold of a great man should do so." The majority of English landowners liked to be thought of as 'good landlords' who did not oppress their tenants but presided benevolently over their estates with paternal sympathies. However, pursuit of electoral power and recompense for a neglected estate or dilapidated farmhouse were also important considerations (Mingay 1975: 46; Richards 1973: 29).

Landlords, tenants and the diffusion of innovation

Basic to agricultural change, not least to enclosure, in this period was the spread of ideas and innovations. The farmer of the late eighteenth and early nineteenth centuries had to have some means of hearing about the new agricultural techniques which would make his life easier or his farming more remunerative. Someone or something had to convince him, against all the wisdom of tradition that considered change as folly, to adopt or at least to try the new technique. Widely thought to be of particular significance in these cases were the activities of individual publicists and the efforts of agricultural societies and publications (Macdonald 1979a: 30).

The traditional image -- of an 'agricultural revolution' fired by the example and writings of such as

Tull, Townshend, Coke and Young -- has already been discussed. Tribe argued that, though much depreciated, the influence of such publicists should not be entirely discounted: to downplay the role of progressive landlords like Coke is as much a mistake as to overplay it (Tribe 1981: 42).

As well as disagreement over the extent of the influence of individual publicists, there is considerable difference of opinion over the role of landowners generally in encouraging improvement and enclosure. It has been argued that the real significance of the Norfolk improvers was not that they were doing anything extraordinarily new, but that they managed to spread their commitment to improvement amongst both great and small landowners. Landlords were willing to invest in agriculture as a requirement of enlightened landed proprietorship, despite the fact that many lost money on their experiments. This was to the benefit of the tenants, who were not having to take financial risks themselves: "Instead, they could exercise their own more considered judgement in selecting from the wide range of novelties their experimenting superiors offered." Although not all landlords were so enlightened -- leases were sometimes too rigid, or absent altogether -- Walton noted that "Generally speaking, the landlord and tenant system, for all its intrinsic injustices, encouraged progress." According the Thirsk the

interest of the Hanoverian kings in farming did something in the eighteenth century in "extending, intensifying, and perhaps making fashionable a lively interest in improved farming." 'Farmer' George III's agricultural connections are well known, but George I also dabbled in farming, and some landowners in the court circle may have picked up ideas from Hanover (Walton 1978: 244-245; Thirsk 1985: 575).

Not all writers seem to feel as positive about the progressive role of the landlord as Walton and Thirsk. Fletcher saw agricultural improvement in Lancashire linked to population-driven demand. The average landowner was much less innovative than his industrial counterpart: "rather did he play the passive part of a sort of universal aunt." Habakkuk argued that "the landowners as such did not make a very substantial contribution to the discovery of new methods. The men who advanced knowledge ... were farmers rather than landowners." Grigg stated that the landlords of south Lincolnshire rarely set a good example to their tenants and their home farms were often as badly managed as the farms of their humblest tenants. There were exceptions, but in general landlords did not give a lead, except in livestock breeding. They made little use of tenancy agreements to direct tenants towards better methods and, if they had such agreements, tended to turn a blind eye to infringements. "As a whole it can be said that, with the exception of their part in enclosure and drainage, landlords

did little to advance the general standards of farming" (Fletcher 1962; Habakkuk 1952: 92; Grigg 1966: 82).

In the case of south Lincolnshire the small number of resident great landowners had much to do with this. Here and elsewhere the larger landowners were delegating the management of their estates to agents like Nathaniel Kent. Arthur Young was negative about the value of land agents -- at least, the stewards of his time -- complaining that on large estates "the farmers are left to the care of the stewards, the consequence of which is that they are rarely so well managed as by the owners themselves." Martin noted that the agent of the Duke of Beaufort in Gower in the eighteenth century "succeeded in making himself one of the most unpopular men in Glamorgan during his fifty-year tenure of the Stewardship." As Colyer pointed out of Wales, "To use the modern idiom, the nineteenth-century land agent did not enjoy a favourable press ... the agent was subject to the condemnation of poet, novelist, and pamphleteer for his avarice, peculations and lack of agricultural knowledge." Lest it should be thought that the Welsh were simply being negative about non-Welsh agents, Colyer also pointed out that the Scots were considered better-trained and more knowledgable in land management than the English or the Welsh (Young 1773: 41; Martin 1978: 158; Colyer 1976: 401; 1976: 404).

Current opinion is more favourable. Such agents have been described by Richards as of great importance in the rationalisation of technology and tenure by the end of the eighteenth century, with many proprietors handing over to them almost all responsibility for running their properties: to the point where the agent became the alter ego of the landlord. The agent could influence the direction and volume of agricultural investment, modify the entire social climate of an estate, manipulate electoral behaviour and greatly affect the level of efficiency and welfare in the landed community. Beastall remarked that there was a whole range of ways in which an agent could influence farming practices: providing dinners for the tenants once or twice a year to encourage the exchange of views; preventing poor farming by close supervision of lease covenants; promoting drainage schemes and the building of cottages and animal accommodation. "Landowners sometimes pressed new ideas upon their agents or stewards in the expectation that they in turn would recommend them to the tenants" (Richards 1981: 439-440; Beastall 1978: 98).

The spread of farmers' associations and agricultural periodicals was a phenomenon of a later period, especially Victorian times. Arthur Young in 1803 knew of only twenty-three local associations, yet "Only three-quarters of a century later ... no English county was without numerous

associations and no agricultural newspaper or periodical lacked reports of their activities" (Fox 1979: 43).

Fox described local farmers' associations as one of four methods by which the farmer could find out what was happening to changing agricultural techniques. First, he could pick up information from any of the few better-informed farmers at casual meetings in the countryside, at the market or at one or other of the regular rural gatherings (such as agents' dinners). Second, he could learn from one of the socially-higher or spatially-remote experts dedicated to improving farming, people like Townshend and Young, though he agreed with those who feel that there may well have been an exaggeration of their role as communicators of information. Third, he could learn through the many books then available. Fourth, he could learn through a local farmers' association, of which there were about 600 in the early 1870s. Such agricultural societies were seen by Handley as having been important in encouraging improvements in Scotland: "To the direct and indirect influence ... of the Highland and Agricultural Society the rapid progress of the agricultural revolution in Scotland was in a large measure due." Indeed, Goddard noted that Scotland and even Ireland had national institutions concerned with the improvement of agriculture well before England and Wales. When the English Board of Agriculture was finally set up in 1793 (with both Young and Marshall

claiming to have originated the idea) it was underfunded and poorly managed from the start. Being seen as a government department, its motives were suspected by the farmers. Before it was finally wound up in 1822 it produced a series of county reports which, it has been suggested, are of more use to the agricultural historian than they ever were to practical farmers at the time (Fox 1979: 45-46; Handley 1963: 89; Goddard 1989).

Mingay, however, claimed that membership of these agricultural societies in the nineteenth century was restricted and unrepresentative of farmers as a whole. The societies relied heavily on a few well-to-do enthusiasts, and their publications tended to highly technical and scientific, while according to Walton "Membership of agricultural societies rarely appears to have encouraged farmers to adopt agricultural innovations earlier than they might otherwise have done." As an example, Colyer described how, in late eighteenth-century South Wales "In the early stages, membership of the county Agricultural Societies comprised almost exclusively the local nobility and gentry and meetings were convivial affairs revolving around a substantial dinner and long-winded speeches." However, by the middle of the nineteenth century "the old county Agricultural Societies had given way to local farming clubs and debating groups in which practical tenant farmers played

a major role" (Mingay 1977: 13; Walton 1978: 251; Colyer 1985).

Added to Fox's list should be the practice of some farmers of taking often lengthy tours to observe innovations in other parts of the country; of writing to each other to exchange ideas; the movement of skilled labourers from area to area; and the system of agricultural apprenticeship, by which the young sons of farmers would be sent from home to spend a year in a more progressive area (Macdonald 1979a: 34-37).

There was already a respectable tradition by the early eighteenth century of publication of books on agriculture, and Thirsk observed that many gentlemen might be expected to possess a reasonable collection. The output of books increased as interest in improvement grew. Emery considered "knowledge of, and ability to understand, the printed literature of improved farming" the key to innovation. Agricultural periodicals, however, were slow to emerge as serious disseminators of information. The agricultural press did not become really significant until the 1840s, and even in the 1870s a contemporary estimate was of maximum circulation of all agricultural newspapers of about 25,000, with a readership perhaps about three times that. Overall, therefore, while the agricultural press conferred no particular power on the farming community, and had less appeal to the ordinary working farmer than a

technical lecture, the not inconsiderable number of agriculturalists who did take an agricultural paper were much better qualified for the conduct of their affairs through the market information, reports of discoveries, inventions, experience, and rural news that it contained. The limited readership of the agricultural literature suggested to Mingay that "the information gap between the large progressive farmers who read the farming press, attended society meetings and shows, and kept abreast of the latest technical advances, and the run-of-the-mill small man ... was in 1850 as great, or perhaps even greater, than it had ever been" (Thirsk 1985: 572; Goddard 1989: 361-362; Emery 1976: 48; Goddard 1983; Mingay 1989c: 952).

There has been, however, a distinct scepticism in much recent writing about the importance of all these means of passing down innovations from on high. Farmers tend naturally to be conservative, to the irritation of innovators and reformers but often for rational reasons. 'Experts' did not always understand practical applications; local conditions may not always have suited a particular change; a new technique may have needed higher prices and better markets: a problem today with many aspects of the 'Green Revolution'. Some practices, such as paring and burning, were controversial; others, such as hoeing turnips, were labour-intensive and usable only on light soils; yet others, such as drainage, were too expensive for the average

tenant to afford on his own. And even if a farmer were enthusiastic, it might be another matter to enthuse his labourers, many of whom "were accustomed to a leisurely pace of work" (Mingay 1977: 11-12).

Few farmers were in business for the glorification and improvement of agriculture: they were after profit. Any change in the system by which they earned their living involved a potential threat to their livelihood. This was the objection to the nineteenth-century model farm: it did not have to be economic. "The landlord could experiment if he wanted to, but the farmer had his living to earn." The result is, Mingay wrote, that farmers tended to pay most attention to successful local innovators; people they knew and whose farms were not too different from their own. "Agricultural improvement in the eighteenth century was the work of a number of pioneers and publicists, country gentlemen, owner-occupiers and large tenant-farmers, rather than large landlords" (Macdonald 1979a: 30; 1981: 216; Mingay 1963a: 171).

Macdonald has recently queried the accepted wisdom in the diffusion of agricultural knowledge (blaming much of the confusion on geographers, and their preoccupation with spatial diffusion). His explanation was couched in terms of innovation theory, stressing that "the talent required for commercial exploitation of the novel is very different from that needed to devise the change in the first place. The

entrepreneur was as necessary for innovation in nineteenth-century agriculture as he is for innovation in twentieth-century electronics." In particular, he made a case for the despised agricultural labourer as an agent for the diffusion of change. Farmers' sons spending their educational year on progressive farms were advised to mix with the labourers as much as possible as this was the only way to learn how the best methods were used. While technology was usually transferred from one area to another by such means as the machinery itself, diagrams, newspapers, societies, experimental farms or the voluminous agricultural literature, it was not unknown for the diffusion to be via trained labourers possessed of the relevant information. In coming to terms with innovation, labourers made adaptations to suit their own requirements; they made user modifications which determined the ultimate success of the technology. Labourers taking technological change with them from one region to another carried not just the information they themselves had received, but also that which they had added to make the innovation successful. The labourer has been neglected as an agent of change as attention has focussed on the hardware: "Yet a novel agricultural implement without someone familiar with how it worked would have been no more useful than a modern computer without its programme or programmer." The use of new technology is an integral part of the innovative process, and those who used, modified and

adapted the machinery deserve at least as much attention as the propagandists of agricultural improvement (Macdonald 1983).

It should also be noted that while improvement in this period is almost always seen as synonymous with enclosure, there were often other motivations for modernising the agricultural industry. Wider markets for farm produce came with improved transport; but these improvements in transport were often a result of landowners wanting to get their coal or iron to their customers (Mingay 1989c: 947-948).

Landownership in Cumberland

Despite some mining, some cloth-making, and despite the beginnings of the west coast industrialisation, Cumberland at the end of the seventeenth century and beginning of the eighteenth was essentially agricultural and traditional. As in the country as a whole, wealth and prestige were still largely a matter of owning land, and landed society could be roughly divided into peerage, gentry and 'yeomanry'. However, few major landowners actually lived in the county. Several peers owned land, but none was resident in the seventeenth century, except Lord William Howard, who catholicism rendered him uninfluential. In the absence of members of the peerage, the gentry were the

effective organs of government. "A solid core of gentry families fashioned and directed county society, surviving even though many were falling by the wayside, and joined by a number of recruits mainly from trade and the yeomanry" (Beckett 1975: 45-51; Evans and Beckett 1984: 10).

In 1700 seven members of the peerage owned significant areas of land in Cumberland. The biggest landowner was the sixth Duke of Somerset -- the 'Proud Duke' -- inheritor (through his wife) of the huge Percy estates in west Cumberland, which stretched from Westward in the north to Ravenglass and Eskdale in the south.¹ By 1751 this number had dropped to two: the Duke of Portland, with lands near Penrith, and the Earl of Egremont, by then the owner of the Percy manors. The peerage was disappearing from the area through extinctions and through sales. Between 1680 and 1758 the peers sold five times as much land as they bought, with Somerset the only significant purchaser. An eighth peer, the Earl of Carlisle, had lands in the county

¹ According to Fedden and Jackson-Stops "The Duke is chiefly remembered for his obsession with his lineage and his inordinate pride. He is said to have insisted on his children always standing in his presence, and to have cut the inheritance of one of his daughters when he fell asleep and woke to find her seated". The editor of Celia Fiennes' Journeys wrote "It is even said that the 'Proud Duke' of Somerset had outriders to clear the road of plebeians lest they should see him as he passed, although one farmer refused to be stopped from looking over his own hedge and held up his pig so that it should 'see him too'" (Fedden and Jackson-Stops 1978: 42; Fiennes 1949: xxxiii).

but outside the research area. He bought a good deal of land and sold some in this period, the balance of purchases being about half Somerset's total. Ancestral halls, from Millom Castle in the south of the county to Lanercost in the north, were either allowed to fall to ruin or were converted into farmhouses. Overall, wrote Evans and Beckett "the aristocracy's interest in its Cumbrian estates was less than consuming, although good care was taken to safeguard burgage and other electoral interests. As a consequence, the natural leaders of society were a gentry group less favourably circumstanced than elsewhere" (Beckett 1975: 56-57; Bouch and Jones 1961: 330; Evans and Beckett 1984: 11).

The definition of 'gentry' at this time was all baronets, knights, esquires and gentlemen. The first two of these were legally defined ranks; the third, though now very vague, was then quite restricted in its use. 'Gentleman', though, was an imprecise term. Early in the seventeenth century Edmond Howes observed that "the King who hath powers to make Esquires, Knights, Baronets, Barons, Viscounts, Earls, Marquesses, and Dukes, cannot make a Gentleman, for gentilitie is a matter of race, and of blood, and of descent ... which no Kings can give to any, but to such as they beget" (quoted in Brewer 1965). In Cumberland at this time, the term was a mixture of self-definition and general acceptance: if you claimed to be a gentlemen, and your neighbours were willing to accept you as one, then a

gentleman you were. Many who did call themselves gentlemen would not have been accorded that status elsewhere (Beckett 1975: 96; Evans and Beckett 1984: 10).

Even with this broad definition, gentry were not numerous in Cumberland. In 1700 there were seventy-nine gentry families in the county. Half a century later this had risen by about sixteen per cent (Table 2.1). The scarcity of gentry families was recognised at the time: indeed, in Cumberland and Westmorland the 1700 total represented only one per cent of the national total for gentry families specified in Gregory King. The increase in the first half of the eighteenth century was limited (though higher than the population rise of about five per cent), and involved a rapid turnover in composition; especially among the gentry, with only one of the gentleman families from 1700 being traceable to 1747. Gentry families were dying out, changing status, and selling their property in the area. New gentry were coming from those in trade, overseas traders and Whitehaven merchants, and the law (Beckett 1975: 97-103).

Examination of the mid-eighteenth century rental incomes of Cumberland gentry families (those for whom adequate data are available) shows two distinct groups: a small number (eight of the twenty-five) with over £1000, up to £5000, led by Lowther of Whitehaven and Lawson of Brayton; and the rest with £500 or less. If this sample was

TABLE 2.1

Gentry in Cumberland 1700-1747

rank	1700	1747
Baronets	7	6
Knights	2	0
Esquires	44	45
Gentlemen	29	41
TOTAL	79	92

source -- Beckett 1975: 412-413

typical of all gentry, then "it illustrates the economic division which must have been partly responsible for the political leadership of the region being in the hands of a small group of peers and gentry." Property was tending to become concentrated in fewer hands, as some of the new gentry had non-landed interests while most of the greater gentry were buying land as it became available (Beckett 1975).

Since Cumberland was especially remote from the social and economic attractions of London -- a ten day's journey away -- absenteeism was not surprisingly high. Certainly the majority of landowners with substantial estates in Cumberland were largely or entirely absent. Most paid few visits to their Cumbrian estates, and were often absent for years on end. The Duke of Somerset, for instance, left control entirely to his local agents and visited his estate in person only once. Only Sir James Lowther, in the first half of the eighteenth century, was conscientious enough to visit once or twice yearly.² There was little of "the duke in his mansion and the squire in his hall" about Cumberland throughout this period (Beckett 1983: 90-93).

² This was Sir James Lowther of Whitehaven, who died without issue in 1752. His estates passed to the identically-named Sir James Lowther of Maulds Meaburn in Westmorland; who later became the first Earl of Lowther.

Absence of body did not necessarily mean absence of interest for Cumbrian landowners. Although there was unlikely to be a home farm, and the owner would not expect to enjoy directly the fruits of his estates, there was a very real financial incentive to manage and improve the estate in an efficient manner. In their absence, Cumbrian landowners utilised the normal means of administration by a steward, a number of bailiffs and minor officers as needed. The steward was the key, and a good one could keep his post for a long time -- John Spedding held that position with the Lowther family for fifty-eight years -- though they were rarely popular locally, and could have problems if the landowner rarely visited. Conscientious landowners kept up a regular correspondence with their local agents, and expected detailed replies. Good stewards looked to the long term. In 1797 the Earl of Egremont's agent wrote for approval of a farm lease:

The farm at present is in very good condition and would perhaps for three or four years let for something more to tenants who would impoverish it. But I deemed it more for your Lordships interest to let to a good improving tenant with a certainty of the rent being increased at the end of the term than to run the risque of reducing it by receiving a small temporary advantage (CRO/D/Lec/171).

Even if, as Beckett argued, stewards were rarely popular, few complaints have survived about them, or about other estate officers. Most of the few that have come down

date from the seventeenth century, when there was a much lower level of professionalism among such people than later became the norm. The only outright complaint against a steward found was an accusation in 1636 that the steward of Holm Cultram, together with the bailiff there, "out of a corrupt mind seeking gain to himself suffers many encroachments to be made upon the waste of the said manor and for sums of money to be paid to himself by the consent and combination of the said Bailiff doth admit several tenants to the same to hold by copy" (CRO/HC).

There were more grumbles about minor officers: around 1640 the inhabitants of Ennerdale protested that the Earl of Northumberland's bowbearer and his bailiff there were abusing their right to put livestock on the waste (CRO/D/Lec/256/128) and in 1656 the residents of Kinniside complained that the bailiff there "doth not only refuse to preserve and keep the said grounds called Kinniside common from the spoil and trespasses of foreigners cattle, but doth likewise admit and take in agist cattle from out of all the country thereunto adjacent" (CRO/D/Lec/265/120).³ In the seventeenth century the tenants of Renwick were upset when battling with their neighbours of Staffield over rights on the waste: the steward had died and "We have none there to

³ A bowbearer was a forest official responsible for prosecuting trespasses (Oxford English Dictionary). For the meaning of agist see Chapter Four.

do for us now but our Bailiff, and how he stands we know not for he in his business doth nothing but in show"

(QCO/5a/3a). In 1791 the Earl of Egremont's Middleward gamekeeper was accused of encouraging others to claim intercommon to which they were not entitled (see Chapter Nine: p 508).

Just as resident landlords were supposed to favour their tenants in various ways, so the stewards were expected to exercise a little judicious leverage on their employers on behalf of worthy locals. An example of this occurred when the Rector of Egremont was dying in 1776. Egremont's agent Baynes wrote to the Earl that

Mr John Birkett of Portinscale near Keswick a very worthy man has desired me to lay before your Lordship his most humble request that your Lordship will please, when this living shall become vacant, to bestow it upon his son Joseph Birkett a young man of amiable character who is now of three years standing in St John's College Cambridge.

A little over two months later, the Rector having meanwhile died, Baynes wrote again about the young Birkett: "As I was a perfect stranger to the person recommended I could say nothing as to his character etc. But upon inquiry I find he has been an extravagant young fellow, loves his bottle and is not very choice in his company"⁴ (CRO/D/Lec/171). The

⁴ The present author, an alumna of the same college, notes that little had changed in the character of St John's theology students two centuries later. Young Birkett was
(continued...)

most damning indictment, however, was that "his family and friends are strongly attached to Sir James Lowther" (see Chapter Nine: p 511). Demands for preference from friends and family could, however, sometimes become oppressive. In 1824 Egremont's bailiff at Lorton wrote to the Cumberland agent in despair at the constant pressure: "I send you the enclosed, so that you may judge how I am tormented, could I but get a situation abroad, I believe nothing would keep me here. I might as well be nibbled to Death with a Duck as stay here, in the reach of my kind relatives. I had ten times rather go as a Common Soldier than be pestered in this way" (CRO/D/Lec/173).

Beckett argued that comparison of absentee and resident landowners suggests that neither had a monopoly on either good or bad management. However, economically it was detrimental to the county, as money was constantly drained out of the county to be spent by owners in London and elsewhere (Beckett 1981: 26-29, 1983).

Immediately below the gentry was a group who owned no freehold land, and technically were not landowners at all, but who were generally known by the title of 'yeoman'.⁵

⁴(...continued)
not preferred to the Egremont living.

⁵ In the nineteenth century the term "statesman" (for estatesman) became general - Wordsworth helped popularise the term, describing them as sturdy, independent farmers: "a
(continued...)

Elsewhere in England they would have been copyholders and regarded as tenants, but the fixity of tenure that went with customary property qualified them for jury service and enabled them to claim the more distinguished title. "The term yeoman was not restricted to mean freeholder, and certainly not one with land worth forty shillings a year; it connoted an occupier of land who was also in some sense a proprietor, not a lessee nor a farmer in the strict sense." The rarity with which the term 'husbandman' is used in Cumberland suggests that even some tenant farmers with no customary land may have been calling themselves yeomen (Beckett 1975: 139-141; G.P. Jones 1962: 198).

The number of Cumberland yeomen in the eighteenth century is unclear: "the figure of 10,000 quoted in the Gentleman's Magazine in 1766 can have been no more than a guess." For 1829 greater accuracy is possible, and it has been calculated that there were then some 1750 yeomen in the county; nearly thirty-eight per cent of total farm occupiers. The proportion varied considerably from area to area: in Borrowdale, for instance, thirteen out of 21 farms were occupied by yeomen, in nearby Underskiddaw only two out

⁵(...continued)

perfect Republic of Shepherds and Agriculturalists" - but use of the word is now confined to a few diehard romantics and publicists for the tourist trade (Wordsworth 1835: 67; Beckett 1984).

of fifteen (Beckett 1975: 141-142; Bouch and Jones 1961: 334-335).

It is also difficult to be sure of the size of yeoman landholdings, but a maximum of about one hundred acres is probably not far wrong. Incomes were rising in the first half of the eighteenth century, but since the profits from agriculture were relatively small at this time the money must have been coming from other sources. As well as the textile industry, "yeomen also doubled as agricultural labourers, blacksmiths, carpenters and tanners. They developed interests in salt panning, shipping and mining, and at Harrington on the west coast, yeomen were working in Sir James Lowther's mines and rearing cattle in their spare time" (Beckett 1975: 141-142, 154; Bouch and Jones 1961: 334-335).

Marshall observed that the overall increase of wealth was breaking down former feelings of class solidarity, when "differentiations in personal wealth were not reflected closely, or at all, in ways of life, and accordingly not in aspirations, or in unusual pressures on social mobility." Increasingly, "the cream of the yeomanry became conscious of their position. A few had intermarried with the country gentry while other had acted in roles which would normally have been filled by minor gentry in counties where they were not so sparse.... The better off yeomen began to prefix their name with the title 'Mr'." For the

majority of yeomen life must have remained very hard. Thirty per cent of those who died between 1720 and 1749 left personal estates worth £40 or less. Gilpin provided an account of the hill-yeoman's life in his description of Rosthwaite in Borrowdale:

Here the sons, and daughters of simplicity enjoy health, peace, and contentment, in the midst of what city-luxury would call the extreme of human necessity.... Their scanty patches of arable land, and these cultivated with difficulty; and their crops late-ripening, and often a prey to autumnal rains, which are violent in this country, just give them bread to eat. Their herds afford them milk; and their flocks, cloathes; the shepherd himself being often the manufacturer also. No dye is necessary to tinge their wool: it is naturally a russet-brown; and sheep and shepherds are cloathed alike; both in the simple livery of nature.

Shorn of its romanticism, Gilpin was describing a people with no certainty of bread or other grains, dependent on sheep-products, and wearing untreated homespun (Marshall 1980: 505; Gilpin 1786-I: 197).

Eventually many had to sell, and increasingly the land was bought by the lord of the manor. According to Beckett, rising levels of fines made enfranchisement look more attractive, and once enfranchised the yeoman became prey to larger landholders anxious to enclose. Having paid the lord to keep his property free, he was then bought out as a prelude to enclosure. This was undoubtedly true, but was only part of the truth. The customary tenants in

particular demonstrated a considerable ability to fight for their rights, and frequently succeeded in delaying enclosure until the terms were more acceptable to them. Many smaller tenants doubtless still went under, but the yeoman should not be seen as the universally helpless victim of the rapacious landowner (Beckett 1975: 157-160).

Customary tenants

In their General View of the Agriculture of Cumberland, Bailey and Culley noted that

By far the greatest part of this county is held under lords of manors, by that species of vassalage called customary tenure; subject to the payment of fines and heriots, on alienation, death of the lord, or death of the tenant, and the payment of certain rents, and performance of various services, called boon-days; such as getting and leading the lord's peats, ploughing and harrowing his land, reaping his corn, hay-making, carrying letters, &c. &c. whenever summoned by the lord....We cannot pretend to be accurate, but believe, that two-thirds of the county are held by this kind of tenure.

The remainder, they pointed out, was mostly freehold, with very little copyhold or leasehold. Bailey and Culley may have been relying on the earlier investigations of Nicolson and Burn, who reported in the late eighteenth century on tenurial arrangements in 107 manors over the whole county. Of these, seventy-one (66.4%) were held entirely by

customary tenure; twenty-four (22.4%) by freehold, and the rest (11.2%) by a mixture of the two. In the notes by Housman to Hutchinson's History, however, the tenurial arrangements of sixty-seven communities were listed (again, for the whole county).⁶ Twenty-six (38.8%) were specified as wholly or partly customary, nineteen (28.4%) as freehold, and twenty (29.9%) as mixed. There was one copyhold, and one (Alston) leasehold. This suggests that the figure of two-thirds was not necessarily as accurate as has been generally accepted (as recently as 1986 by Searle), but that customary tenure was nonetheless widespread (Bailey and Culley 1805: 205-206; Nicolson and Burn 1777; Hutchinson 1794; Searle 1986).

The origin of customary tenure has generally been seen as rooted in the history of border conflicts with the Scots. Kerridge claimed that Border Service required each property to provide a fixed number of men upon demand:

Customers by tenant-right were bound to do military service on the border by

⁶ In a letter of March 1792 the Cumberland agent for Lord Egremont wrote to him that "The enclosed letter I apprehend is from Mr William Hutchinson ... who is about to publish by subscription a new History of Cumberland.... I do not recollect that there are any documents here belonging to your Lordship that can be in any way interesting that are not already in print. And it may at some period prove disadvantageous to authorize any publication as to the Local Customs of your Lordships Manors". Egremont does not seem to have heeded this advice: details of his manors were included, and his name appeared among the list of subscribers to the History.

horse and on foot at their own expense in their own persons and in those of all able-bodied men over sixteen years of age, by day or night immediately upon a signal from the warden of the marches. They had to repel the Scots, rescue cattle taken in border raids, and keep themselves in horse and gear against all emergencies.

It has been suggested that this account of the origins of customary tenure is oversimplified, but the essential structure of the system as described has not been challenged. Implicit in this arrangement was that the estate should remain undivided. Gatey argued that if estates kept changing hands, especially if they were to be split, or if the traditional allowance were permitted of one-third of the property to the widow during her lifetime, then there would be no certainty as to the numbers of men to be obtained from any estate. It was therefore established as a custom that the estate should remain undivided, and should remain in the possession of the tenant for the duration of his life or that of the lord: as long as the tenant performed the required duties. Under these conditions, wrote Bouch and Jones, the lord could not prevent the heir from succeeding, and a customary tenant had the right to sell the estate; though in some instances he required the permission of the lord to do so. Gatey's argument that widows were, under customary tenure, entitled to the rents of the whole property for her life, is not supported by the 1604 order at Holm Cultram "that the wives

of every tenant, after the death of their husbands, ought to have the third part of the customary lands and tenements which their husband had during their widowhood if they live honestly and do not commit fornication" (PRO/LR/2/212). Whatever may have been the original intent of customary tenure, by 1600 at the latest the normal practice throughout Cumberland was for the widow to have a third share - with or without the provision for honest living (Kerridge 1969a: 43; Watts 1971; Hoyle 1987; Gatey 1885; Bouch and Jones 1961: 66-68).

Gatey claimed that the right to hold indefinitely and to devise the land made the customary estates freehold: "notwithstanding certain peculiarities which they possess in common with copyholds, they are freeholds of the most honourable sort, being held by military service, which was considered superior to all others at the time of its institution." This is to exaggerate the case; as Jones remarked "One should ... beware of over-stressing the relative security of the tenant right yeoman in his estate." Although customary tenants did have relatively greater security than those in most of the rest of the country, it was not without its limitations and its price. They were obliged to pay an annual rent; though as this was usually of a fixed amount it became in time a fairly nominal amount. At Dalston, near Carlisle, Searle recorded customary rents in the 1780s of 8½d per acre, at a time when such land in

the leasehold sector commanded prices of from £2 to £4. More significantly, they had to pay a fine every time there was a change of lord or of tenant, by death or by change in ownership. In 1597 the Court of Chancery ruled that general fines did not apply when the lord sold the estate. This ruling seems to have arisen from the practice of collusive sales, when an estate would be nominally sold back and forth between two owners, in order to collect more frequent fines. Appleby wrote that the Herberts in the Cockermouth area were accused by their tenants in 1584 of just such a practice (Gatey 1885: 10-11; G.P. Jones 1962: 199; Searle 1986: 118; Appleby 1975: 584).

There were essentially two systems of fine: those where the amount to be paid was fixed (as a multiple of the customary rent) and those where it was arbitrary, assessed according to the current value of the tenant's holding. In Cumberland, arbitrary fines seem to have been rather more common. 'Arbitrary' did not mean that the lord could charge what he wanted: fines had to be 'reasonable', and there was a long history of struggles between lord and tenant over just what level of fines could be considered as meeting that definition (Searle 1986: 110-111).

Rents and fines provided a significant income to customary landlords: in 1739 thirty-nine per cent of the total manorial income on Sir Joseph Pennington's Cumbrian estates came from these sources, and in 1780 thirty-two per

cent of the Earl of Egremont's. There were, however, other sources of income. Customary tenants might be obliged to grind their corn at a mill belonging to the lord, who would skim off a proportion of the product. In some cases a heriot was payable as well as a fine on death of lord or tenant, or even on every change of tenant. Normally the 'best beast' (horse or cow), this could be a significant loss to the farm. As late as the end of the eighteenth century, according to Hutchinson, heriots were still payable in at least six Cumberland manors. Services (generally known in Cumberland as boons) were more widespread. These obliged the tenant to spend a stated number of days a year in performing any of a number of services for the lord. For example, it was recorded at the Seaton manorial court in 1717 that "every oxgang pays a shearing boon, and every three oxgangs a ploughing boon and so proportionably" and at Austhwaite in 1738 one person is recorded as owing two days each shearing, getting brackens and getting peats, two days leading peats and one carriage; five others owe one day of each of these and one carriage. Increasingly these services were commuted for cash payments, but while they remained they were a regular reminder that the land was not held freehold (Hutchinson 1794; Searle 1986).

A more detailed example of the kinds of arrangements involving customary tenants was the 1624 Tenantright Agreement between the Radcliffes of Derwentwater and

seventy-three tenants of Castlerigg and Derwentwater (CRO/DX/191). In this each tenant was granted his tenement "to hold and enjoy to him his heirs and assigns as of a customary estate of inheritance for ever," with power cut and carry wood and underwood for his own use, to graze his animals and get peat on the common wastes "and all other profits commodities and hereditaments to the same tenement belonging." In return, the tenant undertook (the figures are from one example):

- a) to pay an annual rent of 18s plus one hen;
- b) to appear as required at the lord's court;
- c) to use only the lord's mill;
- d) to perform two horse carriages of not more than twelve miles from the manor house between May and September, for the payment of one penny, or 12d if the journey required an overnight stop. For any carriages not required, the tenant to pay the lord 4d;
- e) to perform two other horse carriages between May and November when the lord is resident, of grain, hay or peat from any part of the demesne to the manor house;
- f) to pay a fine of four years' rent on the death of the lord or change of tenant.

All tenants had essentially the same agreement; except two who did not have to do carriages, one who did no carriage

but did one day's work in exchange, and six who did not pay the hen and did no carriages.

Landowners had from time to time attempted to persuade customary tenants to accept leases. In 1560, Elizabeth I had tried to induce the tenants of Ennerdale to accept leases of forty years, but they protested that "they had never heard the name of a lease before the manor came into the hands of the Crown but always held by tenant right according to the Custom of the Country." Elizabeth gave way (Littledale 1931: 166-167). On the Union of the Crowns in 1603 James I endeavoured to dispense with customary tenure, on the grounds that there was no more need for Border Service, and several other landowners followed suit. However, these attempts met with strong opposition. In 1614 the Earl of Northumberland's stewards reported to him that

According to your Lordships warrant ... we have called before us at sundry times all your tenants in this County of Cumberland that are to take estates from your Lordship upon surrender or after death, and have dealt with them (as much as in us lieth) to take leases of your Lordship of their tenements at treble the ancient yearly rent; but neither those that are to be tenants upon surrender ... nor those that are to be tenants after death, will submit themselves to take leases (combining themselves together as others in the country do,) but stand stiffly to their tenant rights, so as we conceive there will be no good done for leases upon any of them as the time now requires, they being much animated by some late trials of other mens lands, wherein tenant right in this county hath prevailed, as

in a cause at their late Assizes. We upon their absolute refusal of leases, according to the purport of your Lordships warrant, made demand of the most of them that came before us, what fines they would give to your Lordship for the like estates they had before, some of them offered xx years fine at the old rent, some xvi years, some xii and some x years.... We have told them how much this offer of your Lordship would advantage them, and that no lord in the country would offer the like to their tenants, the which they do acknowledge, but fearing after the expiration of xxi years, their tenant rights being destroyed, to be put off, will in no wise yield to that we move (CRO/D/Lec/169).

The tenants were willing to pay irregular and unpredictable fines of up to twenty times their annual rent, along with any services and other obligations, rather than give up their customary tenure and accept twenty-one year leases at only three times the old rent.

These landlord pressures and tenant resistances continued until in 1625 a panel of judges confirmed the rights of the customary tenants in their traditional manner. The judges, however, came to no conclusions as to fixed versus arbitrary fines. Over the next century or more there were many disputes as lords tried to increase their incomes by converting fixed into arbitrary, or by multiplying the size of the fines. In several instances, as mentioned by Northumberland's stewards, tenants banded together to fight such exactions, and were not infrequently successful. Such disputes were not always settled expeditiously. A tenurial

case between the tenants and lord of Hutton John ran from 1628 to 1716, and there was still "an echo of the strife" in 1761 (Colligan 1909).

More than once the courts were invoked to settle disputes over tenant rights, as lords attempted to impose limits on such customary rights (which might also involve payments to the lord) as using underwoods and obtaining hewn wood to repair their tools and buildings. For example, in 1755 the tenants of Waberthwaite took Sir John Pennington to court for trying to curtail their rights. The tenants claimed "certain customary estates of inheritance descendible from ancestor to heir," subject to payment of the usual customary rents and fines. They also insisted they had the right to cut wood for their needs "without leave or licence from the Lord or his Steward," to cut "peat turf furze heath bracken and fern" from the common waste "without paying any fine to the Lord or making him any satisfaction whatsoever on that account" (CRO/DX/399/3). Clearly, Sir John was trying to increase his income by charging the tenants for rights they considered were theirs, and the tenants were willing to go to Chancery to defend their position. Since the case stressed that the lord was "only entitled to Fine certain (that is to say) 20 times the value of the ancient yearly customary rent," it seems that he was also trying to introduce arbitrary fines. The

tenants eventually won their case at the Carlisle assizes in 1757 (Appleby 1975; Searle 1986; Hoyle 1987).

Customary tenure eventually died out as tenants were enfranchised on enclosure. However, as late as 1904 a case in Chancery dealt with customary tenure in the manor of Aspatria. The evidence recorded includes a description of the system as outlined above. Fines were described as arbitrary, the amount "not exceeding two years improved value of the tenements" (CRO/D/Lec/71, 72).

Until the eventual demise of the system, customary tenants across Cumberland had shown that they were not willing to let their rights go without a fight. As Johnson observed of the resistance in early seventeenth-century Borrowdale, when the Lawsons tried to arrogate all the rights of the manor to themselves: "Cumbrian temperament has ensured that men of Lawson's Borrowdale manor, as of other Lake District manors, keep the independence of habit which elsewhere goes with the term freeholder" (Johnson 1981).

Labourers and servants

There was a real distinction between 'servants', who were generally hired by the year and lived in, and 'labourers', who were hired by the day or job, and who lived out. Servants were mostly young people between puberty and marriage, sent to work for others until old and skilled

enough to set up on their own: "Putting the children of farmers and cottagers on annual contracts and bringing them into the farmhouse ensured their reliability." They were generally considered part of the farmer's family -- albeit a dependent part, like his own children -- and working as a servant was considered socially higher than working as a labourer. Servants did not consider themselves to be part of a labouring proletariat, nor did most expect to remain servants indefinitely. "It was not an adult occupation, but a status and occupation of youths, a stage in the progression from child living with parents to married adult living with spouse and children" (Kussmaul 1981: 23, 31).

The relations between master and servant were rarely easy. It is difficult to apportion blame, because most of what we know comes from the masters, who were very apt to complain of laziness, carelessness and insolence. Servants were widely thought to work better on small farms: "Not only did the masters work and live as they did, but often the masters would have been servants themselves before becoming farmers, and would have understood something of the relationship." Farm servants changed masters often (at least in southern England); two-thirds to three-quarters staying only a year at a time. Moving was easy given the few possessions, new wages might be better, and in many cases it was the only way to improve one's position if higher ranks were already filled or not needed on one's

present farm. Farmers sometimes encouraged servants to move on, to avoid their obtaining legal settlement in a parish and becoming possible drains on local taxes (Kusssmaul 1981: 47, 56-57).

In Cumberland hired farm labourers had always been around but, except for haying, harvest and shearing, for the most part the yeomen managed with their own and their families' labour. In the late eighteenth century a reasonably-sized farm might have a man and a boy to help with the farm, and a maid to help in the farmhouse, dairy and bakehouse. As the number of yeomen declined and as the average size of farms increased there was a proportionate increase in the amount of hired help: help that had always been needed by the larger farmers of the gentry and peerage. Towards the middle of the nineteenth century farm workers formed, together with their families, from two-thirds to three-quarters of the rural population. These were usually hired by the year and lived with the farmer's family (if single) or in a nearby cottage (if married). The former, at least, fit Kusssmaul's definition of 'servants in husbandry', rather than labourers. The predominance of this type of help is not surprising: servants rather than labourers were more suited in pastoral areas, as here farm work had the least seasonal component. Moreover, "Commons and wastes, small farms, and rural crafts and trades all restricted the assured supply of day-labourers. All provided potential

labourers with alternatives to continuous employment by farmers." These considerations were basic to the fact that Cumberland had one of the highest proportions of farm servants in England in both 1831 and 1851 (Bouch and Jones 1961: 239-243, 337-39; Kussmaul 1981).

Wages were a product of individual bargaining, and varied with conditions. Board and lodging, at least, was basic. Certainly by 1824 average weekly wages for ordinary agricultural labourers were relatively high in Cumberland: a little below the West Riding but higher than Durham or Northumberland, and nearly twice as high as in Berkshire, Wiltshire or Dorset. Throughout the country, servants generally fed well: on smaller farms with the family, and in all cases because good feeding was more likely to produce good work, and induce servants to renew their contracts. Eden believed that northern labourers ate a greater variety of foods than their southern counterparts and, thanks to cheaper fuels, had more hot meals. Even so, shortage of fresh vegetables in winter could cause problems (Bouch and Jones 1961: 239-243, 337-339; Kussmaul 1981: 40; Eden 1797).

Overall, the Cumberland labourer had two basic advantages over his southern counterpart: there were often good opportunities for alternative employment, especially in the mine or in the mill; and there was much less of a social divide between farmer and worker than in the south. This last arose in part, Bouch and Jones claim, because many were

the sons and daughters of other yeomen, unable to find employment on their fathers' lands. Caird noted approvingly that "The tenants of East Cumberland are an industrious, hard-working and economical class of men. Their families are brought up to industry, the young men working in the fields, and the daughters assisting in the dairy and the house." Likewise the farmers of west Cumberland, who are "plain, industrious and intelligent. Their sons and daughters are brought up to habits of industry and economy." There is little evidence of the migrant professional labourer found elsewhere in the country, and therefore little chance for the diffusion of innovation through the movement of skilled workers as postulated by Macdonald (Bouch and Jones 1961: 244-245; Caird 1852).

Landlords, tenants and agricultural progress in Cumberland

Agricultural progress depends above all on the willingness and ability of landowners and tenants to put innovations into practice: on the efficacy of Holderness' 'symbiosis' between the two. Chapter Three, on Livestock; Chapter Four, on Crops; and Chapter Nine, on Attitudes to Enclosure, particularly illustrate this theme. In this section, general attitudes towards progress on the farm are discussed.

It was usual to blame the small size of most Cumberland farms and the institution of customary tenure for the lack of rural development. Bailey and Culley argued that

To the small proprietors, agriculture, we presume, is little indebted for its advancement: these 'statesmen' seem to inherit with the estates of their ancestors, their notions of cultivating them, and are almost as attached to the one as the other.... These small properties ... can only be handed down, from father to son, by the utmost thrift, hard labour, and penurious living; and every little saving being hoarded up for the payment of the eventful fine, leaves nothing for the expenses of travelling, to see improved modes of culture, and to gain a knowledge of the management and profits of different breeds of stock, and to be convinced, by ocular proofs, that their own situations are capable of producing similar advantages; and even should they be half inclined to adopt a new practice, prudence whispers, that, should the experiment fail, it would require the savings of many years to make good the deficiency.

Housman, in his notes to Hutchinson's History, made a general observation "That in large farms, agriculture is much better attended to and of course the land produces more per acre, than in small tenements." The reason, he suggested was "the poorness of the occupiers of small farms, the weakness of their horses, etc., so that providing for the present moment, appears to be all that such tenants can attain, or even aim at." Hutchinson added, in a footnote, that "This remark is worthy the public attention -- it

militates against the popular prejudice touching dispersing laborious families and depopulating a country" (Bailey and Culley 1805: 209-210; 263; Hutchinson 1794-I: 198).

Beckett disputed the conclusion that small farms and customary tenure were chiefly responsible for the failure to improve local husbandry: "sufficient evidence exists to suggest that the real responsibility for the slow spread of the 'agricultural revolution' lay with the region's greater owners." Landowners, he argued, seldom took a very positive attitude towards improvement: even those who had experience with agricultural advances elsewhere did little to foster them in Cumbria:

The sixth Duke of Somerset, an improver in Sussex, virtually ignored his northern estate, and Sir James Lowther, despite being impressed by the husbandry practiced on the property he acquired in Middlesex during the seventeen-forties, made relatively little effort to introduce it into Cumberland.

The exception to all of this was on the estates of the Earl of Carlisle. John Nowell, who became steward at Naworth Castle (near Brampton, outside the research area) in 1727, was described as "the man largely responsible for introducing the agricultural revolution into Cumbria." As is observed in Chapter Four, p 200, in the discussion of the introduction of turnips, it is debateable just how influential Nowell and his innovations on the Carlisle estates were. He may have done certain things first in the

area, but there is little evidence of others having learned from activities at Naworth: neither Housman (in Hutchinson) nor Bailey and Culley mentioned his name nor any innovative role for the Naworth estate (Beckett 1983).

Much better-known for their agricultural endeavours were Sir James Graham of Netherby and especially John Christian Curwen at Workington.⁷ Curwen was described by Bainbridge as "the father of Cumbrian farming" and to Bouch and Jones he was "The greatest of the reformers":

He was a friend of Arthur Young and acquainted with the leaders of agricultural opinion in progressive Scotland ... he travelled widely in Britain and on the Continent, observing different ways of farming; and he applied to the pursuit of agriculture something of the enterprise, technological interest and business capacity which distinguished him as a coal-owner.

An example of Curwen's interest in innovation and the steps he was willing to take to encourage tenants survives in a lease agreement of 1814 for the Lilly Hall estate at Workington:

Mr Curwen to put in the wheat crop upon the present fallows charging six pounds per acre and as the plan of cropping the wheat is somewhat novel in this country

⁷ John Christian, twice M.P. for Carlisle, was of an ancient Manx family which had moved to west Cumberland (one of its better-known members led the Mutiny on the Bounty). He added Curwen to his name in 1790, some time after marrying as his second wife Isabella, the only surviving child of Henry Curwen of Workington.

should it fail or the clover crop to succeed it fail Mr Curwen will make such deductions as may be thought reasonable by fair persons each party choosing one but it is understood that the seeds for the clover must be sown as Mr Curwen may direct or he must not be considered responsible for the clover (CRO/D/Cu/3/43/321-322).

Curwen, with his political interests, was -- like Graham of Netherby and the Earl of Carlisle -- frequently absent from his Cumberland estates. As noted above, much therefore devolved upon local stewards; though there is little evidence that this acted to the detriment of agricultural progress. Beckett argued that "in the later seventeenth and eighteenth centuries resident and absentee owners alike were equally culpable of failing to improve the general standard of agricultural practice in the region." Even Curwen's influence may have been overestimated: the Farmer's Magazine in 1820 commented "It would be unfair to think meanly of Mr Curwen's management as a farmer, because it is still inferior to that of many professional men in our more improved districts." There, Macdonald remarked, was the rub. "The 'farmer, paying rent, and acting at his own risk' was a professional, and was influential because he was automatically taken seriously. The landlord with his model farm, no matter how successful his methods, was an amateur." This is part of the still-unresolved debate on the influence of innovators and publicists discussed in Chapter One

(Bainbridge 1942; Bouch and Jones 1961: 227; Beckett 1983: 102; Macdonald 1981: 217).

Of course, since several of the larger landowners were involved in politics, and many others had political or social pretensions, it may be that the development of their estates and even the increase in profits was not a major consideration. However, there was little sign in the county of Arthur Young's 'false magnificence': the only example found of even an indirect suggestion of rent abatement was in a letter of 1650 from Aspatria to Northumberland's steward. The writer stated "the truth is that our harvest hath been so backward, and the weather so vehement that they have made no moneys of their corn, which I fear me will cause neglect of payment till the next audit" (CRO/D/Lec/169). Perhaps because most major landowners were absentee, they rarely seemed to feel the need to boost their local social position by acts of paternal munificence. The smaller landowners had less to lose by offending their tenants; but there is little evidence that they used that freedom to any effect.

If a landowner wished to improve the husbandry practices of his tenants, he had really only one way to go about it: to enforce them on his estate by lease covenants. There was little role in Cumberland for the idea of demonstrating the benefits of new techniques on the landowner's own home farm. Beckett echoed the point made

earlier by Habakkuk; that most home farms were run at a loss, so the tenants received very little encouragement by example. Some of the larger absentee landowners had very little land of their own: Egremont, for instance, for long had only two demesnes: one at Cockermouth and another in Westward, both let to farmers. Bean wrote of the Percies, the earlier holders of what became the Leconfield or Egremont estate "On the Cumberland estates most of the revenues were derived from tenancies at will ... by the beginning of the fifteenth century the demesne lands had already been merged with the tenancies of will." Lowther of Whitehaven, who did practice improved husbandry on his home farm, made no attempt to encourage his tenants to follow his example (Beckett 1975: 27; Bean 1958: 22; Beckett 1981: 25).

Nor were agricultural associations, books and periodicals of any real significance in Cumberland, at least until well into the nineteenth century. Arthur Young in 1803 knew of only twenty-three local agricultural societies in England: at about the same time Bailey and Culley wrote of Cumberland "There are none in this county, nor we believe has any attempt ever been made to form any" (Bailey and Culley 1805: 266).

Bailey and Culley went into print just a little too soon: in 1805 John Christian Curwen founded the Workington Agricultural Society. The Society encouraged agricultural innovation through, among other things, a series of

premiums, offered for everything from (in 1813) "The best-managed farm in the hands of a farmer" to "the shepherd who shall rear the greatest number of lambs, in proportion to the stock"; from "the person who shall have enclosed and cultivated, between September 1st 1812 and September 1st 1813, the largest proportion of common or waste ground" to "the male servant in husbandry, and to the female servant in like occupation, who have continued the longest time in their respective services, and who shall have conducted themselves in the most exemplary manner" (CRO/D/Cu/5/19). Although these prizes were on offer for all of Cumberland, and although the Society seems to have been a serious one which sponsored the annual Workington Show, there is little reason to suppose that its influence was widespread. The President's Report, at least in the early years, was largely a vehicle for Curwen to expatiate on his ideas and to give details of the operation of his own experimental farm at Schoose. It seems to have been another example of preaching to the converted, and the local converted at that. Few farmers outside the Workington area were likely to be much involved in the Society, and it is doubtful if even the offer of twelve guineas for the best-managed farm would attract someone from a remote part of the county.

Low levels of literacy militated against the spread of new ideas through the written word. As late as the middle of the nineteenth century Dickinson noted that "book-

farming" was still held up to ridicule in some circles; though he was pleased that it was becoming more popular among "the many young farmers who are anxious to know more, and farm better, than their fathers have done." As well as illiteracy there was innumeracy. The same writer commented that

The disability of the general run of farmers to keep accounts, places many a man's affairs beyond remedy before he is aware of it; the leathern purse or canvas bag being full or otherwise being the only indication of money gaining or money losing with many.

In the same year Caird also commented on the changing attitudes of the younger small farmers: "The young men of this class are zealous improvers, but the older generation are strongly prejudiced in favour of the old systems, and generally very unwilling to advance with the progress around them" (Dickinson 1852: 224-225; Caird 1852).

Leases and agricultural improvement

This left leases as the only realistic method landowners had to force change on their tenants. Beckett found little initiative throughout Cumbria in the granting of leases. There was no attempt to influence tenant farming on the estates of Lowther of Maulds Meaburn nor of the Dukes of Devonshire at Holker (both in Westmorland). The situation at the end of the eighteenth century, as described

by Bailey and Culley, was that "The Noblemen and Gentlemen who enjoy the most considerable landed property in this county, let no leases; some have verbal contracts for seven years, which are next to none; and of those who let leases, the term is only for five, seven, or nine years." Fifty years later Dickinson observed that "Leases, though now more prevalent than formerly, are by no means general," and he found verbal contracts still quite common. There had been very few written contracts for thirty-six years on the Whitehaven estates of the Earl of Lonsdale (formerly Lowther), and none on the lands of the Earl of Carlisle. Even where there were written leases, he pointed out, they "can be quietly and almost imperceptibly -- but, unfortunately, very surely -- evaded, if a tenant be dishonestly inclined." Most leases, he found, were for seven, nine or fourteen years (Beckett 1983: 100; Bailey and Culley 1805: 211; Dickinson 1852: 225-226).

At the end of the eighteenth century, according to Bailey and Culley, the content of leases varied considerably. All required the tenant to pay rent and taxes and to keep the farm in repair. Some limited how much land could be ploughed and insisted that some part, usually a quarter, should be left in fallow each year. Some required the addition of a certain quantity of lime; some specified that the fallow should be sown with clover and grass. On the other hand, many leases carried no restrictions on

actual farming practice. Dickinson's description of leases in the middle of the nineteenth century showed little change, other than a greater tendency to specify a maximum of two grain crops in a row, and a general requirement that all feedstuffs be fed to animals on the farm and not removed elsewhere (Bailey and Culley 1805: 211; Dickinson 1852: 226).

The documentary evidence is in places somewhat at variance with this published picture. Several of the surviving records depicted tenants more anxious to obtain long leases than contemporary observers reported -- Dickinson argued that verbal agreements were quite satisfactory to everyone: "all who are disposed to act uprightly find themselves perfectly secure under what they consider as terms from year to year only" -- and landowners more determined to ensure good husbandry. For example, in 1741 Somerset's agent reported of the Parks at Cockermouth (one of the demesne lands) that

I very much doubt whether the people would agree to a shorter farm than 21 years considering they are to be at so great an expense in hedging etc. and whereby it is hoped the lands will before and at the end of the term be considerably advanced in value (CRO/D/Lec/170).

In 1742 Lowther's steward received an offer to take a farm on the Bowness Peninsula for eleven or twelve years. The would-be tenant considered a shorter term unattractive,

given the overgrown nature of much of the land (CRO/D/Lons/L). In 1751 Sir John Pennington's agent reported an offer to lease a piece of freehold for fourteen years, though with either party having the right to terminate after seven (CRO/D/Pen/Acc/1325). Another Bowness area farm was applied for in 1757 on a twenty-one year lease (CRO/D/Lons/L), while at the end of the century (1795) an offer was made to rent a Musgrave farm at Blackwell for 12 years (CRO/D/Mus/A/1/6). In 1809 Egremont's agent reported four proposals to rent Thistlebottom farm in Bolton: all were for twenty-one years; and in the same year Henry Howard of Corby Castle offered to rent Skiddaw Forest from Egremont, again for twenty-one years, though with the option to withdraw after seven or fourteen (CRO/D/Lec/171). In 1797 there was an offer to rent a farm from Egremont for only nine years, but the shortest term of all those examined occurred in a proposal to farm Egremont's allotment on the enclosure of Aspatria West Moor in 1820: for a period of six years. Though the sample is small, the insistence on long leases was quite striking, at least for the eighteenth century. By the early nineteenth century it may well be that longer leases fell into disfavour in Cumberland as in the rest of the country. Certainly Bailey and Culley listed short or no leases as a major obstacle to improvement in Cumberland (Dickinson 1852: 225; Bailey and Culley 1805: 264-265).

Landlords' concerns were also reflected in the leases. Two topics dominated: the need to rest the land and the need to add fertiliser. It is clear from the correspondence that landowners suspected that, given their head, tenants would simply keep on taking crops until the soil was exhausted, and then quit or fail to renew their lease. In the early 1740s there was discussion of the terms of leasing Cockermonth Parks: Somerset wanted no more than three years under the plough at a time, to be followed by three years fallow; the farmers wanted six years tillage, six fallow, six more tillage and a final three fallow in a twenty-one year lease. Both sides seemed willing to agree that not more than half of the land should be ploughed at any one time. There is no indication how this difference was settled; but by 1760 Egremont was insisting on not more than three years ploughing for the same land (CRO/D/Lec/170).

Similar agreements were debated elsewhere: a 1751 proposal for a fourteen year lease with no ploughing for the first seven years (CRO/D/Pen/Acc/1325); one of 1757 not to plough more than a third of the land, no parcel more than four years consecutively, and no new ploughing in the last two years (CRO/D/Lec/170); a more complicated one of 1795

not to plough above sixty acres after the first six years nor plough any fresh land in the last two years of the lease, nor take off above one crop of corn after fallows or turnip well managed

with lime and dung before laying it down for grass except after wheat and then a crop of barley may be taken (CRO/D/Mus/A/1/6).

Rather less precise were the terms offered by the four would-be lessees of Thistlebottom Farm in 1809: two wished for freedom to graze or crop the land at will; the other two merely undertook "to be subject to all rules of good husbandry." One of these last was successful in his bid, though four months later he was being taken to task for doing nothing at all (CRO/D/Lec/171). Conversely, a few years later the tenants of two Egremont demesnes were served with notices of ejectment for ploughing for too many years; which suggests that on this estate, at least, the landowner was not as resigned to breach of lease terms as Beastall implied (CRO/D/Lec/172).

The need to fertilise the land was also clearly in the forefront of the landowners' minds, as in the 1795 Musgrave reference to "lime and dung," above. In the Cockermouth Parks debate of the early 1740s the agent⁸ twice referred to the efforts of the tenants to provide "all the dung and compost they can get" against the expectation of obtaining the lease and in 1757 the tenant of the Westward demesne was praised for adding lime "and the manure of sixty

⁸ The individual responsible for running the Cumberland estates of the Earls of Egremont and their successors (the Leconfield Estate) was always called an 'agent' and not a 'steward'.

or seventy horned cattle" for the previous seven years. In neither case, however, was there clear indication that the manuring was required, rather than a piece of commendably good husbandry. In discussing the further letting of Westward, however, the agent did propose the terms "that every part ploughed shall be sufficiently manured before laid down," and three years later Egremont insisted that any tenants of Cockermouth Parks "should be obliged to lay a certain quantity of loads of good rotten dung per acre for every year of the last 3 years or 4 as agreed upon and the quantity to be inserted in the lease," though the agent replied that the tenants said that "they would not be able to get such a quantity of dung as to answer to that purpose." Egremont, however, was not convinced, and replied:

The Covenant must be to lay thirty coup load of good rotten dung per acre without the alternative of lime instead of it, for lime only impoverishes and burns out the heart of the ground: so they must be tied to the 30 load of dung, they are welcome to put what lime they please over and above but I do not care how little...." (CRO/D/Lec/170).

A more optimistic farmer offered in 1757 to take one of Lowther's farms for £8 a year and to put on 100 bushels of lime a year for the first three years: provided Lowther paid

⁹ "Coup, coop ... A cart or wagon with closed sides and ends, thus fitted for carting dung, lime, etc" (Oxford English Dictionary).

for it. The local agent calculated that the cost of getting and hauling the lime would come to near £6 a year, so there is reason to doubt that a deal was struck (CRO/D/Lons/L). Despite Egremont's lack of enthusiasm, lime remained for most farmers the principal fertiliser; especially on newly-enclosed lands. The bailiff at Westward reported in 1814 that Egremont's allotment on enclosure there would yield no rent the first year because the land would "require paring, and burning, and well limed before the tenant can reap any profit" (CRO/D/Lec/172), while an 1820 proposal to farm the allotment at Aspatria included the offer to "lay 120 bushels of lime (Winchester Measure) per acre" (CRO/D/Lec/59).

Altogether, these debates over lease terms suggest a greater concern for agricultural practice than is acknowledged in the published sources, contemporary or recent. The principal interests were clearly to ensure fallowing and manuring (such items as paying the rent being taken for granted). Another deduction from this material is that too little has been made of the role in promoting agricultural innovation of the second and especially the third Earls of Egremont. Chapter Nine includes an examination of their contribution to the enclosure movement; acknowledgement should be made here of their obvious interest (personally, and through their local agents) in encouraging husbandry advances through lease covenants. Particularly significant in this context was an exchange of

letters in 1830 (CRO/D/Lec/174) between Egremont's Cumberland agent, his lawyer brother, and their cleric father. The topic was a form used on all Egremont's Sussex farms, that had been sent north to be considered for use in Cumberland. Specifics included the date of commencement of a lease; restrictions on cropping and minima for fallowing; amounts of fertiliser to be used; rights of access for incoming tenants before the end of the lease and of departing tenants after its end; the requirement to cultivate "in a good husbandlike manner and according to the custom of the country"; and the obligation to effect necessary repairs on the premises. The Bensons indulged in considerable debate over the merits and local applicability of each article, with their reverend father having the last word from his obvious experience of the 'custom of the country'. For instance, in a discussion of the order of succession for grass and grain crops, the older Benson pointed out a weakness in trying to apply Sussex practices to Cumberland:

vetches or clover fed off by sheep is never practiced here as a preparation for wheat -- as it throws the sowing time too late for the wheat to ripen in the succeeding year and from the wet climate and frosts is apt to heave.

This attention to detail is typical of the concern for agricultural matters in Egremont's time.

Altogether, leases provide a certain amount of evidence both that tenants were more concerned than has been supposed about the length of their leases, and that landlords were rather more enthusiastic than they are generally credited with being about using leases to improve local husbandry.

Conclusion

Landlords and tenants were absolutely basic to agricultural change in Cumberland as in England and Wales generally. Nationally, some parts of the picture are very clear: for example, the dominance of the actual task of working the land by tenant farmers. However, many aspects of the triangular relationship between landlords, tenants and agricultural improvement remain muddled and controversial: for example, the relative role played by landlords and tenant in promoting or opposing innovation, and the importance of leases in those processes.

In Cumberland two dominant factors are the absence of most major landowners for most of the period, and the importance of the institution of customary tenure. Most Cumberland farmers seem to have been pretty conservative: a state of mind encouraged by the marginal climate and by the institution of customary tenure. However, as is shown in Chapters Three and Four, the non-customary tenants as well

as the landowners were interested in improvements. This interest increases as time passes, and seems to have been initiated especially by the larger landowners such as the Earls of Egremont and John Christian Curwen: the latter being the only clear example of a local landowner making tours to improve his agricultural knowledge. Further aspects of the relationship between landowners, tenants and agricultural change are explored in later chapters.

In terms of landownership during the period 1700-1850, there was both nationally and regionally an increase in absenteeism, as improving communications made it possible for landowners with distant estates to maintain control of them while pursuing a political or social career in the metropolis. Throughout, there were changes in attitudes to and use of leases, difficult to pin down to a definite pattern in either case. While there may have been some differences between the Cumbrian and the national experience, there is too little evidence to be sure of this. Cumberland certainly came to know of and adopt innovations later than most other parts of the country, because of its isolation and because of the dominance of customary tenures. The presence of customary tenures formed a real difference between Cumberland and most of the rest of the country: one that influenced the rate of change although, until disappearing on enclosure, not one that changed much itself. It was this disappearance, largely advanced though not

complete by 1850, that was the greatest change in Cumbrian landownership over this period.

With its customary tenure, with its small tenant-farmer gentlemen, and with its comfortable farm servants part of the local family structure, the ownership and working of the land in Cumberland was certainly different from the rest of the country in the period 1700-1850. What is less certain is whether the scale and rate of change was sufficient to be termed a revolution in landownership.

CHAPTER THREE

AGRICULTURAL CHANGE 1700-1850: LIVESTOCK

Introduction

Of the two main branches of agriculture -- animal husbandry and crop raising -- the former has always been more important in Cumberland. In 1569 Hall and Homberston wrote that "because the greatest part of the country consisteth in waste and mountains they have but little tillage" (PRO/E/164/37/3). Climate, altitude, soils and distance to principal markets would have made it very difficult at any time for field crops to become more than locally important.

This chapter looks at livestock numbers in England and Wales for the period in question, and then attempts to do the same for Cumberland. In particular, attention is given to the relative importance of cattle and sheep. Finally, some aspects of the breeding and management of livestock are described.

Livestock were so important a part of Cumbrian agriculture that no picture of change at any time would be complete without an examination of this aspect.

Livestock in England and Wales

While the importance of animal husbandry in the agricultural economy of England and Wales has never been challenged, data on actual numbers of livestock are hard to come by, especially for the period before the middle of the eighteenth century. An estimate for 1695 suggests that there were 4.5 million cattle, 11 million sheep, 1.2 million horses and asses and 2 million pigs nationally (Yelling 1978; Chartres 1985).

The growing urban market accompanying the industrialisation of the later eighteenth and nineteenth centuries, associated with increasing disposable incomes, was especially encouraging to the growth of livestock numbers. Prince noted that "During the second half of the eighteenth century numbers of sheep increased to an extent that can only be guessed at," though he considered that John Luccock's estimate of 26 million sheep in 1805 was too high. This number, however, agreed well with Arthur Young's 1779 estimate of 25.6 million and, even if somewhat too high, nonetheless represented a substantial increase -- likely at least a doubling -- of the 1695 total. Before 1750 sheep were valued primarily for their wool and secondly for their manure: meat was only third in importance; not least because a farmer could not get meat off a sheep year after year. It was cattle that were seen as increasing most in numbers in the nineteenth century, and occupying all the richest

grazing lands, though national totals were not given. Cattle numbers obviously responded to growing demands for both beef and dairy products, though it should not be forgotten that for long oxen helped provide motive power on farms. One of the problems in attempting to chart cattle numbers was the significant numbers of imported beasts (Walton 1978; Prince 1989; Prince 1973; Moore-Colyer 1989; Chambers and Mingay 1966).

Among other livestock, pigs were most frequently mentioned: though, again, numbers are elusive. Breeze observed that "Pigmeat was an essential ingredient in the diet of the eighteenth-century countryman, and everywhere pigs were kept for domestic use." Pigs were, in small numbers, useful for most farmers because they could be fed on scraps or forage for themselves in the woods: "the universal scavenger and a usual accompaniment of the cottage garden." Horses were unlikely to have declined below one million, owing to their importance as the principal source of motive power. Geese, ducks and pigeons, like pigs, lived off the leavings of farm and field, while "Hardly less important than domestic pigs and poultry as sources of food were the deer, rabbits and wildfowl of forest, heath and marsh" (Breeze 1989: 353; Chambers and Mingay 1966: 16; Prince 1973: 423-424).

In the late seventeenth and early eighteenth centuries livestock in the northern counties of England were

valued at considerably less than their counterparts in the rest of the country. From 1640 to 1750 the average price of sheep in the north and northwest was less than 60 per cent of the national average, and in every single decade prices there were less than in any other region. Cows were priced at 75 per cent of the national average for the whole period and oxen at only 55 per cent. Industrialisation, however, led to the rapid growth of northern cities, and this shifted the centre of gravity of the urban market to favour producers, especially of livestock, in the north and west (Bowden 1985b; Walton 1978: 256).

Numbers appear a little more frequently when examining more local studies. There were significant variations throughout the northern countries. Between 1640 and 1750 the most important animals in upland Northumberland and Durham were cattle, which usually accounted for about half the value of all the farmers' possessions. In the foothills cattle and sheep were both important: pigs, hens, geese and even turkeys were found. In the lowlands animal production formed the basis of the rural economy, with large numbers of draught animals showing that arable farming was also of significance. Throughout the two counties numbers were rarely high. Ten cattle was a good holding, and few held more than twenty. Flocks of sheep varied more widely. Many farmers had no sheep, while some large farms in north Northumberland possessed several hundred (Brassley 1984).

In Lancashire, for the same period 1640-1750, "people of all classes seem to have placed most emphasis upon the rearing of beef and the keeping of small dairies," though in the first half of the eighteenth century the median number was only seven head per holding. Only a quarter of the farms had any sheep, and the majority of the wool in the county must have been imported. "Even in the forests of Pendle and Rossendale flocks were small and most farmers there had no sheep at all." Sheep were much more common on the Yorkshire side of the Pennines, where seventy-five per cent of farmers had some; and in the Wolds, where at the end of the seventeenth century six farmers out of ten had flocks of sheep that were at least equal in value to their herds of cattle. Flocks on the Wolds averaged twenty-seven in number: nearly three times that of the lowlands on either side. Cattle numbers in the Wolds (eight per farm) were much lower than in the Vale of York (twelve) or Holderness (fifteen) (Hey 1984a).

A particularly detailed local study from the north was Fieldhouse's examination of agriculture in Wensleydale from 1600 onwards. Here, as in much of the region, cattle farming dominated over sheep. By the end of the seventeenth century nine-tenths of the farmers in the dale possessed cattle worth more than their sheep; a pattern that showed little change throughout the eighteenth century. The wider marketing of dairy produce seems to have been especially

significant. Dairy farming was more labour-intensive than sheep-rearing and was thus suited to valley farms, which had more hands than capital. Sheep, however, were not unimportant, and in the upper dale in particular flocks were beginning to grow in numbers in the later eighteenth century. Lower dale flocks remained at or below forty from the late sixteenth to mid eighteenth centuries; those of the upper dale rose from forty to seventy-two over the same period (Fieldhouse 1980).

Livestock in Cumberland

The popular image of the Cumberland agricultural landscape is that of the Lake District Fells, where one might find oneself with Wordsworth

... alone
 With a few sheep, with rocks and stones
 and kites
 That overhead are sailing in the sky.

For a long time it was assumed that sheep were the mainstay of the agricultural economy. Bouch and Jones remarked that "the main wealth of the Lake Counties in 1500 was to be found not under the fells but on them. As the wolf and the eagle were slowly exterminated, sheep increased." In 1800 Housman observed that sheep farming prevailed among the mountains and on the borders of large commons; and the 1805 report to the Board of Agriculture (Bailey and Culley) spent

six pages on sheep (including a full-page illustration), to one page on cattle, half a page on horses, and no more than a paragraph on any other animal. When Wordsworth came to write his Guide to the Lakes he continued the emphasis on sheep. Before the coming of machinery, the Lakeland estatesman "had a two-fold support; first the produce of his lands and flocks; and, secondly, the profit drawn from the employment of the women and children ... spinning their own wool in their own houses ... and carrying it to market for sale" (Wordsworth 1800: lines 10-12; Bouch and Jones 1961: 27; Wordsworth 1835: 90).

Cattle were mentioned with much less frequency than sheep, and horses even more rarely, though Bouch and Jones pointed out that in earlier times "Horses in our region may have been more numerous in proportion to other livestock than elsewhere because so many people were required to be equipped for Border defence." As well as sheep, cattle and horses, Bailey and Culley mentioned that pigs "are bred and fed here in considerable numbers," that rabbits were found along the west coast and that "The minute division of landed property occasions abundance of poultry," notably geese. Grainger considered the goose as probably the most important element of poultry holdings, "as during the summer and autumn they obtained their living on the common pasture." Bailey and Culley also remarked that pigeons were a gentleman's luxury and rarely raised by farmers, but that

bees "are found in every part of the county, and in some situations are very profitable" (Bouch and Jones 1961: 103; Bailey and Culley 1805: 251-252; Grainger 1909).

At times rabbits were seen as a nuisance: at Edenhall in 1681 the manorial court complained "of the great multiply of rabbits in our town field that they do greatly destroy and eat up both our corn and grass, and desire that they may be destroyed in our field, or other the tenants will destroy them themselves."¹ However, earlier in the century the Bootle court had ordered (1609) "that none hereafter shall take nor kill any conies or rabbits in Eskmeals," suggesting they were seen as a common resource. Both sides appeared in a letter of 1717 which included the comment "about two years ago I acquainted you that within the manors of Wigton and Westward there still remained a place or two in which there were some coneys notwithstanding all means used to destroy them, and at the same time told you I did believe if they were carefully looked after they might be improved" (CRO/D/Lec/169). Whether they were or not in that instance, by 1800 rabbits were important enough for a dispute to flare up between the Lords Egremont and

¹ The location of and reference numbers for the various Cumberland manorial courts are given in Appendix A.

Muncaster over a rabbit warren on Drigg Common
(CRO/D/Lec/171).²

Marshall pointed out that honey was the main sweetening agent as well as a special delicacy, and some hives were therefore likely to be found in almost every village. Bouch and Jones noted that "most farmers were concerned, if only to a minor extent, with pigs and poultry," with the turkey being reared as well as hens, ducks and geese. By the middle of the nineteenth century Dickinson observed the importance of geese, but found few turkeys bred or kept and rabbits surviving only in a few game preserves (Marshall 1973: 206; Bouch and Jones 1961: 103; Dickinson 1852: 270).

Actual statistics are hard to come by: as Bouch and Jones complained "Anything in the nature of a local census of livestock is clearly impossible." Littledale's estimates for Ennerdale (an upland area) were that at the beginning of the seventeenth century there was an average of eighty sheep, four cattle and one horse per tenant. A study by Moor of seventeenth century probate inventories at nearby Irton suggested that the average yeoman had some thirty-five sheep and eleven cattle, though there was considerable

² Of East Yorkshire in the eighteenth and nineteenth centuries Harris noted that rabbit warrens were a good use of certain lands, but a nuisance to other farmers (Harris 1967).

variation. Sheep generally outnumbered cattle, but "some of those who had no sheep had many beasts or horses." Each had a pig; and hens, geese and bees are all mentioned but accorded little value. "As of course was to be expected, the yeoman seem invariably to have possessed one or two horses" (Bouch and Jones 1961: 104; Littledale 1931: 173; Moor 1910).

The nearest thing to an early livestock census in Cumberland was the series of notes on the topography and economy of each parish written by John Housman to accompany Hutchinson's 1794 History. There were seventy-six parishes for which details of livestock are given. In only two cases was no mention made of sheep; in three it was specified that there were no sheep at all, and in thirteen it was stated that there only a few. All of these instances were found among the fifty-four lowland parishes. For the twenty-two settlements in the Lake District Fells and along the Pennines, quantities were stated in every case, with a mean size approaching 5000. For those lowland areas for which flock sizes were given, the average was a little under 2000.

Cattle were dealt with much more peremptorily by Housman. In only four cases, all lowland, were sizes specified: from 100 to 1000. In half the upland parishes no mention was made of cattle at all; and in half the rest small numbers were recorded. For only one was there said to be a great many. For six lowland places there was no

mention of cattle while in another eleven there were references to small numbers. In only eight cases were many specified, or more than sheep. In five upland and twenty-five lowland parishes the presence of cattle was noted, with no indication of quantity. All in all, it was clear from Housman that sheep were of greatly more numerical importance in all but a few lowland areas, though the relative importance of sheep was that much greater in the upland areas.

Other more local data can be obtained from a scatter of surviving tithe books. These only occasionally gave actual numbers of animals, but they can provide a clue to how many owners there were of different types of livestock. A series of tithe books for Dalston (a lowland parish near Carlisle) showed that from the late seventeenth to the early nineteenth centuries there were many more paying for cattle than for sheep (Table 3.1). Until the nineteenth century cattle were paid for by a significant majority of individuals. Sheep were mentioned only in the first two lists, and accounted for only thirty-seven and nine payments respectively. However, a separate list attached to the 1839 Tithe Book recorded twenty-five individuals paying for 222 lambs. Even so, this did not suggest that sheep were very common in Dalston. Apart from cattle the only animals to appear in all books were bees, though these were never very significant. Hens and geese were found only once each, pigs

TABLE 3.1

Tithe Payments for Livestock: Dalston

year	total payers	cattle	foals	pigs	bees
1674	254	172	-	-	16
1717	200	147	39	-	33
1776	174	101	5	24	10
1839	432	103	17	39	16

sources -- CRO/PR/41/57, 59, 73, 86

twice and foals three times; the number of payers being quite small in each instance.

A similar scatter of tithe books survives for the parish of Crosthwaite: a huge area of the Lakeland Fells centred on Keswick but extending over Borrowdale, Newlands, Braithwaite and as far as Wythburn. Table 3.2 shows a pattern of payments for cattle very like that for Dalston, though bees were relatively more significant (reflecting, no doubt, the greater expanses of heather in the Crosthwaite area) and pigs showed an astonishing increase. There was no mention of sheep, but in separate lists in the same document 258 people paid tithes for 9306 lambs in 1724 and 132 for 7822 lambs in 1780. Altogether, though sheep clearly existed in Crosthwaite in far larger numbers than in Dalston, the numbers of people holding cattle was larger still.

The Irton 'Wooll and Lambe' book for 1704 showed eighty-two people paying tithes for an average of only thirteen lambs apiece: fewer than Moor noted, but presumably this list included many who would not qualify as 'yeomen'. The significance of honey appeared again in the Irton and Santon Easter Book for 1704, where twenty-five of eighty-five individuals listed were paying for bees (CRO/D/Ben/439\s, CRO/D/Ben/442\5).

A couple of late-eighteenth century tithe books survive for another lowland parish: Brigham, which included

TABLE 3.2

Tithe Payments for Livestock: Crosthwaite

year	total payers	cattle	foals	pigs	bees
1710	387	289	16	4	26
1723	433	317	13	-	71
1783	462	255	10	186	80
1814	578	228	36	174	98

source -- CRO/D/Ben/Crosthwaite Tithes/1

the town of Cockermouth (Table 3.3). In this case both cattle and sheep were recorded, with the number of payers for the former significantly outnumbering the latter. Poultry seems to have been particularly significant in this area, and again the low-level but widespread presence of bee-holding may be noticed. Altogether, these data suggest that sheep may not have been as important as was generally presumed. While numbers might have been quite large, especially in a mountainous area like Crosthwaite, there were more owners with cattle, even in Crosthwaite.

Suspicious that sheep may have been overrated and cattle underrated have been strengthened by Marshall's work on Lake District probate inventories. A sample of 150 inventories of hill yeomen (defined as those whose townships were for the most part over 400 feet above sea level) between 1660 and 1689 and another 150 between 1720 and 1749 showed that eighty-seven per cent held cattle at their death while only seventy per cent held sheep. Later Marshall stated that "sheep were not the most valuable live possessions of most Lakeland or Cumbrian farmers.... If there was any way in which a Cumbrian peasant could significantly advance his fortunes, it was by breeding or fattening ... cattle for a growing national market." These points were emphasised by Evans and Beckett, who suggested that the Irish Cattle Act of 1667, prohibiting the import of beasts from Ireland, came to attract even the less

TABLE 3.3

Tithe Payments for Livestock: Brigham

year	total payrs	cttle	sheep	foals	pigs	geese	hens	bees
1773	406	239	179	18	26	52	273	24
1775	367	233	168	22	-	58	280	28

source -- CRO/D/Ben/372\1

prosperous freeholders and customary tenants to the cattle trade. They agreed that the size of the Cumbrian sheep flocks had been overestimated. Inventory evidence showed that most farmers held a few pigs and chickens, though numbers were rarely large and they were most likely primarily for home consumption. Beehives, though not always mentioned, appeared to have been more highly valued than pigs or poultry (Marshall 1973: 197, 206; 1980: 512; Evans and Beckett 1984).

Livestock in manorial court records

More information on the importance of various animals to local communities can be obtained from manorial court records. The records of 108 courts are analysed for the period 1660-1869: the earlier date follows two decades for which few such records survive, while the courts were mostly extinct and all had lost interest in agricultural matters by the later date. To simplify analysis the manors have been divided into two regions, representing the predominantly upland and the predominantly lowland areas of the county. The technique used to extract information is content analysis; specifically frequency-count analysis of the presentments at the manorial courts. The total population is all those presentments at the courts relating to agricultural matters: 12,330 cases in all. These were

then coded according to the type of regulation being introduced or the type of offence being prosecuted. Those presentments concerning animals were also coded by the type of animal concerned.

The underlying assumption is that the more often a particular topic is mentioned, the more important it was. In this context there are two areas of interest: the importance of animals generally in the county, and the relative significance of different types of animals. Table 3.4 shows that, over the county as a whole, concern over animals accounted for somewhat under a quarter of all entries. This includes such things as regulations governing the grazing of animals in the common fields and the value of stints on the wastes, and the prosecution of individuals for allowing stray animals to cause damage or ignoring existing regulations.

Overall, concern over animals was rather higher in the uplands than in the lowlands. This is to be expected, as animal raising necessarily played a larger part in the higher areas, where crop growing was much more difficult. Among the highland areas it was the bleak Pennine and Cheviot areas that had the greatest interest in animals, as these areas lacked even the restricted valley agriculture found in the Cumbrian Mountains. All forms of animal occurred more frequently in the upland courts, except the domestic pig. This last, essentially an animal of the

TABLE 3.4

Presentments at Manorial Courts 1660-1869
Frequency of Mention of Animals

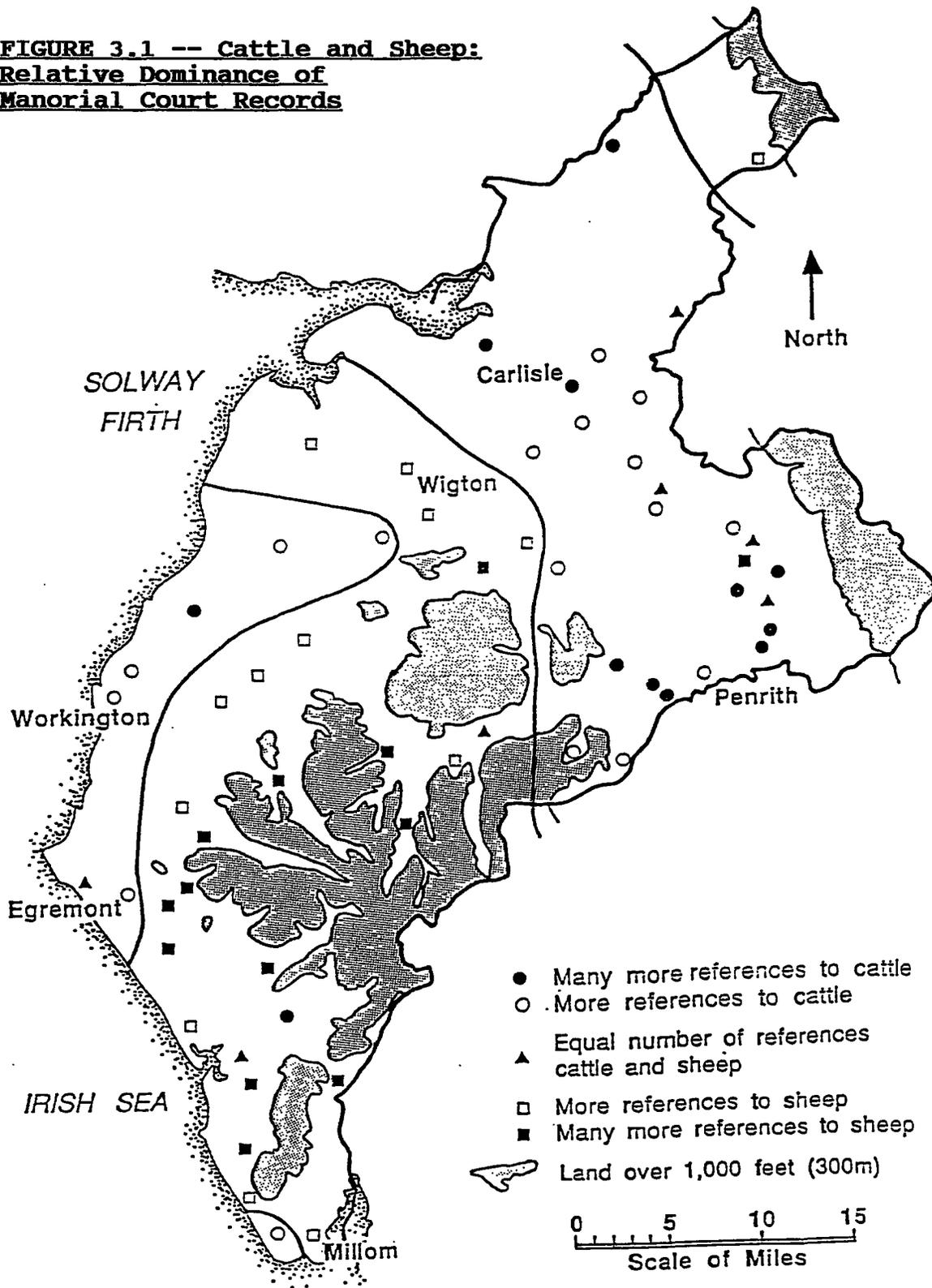
	total present ments	all animals %	cattle %	horses %	sheep %	pigs %	other %
Lowland	9641	21.26	5.72	3.42	4.50	4.97	2.66
Upland	2689	26.48	6.51	3.94	11.90	1.08	3.04
TOTAL	12330	22.40	5.89	3.54	6.12	4.12	2.74
source -- see Appendix A							

villages and towns, was found more than four times as often in the lowland areas, especially in the Carlisle Plain and the Eden Valley. Few were mentioned in the uplands; most occurrences being in the far southern area, where the settlements were sandwiched between Black Combe and the sea. The slightly higher numbers of horses is perhaps most surprising, as possession of numbers of these animals was usually associated with arable farming, largely absent from the upland areas.

Of all the animals, sheep were the most dominant in the uplands, with well over twice the frequency of the lowlands; again conforming with expectations. Cattle and horses, although proportionately more common in the uplands, were not significantly so. The 'others' category largely comprises entries for unspecified animal types, notably regulations applied to all types of animals. It also includes two minor categories too small to list separately: goats and poultry. Both were somewhat more common in the uplands. Bees were not mentioned at all.

Altogether, the pattern for mentions of animals is significantly different between the two areas (significance is defined as better than the 0.001 level using the chi-squared test). The prevalence of sheep and cattle, in particular, can be clearly expressed spatially (Figure 3.1). The number of manors shown on Figure 3.1 is less than 108, as neighbouring manorial figures were combined when the

**FIGURE 3.1 -- Cattle and Sheep:
Relative Dominance of
Manorial Court Records**



total for any one was less than forty. In each case the percentage of all agricultural presentments that mentioned sheep was listed next to the percentage of all presentments that mentioned cattle. A difference of five or more per cent in total (e.g. fifteen per cent sheep, ten per cent cattle) is defined as 'many more references'.

A clear pattern emerges. The lowland areas of the Carlisle Plain and the Eden Valley were heavily dominated by mentions of cattle. The Eden Valley around Penrith was especially notable for references to cattle: by 1800 this was a major butter-producing area. This influence even extended into the hills north of Ullswater. Cattle also formed a majority, if less dominantly so, over most of the coastal plain as far as Egremont, with a small outlier at the very southern tip of the county. By about 1800 Cumberland was producing around £30,000 worth of butter for other parts as well as its own requirements in milk, butter and cheese. Housman, in his notes for Hutchinson's History, mentioned much butter and cheese at Loweswater, while in Bromfield parish "The soil ... is various; but, in general, favourable for corn; but perhaps, still more favourable for milk and butter; particularly at Blencogo, and its neighbourhood; from whence considerable quantities of butter and hams are sent to London" (Prince 1973: 422; Pearsall and Pennington 1973: 260; Hutchinson 1794-II: 319-320).

The mountain areas were clearly, and usually heavily, dominated by references to sheep. This included nearly all the coastal plain south of Egremont, where it narrows and the hills come close to the sea, and -- more surprisingly -- a band of lowland from the Wigton area to the sea at Moricambe. It is not clear why there should have been this band of -- admittedly only mildly dominant -- sheep country so dividing the coastal plain. It may have been related to the marshiness of much of the land thereabouts, or had something to do with the old monastic settlement at Holme Cultram. Sheep also predominated in the high Cheviots in the far north. However, too few records survived for settlements in the Pennines for any significant conclusions to be reached for that area.

There are two major anomalies in this otherwise generally simple and explicable pattern. In the middle of the otherwise heavy cattle-oriented Eden Valley was one manor with many more references to sheep. Conversely, in the midst of the southern Cumbrian Mountains, in prime sheep country, was one extensive manor with a considerable dominance of cattle. The first of these manors, Lazonby, actually had a great many presentments (14.6 per cent) referring to cattle. It simply had more (21.8 per cent) dealing with sheep. Like its Eden Valley counterpart, the manor of Eskdale, Miterdale and Wasdalehead did not have references only to its principal animal: cattle made up 31.5

per cent of all presentments; sheep 14.8 per cent. There is no evidence to explain these anomalies; but one might speculate that perhaps farmers in each community decided there was a local market for a product otherwise not readily available: mutton and wool in the Eden Valley; beef and dairy products in the mountains.

If the court records are divided by time period, then further patterns emerge (Tables 3.5, 3.6).³ The greater number of records survive for the earlier period, which also had a greater proportion of references to animals. Clearly, as the eighteenth and then the nineteenth centuries proceed, concern moved from animals to other areas; notably to the encroachment and enclosure of the common lands. Moreover, not only did proportional mentions change, so did the pattern of mentions of different types of animals. Indeed the distribution of references among types of animals was significantly different not only between upland and lowland in each period, just as for the whole time span, but the lowland patterns for each period were significantly different from each other, as were the upland patterns and the total patterns. In the first period cattle and pigs were considerably more important than in the second, while sheep increased in relative number of mentions

³ 1720 was selected as the dividing line as the records of a great many manors cease around that time (see Appendix A)

TABLE 3.5

Presentments at Manorial Courts 1660-1719
Frequency of Mention of Animals

	total present ments	all animals	cattle	horses	sheep	pigs	other
Lowland	6973	22.85	6.27	3.80	4.22	5.45	3.11
Upland	1446	30.08	7.05	2.56	13.42	1.59	5.46
TOTAL	8419	24.09	6.40	3.59	5.80	4.79	3.52

source -- see Appendix A

TABLE 3.6

Presentments at Manorial Courts 1720-1869
Frequency of Mention of Animals

	total present ments	all animals	cattle	horses	sheep	pigs	other
Lowland	2668	17.13	4.27	2.44	5.25	3.71	1.46
Upland	1243	22.28	5.87	5.55	10.14	0.48	0.24
TOTAL	3911	18.77	4.78	3.43	6.80	2.68	1.07

source -- see Appendix A

over time. These changes applied most notably to the lowland areas: sheep actually suffered a relative decline in the uplands over time. It seems that as Cumberland was beginning to be pulled into the orbit of the growing northern manufacturing towns, the more prosperous lowland farmers began to get more interested in sheep and their wool. It may be significant that the upland areas did not seem to share in this change. The Herdwick sheep that best prospered in the hills gave a good quality meat, but they "yielded a clip of coarse, kempy wool suited only to the manufacture of rugs and coarse woollens." The lowland sheep "provided a mixed fleece of both fine and coarse wool" that would have been more attractive to the textile industry. Cattle may have appeared rather less often because growing numbers of imports reduced their local significance (Moore-Colyer 1989: 317).

Dickinson reported that with enclosure, large numbers of lowland sheep were sold off; so that by about 1820 few except those on the mountains remained. Between then and 1850 the spread of drainage and the feeding of sheep on turnips brought numbers of sheep on the enclosed lands back to what it had been on the common wastes. Manorial court evidence supplies some support for this statement. Until the middle of the eighteenth century the ratio of upland and lowland presentments involving sheep was relatively constant. From then on lowland mentions of sheep

rapidly tailed off while those for the uplands continued, albeit at a diminished level. However, the support needs to be strongly qualified. Manorial court presentments referred to offences against the general good. Large numbers of sheep could have been kept in private lowland fields and have done nothing to cause their owners to appear before the courts. There may have been some selling of lowland sheep on enclosure (though no other source refers to this) but, if so, it is unlikely to have been on the scale Dickinson refers to, nor does it seem to have been a very long-lasting phenomenon (Dickinson 1852: 262-263).

As with any single source, care has to be taken in interpreting manorial court records. It has to be remembered that the documents were recording animals that needed control and which were causing nuisances. They were not recording actual numbers of animals, nor their market value. However, from the sheer numbers of references, it seems reasonable to conclude that sheep and cattle were seen as the most important livestock, followed by pigs and horses, since these are all fairly large animals that would need similar rules and restraints. The low numbers for hens and geese, and the absence of bees, likely reflects not the insignificance of these in the local economy, but their low nuisance value in terms of managing the fields and wastes. The very few mentions of goats, an animal with a high

potential for nuisance, certainly indicates a lack of numbers.

In summary, the manorial court records present a picture not too dissimilar from that derived from other sources. Compared with the conclusions being drawn from probate inventories, there may need to be a little emphasis restored to sheep, which do come across as marginally more important than cattle, and considerably so in the upland areas. However, Cumberland is certainly not exclusively sheep country, and cattle were not far behind in general importance. Horses appeared more frequently than other evidence might lead one to expect. Perhaps the fact that they would have been kept near the settlements and the fields increased their appearance in these records. The same argument could be used for pigs. Finally, there were clear differences between the lowland and upland areas, principally in the relative importance of sheep and pigs.

Livestock breeding

There is not a great deal of evidence about changes in breeds and breeding of livestock. Of the sixteenth and seventeenth centuries Bouch and Jones remarked that

comparatively little is known about the breeds and qualities of animals. It can hardly be doubted that they were poorer, and in general smaller, than those of our day ... and there can be no question

that, before enclosure, conditions were very unfavourable for horses, cattle and sheep, especially on the commons, where feeding was often poor, the risk of infection great and the possibility of selective breeding non-existent.

By 1800, however, they concluded -- with a rather back-handed compliment to livestock owners -- that Cumberland was at least less backward in stock-rearing and dairy farming than in crop-raising, and that some farmers had greatly improved their herds (Bouch and Jones 1961: 101-102, 222).

Contemporary authorities were not so sure. The Cumberland sheep of the eighteenth century came in for particular criticism. Housman berated the inhabitants of Bewcastle for theirs: "This animal ... is well known to degenerate, by breeding from one constant race, without mixing and crossing the kind: and the sheep here have had no change for centuries: hence they are become small-limbed, goatish and hairy fleeced" (Hutchinson 1794-I: 76). Bailey and Culley were even more severe:

We have no hesitation in saying, that the breeds may be improved, for there are few places where they have been more neglected. At Penruddock we observed some singularly rough-legged, ill-formed sheep. On asking an old farmer from whence they had that breed, or where they got their tups? he innocently replied, Lord, Sir, they are sik as God set upon the land; we never change any! The latter part of this simple statement we readily believe; but that God set upon the land such ill-formed, unprofitable animals, we cannot readily assent to; and rather think they have acquired their present ill form, and bad

properties, by the indolence and ignorance of the owners. We wish we could avoid adding, that the same practice which guides the men of Penruddock, is too prevalent in every part of the county (Bailey and Culley 1805: 246-249).

The principal sheep breeds in Cumberland at this time had long been the Blackface, descended from the black-faced, coarse-woolled, heath sheep and the Herdwick. The Herdwick is much better known. Originally the name 'herdwick' was applied to the pasture where the sheep grazed, the area under the authority of a herd; later it was transferred to the sheep itself. There are many stories of the origin of the Herdwick: among others that the breed came with the Norse, and that it originated with animals washed ashore from the wreck of a Spanish Armada vessel. More likely Herdwicks derived from an indigenous species domesticated in Bronze Age or even Neolithic times. As Rollinson remarked, the Herdwick seems to have been designed for the upland areas of the Lake District. "Herdwicks have been described, not inaptly, as 'the breed best standing starvation', for they are able to nibble a living from the coarsest bent grass and the toughest heather roots and survive on the most bizarre diets." In winter, if hay were in short supply, Cumberland sheep might have been expected to feed on ash leaves, pea and corn straw, and holly leaves. Cumberland Herdwicks were not the only animals to have been expected to survive on strange diets. According to Radley

feeding holly to animals was not unusual: the custom "was an ancient one, and appears to have been of great importance in the years before hay and turnip winter feed." Spray wrote of the use not only of holly but also of gorse, heather, broom, ivy, and oak, elm and ash browsewood as animal fodder. Symon described the use of tree-loppings to supplement hay feed (Rollinson 1974: 82-84; Radley 1961: 83; Spray 1981; Symon 1959). In the mid-seventeenth century the inhabitants of Wasdale Head reported feeding their cattle on nettles and other weeds (CRO/D/Lec/265/76).

Moreover, the Herdwick is credited by Rollinson with an above-normal capacity to survive the elements: "the Herdwick can withstand burial in a snow drift for up to two weeks, living off its own fat; sheep cocooned in this way have been known to suck their own wool for sustenance -- and survive to produce offspring at lambing time." Somewhat less probably, Housman reported a flock at Kirkland which survived after being covered for fifty days in 1785 "and afterwards became as healthy as the rest of the flock, fed well, and were sold for as good prices as their fellows, who had fared better in the storm." Bailey and Culley prosaically commented of Herdwicks that in times of snow "they generally gather together, and keep stirring about; by which means they tread down the snow, keep above it, and are rarely overblown" (Rollinson 1974: 84; Hutchinson 1794-I: 258; Bailey and Culley 1805: 246).

Despite the various strictures on the men of Bewcastle and Penruddock, there were attempts made to improve the breed. Housman wrote that at Uldale the sheep "are mostly of the common Cumberland breed, which the farmers endeavour to improve by exchanging their rams every two or three years, which they purchase out of the best stocks." Increasingly, despite the known strengths of the Herdwick breed, attempts were made to replace them or cross-breed them with stock producing finer quality wool. Bailey and Culley, at the end of the eighteenth century, commented that a number of people had introduced long-woolled sheep from Yorkshire and Northumberland into the county within the previous three years; hiring tups and buying ewes. A little later J.C. Curwen was credited with an unsuccessful attempt to import merino sheep (Hutchinson 1794-II: 371; Bailey and Culley 1805: 249-250; Bainbridge 1942).

It might be supposed that it was the ability to raise sheep on the newly-enclosed lowlands that made this idea attractive. However, there was a significant exchange of letters between the Earl of Egremont and his Cumberland agent at the beginning of the nineteenth century relating to experiments on Skiddaw Forest, one of the highest and

bleakest parts of the Lake District fells.⁴ In February 1803 the agent wrote that

George Mark your Lordships farmer of Skiddaw Forest has informed that your Lordship was pleased to promise him a stock of South Down sheep to try in this country and he has desired me to request for him of your Lordship to send him 30. Your Lordship was so obliging as to offer that if any other farmers wished to make an experiment that you would send what they required by the same opportunity. There are other two who have agreed to try 20 between them if your Lordship would be pleased to supply them at the same time.

After discussion of how this was to be achieved, the agent wrote again in October of that year, saying that a man was coming to Sussex with a sheep dog to pick up the sheep, and that the tenant who had made the original request "will think himself very greatly favoured if your Lordship would be pleased to send ten or 12 ewe lambs in lieu of an equal number of rams, as he would wish to try the experiment of crossing them both ways" (CRO/D/Lec/171). Curwen himself was experimenting with Southdowns in the same area: in 1806 he wrote to Egremont that "The cross between the fell-sheep and southdowns promises to answer extremely well; the quantity as well as the quality of the wool is improved.

⁴ "Forest" in Cumberland did not necessarily imply trees. A "forest" area may once have been reserved for hunting by the King (as Inglewood Forest) or by the local nobility (as Copeland Forest -- Liddell 1966), or it may just have meant a wild uncultivated waste (Oxford English Dictionary).

The ewe that was bred by me and sent to the mountains upon Bassenthwaite had 6lbs of wool and was the strongest sheep in a flock of some hundreds¹¹ (CRO/D/Lec/171).

Another to make an effort to raise Southdowns was Henry Howard of Corby. According to J.C. Curwen, in his Report to the Workington Agricultural Society in 1810, Howard's Southdowns were troubled with fly in the summer. In a counterpart to the usual practice of upland farmers sending their yearlings to the lowlands for the winter (see below), Howard sent his Southdowns to Skiddaw Forest for the summer from whence they are reported to have returned "in very good condition ... smaller than they would have been, had they been kept in lower pastures; but I question whether they will not, during winter, make a greater improvement than if they had always been kept on good land"

(CRO/D/Cu/5/18). In fact, record survives of Howard's request in August 1809 for a twenty-one year lease of Skiddaw Forest, and of Egremont's accession to the request (CRO/D/Lec/171). Clearly by 1800 the spirit of progress was about, in some localities at least, with regard to sheep. However, the only really successful introduction has been the Swaledale from North Yorkshire; otherwise the Herdwick still dominates, especially in the higher areas (LDNP Factsheet 16).

Dickinson indicated that at the end of the eighteenth century the breeding stock of cattle all over

Cumberland was longhorn; with a number of varieties peculiar to specific places in the county. Other types could have been found, brought in for the grazing season only. By the middle of the nineteenth century there was "scarcely a stock of pure long-horns existing in the county." Galloways from southern Scotland had been introduced to the border areas early in the century. Dickinson noted that Galloways might have been expected in northern Cumberland long before they were; if only those stolen in cross-border raids. However

it became an established rule on both sides of the border, whenever it could be privately done without the knowledge of the lords of the marches, to consign forthwith the carcass of every edible animal taken in foray to the pickle-tub or the smoking-chimney, if it bore any marks by which it could be identified.

Thus no animal from across the border would have survived long enough to breed "till a friendly and peaceable intercourse prevailed." Evans and Beckett explained that livestock raiding had become so widespread that the local inhabitants in 1662 arranged for the employment of an official specifically to catch cross-border cattle and horse stealers. This continued until 1757. Cattle-stealing, they said "was especially attractive because of the separate legal systems of England and Scotland, whereby offences committed in one country could not normally be punished in the other" (Dickinson 1852: 250-252; Evans and Beckett 1984: 14).

By 1850 the predominant breed was the shorthorn, which had been introduced around 1810 (Sir James Graham of Netherby and the indefatigable J.C. Curwen were among the earliest breeders of shorthorns). Dickinson reported that

Their introduction was regarded with doubt and distrust, and their progress was accordingly slow for many years; but the last twenty-five years have spread them over the county, and placed them or their kindred on every farm not devoted to the Galloway or some other special breed.

Bouch and Jones said of Curwen's experiments that "he succeeded with the breeding of shorthorn cattle so that they became much more numerous in Cumberland and Westmorland. Their fame even spread across the Atlantic and some of the best cattle in Pennsylvania were descended from animals he had bred" (Dickinson 1852: 253; Bouch and Jones 1961: 228). As a counterpart to these various attempts to improve the Cumberland breed by introducing outside cattle, the Earl of Egremont in 1803 was trying to get hold of two or three "well-bred" Cumberland heifers to try on his southern estates (CRO/D/Lec/171).

Little was said about the breeds of horses. Bailey and Culley noted that the breeding of horses was general; indeed, that most farms produced more than were needed, despite the preference for horse- over ox-power. The surplus went to dealers, for the use above all of the army. Housman made the passing comment that at Irthington "A

better race of horses are introduced," but gives no specifics. By the 1850s Dickinson found that "A considerable number of fine horses are ... drawn out of various districts of the county for the London and other markets." The principal horse fairs at that time were Preston, Durham and Newcastle. The spread of the railway meant a great diminution in the market for poorer quality horses, due to the end of coach traffic on the roads. However, the ability to reach wider markets meant an increase in the value of the best horses. Farmers therefore either cut back on numbers produced, or concentrated more on quality (or both). Among attempts to improve quality was the introduction of the Suffolk Punch breed by the Earl of Lonsdale (Bailey and Culley 1805: 250; Hutchinson 1794-I: 121; Dickinson 1852: 248-249).

Livestock management

The basic method of sheep management throughout the period was described by Bailey and Culley. In summer the sheep grazed on the common wastes, without supervision. In November the yearling sheep (known locally as hogs or hoggs) were brought into the enclosed lands, which had been left ungrazed for them. If there was a blizzard in the offing the old sheep were also brought into the enclosures, or onto a nearby piece of the waste, and fed with hay (or whatever

else was available) for the duration of the storm.

Dickinson reported that as turnips became more widespread in the nineteenth century they were spread on the ground for the sheep, and "a few are at the pains of having turnips cut for lambs and young sheep, giving them in troughs, and find great benefit from it, as the sheep thrive better, and leave little or no waste of the roots." Those without enough enclosed land to accommodate their young sheep sent them elsewhere, paying to have them fed over the winter (Bailey and Culley 1805: 248; Dickinson 1852: 229).

Students of animal husbandry practices elsewhere in the world may be puzzled by the reported practice of leaving sheep unattended on the common waste. That this was and is possible is due to another and surely the most remarkable characteristic of the Herdwick sheep: its predilection to stick to its own heaf, or the pasture where it was born and weaned.

On the open, windswept fells this incredible homing instinct is clearly an advantage for it results in fewer strays, and there are many tales of farmers who have sold sheep to farms miles away across the fells -- only to find that weeks later the same sheep are once again contentedly grazing their own 'heaf' (Rollinson 1974: 84).

Because of this instinct, sheep were usually considered an integral part of the farm, and sold or rented with it. A 1759 Lease Agreement between two Irton farmers covered the farmlands and buildings "together with the right of a sheep

heaf thereunto belonging and also two hundred and eleven heaf-going sheep." At the end of the lease the lessor was to get back exactly the same number of sheep, "all and every one of them to be good sound and heaf bred sheep bred from the said stock." Moreover, the lessee was not to sell too many from the heaf nor to buy in other, non-heaf-bred sheep (CRO/D/Ben/1721). Almost the same wording could be found over fifty years later, in a draft lease between the Earl of Egremont and two local farmers (CRO/D/Ben/139). In the 1760s 'A Particular of the Estates of George Stanley Esq' listed five different estates in south of county, all including sheep as part of the estate: e.g. "All that messuage tenement and herdwick at Brotherilkeld aforesaid together with the number of twelve hundred and sixty nine good, sound and valuable heaf bred and heaf going sheep belonging to the said premises" (CRO/D/Stan/3/12).

A heaf was, therefore, a valuable property, and it was an offence to disturb another person's sheep on their heaf, as seen in the presentment of a man at the Lordship of Egremont manorial court in 1749 "for driving his sheep off the heaf onto T. Hartleys customary sheep heaf on Slight Side to among the said T. Hartleys sheep then and there feeding to the great disturbance of the said T. Hartleys sheep." A danger with heafs was that they could be lost if neglected: if a neighbour allowed some of his lambs to be born there they would naturally adopt the territory as their

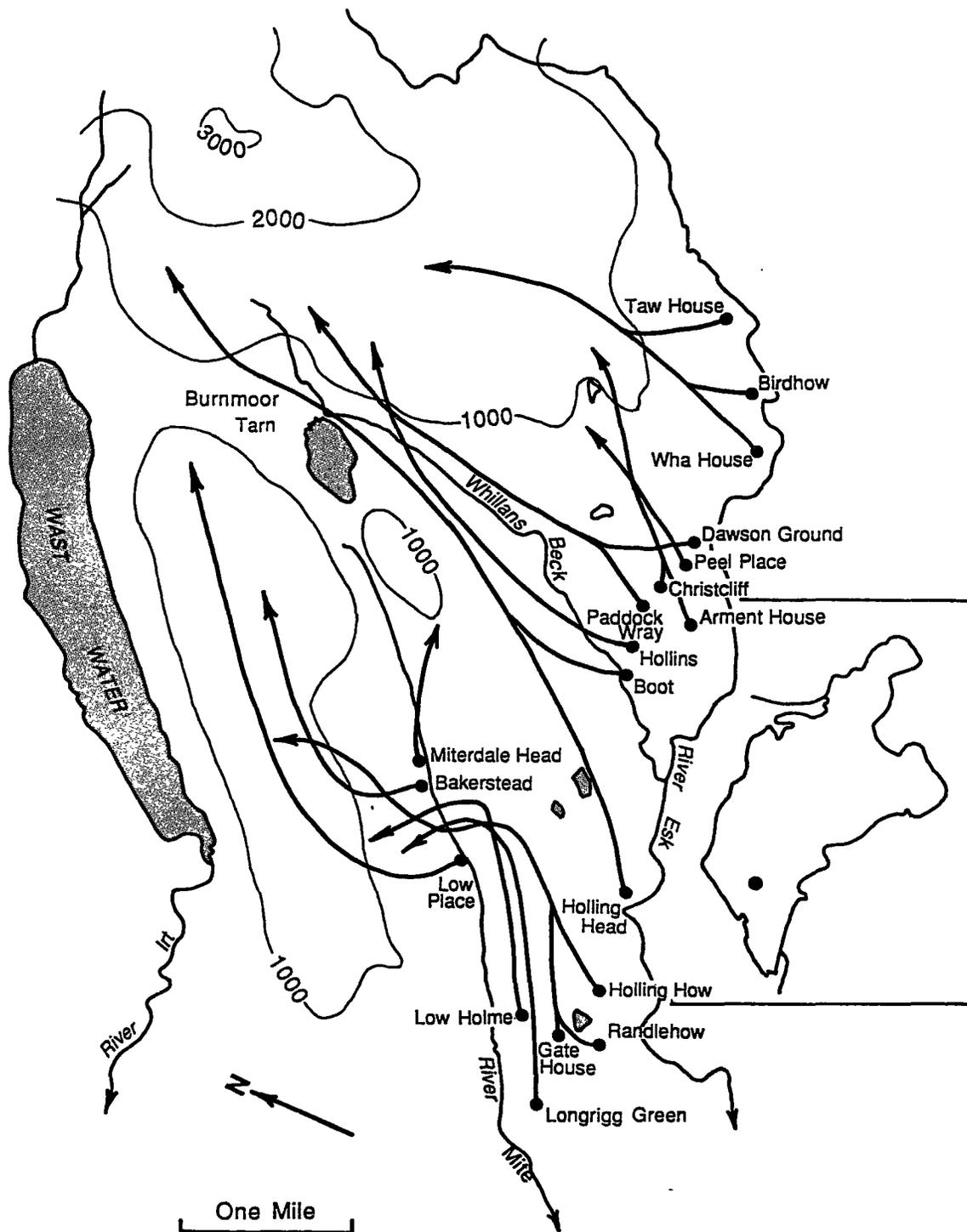
own. Just such a case was spelled out in a petition of 1705 from Kinniside, complaining that

your petitioner did of late purchase a small estate called Low Waterside within the said manor of Kinniside from one Ann Lancaster a widow ... she having no goods but being very poor ... lost the benefit of the common these several years which should have been her main support but now when your worships tenant comes to enjoy the same ... another of your tenants within the said manor having great store of sheep hath taken away from me my ancient heaf and gathering place formerly belonging to my tenement ... and hounds and worries and destroys your petitioners goods to his great ruin and undoing at very unseasonable hours being far nearer the common and threatens to hold the same by force (CRO/D/Lec/265).

A whole series of pains at Derwentfells in 1704 outlined many of the problems of the heafing system. Not only was it illegal to pasture sheep on another's heaf, but it was illegal to buy heafless sheep (especially young lambs, the most easily adapted) with the intention of accustoming them to another's heaf, or to sell or let any sheep to anyone with such a purpose in mind. It was illegal to sell sheep with their heaf and then to buy sheep to put on the same heaf with the sold ones. Heafs, therefore, although part of the common waste, provided a number of analogies with private land, or perhaps better with strips in a common field. However, although farmers had their own heafs and their recognised routes to reach them (Figure 3.2), this was not seen as in any way conferring possession of the land.

FIGURE 3.2 -- Eskdale Sheep Heafs in the Sixteenth Century

(source: redrawn from a map in CRO/Sykes/II)



Contours at 1000 ft. intervals

Unlike the parallel Glamorgan arosyfa system, there is no indication that the right to a heaf conferred an exclusive right to anything else on that territory, such as turbary (Osborne 1974: 268-270).

Despite their heaf-going tendencies, sheep would stray over the wide unfenced wastes. Some form of identification was therefore needed. A system of ear clips was developed, each farmer having his own distinctive design. However, to read one needed close inspection: more useful was a mark on the fleece that could be recognised at a distance. One man was fined by the Derwentfells court in 1757 "for stinting a common field called Renndale with sheep, refusing to put the usual mark upon them, which marking them with a particular mark has been a custom time out of mind." Pitch or tar was widely used, as they would not wash off in the Cumbrian rains: the Waberthwaite court ordered in 1793 that

whereas ... great abuses have been made upon Waberthwaite Wood, to the great damage of the owners of the stands, we therefore order that no person whatever put any goods upon the said wood without marking them with tar, so as the Woodlookers may easily distinguish them.

However, pitch and tar were a nuisance to get rid of when the fleece was clipped. Powley mentioned a late eighteenth century pamphlet offering £50 "for the discovery of any cheap composition of a very strong and lasting colour for the marking of sheep, which will bear the weather a proper

time, and not damage the wool." Dickinson observed that "For the purpose of recovering and restoring stray sheep, a peculiar kind of book has been published.... This book contains printed descriptions of the ear-marks and wool-marks used in every flock belonging to the mountains." At their seasonal meets the shepherds from different areas could exchange animals by reference to the mark book. Although today such marking is confined to sheep, in this period when cattle also grazed on the common wastes they too needed to be identified, and about a quarter of the manorial court presentments relating to marking referred to cattle (Powley 1874: 362; Dickinson 1852: 265).

Cattle were also grazed on the waste, though never so high up nor so far from the farms as sheep. As Bailey and Culley observed: "The most general system of grazing is, -- on the richest grounds cattle, with a few sheep; on the less luxuriant, sheep only." On the better farms it became increasingly common in the nineteenth century to provide feed for cattle: swedes, hay or straw; also clover, oatmeal and turnips. As might have been expected, John Christian Curwen was an enthusiast for what was called 'soiling', that is, feeding cattle on clover, rye grass, lucerne and carrots cut for them instead of letting them graze (Bailey and Culley 1805: 230; Bouch and Jones 1961: 228). However, Dickinson noted that not all farmers were so advanced:

On the small farms among and near the mountains it is thought an extravagance to purchase any kind of cattle food, except rarely a little hay towards spring. On these farms there is usually more pasturage, and the whole herd of cattle are turned out during the day, by way of saving fodder; but it too often happens that they are kept starving at the gate for an hour or two every afternoon, till the regular time of tying up arrives. Such people think they cheat the cattle out of a meal, and expect to profit by it, while in reality they cheat themselves by starving their cattle and wasting manure, not giving it a thought that the sheds and cowhouses are much more comfortable standing, without food, than a miry gateway, and that the manure would be saved too (1852: 257).

It has been explained above how young sheep were sometimes sent off the farm in winter if there was too little feed available for them, and an instance described of a farmer sending his sheep some distance across the county for healthier summer grazing. The large number of place names with the Old Norse forms sætr and skáli and the Middle English form schele, all meaning a shepherd's summer hut, implies that transhumance was once a common feature of Cumberland life. The latest evidence of this practice occurred in the early sixteenth century: not, oddly enough, in the heart of the Lake District, but in Westward, where the manorial court in 1523 ordered "that whosoever has any scalings in their wood shall remove the said scalings elsewhere in the forest and that none shall build any new

scalings there," and amerced one individual for taking in foreign animals "at his scaling on Wiza."

There is no later indication of transhumance taking place, but it was quite common for sheep, cattle and horses to be grazed in summer on common wastes and private pastures outside the local area. Gaffney wrote of Scotland that "Since few tenants were able to take full advantage of the available pasture ... it had become the established practice for them to take in lowland or 'outlandish' cattle to be herded along with their own." In Cumberland, as far back as 1569 it had been remarked by Hall and Homberston in their survey that

the county consists most in waste ground and is very cold, hard and barren for the winter ... their greatest gain consisteth in breeding of cattle which are no charge to them in summer by reason they are pastured and fed upon the mountains and waste where they have sufficient pasture all year unless great snows chance in the winter to cover the ground (PRO/E/164/37/3).

The practice of renting grazing land, as opposed to claiming it as a right of intercommon (see Chapter Six: p 292), was called agistment. Dickinson reported that agistment of cattle was widely practiced over the whole county; prices for the season ranging from 3 guineas at Netherby to 2 shillings in Borrowdale. "Many thousands are annually sent out in this way, and remain from May till about the 1st or 10th of October." The Borrowdale rate seems remarkably

cheap: three-quarters of a century earlier agistments for the 1774 season (May 20 - October 10) in Westward Low Park ranged from £2 for an aged horse and £1 for a cow to 10s 6d for a stirk (a yearling cow) (CRO/D/Ben/494\1). Agistment could take place on the common wastes along with the animals of the tenants, but on a large scale it was reserved for the few remaining areas of private forest; areas of open grazing but not subject to common rights (Gaffney 1959; Dickinson 1852: 258; Liddell 1966).

As well as animals from other parts of Cumberland, pasture was rented to drovers from Scotland.

Scottish cattle arrived in the region from June to December. Many were sold for wintering in the lowlands on hay and straw, and were resold by Cumbrian farmers to graziers further south the following spring. Some were kept throughout the summer on upland pastures before eventual sale to Lancashire and Yorkshire graziers or to London dealers at spring fairs (Evans and Beckett 1984: 13).

In late 1814 Egremont's agent reported that the only offers to rent he could get for the Earl's post-enclosure allotment at Croglin were for fifty guineas and £60. He recommended that unless a rent of £90 were obtained, the whole should be let for cattle feed; most probably to Scottish cattle travelling up the Eden valley (CRO/D/Lec/172).

Would-be agisters had to be careful where they sent their animals. Dickinson warned that while "Pastures which graze part of the owner's cattle along with the rest are

usually well regulated as to number and attendance.... Such as are entirely depastured with agisted goods are too often over-stocked, so long as people are simple enough to send to them" (1852: 259). One west Cumberland manor became concerned about the effect of agistment on their own flocks and herds. In 1810 the Earl of Egremont's agent reported that on the Forest of Middleward near Egremont "The rent is now raised by taking in sheep to graze in the summer season at a certain price per score and black cattle and horses at so much a head and these are principally the property of strangers residing at a distance." However, the tenants of the manors of Kinniside and Netherwasdale also had rights on Middleward, and they were considering renting the property themselves, and "they have it in contemplation to increase their own stocks of cattle and sheep and not let the liberty of agistment to strangers." A century and a half earlier the tenants of Kinniside had complained about the number of animals agisted on Middleward: in a petition they "desire to be informed what reason his Lordship or officers have, to overcharge their commons by taking agist goods starving your petitioners, who pays rent and fine" (CRO/D/Lec/265/126). Whatever success they had in reducing the numbers, in the first half of the eighteenth century Middleward accommodated large numbers of agisted animals (Table 3.7). If horses were then charged at one pound a head and sheep only two shillings, these numbers would still have brought in some

TABLE 3.7
Agistments on Middleward: 1730

place of origin	cattle	sheep	horses
Beckermet	1	62	34
Calder	13	664	31
Drigg	0	470	0
Gosforth	0	40	50
Haile	5	0	22
St Bees	0	0	30
TOTAL	19	1236	167
source: <u>Account of the Agistmentes of the forrest of Middleward for the yeare 1730 (CRO/D/Lec/8)</u>			

£300 a year. At about the same time as the Kinniside tenants were complaining, the tenants at Wasdale Head protested that the local gamekeeper "takes in so many foreigners goods, that your petitioners humbly conceive it a great prejudice both to his lordship and his tenants." This is one case where the outcome is known: the petition is annotated to the effect that the accused "being present at the delivery of this petition promised to use his Lordships tenants well" (CRO/D/Lec/265/76).

Such a remote and backward area was unlikely ever to become a major supplier of agricultural products to more distant markets. Horses, as noted, it did provide. Otherwise, the only products mentioned were gourmet items provided in small quantities. Dickinson remarked of Cumberland pig rearing that "The usual system of fattening pigs, on a liberal allowance of oatmeal paste, gives a firmness to the pork ... which cannot be easily excelled," and this is reflected in a letter from Cheltenham to Egremont's Cumberland agent in 1831. The writer had had a friend from Devonshire staying with him and he was "was so much pleased with the hams you were good enough to send me, that he has requested me to write to you, and beg the favour of your ordering him twelve" (CRO/D/Lec/175). As noted above, Housman reported both hams and butter being sent to London in the eighteenth century from Blencogo; and although Dickinson was quite critical of the failure of Cumberland

farmers to integrate feeding and milking qualities in their cattle and Evans and Beckett claimed that butter and cheese production in the region was largely domestic in scale there were several requests in the Leconfield correspondence in the nineteenth century for Cumberland butter to be dispatched to London. The eighteenth and nineteenth century correspondence is liberally scattered with requests to dispatch to London of "Potts of charr" (char -- a lake fish) and game; notably grouse and woodcocks. These products appear to have been seen as more typical of the area than farm goods (Dickinson 1852: 270, 254; Hutchinson 1794-II: 319-320; Evans and Beckett 1984: 15).

Conclusion

Numbers of national livestock holdings are hard to pin down, but what evidence there is points to a distinct increase in the importance of raising animals between 1700 and 1850; an increase clearly tied to rising population and rising incomes.

Traditionally, Cumberland has been seen as sheep-rearing country, though study of probate inventories and tithe accounts suggests that cattle may well have been held by a larger proportion of farmers. Manorial court records are analysed to complement this picture. Findings generally agree with those from elsewhere, though emphasising sheep

and horses a little more and cattle a little less, and suggesting a real difference in animal stocks between upland and lowland areas.

Advances in livestock breeding in Cumberland seem to have lagged well behind national changes. There is little evidence of any attempt to improve the breed of cattle, sheep or horses throughout the eighteenth century, and only occasional efforts to introduce Galloway and Shorthorn cattle and Southdown sheep after 1800. Cumberland was long a major exporter of horses, but not until the spread of the railway at the very end of this period were efforts made to improve the breed as the decline of road carriage cut severely into the market for cheap horses and put a premium on quality.

Nor was livestock management any more advanced. Sheep continued to live on their 'heaf' in the traditional way throughout the period, though there may have been a temporary decline in numbers of lowland sheep on enclosure. After 1800 some farmers began to provide feed for cattle, but many continued the traditional practice of letting them get their sustenance from the common waste.

There is still nothing approaching a census of Cumbrian livestock. However, as more data are analysed, the picture is slowly becoming a little clearer. Tithe books and manorial court records suggest some modifications, but not any drastic redrawing, of the traditional picture.

Compared with the rest of Britain, improvements in animal husbandry came late and slowly to Cumberland: not until the nineteenth century (well after the death of pioneering breeder Robert Bakewell) is there any real evidence of attempts to improve breeds, and then only by a small number of pioneers. Even the idea of providing feed for animals on a regular basis (rather than only during severe winter conditions) was slow to catch on. Innate conservatism, lack of information, and the extensive areas of common waste grazed by sheep, all tended to keep Cumbrian livestock rearing well behind national progress.

CHAPTER FOUR

AGRICULTURAL CHANGE 1700-1850: CROPS

Introduction

Important as animal husbandry was in England and Wales generally and in Cumberland in particular, it was on grains and roots that most people ultimately depended for their own food. This chapter examines national trends by region and over time in crop types, and then looks at changes in Cumbrian cropping patterns and in field practices: rotations, fertilisers and machinery.

Field crops in England

The differentiation of England into a generally higher and wetter west and drier and flatter east has long been reflected in its agricultural patterns. Prince observed that in 1800 "Most districts in eastern England were continuously in crops, but some western districts rarely saw a newly-turned furrow." In his mid-nineteenth century study of English agriculture, Caird divided the country into the 'Corn counties' of the east and the 'Grazing counties' of the west. While there was an

underlying logic to this regional differentiation, it is doubtful if even in 1850 the distinction was as clear as Caird implied. As Everitt observed

the contrast ... between a supposedly 'pastoral north-and-west' and arable 'south-and-east' has become far too schematically envisaged. The basic geographical dichotomy behind it ... is a fundamental one; but it is important to recognise that, owing to the complexity of the physical structure of these islands, diversity is the keynote of both zones.

Indeed, physical structure is not the only cause of variation. From the sixteenth century onwards an arguably more significant influence on agricultural patterns than climate and altitude was the development of urban markets. Not only did the growing cities demand more food, especially bread; they also provided a regular supply of manure to benefit surrounding farmland. The result, according to Walton, was that "Patterns of land use around many major centres consequently developed in a fashion reminiscent of the von Thünen model, the intensity of production declining as distance from the market increased." The requirements of London, in particular, influenced a wide area, such that by 1700 the metropolitan grain market covered much of England south of the Wash (Prince 1973: 402; Caird 1852: 482; Everitt 1983: 163-164; Walton 1978: 255; Yelling 1978: 162).

Outside southeast England, Walton claimed, agriculture

responded more to local markets. Within these locally articulated systems of supply and demand, dietary habits were usually adjusted to the varying agricultural potential of the region, the continuing preference for non-wheaten flours outside the south-east being, to some extent, an example of such an adjustment. But the overall result was much less regional specialization than the physical geography of the country might lead one to expect, and especially the growth of substantial grain crops in the wetter north and west.

A major reason for the slow development of regional specialisation before the mid-nineteenth century was the poor transport network. Concentration in livestock rearing in places such as Scotland and Cumberland was possible, as the animals could be walked to their destinations. However, cross-country movement of grain remained difficult until the establishment of the railway network, so localities still tended to grow at least some for their own needs (Walton 1978: 254; Yelling 1978: 163).

The growth in livestock rearing during this period was largely a response to rising incomes and expectations. Chambers and Mingay explained that grain crops were produced for bread, for animal feed and for brewing, and while there could be and was variation between the different grains, overall demand was inelastic due to lack of alternatives. Supply varied considerably according to the weather and

prices, especially of wheat, were also affected by the various Corn Laws devised to control prices, imports and exports. In the late seventeenth century, according to Thirsk, domestic supplies of grain seemed secure; by the beginning of the eighteenth surpluses were such that the need seemed to be either to find major overseas markets or to cut down on domestic production. It was estimated that in 1750 nearly a quarter of that year's wheat crop was exported, but by the end of the eighteenth century the country had become a net importer (Thirsk 1985: 329; Chambers and Mingay 1966).

Because they tended to fluctuate somewhat less, amounts of grain grown are a little easier to discover for this period than numbers of cattle. In most cases, however, only acreage figures are available, and incomplete coverage makes the totals less easy to determine than might have been hoped. Wheat was the main grain crop in southern England, especially in the west and southwest, where it was often the only grain grown between fallows. Barley appears to have declined in total acreage between 1750 and about 1815; possibly quite a considerable decline. Although its use for human consumption became negligible by the mid-nineteenth century, there was something of a revival after the Napoleonic Wars. Chambers and Mingay pointed out that its principal use was in brewing and distilling: "In turn the waste products of breweries and distilleries were used for

fattening pigs, often on quite a large scale." North of the Trent oats were dominant throughout the period. It was much grown on newly-broken land and became increasingly popular as part of rotations. As a bread grain it began to lose ground in the north to wheat in the first half of the nineteenth century, but it found a growing market as animal fodder, especially as horses more and more replaced oxen on farms. Oatmeal in one form or another remained a popular item of diet in the north. Rye became negligible in the second half of the eighteenth century, and by 1850 rarely figured in human diets in England or Wales. Some was still produced for forage (Chambers and Mingay 1966: 16; Prince 1989: 37-41; Holderness 1989: 129-132).

In Turner's summary of the 1801 Crop Return oats occupied over fifty per cent of the cropland in all counties north of the Trent and over a quarter nationally: these totals were based on irregular county coverage, totalling a little less than half of all the area of England. Wheat accounted for somewhat less than a third of all arable, and barley less than one-fifth. During the first half of the nineteenth century wheat acreage made deep inroads into the oatlands of northern England. Kain's study of the 1836 tithe files showed wheat dominant in every county in England except Cheshire, Lancashire and Northumberland, where oats were narrowly in the lead: however, there were no figures for Cumbria (where oats certainly still dominated) nor for

the east Midlands (which was almost certainly wheat country). Compared with the 1801 figures wheat acreage in 1836 was up nearly a third, barley up a third, oats down nearly a quarter. The 1854 Agricultural Statistics for England showed a further twelve per cent increase in wheat, thirty-five per cent in barley, and a continuing nearly twenty per cent decline in oats. These changes in acreage were taking place while the total area under arable increased by forty per cent between 1801 and 1854. Over the first half of the nineteenth century, therefore, wheat's share of the total under arable held steady, barley's rose significantly, and oats fell to less than half (Turner 1981b: 296; Kain 1986; Prince 1989: 41).

As livestock raising and dairying became more important, there was a corresponding interest in producing suitable fodder crops; especially as these could usually be fitted into the new rotations coming into use. Many of the new crops to appear on the scene in this period were first cultivated under garden, as distinct from field, conditions. There were references to carrots and turnips being grown as garden crops by Dutch immigrants outside Norwich in the late sixteenth century; the Dutch having the most advanced agriculture in Europe at that time. Turnips were the most important of these new crops: the acreage devoted to them in 1854 was more than double that for both turnips and rape in 1801. The principal problem with the common turnip was its

extreme vulnerability to pests, disease and frost: around 1800 farmers could expect only one normal crop in three. However, with the scarcity of winter feed the turnip had already become important in Norfolk, Suffolk, Essex and Hertfordshire by the middle of the eighteenth century. Different varieties of turnip were tried, and on heavier soils both rape and cabbage became alternatives to turnips even before 1700. In the late eighteenth century swedes and mangels (mangold-wurzels) were introduced. After a slow start swedes spread rapidly in both the north and the south, thriving in some counties where turnips made little progress. Mangels, however, did not really take off until the middle of the nineteenth century. Carrots were grown near large towns for human consumption in the second half of the eighteenth century, but only in Suffolk were quantities grown for animal fodder (Bowden 1985a: 95; Darby 1973: 315; Prince 1989: 41; Morgan 1989: 296-302; Prince 1973: 411).

The potato was first introduced into Ireland from the New World in the 1580s: from there it eventually made its way to northwestern England. Potatoes became established more slowly than turnips: there were few areas of significant production by 1750 outside the northwest. They were more popular in the western counties, observed Morgan, perhaps because wheat was more difficult to grow there, so

people were mostly denied the traditional alternative to bread made of lesser grains such as barley, oats, or

rye. Potatoes therefore had a better chance of replacing bread as a source of carbohydrate. Significantly, it was during the 1770s and 1780s, when bread corn rose in price, that the potato became more common outside the traditional areas of its production, and during the wartime scarcities and inflation it began to dominate the diet of the poor.

Unlike turnips, potatoes were grown mainly for human consumption, though by the end of the eighteenth century they were increasingly used for fodder (Darby 1973: 316; Morgan 1989: 303-304).

There is very little evidence concerning the cultivation of beans and peas. In 1801 a little over ten per cent of the acreage reported in the Crop Returns was given over to these pulses. They were popular as a fodder crop on heavy lands, especially in the southeast: in 1800 about one-fifth of the arable land in Middlesex was devoted to beans. However, they generally lost ground in the nineteenth century as underdrainage made the heavier soils more manageable and allowed easier crops to be grown. Overall, the acreage in beans and peas seems to have remained about the same from 1801 to 1854, representing a significant reduction in their share of the increasing area of arable (Holderness 1989: 132-133; Turner 1981b: 296; Prince 1973: 409; Prince 1989: 41).

A significant role in feeding especially the urban population was taken by market gardens. By 1640 there were

market gardens in much of southern England, and they were to be found in places in the north. In first half of the eighteenth century they were expanding in Lancashire and Cheshire. Market gardens grew in importance as demand for vegetables spread from the wealthy (who had copied the idea of vegetables as acceptable food from the French) to the urban poor. Significant as was the role of market gardening in helping to feed the population of England and Wales, it may well be that it made a greater contribution through its influence on the rest of agriculture: by introducing such improved techniques as digging and setting seeds in measured holes, and by providing proving grounds for new crops (Thick 1985).

Finally, mention should be made of various industrial crops; though their incidence was too limited to be quantifiable. Advocated by eighteenth-century writers, and grown locally to some extent, were a range of useful plants in addition to food and fodder crops. Near the cloth manufacturing centres in Yorkshire, East Anglia and the West Country flax and hemp were grown, as well as dye-plants such as madder, saffron, weld and woad, and teasels used in dressing cloth (Darby 1973: 316; Prince 1973: 404).

Throughout the northern counties, the pattern was very much one of arable farming taking second place to livestock husbandry. In upland Northumberland and Durham there was little arable, and not much more in the Pennine

foothills: a sample of probate inventories showed crops, in the ground or harvested, accounting for about fourteen per cent of wealth in the uplands and for twenty-two per cent in the foothills. In the coastal plain arable was more important, but still no more than a third of farm wealth. Barley, with its variants bear and bigg, were widely grown in the uplands and Pennine foothills, and there were some peas, rye and wheat: the last two sometimes sown together as maslin, a practice which was thought to benefit the yield of both grains. However, typically for the north, the most common crop was oats. Oats dominated in the uplands, and on the coastal plain Arthur Young in 1769 found oats often grown two years in succession in a four-year rotation. A soldier passing through north Northumberland in 1745 noted that the usual breakfast was "hasty pudding, made of oatmeal and water boiled together, till it comes to the consistence of paste, which some eat with beer, nutmeg and sugar; others with milk; then 'tis tolerable.... Oatcakes are here also in fashion" (Brassley 1984).

The pattern in Lancashire was similar: in the upland areas cattle and sheep dominated "Yet even in this unpromising area enough corn was produced for local needs in normal times." In the lower areas, as on the east coast, crops became more important. Oats and barley were the chief crops: in about 1750 a boy from Pendle told that "oat-cake and butter-milk was their common food, that on a festival

they had a piece of meat and a pye-pudding." Some wheat was grown, especially on the Lancashire plain, but until the later eighteenth century only a few wealthy farmers were experimenting with clover and turnips. Flax was being grown as early as the seventeenth century, to supply the local textile industry, but most was imported from Ireland. The real distinction between Lancashire and the northeastern counties was the prominence of the potato.

By tradition this tuber was introduced from Ireland towards the middle of the seventeenth century at North Meols, at Formby Point, or at the mouth of the Ribble.... Although only a minority of farmers planted potatoes, by the end of the seventeenth century small plots were a common sight throughout the western parts of the plain.... The people who grew them in the earliest years were mostly yeomen or gentry.... By the first half of the eighteenth century their cultivation had spread to east Lancashire.... They provided excellent fodder for young cattle and were welcomed in the homes not only of poor but of the ordinary farmers (Hey 1984a).

Across the Pennines arable was relatively unimportant in the upland parts throughout this period. Of farms on the edge of the Yorkshire Pennines Defoe commented "As for corn, they scarcely sow enough for their cocks and hens." What there was consisted of oats. In Wensleydale there was limited crop-raising in the sixteenth century, especially in the lower part of the vale. Barley, oats, wheat, rye and some hemp and flax were reported. Even this limited arable activity underwent considerable contraction

in the seventeenth century. Although Arthur Young found some grain being grown around 1770, the evidence is that nearly all of it was by then imported. Such production as there was by the end of the period is shown by tithe records to have been, not surprisingly, predominantly oats, with some clover, turnips, potatoes, wheat and barley. By then any remaining arable in the upper dale was probably no more than potato patches (Hey 1984a: 83; Fieldhouse 1980).

In the more southern dales dairying was the main activity, though there were crops of wheat, maslin and oats with some barley and beans in Wharfedale and Airedale, some turnips and rape around Harrogate in second half seventeenth century, and potatoes were being grown in Nidderdale by 1713. In the vales of York and Pickering maslin, barley, oats and beans predominated, while further south in the lowlands of Holderness wheat and beans (sometimes mixed with peas) occupied most of the arable. This area was far enough from 'northern' influences that fewer than one farm in five grew oats or barley; still fewer oats alone (Hey 1984a).

Cereal crops in Cumberland

At the end of the seventeenth century, Celia Fiennes, side-saddling her way through Westmorland and Cumberland, observed that

In these Northern Countyes they have only the summer graine as barley oates peas beans and lentils noe wheate or rhye, for they are so cold and late in their yeare they cannot venture at that sort of tillage, so have none but what they are supply'd out of other countys adjacent; the land seemes here in many places very fertile; they have much rhye in Lancashire Yorkshire and Stafford ... but in these parts it is altogether the oatbread.

Her observations regarding oats were accurate enough: not just oatbread, but porridge and thin oatcake, predominated in the diet. In his sample of hill yeomen inventories 1660-1749, Marshall found that the main subsistence crop was oats. Bread was also made from barley, which followed oats as the most important inventory crop. For a long time the commonest form of barley in Cumberland was the six-row variety, known locally as bigg or bere/bear. Marshall found barley, bigg and bere all used in inventories, but never together, strongly suggesting they were seen as synonymous. Bailey and Culley noted that "Barley and oats -- being the grains from which the bread of the inhabitants is made, were probably the first, and only corn grown in this county for many centuries." The relative amounts of oats and barley used seemed to depend on the relative prices of the two. Considerable amounts of barley were also used for brewing (Fiennes 1949: 190-191; Bouch and Jones 1961: 99-101; Marshall 1973: 200; Bailey and Culley 1805: 221).

As late as the middle of the nineteenth century, Dickinson recorded that

Oats generally compose half the grain-crop of the farm, they being almost invariably the first crop of the course. On high-lying farms, some of which have no barley soils, they constitute the entire crop.... A great quantity of oats is ground into meal, and made into porridge; and this, with milk, bread, and sometimes cheese, constitutes the breakfast and supper of the chief part of the farm households in the country. Thin oat-cake is the family bread of most farms in the extreme south-west of the county, and is more or less in use all over it, except in towns.

Dickinson also noted that barley was widely used for bread by the farmers, though it is interesting to note his claim that "the labouring men who provide their own victuals commonly using wheat-bread." The best of the barley crop was being used for brewing, though a great deal of the malt was brought in from other counties (1852: 232).

Bouch and Jones argued that Celia Fiennes underestimated the ability of the region to grow wheat and rye, though inventories of around that time record those crops "only very exceptionally." Eden said that in the mid-eighteenth century only the richest used a peck [2 gallons] of wheat a year, and then only at Christmas. He told of a boy at that time who wanted to treat himself while in Carlisle with his father, but could not find any wheat bread in the town. Bailey and Culley reported in 1805 that "Wheat is a modern production here; a general opinion used to

prevail, that wheat could not be grown in many parts of the country." Certainly Housman noted at Greystoke that "The farmers are prejudiced against wheat, on account of the coldness of the climate, and because the land lies so high; but early sowing, etc., would obviate these objections" (Greystoke lies between 600 and 1200 feet). At Cleator on the west coast he complained that "Little wheat is grown here, though, with good culture, the soil is capable of producing that grain in perfection" (Bouch and Jones 1961: 99; Marshall 1973: 200; Eden 1797; Bailey and Culley 1805: 221; Hutchinson 1794: I-416, II-29).

Not until the middle of the nineteenth century did wheat cultivation begin to become truly widespread, and was presumably common enough to be used to make bread for the working man. Even then, while noting that there is much more of the crop grown, Dickinson pointed out that "Cumberland cannot be said to be a wheat-growing county" and that "still large quantities are imported." Rye was hardly mentioned, and Dickinson dismissed it as "very little grown," though he does note that some were induced to produce it because saddlers would pay a higher price for the straw. None of this suggests that Fiennes was much amiss in her comment in the context of her time (Dickinson 1852: 231-232).

Compared with livestock, there is much less quantifiable information surviving on the subject of crops.

They were not listed in any of the surviving tithe books, nor were they mentioned by the manorial court records. Crops did not wander and make nuisances of themselves as animals did, and such orders as survived concerning planting and harvesting refer generically to corn or harvest without specifying the grain. Turner, in his study of eighteenth-century crop yields, provided no figures for Cumberland. According to the 1801 Crop Return (data survive for two-thirds of the area of Cumberland) the county had, as other sources imply, over twice the national (English) total planted in oats (54.6% compared with 26.0% -- though the figures for Westmorland and Lancashire are even higher than those for Cumberland); just about the national quantity in barley (18.1% versus 18.6%); and less than a third the national figure for wheat (9.8% to 32.8%). Areas under rye and maslin were very low in each case: just over one per cent for Cumberland and just under for England. Altogether, grain crops were reported to occupy a little over four-fifths of the arable of Cumberland; only a few percentage points more than the national total (the balance consists of root and other crops). However, the place of wheat elsewhere was taken by oats in Cumberland: as the seeker after wheaten loaves in Carlisle soon found out (Turner 1982; 1981b).

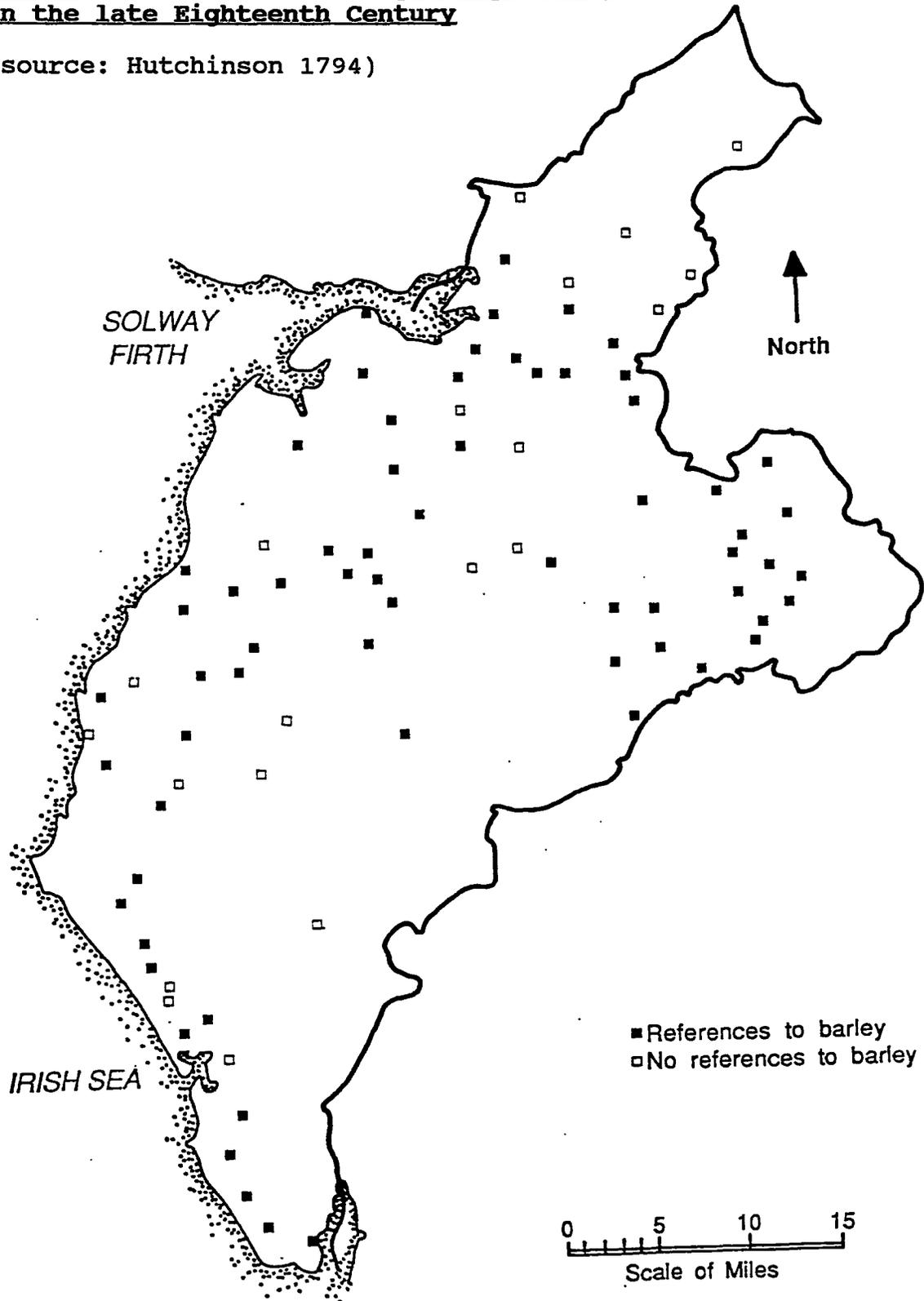
One of the few sources allowing some sort of a comprehensive picture is the set of notes written by Housman

for Hutchinson's 1794 History. Housman provided some information about the crops grown in eighty-six of the ninety-two parishes into which the History is divided. No actual quantities were given, but it is possible to produce some sort of overall generalisations from the qualitative comments about each parish. The primacy of oats and barley at the end of the eighteenth century is clear. Oats were specifically mentioned in seventy-seven of the eighty-six parishes, and barley in sixty-seven. There was no recognisable pattern to the few areas where oats were not mentioned.¹ Barley, likewise, had some apparently random omissions (Figure 4.1). It was absent from some of the more upland communities, but present in others. The more limited distribution of wheat is readily apparent (Figure 4.2), being concentrated in the Eden valley, Carlisle plain and northwest coast. Wheat cultivation at the end of the eighteenth century was conspicuously absent from the upland regions and (with the single exception of Millom) from the south of the county. Still more spatially restricted was rye, found only in the Eden valley and north of Carlisle:

¹ The fact that a crop was not mentioned by Housman does not, of course, mean that it was not grown in that parish. He may have overlooked it, or not been told about it. However, it is assumed that failure to mention a crop means that it could not have been prominent. Similarly, crops are here considered absent if it was stated that there were "only a few", "not many" or the like.

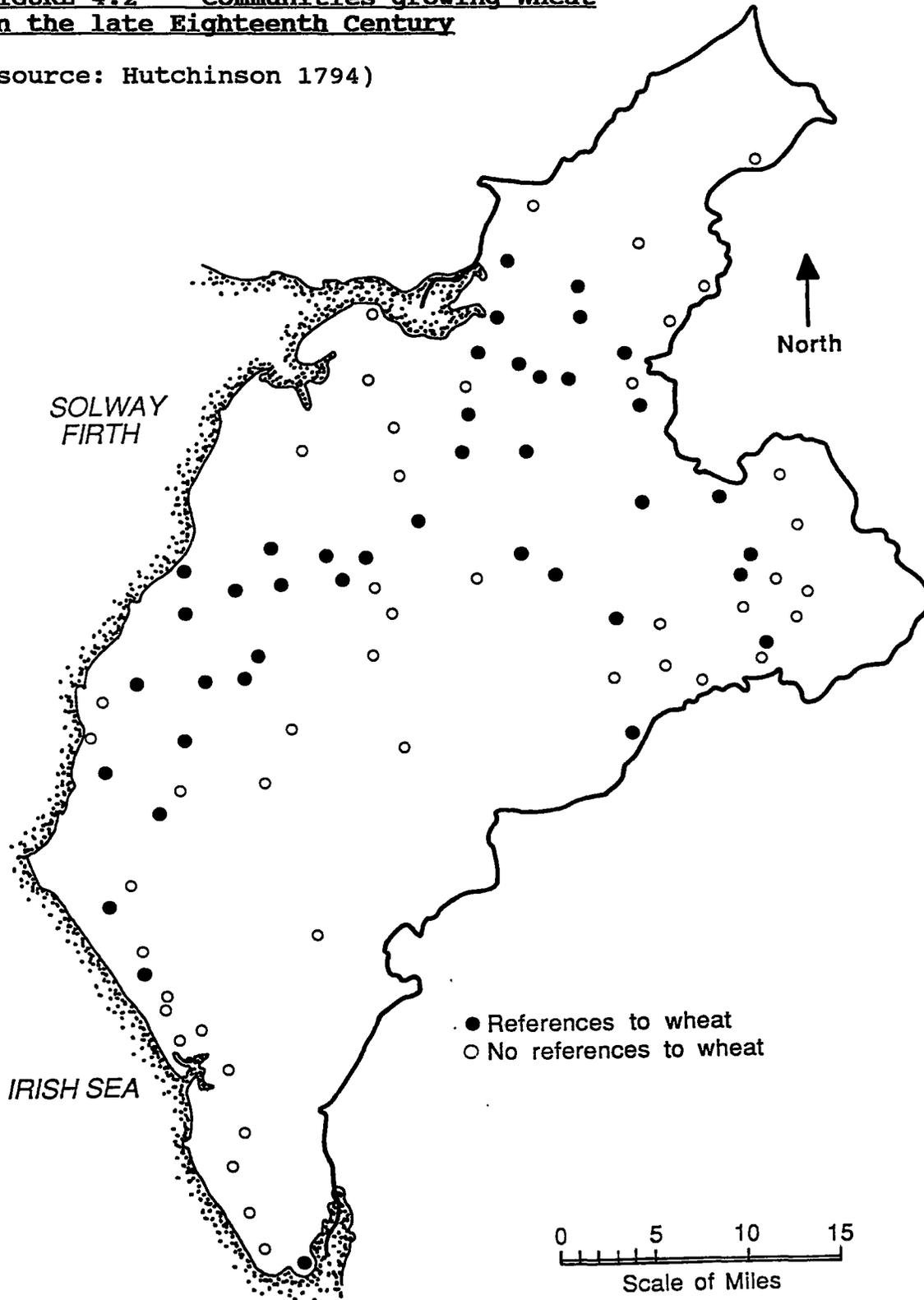
FIGURE 4.1 -- Communities growing Barley in the late Eighteenth Century

(source: Hutchinson 1794)



**FIGURE 4.2 -- Communities growing Wheat
in the late Eighteenth Century**

(source: Hutchinson 1794)



again with a single exception, at Holme Cultram (Hutchinson 1794).

Root and other crops

Turnips, according to Bailey and Culley "were first cultivated in this county, to any effect, by Philip Howard, Esq. of Corby, in the year 1755." Howard, they reported, continued to grow them with great success for another eight or ten years, before another farmer -- at neighbouring Wetheral -- followed his example. They went on to point out that

considering with what tardiness new modes of practice generally make their way amongst that useful class of society, it is no wonder that the growing of turnips should, in a great measure, be still confined to the vicinity where their cultivation originated; and we suppose, by the mode of practice, that from this source may be traced the various patches of turnips we observed at Netherby, Burgh, Dalton, and a few other places.... The value of this excellent vegetable is not sufficiently understood in this county, otherwise it must have made a more rapid progress.

Bainbridge described turnips as still quite a curiosity at the end of the eighteenth century: "people would travel miles to see a crop of an acre or two, some pronouncing them a new-fangled and useless fancy." Housman's notes support these comments about distribution: he showed turnip

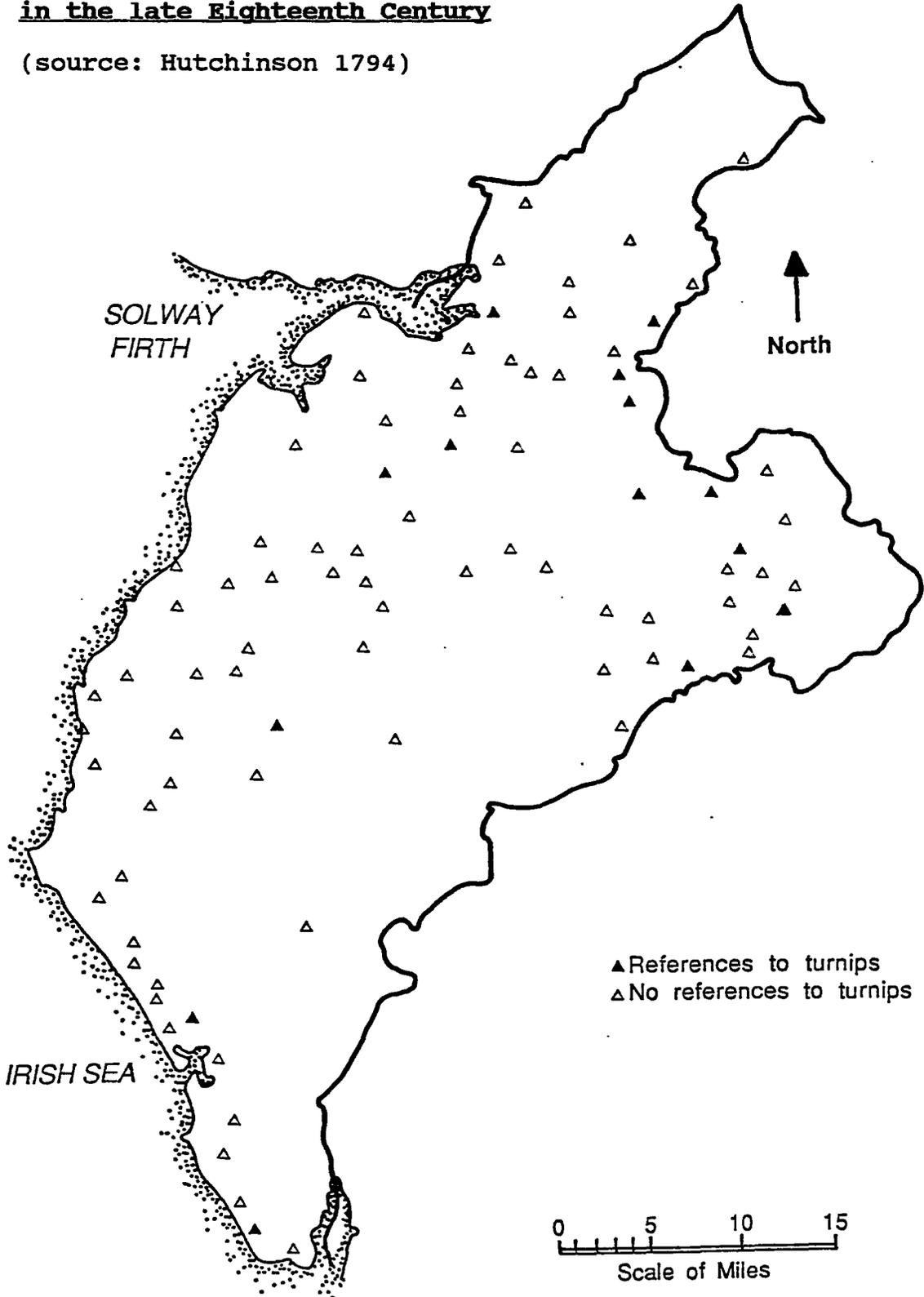
cultivation being concentrated in the Eden valley and Carlisle area (Figure 4.3) with outliers at Lorton, Irton (near Muncaster) and Whicham in the far south (Bailey and Culley 1805: 222; Bainbridge 1942; Hutchinson 1794).

This origin for turnips in the area, promoted by Bailey and Culley and accepted by all subsequent writers, was challenged by Beckett. Beckett disputed Bainbridge's belief "that Philip Howard was responsible for introducing the agricultural revolution into Cumbria"; instead ascribing many early developments to John Nowell at Naworth. Nowell, argued Beckett, introduced turnips and clover well before Howard, "and some of the oxen sold in 1739 were specifically noted to have been fed on turnips." If this were so, news of the practice does not seem to have spread at the time west of the Eden river (Beckett 1983).

Whoever first introduced them, by around 1800 turnips were reasonably well established in the Eden valley -- Housman noted that at Wetheral "One thousand sheep are frequently fed in this parish, on turnips only" -- but found only on a few more enterprising farms elsewhere. At Dean Housman complained that "Few turnips are grown, which, in this situation, is a great neglect in husbandry, as both soil and climate seem to favour that cultivation." Where they were found, the availability of this winter feed ended the necessity to slaughter most of the beef cattle in autumn. However, the acreage under turnips and rape

FIGURE 4.3 -- Communities growing Turnips in the late Eighteenth Century

(source: Hutchinson 1794)



in Cumberland was, according to the 1801 Crop Return, not then much below the national figure (7.6% compared with 9.2%). Assuming these figures were reasonably accurate, there must have been a very rapid spread in the root in the last few years of the eighteenth century, or Housman and Bailey and Culley had failed to observe just how widespread the crop had become, or there was a lot of land planted with rape (Hutchinson 1794: I-169, II-104; Pearsall and Pennington 1973: 260).

By 1850 Dickinson observed that "the turnip crop did not become general till within the last twenty-five years ... and now, no farm where a plough is kept is, or ought to be, without more or less of the crop"; so it took about seventy years from Philip Howard's experiment (or over a hundred from Nowell's) for turnips to become general in Cumberland. By this time, many farms were also growing some mangolds for spring use (Dickinson 1852: 228-230).

Of other root crops, carrots had been tried around 1800 by Lord Muncaster, "who found them a very troublesome and expensive crop, owing to the abundance of weeds, occasioned by the great rains and moisture of the climate." Dickinson reported that some carrots were being grown in the middle of the nineteenth century, but it is obvious they had not really caught on. Cumberland, as Evans and Beckett asserted

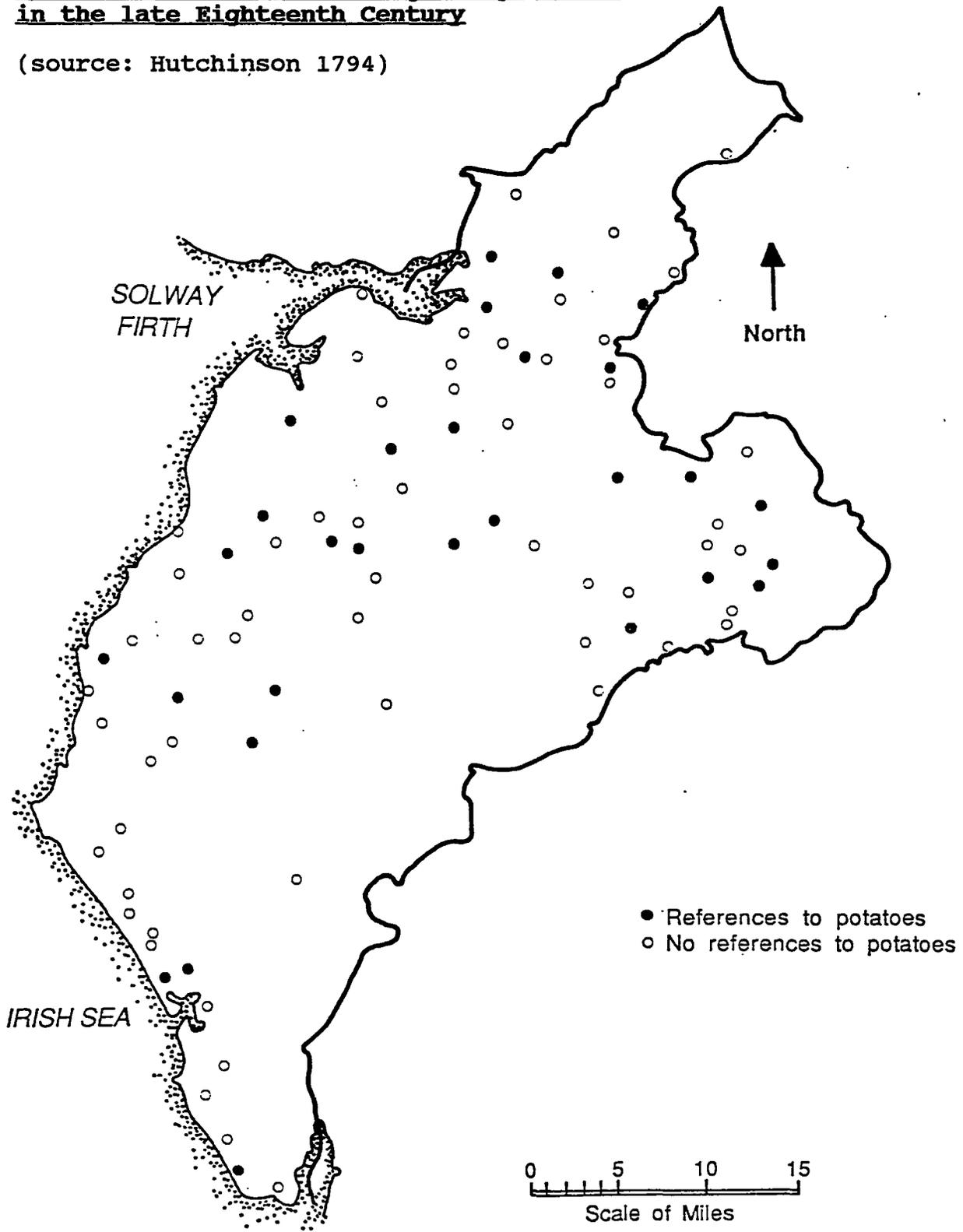
may claim some kind of primacy in the cultivation of one crop. The inventory of Christopher Gaskell of Ponsonby ... dated 7 March 1664, lists 'Beans, pease, hempseed and potateis' to the value of 8s. This is one of the first pieces of evidence of potato cultivation in England, though it is not entirely clear whether it predates the introduction of the tuber to west Lancashire.²

Potatoes seem to have become well established in south-west Cumbria by the first decade of the eighteenth century. From there they spread out slowly north and east, and were listed in the occasional east Cumberland inventory in the 1730s and 1740s, but they remained essentially a lowland phenomenon. Certainly by the end of the eighteenth century "Potatoes -- are cultivated ... by almost every farmer, not only for the use of their own families, but for sale, where the situation is not too distant from a good market." Housman pretty well confirmed this picture. Although he mentioned potatoes in only thirty of eighty-six parishes, they are spread all over the county, upland as well as lowland (Figure 4.4). It is likely that much purely domestic production, in gardens and garths, went unrecorded and even unnoticed. The 1801 Crop Return showed a potato acreage for Cumberland (6.2%) nearly three times that for all of England (2.1%) -- a good illustration of its local importance. In the first half of the nineteenth century the cultivation of potatoes spread,

² The name was Gaitskell according to Marshall (1973: 203), who first mentioned that particular inventory.

FIGURE 4.4 -- Communities growing Potatoes in the late Eighteenth Century

(source: Hutchinson 1794)



until the coming of potato disease in the 1840s. However, Dickinson wrote that

the disease has neither been so violent nor so widely spread in East Cumberland as in the west; many parts of the east having considerable quantities to dispose of annually, and the west having to purchase. The virulence of the disease seems in the way of abating, and the crop is being gradually extended.

Farmers were learning to take more care in their planting and the potato had begun to re-establish itself (Bailey and Culley 1805: 223-226;; Dickinson 1852: 230-231; Evans and Beckett 23-24; Hutchinson 1794; Turner 1981b).

According to Bouch and Jones, beans were grown for both human and animal consumption in the seventeenth century, though by the end of the eighteenth, Bailey and Culley were remarking "Beans, we were informed, are seldom cultivated with success; the failure may probably be owing to their being sown broad-cast, without manure, and not hoed." As for peas, they commented that "In a climate where so much rain falls, and where the harvest is so precarious, the culture of pease would be attended with so many chances of loss, and so few of gain, that we were not surprized to find them so generally neglected." Certainly Housman noted peas being grown in only a scatter of places across the northern half of the county, while beans are mentioned just twice. The 1801 Crop Return confirmed this picture: Cumberland's acreage in peas and beans (2.5%) was less than

a quarter of that for the whole country (10.5%). Cabbages, Bailey and Culley pointed out, have been cultivated "by Lord Muncaster, Dr. Harrison, of Penrith, and a few others in that vicinity," but evidently they did not catch on, for fifty years later Dickinson observed that "Few field cabbages are grown, and for no good reason, as there is plenty of soil adapted for this crop" (Bouch and Jones 1961: 99-101; Bailey and Culley 1805: 221-226; Hutchinson 1794; Turner 1981b; Dickinson 230-235).

Dickinson also noted that orchards were reasonably common, observing commercial orchards at Irton, Muncaster and Crosthwaite. Nearly two hundred years earlier, the Dalston 'Easter Reckoning Book' for 1674 (CRO/PR/41/57) included a considerable number of tithe payments for orchard: in all fifty-two of 204 payers. This was repeated for the period 1705-1719 (CRO/PR/41/59), when forty-seven of 200 paid for orchard; for 1776 (CRO/PR/41/73) when it was forty out of 174 and finally in 1839 (CRO/PR/41/86) ninety out of 432. From the late seventeenth to the early nineteenth centuries between a fifth and a quarter of Dalston's tithe-payers were paying for orchard, suggesting that it was of some significance there.

With the county's emphasis on livestock rearing, it is not surprising that there should have been concern to provide animal feed (what is surprising, in this context, was the unwillingness of many to develop turnips). In the

late seventeenth and early eighteenth centuries "much attention was paid to the hay crop. Most of the lowest valley closes in the highland zone were meadow and permanent grass." Grass was especially valuable in the Eden valley, because of the Scottish cattle being driven through on the way south. Housman noted in Addingham at the end of the eighteenth century a lot of hay ground, while at nearby Lazonby

The soil is strong and loamy, and in summers when there are moderate rains, produces heavy crops of grain; but the chief part is held in pasturage and meadow, which are more profitable than corn, from the number of droves of cattle that pass, and want refreshment, for which a high price is paid.

On the west coast, at Moresby and Harrington, grass was preferred for a related reason: to feed the horses used in the coal and iron industry, drawing carriages of coal and lime to the harbours. "This business," grumbled Housman, "makes the generality of farmers neglect agriculture." The same Philip Howard who introduced turnips "Three years previous to this ... had a field sown with clover and showed his countrymen the value of 'artificial' grasses," and during that decade Dutch white clover was grown on the home farm of Sir James Lowther of Whitehaven in the 1750s. Housman registered the production of clover at the end of the eighteenth century as notable at only eight locations,

all within about fifteen miles of Carlisle (Evans and Beckett 1984: 19, 22; Bainbridge 1942; Hutchinson 1794).

Finally, there was some development of industrial crops (cottage-industrial might be a better term). Evans and Beckett observed that

Hemp was used not only for rope but also to make shirts and sacks. Flax was also grown on a few lowland homesteads, particularly in west Cumberland.... Inventories suggest that wool, hemp, and flax were not held in sufficient quantities to provide a major source of cash. More often they fitted into a quasi-subsistence pattern which the provision of winter work did little to distort.

In their report, Bailey and Culley commented that "Flax -- is cultivated in small quantities, on the northern extremities of the county, for family use; but much less now than formerly." Half a century later, Dickinson wrote that

In former times hemp and flax were grown in small parcels on almost every farm (as the common names of many fields still testify), and formed part of the employment of winter evenings to the household: the male branches plating the hemp into cordage and scutching or dressing the flax, while the females spun part of the latter into thread for home-made linen, and prepared the rest for sale as lint, to be spun by others.... The growth of flax was partially continued down to the present century, but was finally obliged to give way, along with its manufacture, before foreign competition and machinery.

(Evans and Beckett 1984: 28; Bailey and Culley 1805: 226; Dickinson 1852: 235).

Overall, Cumberland throughout the period 1700-1850 must be seen as a county still relying heavily on the traditional grains of oats and barley, though with wheat of increasing consequence: imported if not grown locally. Potatoes provided the main back-up for these grains, and wherever there was a profitable demand for animal feed -- along the drove routes and near the coal mines -- hay, grass and other feedstuffs predominated.

Field management

In the discussion of leases in Chapter Two it was noted that there seemed to be a good deal of concern on the part of landowners to ensure that the soil was not overcropped and that it received adequate applications of fertiliser. Throughout the country, rotations and manuring were, with machinery, among the principal preoccupations of agricultural reformers.

Early in the eighteenth century the chief interest of Cumbrian landowners was, as stated, in field rather than crop rotation: specifying how many years in succession the ground should be ploughed (usually three, though the tenants not infrequently asked for six), how many years it should lie fallow between ploughings (usually for as long as it had been ploughed), and how long it should be left fallow before

the end of a lease. Increasingly, there came to be demands that the fallow land be sown with grass or clover.

To the end of the century, however, the emphasis was on what Housman called "the barbarous and unprofitable system of taking two or more white crops in succession."³ Housman returned to this topic -- one on which Gonner would have supported him -- in several places as he described the agricultural practices of various parts of the county (the above quotation referred to Carlisle). At Wetheral "too many white crops of corn, after fallowing are taken, which impoverish the land too much; and if laid down without sowing grass seeds, it affords neither hay nor pasture"; at Skelton "The late inclosed common lands [Skelton was enclosed in 1769] appear in general to have been kept too long in tillage without renewing by laying down, which has rendered it in many parts poor and barren"; at Cleator "The farmers are not industrious ... and no fallow is made"; and at Stapleton "the people follow their old mode of management; that is, neglecting to fallow, and laying their lands down very poor." Elsewhere Housman was more specific in his criticisms of over-cropping and neglect of both land- and crop-rotation. At Castle Sowerby

³ "White crops" were grain, such as oats, barley and wheat. So called because they turned "white" or light-coloured on ripening, as distinguished from "black" (such as peas and beans) and "green" (such as cabbage and kale) crops (Oxford English Dictionary).

A great tract of cultivated common land, inclosed about 26 years ago, when first broken up, produced luxuriant crops, which continued for several years; at length it became remarkably barren, being exhausted, as the farmers imagine from constant liming, in too long a course of tillage. But, as the idea of effete, or worn-out lands, is perfectly unphilosophical, a little more attention and experience will shew them how their present erroneous system of excessive ploughing and liming may easily be remedied;

while at Gosforth

Would the occupiers sow turnips, (to which the ground seems peculiarly adapted) and dress them well; and the next year sow it with barley and clover, or other artificial grass feeds; and so lay it down for a year or two, and then plow it out again for oats, and the next year work it in fallow for turnips, etc. they would certainly find a very great advantage. Instead of which, many of the farmers let their ground run wild, and lay it down in that state
(Hutchinson 1794)

By the beginning of the nineteenth century the preaching of such locals as Housman, as well as some awareness of the writings of Arthur Young and others, had begun to influence a few farmers. Even Housman found a few places to commend: at Kirkoswald "The farmers very attentive to the management of their lands, fallowing, liming and manuring duly, with turnip crops; so that they are very productive -- clover and grass seeds are well attended to"; and at Kirkandrews-on-Esk "Cultivation of land is here in tolerable perfection, especially in large farms. Clover and

grass seeds are sown here, with barley. In general agriculture, in this and Arthuret parish, is much upon the advance, and has been so for some time past." There was still, however, no suggestion of an established crop rotation, though for Wetheral he suggested a number of rotations that ought to be adopted there for both heavy and light soils; ending with his usual message that "The chief property of this method is, that two white corn crops are never found together, which in good husbandry should always be the case." Indeed, at Westward, although clearly appreciating the efforts of the local efforts to fallow and use clover and sown hay, he noted that "few farmers in the parish or neighbourhood observe, or put in, a regular succession of crops" (Hutchinson 1794).

At the end of the century Bailey and Culley commented that "Fallowing for wheat and turnips is practiced in many parts of this county; four or five ploughings and harrowings is the general practice." They noted the presence of some rotations: a "wheat rotation" -- four courses of fallow, wheat, oats or barley, and then oats, three or four times in succession; followed by seven to nine years in grass (sometimes sown with clover or hay) -- and a "turnip rotation" -- where turnips, barley and wheat were interposed with two successive years of clover and no fallow. Even in this latter two crops of oats in succession were usual, as were wheat followed by barley.

Significantly, they remarked that only two or three farmers in the whole county "have adopted the idea of not taking two white crops in succession, and pursue the excellent rotation of turnips-barley-clover two years, -- and then oats, or wheat." This last was very close to a Norfolk system, with an extra year of clover in the course. However, they observed that, despite these local examples of improvement

The most prevalent system, throughout a great part of this county, is, to have a crop of white corn every year while in ploughing; such cultivators make no fallows, except ploughing twice, and manuring for barley, can be deemed such.

In a footnote they gave an example of the attitude of mind behind these practices:

On asking a farmer at Uldale why they sowed no clover, or grass-seeds, he replied, "we have no occasion, for the land is naturally girs-proud." Those that are experienced in cultivation, will readily admit, that after growing from six to twelve white crops in succession, it can scarcely be otherwise that grass-proud. There is certainly grass in abundance; but of such a kind as no good farmer would wish to be possessed of (Bailey and Culley 1805).

It may be significant that no mention was found in the manuscript evidence of anything approaching a recognisable crop rotation. The first hint was in the 1795 offer to rent Blackwell farm (CRO/D/Mus/A/1/6), where mention was made of turnips, wheat and barley as well as grass. The innovative 1814 agreement to lease Curwen's Lilly Hall estate specified wheat to be succeeded by clover

(CRO/D/Cu/3/43/321-322). Neither of these actually spelled out a rotation. Perhaps the nearest was to be found in a set of 1834 'Conditions for managing the allotment of land on Hayton common', which laid down that

The plot in wheat to be winter and spring fallowed, to be sown with barley and oats and good grass seeds and clover -- not to be mown more than once and to remain in grass at least two years before being again ploughed (CRO/D/Lec/59).

This was still a long way from a regular course of rotation, such as Housman was recommending for Wetheral over forty years earlier. As late as the middle of the nineteenth century Dickinson made only one reference to crop rotations; a four-course with no fallow at Holme Eden, east of Carlisle (1852: 223).

While there was not much improvement over the period of this study in the science of crop rotation in Cumberland, there were some significant changes in attitudes towards the use of fertilisers. For a long time, as seen in the section on leases, lime was regarded as the panacea for impoverished soils. It was introduced early in the seventeenth century and its use spread throughout the county. One of Lowther's tenants was reported in 1738 as having "manured the ground by laying lime upon it" (CRO/D/Lons/L): a century later one of the conditions for farming a new enclosure on Hayton Common in 1834 was "The plot in fallow to be well worked and either to be limed or manured with at least ten cart loads

per acre" (CRO/D/Lec/59). Lime was widely used in the practice of paring and burning, used to prepare land long fallow and increasingly popular as enclosure brought increasing amounts of never-ploughed land into cultivation. Jones wrote of eighteenth-century Hampshire that "The inducement to sow wheat on maiden downland was considerable, despite the high initial cost of paring and burning the sward." Grigg observed that on the Lincolnshire Heath "paring and burning was used, not simply as a means of bringing land into cultivation for the first time, but as a regular practice." Fussell included an example of this practice in Cheshire, and Cornwall described its use in Sussex, where it was known as 'denshiring' (from Devonshire, an early locus of this procedure). In paring and burning "A thin layer of the ground was removed before burning. The main aim was to destroy weeds and insects and to return nutrient to the soil in the form of ash" (Evans and Beckett 1984: 23; Jones 1960: 13; Grigg 1966: 56; Fussell 1955: 63; Cornwall 1960: 124-125; Adams 1976).

Housman commented on the use of lime late in the eighteenth century at locations all over Cumberland; in some places being spread over grassland rather than, as more usual, on the fallow just before ploughing. Bailey and Culley noted liming both fallow and grassland; adding "We doubt the propriety of the latter mode." They also observed a practice, which they did not seem to consider so

reprehensible, of mixing one part of lime to four or five of earth, and spreading the resulting compost as a top-dressing for grassland (Hutchinson 1794; Bailey and Culley 1805: 239-240).

Lime in Cumberland, according to a report made to the Board of Agriculture by Fox at the end of the eighteenth century "agrees well with rich heavy loamy land. It produces a fermentation favourable to agriculture. It loosens and fines the soil, and corrects its tendency to coldness." However, already by that time some authorities were beginning to have doubts about the universal use of lime. As early as 1760 Lord Egremont was expressing his lack of enthusiasm about lime, though stopping short of forbidding it (see Chapter Two: p 121). At the end of the century Bailey and Culley were concerned about the constant adding of large quantities to the land. Lime, they said "is one of the best manures known, for particular soils and situations, and under peculiar circumstances, and proper restrictions; yet, like many other good things, a superabundance may be prejudicial" (Fox 1796; Bailey and Culley 1805: 239). Mawson has explained the function of lime in Cumbrian agriculture:

Apart from improving the soil structure itself, the principal benefit of lime in an agricultural context is to neutralise soil acidity which not only inhibits yields on unmanured lands, but also renders manures themselves ineffective. The last point was never fully

appreciated by the early agricultural improvers who, while recognising its benefits, tended to look upon lime as a substitute for organic manure rather than as its partner which, not infrequently, led to improved land being over-limed and under-manured, so that in the course of time it reverted to rough grazing once more (1980: 137).

Even in the eighteenth century, lime was not the only fertiliser used. The employment of farmyard dung has already been noted, and by the end of the century Bailey and Culley reported it as the most common kind of manure. Another kind of manure used along the coastal areas was seaweed (burned for its ashes). Seaweed was valued on the Isle of Walney and used as a fertiliser in East Lothian and as a fertiliser and fuel (a use not noted in Cumberland) in Jersey. At Ravenglass Bailey and Culley reported the use of mud left by the tide and even of mussels. Nearby "an accidental experiment of Lord Muncaster's" demonstrated the usefulness of sea sand in reclaiming peat lands "but it is not used as a manure." Adams noted that sand was a frequent ingredient in paring and burning, but with this one exception, there is no evidence of it having been so used in Cumberland (Bailey and Culley 1805: 239-240; Pearson 1911: 186; Fenton 1963: 1; Blench 1966; Adams 1976).

By 1850 "Manures are now assuming the importance they are justly entitled to in rural affairs, and farmers turn their attention to many sources of obtaining them now that were entirely overlooked or unknown a few years ago."

Lime and lime-soil composts are "little used now," except accompanying the paring and burning of newly-enclosed moor and heath. Seaweed was still used, though less frequently than before. Animal manure was widely used; many farmers were collecting liquid manure in tanks instead of letting it run away, and coastal farmers were using Irish manure brought over as ballast by boats that had carried Cumberland coal to Ireland. Guano was extensively employed. Altogether, the first part of the nineteenth century saw major changes in attitudes to, and uses of, fertilisers (Dickinson 1852: 235-237).

In drainage, Bailey and Culley believed Cumberland "not behind its neighbours in adopting this beneficial measure." No details were given. Dickinson, on the other hand, argued that "Little draining of any kind was practiced in the county till near the end of the last century"; the tenants being too poor and the landowners uninterested. Such drains as there were consisted of ditches filled with stones or brushwood: in 1834 it was required that "All the stones collected on the land to be used in draining the land in good and sufficient manner" on new enclosed land on Hayton common (CRO/D/Lec/59). Dickinson attributed progress early in the nineteenth century to the efforts of John Christian Curwen, though real success in draining was instigated by Sir James Graham at Netherby, who brought an experienced tile-maker from Staffordshire, and established

the manufacture of drain tiles against considerable local scepticism. Other manufactories were built, and the use of tiled drains spread over the county: not without arguments over the relative merits of shallow and deep drains which continued until it was solved by adopting whichever was better suited to local conditions (Bailey and Culley 1805: 238; Dickinson 1852: 284-289).

As for farm implements, Bailey and Culley reported that the only type of plough in use in Cumberland, as elsewhere in the north, was the swing-plough -- a plough without wheels to support the front of the beam, or central shaft -- "in which we observed no improvement." Bouch and Jones added that even in the eighteenth century some were still home made. According to Bailey and Culley tillage was entirely by horses: "a team of oxen, we believe, is not to be found in the county." The harrow was the same type used throughout Britain for centuries. Winnowing machines had lately been introduced and had become "very general," releasing the farmer from the obligation to find a suitably breezy hill to get the chaff blown away, but there were at that time no signs of threshing machines, seed drills or horse-drawn hoes. Indeed, since grain was still being sown broadcast, all weeding was done by hand, except for some use of hoes on potatoes and turnips (Bailey and Culley 1805: 212-213; Bouch and Jones 1961: 224).

Innovation spread slowly, though Housman observed at Irthington that "Improved husbandry advances.... The old implements have given way to example." According to Dickinson a reaping machine was invented by a Holm Cultram farmer in 1832; two years before the more-usually-credited Cyrus McCormick. Apparently it did its job of cutting well, but left the cut grain in rather a mess, and the inventor never perfected his invention. Although they knew of the scythe, all Cumberland farmers used the sickle to cut grain: Housman claimed that a girl in Cumberland would reap more in a day than a labouring man with a scythe in the south (Hutchinson 1794-I: 121; Dickinson 1852: 245; Bouch and Jones 1961: 225; Housman 1800: 64).

In 1830 the otherwise progressive Lord Egremont, in agreeing to terms for the lease of Cockermouth Parks, was reported by his agent to decline "to have any thing to do with a thrashing machine, as he has always considered them detrimental to the public as well as to the husbandman" (CRO/D/Lec/174). Such attitudes, protective of the small farmer and labourer, were no doubt part of the explanation for the relatively slow adoption of new machinery. By the middle of the nineteenth century Dickinson described the swing plough as still the basic implement, though with more iron parts taking the place of wood. Drills, mostly horse-drawn, were "slowly creeping into use" and threshing machines were becoming general in grain-growing areas. For

so wet and mountainous a county, there was surprisingly little use of water-power to drive the machinery. Of 306 threshing machines in west Cumberland in 1849 only seventy-one were water-powered; seven used steam, one wind-power and the rest utilised the more expensive direct horse-power. Costs were doubtless important in an area of many small farmers. Even if machinery were bought, few could afford to keep updating as new models came out (Dickinson 1852: 240-241). In 1863 J.C. Morton (The Prince Consort's Farm) put Cumbrian mechanical progress in context. The 1855 meeting of the Royal Agricultural Society of England at Carlisle, he wrote

was instrumental in opening the eyes of many of our Cumberland mechanics. Previous to 1855 our county was wont to boast of her ploughmen, but when it came to the test in Carlisle, we were well beaten on our own soil; not that our ploughmen were deficient in skill, but that they had not the implements to work with (Goddard 1981: 255).

Cumberland farm carts throughout this period were simple one-horse kind. Until the middle of the eighteenth century only the wealthier farmers had even a simple solid-wheel cart with a turning axle: most made do with sleds and packhorses. The topographer Gilpin was much impressed with the use of sleds to bring peat down from the Borrowdale Fells:

In doing this they have recourse to a strange and dangerous expedient.... They make their peat into bundles, and

fasten it upon sledges; on each of which a man sits, and guides the machine with his foot down the precipice. We saw many tracks along the sides of mountains, made by these sledges; several of which were four or five hundred feet high, and appeared from the bottom almost perpendicular.

According to Dickinson hay was being carried on horseback in west Cumberland as late as 1824, and coals were being transported around Whitehaven on a string of seven or eight pack ponies in 1830. The spoked wheel turning on its axle eventually became general, but still pulled by only the one horse: the waggon and two-horse cart were unknown. Although this seems a sign of backwardness, to go with the late introduction of the spoked wheel, Bailey and Culley were distinctly in favour of these single-horse carts. Their argument was that two such carts, under the control of one driver, could carry more than one double wagon, and that they were much less destructive of the road surface. "The superior goodness of the Cumberland roads may, in great measure, be attributed to the universal use of single-horse carts"⁴ (Gilpin 1786-I: 198; Dickinson 1852: 243; Bailey and Culley 1805: 272-273).

⁴ They also, in a quite uncharacteristic aside, commented that "Along the coast, more than half the carts are driven by females, and many of these under twenty years of age, with as fine forms and complexions as ever Nature bestowed on the softer sex" (Bailey and Culley 1805: 213). One wonders which of these staid gentlemen was so moved from his sober reportage by the sight of a pretty face?

As a final comment on the efficiency of agricultural practices in Cumberland, Turner's study of the 1801 Crop Return showed that the yield per acre of the county's principal crop, oats, was lower than that for twenty-four other counties and higher than only five; barley yields were lower than nineteen and higher than only nine. The county was clearly well down in the table of productive grain-growing counties. Surprisingly, wheat yields were reported as being higher than thirty other counties and lower than only Lancashire. It may have been that the relatively small amount of wheat grown in Cumberland at that time was confined to the very best soils, and thus had an extraordinarily high yield. However, Turner expressed some doubts about the Lancashire figure, on the grounds that the acre used may have been the 'Cheshire acre', based on a longer rod and thus representing a larger area than its statute equivalent. He did not apply the same reasoning to Cumberland, where use of the over-sized customary acre was widespread. In terms of the crops that covered most of the arable, Cumberland was not a very productive county (Turner 1981b; Dilley 1975).

Conclusion

Field crops in the eighteenth and early nineteenth centuries were most prominent in the drier eastern half of

England, though difficulties of transport and local, especially urban, demand led to arable farming being quite widespread. There were, however, distinct regional differences in types of grain grown, with wheat being more important in the south and oats in the north. With the importance of animal husbandry, a good deal of land was devoted to fodder crops: sown grasses and varieties of turnip becoming increasingly important. Potato cultivation spread in this period, actually starting in the northwest

In Cumberland oats and barley were the principal field crops throughout this period. As late as the eighteenth century wheat was an occasional luxury, and its cultivation did not become truly widespread until the middle of the nineteenth century. Turnips were introduced by the middle of the eighteenth century, but were only just beginning to achieve acceptance by 1800. The other significant crop was potatoes, first introduced from Ireland into either Cumberland or Lancashire in the late seventeenth century and quickly becoming a significant item of diet.

The management of the fields in Cumberland was distinctly backward. Throughout the eighteenth century it was difficult to get farmers to observe simple field rotation. The usual practice was to grow grain crops until the land was exhausted and then let it rest for a few years: in effect a form of shifting cultivation. Even when the perils of over-cropping began to be understood in the

nineteenth century, there was still little evidence of organised crop rotation. There were, however, significant improvements in the use of fertilisers. Over the eighteenth century it was gradually learned that the traditional Cumberland remedy -- lime -- was useful only under certain circumstances and in controlled amounts. By 1800 farmyard manure had become the commonest fertiliser and by the middle of the century guano was being used extensively. Drainage also underwent radical improvements. Farm implements generally remained simple. The poorer farmers could not afford the new implements, and there is some indication that the bigger landowners resisted mechanisation as putting people out of work.

During the eighteenth century there was little change in the cropping patterns in Cumberland. In the first half of the nineteenth century there were more developments, though they were still not of major significance. There was an increase in the amount of wheat grown, though oats remained the dominant cereal. Turnips began to spread more widely and the potato became even more popular.

Improvements in field management techniques were no more impressive. Farmers were persuaded, with difficulty, to abandon the continuous cultivation of grain crops, though even by 1850 there is still little sign of regular crop rotations. Over-use of lime also died out in the nineteenth century as more use was made of other and more effective

fertilisers. Farm machinery began to be used, but on a fairly simple and often inefficient basis. Field cultivation in 1850 was definitely more effective than in 1700, but it would be difficult to define the change as 'revolutionary'.

CHAPTER FIVE
TYPES OF COMMON LAND

Introduction

In 1700 a great deal of the agricultural land in England and Wales was held in common. In common arable fields and meadows farmers held numbers of long, narrow strips intermixed with no dividing fences. On common wastes all farmers had their animals grazing together. This chapter looks more closely at definitions of these types of land. It then examines the different types of common land in Cumberland: the distribution, size and structure of the common arable fields and the significance and extent of the common meadows and common wastes. These descriptions and data form a background for the discussion in the remaining chapters of enclosure of common lands.

Definitions

'Common field' is a term widely used without further definition, the meaning of which becomes elusive when an attempt is made to pin it down more precisely. Many

publications about the common fields or the common-field period -- e.g. Ernle, Homans, the Orwins, Tate, Titow -- simply described a common-field village, often an 'ideal' one created for the occasion. Authors of county and parish monographs tended simply to assume that everyone knows what a common field is. Gray was more particular about his definition of the two- and three-field patterns he recognised in the Midlands, but did not try to develop an overall standard. Slicher van Bath described many different types and designs of common fields in Europe, but did not suggest that his list was comprehensive (Ernle 1961; Homans 1941; Orwins 1967; Tate 1967; Titow 1968; Gray 1915; Slicher van Bath 1963).

Among the definitional problems is the tendency to use 'common field' and 'open field' interchangeably, whereas Thirsk has pointed out that there are really two kinds of strip fields:

Fields composed of strips which are not definitely known to have been cultivated or grazed in common are best described as 'open fields'; the cultivators of such strips could do with them as they pleased at all times of the year. The term 'common fields', on the other hand, is best reserved for fields over which common rules of cultivation and grazing are known to have operated.

'Open' is therefore descriptive of a type of agricultural landscape, not necessarily implying any specific practices; 'common' relates to a particular kind of agricultural land-

use. An open field need not have been used in common: it is not unknown for the proprietors of an open field to agree to keep to their own parcels and renounce the exercise of common rights. And a common field need not have been open (for example, an enclosed common pasture). This distinction seems to have been found useful by many recent writers. The term 'common field' is preferred here, since it is with the extinction of common practices that this work is principally concerned (Thirsk 1967: ix-x; Gray 1915: 116; Adams 1976; Butlin 1982).

While no attempt is going to be made to enter the debate about the origins and development of the common fields, which has been described by Baker as "one of the longest-running dramas of historico-geographical detection," there is one definitional problem that needs to be tackled. Most writers on the subject of common fields describe and discuss large, fully-developed fields. However, close examination of the pre-enclosure landscape, especially in a non-Midland area such as Cumberland, frequently reveals pieces of land which are not compact fields held and used by individual farmers, but which do not fit into any general definition of 'common field' drawn up with the large fields of the Midlands in mind. Baker pointed out that he has been drawing attention to this for some time, with little success. Shaw, writing of Lancashire, observed that common fields were often very small, but drew no general

conclusions from these observations. Youd, also concerned with Lancashire, noted that since the common fields in that county were usually smaller than those of the Midlands "not surprisingly Lancashire common fields were often described as closes by early topographical writers." Graham, on the townfields of Cumberland, did not mention common fields at all, but examined "arable enclosures held in rigg and rēan" and enclosures which "continue to exhibit the characteristic ranes"¹ (Baker 1983: 149; 1969: 139; Shaw 1962: 24-29; Youd 1961: 8; Graham 1913: 1).

Altogether there are three problems involved in the study of non-classic common fields. The first is the size of the field. The social and economic impact on a community of a five hundred acre field would have been of a different type as well as a different magnitude from that of a five acre field. Second is number of owners or, more usefully, the proportion of the local community sharing in the field. A piece of land in which every farmer had an acre or two would have been more important to the community than one twice the size shared by only two or three farmers of a large village. Third is the use of the field. It is often assumed, especially in earlier writings, that the term

¹ A rigg was the ploughed strip in a common field: a rane (rean, rain or rayne), elsewhere also often used to describe a ploughed strip, was in Cumberland usually reserved for the unploughed ribbon of land between two riggs (Dilley 1970).

common field (or open field) always applied to arable land, but this is not so. Youd (1961: 1) wrote of Lancashire that "occasionally such terms as townfield, mean field and common field might have included only meadow." It is important to distinguish entirely arable from entirely meadow or entirely pasture fields, and to note any combination of these uses. As for size, it is impossible to develop any simple formula that will immediately identify a 'significant' common field. As a rough guide, any field that appears to have been shared in by fewer than about one in five of the local farmers, or to have been less than about ten acres in extent, will be termed a shared close.²

There has been no comparable debate over the definition of common waste. It seems general to assume that everyone knows what the term means, and only compilers of agricultural word lists appear to be interested in pinning the term down more precisely. There is, even so, a certain ambiguity in popular usage. While agricultural historians and others almost invariably utilise the term 'common waste' (or simply 'waste'), more generally prevalent is use of the term 'common', as in the well-known anonymous anti-enclosure verse:

² The term close was quite widely used to describe fields, even when held in common by two or more people: in Lancashire as well as in Cumberland (Youd 1961: 8).

The fault is great in man or woman
 Who steals a goose from off a common;
 But what can plead that man's excuse
 Who steals a common from a goose?

Common, however, is a very broad term. It is defined by Adams as "a piece of private property upon which a number of people have legal rights over the surface, which they exercise in common." Common fields are thus 'common', as are common meadows, common mosses etc. Common waste more precisely identifies, in Butlin's terms "a wide variety of classes of land, all of which were either uncultivated or uncultivable. They were used as permanent sources of grazing for livestock, as sources of fuel, and of material for repair of houses and implements." Many writers used the term 'waste' alone, and in most cases this causes no problems, though 'common waste' is a little more precise, avoiding any possible confusion with privately-held wasteland (Adams 1976: 94; Butlin 1961: 100).

Common arable fields in Cumberland

Until relatively recently, Cumberland has generally been held to be outside the area of common-field husbandry. Even in the days when the enclosure of the common fields was going on throughout the country few writers mentioned their existence in Cumberland. Arthur Young, in his account of his tour through northern England, exclaimed bitterly on the

prevalence of common wastes in Cumberland but made no reference to common fields; nor did Clarke in his Survey of the Lake Counties, Bailey and Culley in the Board of Agriculture's Report for the county nor Housman in his Topographical Description. Nicolson and Burn, writing of the local History and Antiquities, mentioned only one common field (at Ravenglass); Hutchinson's History and Eden's survey of the State of the Poor each listed a few common fields, but both gave the impression that these were exceptions rather than the rule (Young 1770; Clarke 1787; Bailey and Culley 1794; Housman 1800; Nicolson and Burn 1777; Hutchinson 1794; Eden 1797).

In larger-scale studies of common fields, Slater made only brief mention of Cumberland; the first thorough analysis of the situation in the county being carried out by Gray. Gray did not commit himself as to how widespread common arable fields were in the county, though he suggested that they were mostly small (rarely over 300 acres and often not over 50), mostly cultivated on an infield-outfield 'celtic' system, and nearly all gone by the period of Parliamentary enclosure. Despite some early pieces in the transactions of the local Archaeological and Antiquarian Society describing local examples of common fields neither the Orwins nor Tate had much to say on the topic (Slater 1907; Gray 1915; Graham 1910; 1913; Fair 1934; Orwins 1938; Tate 1943).

A pioneering thesis was completed in 1956 by G.G. Elliott, using the numerous but at that time badly-organised local records in addition to the sparser holdings of the Public Record Office examined by Gray. The main conclusions of Elliott's 1956 thesis were published a few years later. These findings were in strong contrast to those of earlier writers: Elliott claimed to have found open fields in at least 220 of the county's 288 townships, and that they covered about one-seventh of the total area.

These new figures have been the basis of all subsequent mention of common arable fields in Cumberland. Bouch and Jones, Rollinson and Millward and Robinson all relied heavily on Elliott for their interpretation of pre-enclosure agriculture, accepting that common arable fields were both widespread and important. Elliott reiterated his conclusions in his contribution to Studies of Field Systems in the British Isles, again disputing Gray's assessment of the modest size of local common arable fields: "The average size of townships in Cumberland was 3,000 acres, and if common fields only covered one-tenth of their area then the average size would have been considerably in excess of Gray's figure." Elliott was cited by Evans and Beckett in The Agrarian History of England and Wales in 1984; while Winchester referred to both Gray and Elliott, without taking sides (Elliott 1956; 1959; Bouch and Jones 1961;

Rollinson 1967; Millward and Robinson 1970; Elliott 1973: 42; Evans and Beckett; Winchester 1987).

The documentary evidence for common arable fields in Cumberland is considerable but erratic. There are few useful maps -- ten fields, mostly small are shown in detail, fourteen in outline -- and they are of sometimes dubious accuracy and often undated. Written surveys are more plentiful, especially for the sixteenth and early seventeenth centuries. However, there are two main limitations to the use of surveys, limitations often ignored or minimised elsewhere: (i) the surveys rarely cover all the land in any community, and the amount missing is not usually known; (ii) the size of the acre used is almost never specified.³ Manorial court records provide evidence for the presence of various types of common field. The main limitations of this source are uneven coverage of different areas by the courts and lack of information on the size and structure of fields. Admittances, recording the fines of the customary tenants, along with a description of the properties involved, can also give evidence of the existence

³ As well as the statute acre of sixteen and a half feet to the rod, acres based on "customary" rods of eighteen feet, twenty feet, twenty-one feet and twenty-one feet four inches have been identified in Cumberland. This means that the customary acre could be as much as two-thirds larger than its statute counterpart (Dilley 1975).

of common fields.⁴ However, descriptions of individual parcels were often inadequate, frequently without areas, and often vary from year to year.

As noted, to date Elliott's is the only attempt to depict the amount of common arable throughout Cumberland. His map of 'Open Field Townships in the 16th century' (1959a: 86) is somewhat misleading, in that the evidence he accepted as depicting common arable fields frequently referred to small shared closes, often of meadow or even of pasture, which are found in virtually every settlement in the county. For instance, field names he considered suggestive of common arable field include acre, frequently used as a term for enclosed lands, daywork, more commonly used for meadows than for arable, dale, which may refer to an isolated or surviving strip, and the ambiguous acrewall (Dilley 1970; 1974).

Given the erratic and incomplete nature of the available evidence, care is needed in interpretation. A field that is clearly common may not necessarily be arable. Even quite large fields may have been mentioned only occasionally in surveys, admittances and manorial court records. The precise form and context has to be considered

⁴ Properly, admittances were also manorial court records. However, the type of information they provide is quite different from that of the pains and amerancements at the regular courts leet, and for convenience they are treated separately.

in each case. Frequency of mention is a useful guide: if there were many manorial court references to breaches of common-right regulations in a particular field this provides a good indication that the field was important. This is strengthened if the offences mentioned included interfering with crops, ploughing others' land, or improperly grazing stubble. Field names are used to some extent: use of the term townfield is taken as strong evidence of the existence of a common arable field, as is the naming of the field after the local settlement (Dalston Field, Kirksanton Field, Penrith Field). However, such references remain possibilities only unless there is supporting evidence that these fields were operated in common.⁵ For instance, the Percy Survey (1578) mentions in Eskdale an Eskdale Field, a Nether Field and a Long Field: but each of these was small and shared by only two tenants. Lacking any other evidence, all three are treated as shared closes.

As an example of context, there was only one reference to a common field at Sebergham. However,

⁵ A number of authors have used field-name evidence: Sylvester (1950) and Chapman (1953), for example, both employed townfield as proof of the existence of common arable. Baker (1963: 79) was critical of superficial use of such names. Among the problems is persistence - field names may remain after enclosure. Pardshaw outfield, whose owners agreed to enclose it in 1719 (CRO/D/BH), was still mentioned by name in the Dean Admittances of 1821 (CRO/D/Lec). A draft conveyance at Caldbeck referred to "part of an inclosed common field late called Heskett Common Field" (CRO/D/Ben/812\m).

Sebergham was a sizeable lowland settlement where one would have expected such a field, there were few references to the village in any document, and the one that mentions a common field made it clear that the field was arable. In contrast, Scarrowmanwick was a small hamlet high on the Pennine edge: it had several references to common field but none made its use clear. It may well be that the field at Scarrowmanwick was not arable. In all, five categories of common arable field are recognised, namely:

- i) major fields: fields known or reasonably suspected to be over 100 acres in extent and shared in by ten or more farmers; fields called 'townfield' or bearing the settlement's name and with evidence that they were arable; clearly arable fields in a location where one or more common arable fields would be expected, especially if mentioned many times in the records;
- ii) minor fields: fields known or reasonably suspected to be less than 100 acres in extent and shared in by six or more farmers;
- iii) fields, size unknown: clearly arable fields in a location where one or more common arable fields would be expected, especially if mentioned many times in the records, but with no reasonable indication of size;

- iv) probable fields: clearly arable fields with some doubt whether they were being managed in common; clearly common fields with some doubt whether they were arable;
- v) possible fields: fields where the evidence for their arable nature and/or common management is incomplete, particularly if appearing only infrequently in the records; especially fields in locations where common arable would not necessarily be expected.

The evidence available shows that by 1700 there were still at least 108 common arable fields in Cumberland, with perhaps twenty-five more (Appendix B). In addition, a further seventy-seven (thirty-seven definite) had been enclosed between 1500 and 1700. The grand total of 210 is very close to Elliott's minimum figure of 220. However, only 145 of the 210 are unmistakably common arable fields. Moreover, this list includes several instances of independent fields apparently associated with separate settlements within the same township: around Caldbeck (which was divided into three townships), as well as Caldbeck's own Ratten Row field, there was a field at Heskett Newmarket, a small field at Nether Row, probably fields at Biggards and Branthwaite, and possibly also at Fell Side, Haltcliff Bridge, Potts Gill, Upton and Wood Hall. The maximum

possible 210 therefore represents many fewer than 210 townships.

Two underlying assumptions should be mentioned. One is that when a field disappears from the records, it had been enclosed; the other is that no new common arable fields were being created at this time. In the first case, a field name could cease to appear simply because no more records survive for that particular settlement. However, it is rare for all possible sources to cease abruptly, and for only some of the smaller and more isolated settlements is this explanation plausible. Another possibility is that a field could change its name. The fact that no such name change was clearly recorded suggests that this was not a very frequent occurrence.

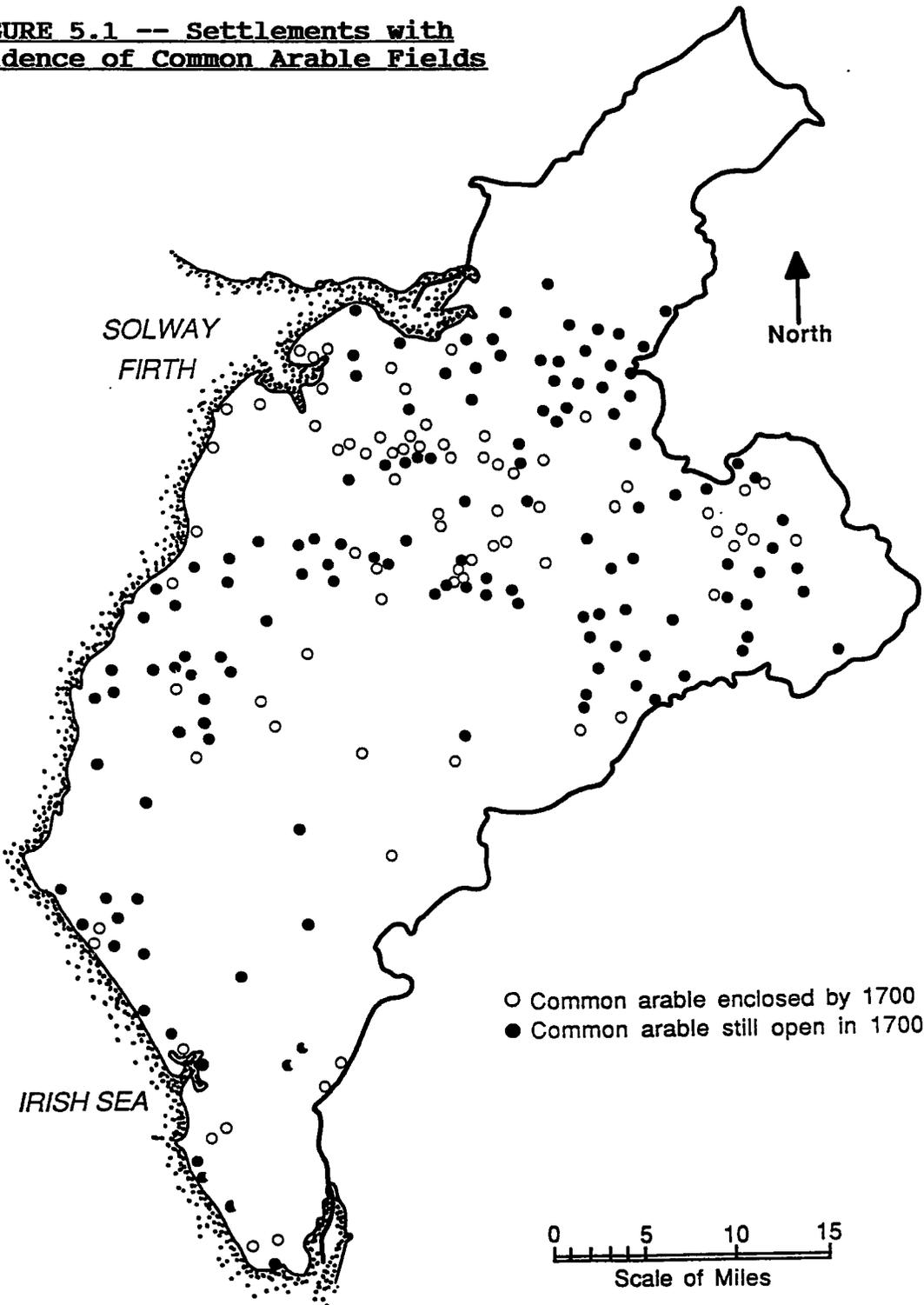
The question of the expansion of common arable is more debatable. Elliott claimed that "the open fields were still a dynamic factor in the agricultural economy of Cumberland in the 16th century, and ... particularly in the lowland zone, most 16th-century reclamation was still a communal rather than an individual undertaking." However, the only positive evidence he cited is the June 1619 'Survey of the Honour of Penrith and the Forest of Inglewood' (CRO/D/MH) which, among other things, lists 'The Presentments of the Jury of the Survey touching Improvements and Incroachments without licence'. Elliott identified a forty-acre improvement at Great Salkeld called New Field as

an addition to the common arable, but there was no indication that it was used for crops at all, and it could well have been meadow or even pasture. A better example from the same source is a fifty-acre improvement at Scotby, which the tenants "call their Ox Pasture yet some times they plow the same." Inglewood, as Parker explained, was a special case, having been for so long protected by forest law, which regarded even the setting-up of a hut as an offence (called purpresture), while to clear land for agriculture (assart) "was regarded as a very serious offence if done without licence." This last is the key point: assarts could be permitted for a consideration, and the presentments at the 1619 Survey were more likely for failure to pay than for actually encroaching on the forest. The improvement might have been made along time ago: the offence would be the non-payment, which might have been more recent. There is certainly no support for Elliott's claim that 1700 acres were added to the common arable in the sixteenth century, nor even an indication of where that number comes from. Winchester made no mention of such expansion in the Middle Ages. Finally, even if some such expansion had taken place, it was more likely to have been in the form of a temporary addition to existing fields (as in the Scotby example, above) than the creation of a whole new field in a settlement that did not have one before (Elliott 1959: 100; Parker 1905: 37; Winchester 1987).

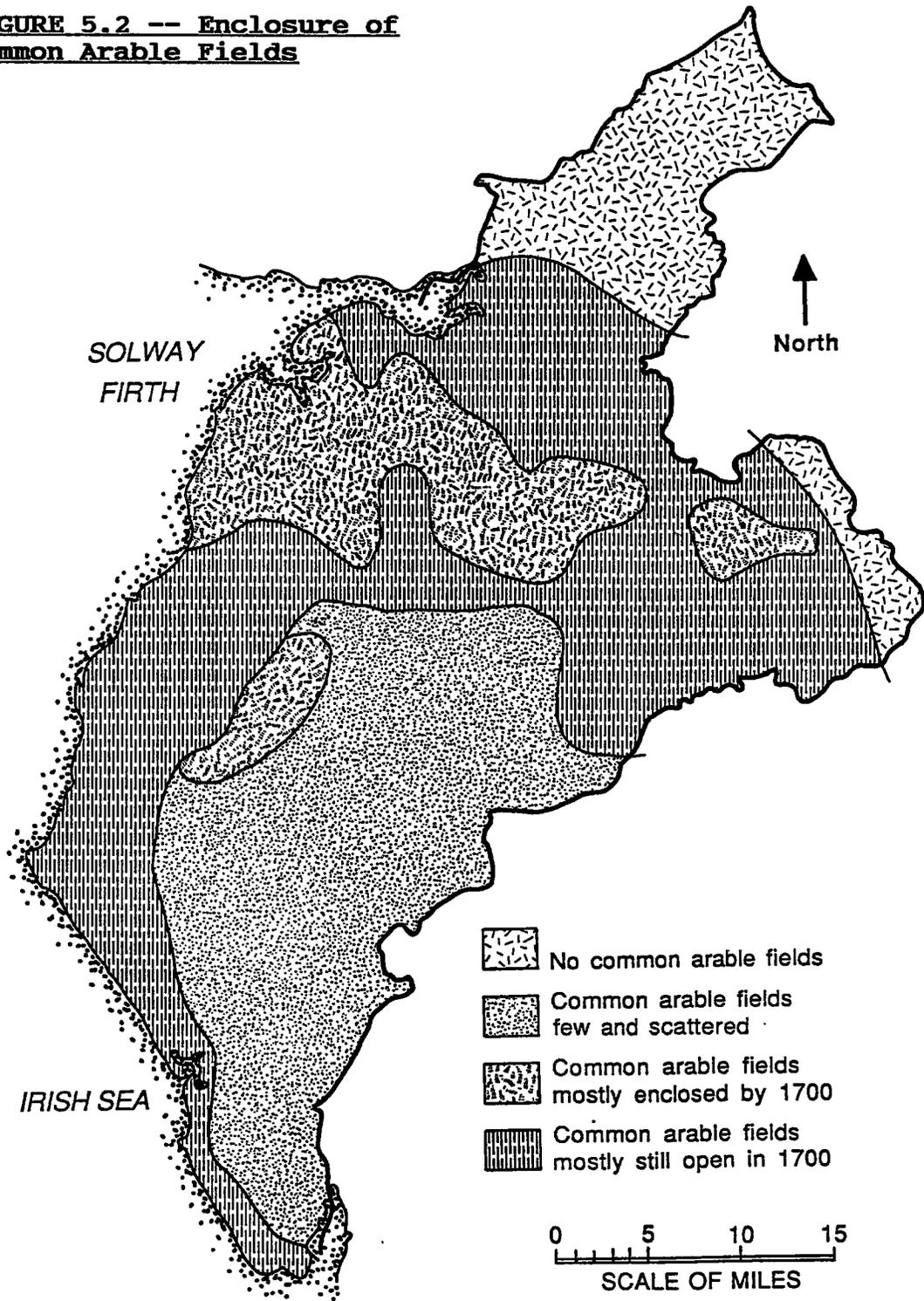
The distribution of the common arable fields in 1700 is shown in Figure 5.1. Not surprisingly, they were concentrated in the areas of best agriculture: around Carlisle and in the Eden valley, and along the west Cumberland coast. None were found in the Cheviots or Border zone, due to poor soils and long-term unrest. Few occurred in the Cumbrian Mountains, though settlements in some of the valleys developed fields (a sizeable one at Wasdale Head and smaller ones at Nether Wasdale, Buttermere and Threlkeld), and there was a string of well-developed fields along the Pennine front and around the northern edges of the Lake District fells. By 1700 most of the fields in a broad belt from the Solway to the edge of the Eden Valley had been enclosed (Figure 5.2), as well as in two smaller nearby areas. Much of this early-enclosed area is the same as that dominated by sheep- rather than cattle-raising (Figure 3.1), though the spatial fit is not close enough to be confident in arguing that sheep-raising areas were more willing to see their common arable fields disappear.

Overall, while there were still a good few common arable fields in 1700, a great many communities did not possess even a small one. Of the fourteen towns and villages listed by Denton as possessing fairs and/or markets in the late seventeenth century (CRO/D/Lons/L), only half (Carlisle, Cockermouth, Egremont, Penrith, Rosley, Ravenglass and Wigton) still had common arable fields in

FIGURE 5.1 -- Settlements with Evidence of Common Arable Fields



**FIGURE 5.2 -- Enclosure of
Common Arable Fields**



1700: two others (Holme Cultram and Kirkoswald) had had one or more earlier, but they had disappeared by 1700. For five (Bootle, Ireby, Keswick, Longtown and Whitehaven) there was no evidence of their having had such fields since 1500. Of the other ninety-six communities listed by Denton, forty-seven had at least possible common arable fields in 1700, six had had them enclosed between 1500 and 1700, and thirty-three provided no evidence. In all, therefore, just over half the places in Denton had at least the likelihood of a common arable field in 1700: even if the date is pushed back to 1500 it was still only sixty per cent. A great many Cumberland communities either never had common arable fields, or had enclosed them very early.

Size and structure of common arable fields

It is difficult to make generalisations about the size of common arable fields in Cumberland. In the few cases where there is evidence as to area it is often complicated by the omission of freeholdings, by the use of customary acres and by inaccuracy of measurement. The area owned by freeholders in any community varied widely. At Wasdale Head in 1578 there was none (CRO/D/Lec/301/137). At Bowness in 1638 the freeholders held ten per cent, Queen's College Oxford seventeen per cent and the glebe three per cent of the common lands and at nearby Whitrigg the

freeholders had "amongst them by estimation 1/3 of the whole fields" (CRO/D/Lons/Whitrigg 1-16, 49-125). In some cases the proportion may have been even higher, but generally it seems to have been low, especially by 1700 when much of the freehold land had been separated and enclosed. Surviving maps of common arable fields all postdate 1745, and mostly depict small (possibly remnant) fields. Written surveys from earlier periods depict a number of larger fields, but often involve problems of missing freeholders and/or use of customary acres. Table 5.1 shows the sizes of twenty-three common arable fields in the eighteenth and nineteenth centuries.⁶ The largest did not quite reach 300 acres, and most are considerably smaller.

Late sixteenth and early seventeenth century surveys illustrated some distinctly larger fields. Carlisle's twelve common arable fields totalled 620 acres: assuming these were customary acres, that meant a statute extent of from 740 to 1035; plus however much was held by freeholders. Boltongate's surprisingly large field was listed as 500 acres, or from 600 to 835 statute. Aspatria and Bowness both had fields that could have totalled over 500 acres, depending on the size of customary acre being used. In all,

⁶ In addition, Eden (1797) reported the area of two fields enclosed some half-century earlier (at Ainstable and at Gilcrux) as being about 400 acres. There is no reason to suppose this to be more than guesswork.

TABLE 5.1
Size of Common Arable Fields

Area in statute acres	Date	Location	Number of fields	Source (Appendix B)
295	1776	Oughterside	1	Map
251	1772	Crosby (Linstock)	4	Enclosure
213	1766	Botcherby	3	Enclosure
194	1777-88	Scotby	2	Enclosure
180	1815	Newbiggin (Croglin)	1	Enclosure
175	1762-63	Westlinton	2	Map
170	1817	Penruddock	1	Enclosure
160	1818	Renwick	1	Enclosure
150	1815	Croglin	1	Enclosure
140	1763-70	Whitrigg (Kirkbride)	1	Map
135	1817	Motherby	1	Enclosure
120	1781	Newby East (Irthington)	1	Enclosure
114	1840	Cotehill	1	Enclosure
92 ^a	c1710	Edenhall	1	Survey
92	1745	Armathwaite (Hesket)	2	Map
81	1762-3	Rockcliffe	2	Map
62	c1775	Aikton	1	Map
40	1822	Seaton (Workington)	3	Enclosure
37	1839	Nether Row	1	Enclosure
30	1795	Wasdale Head	1	Map
25	1795	Johnby	1	Enclosure
14	1912	Ellonby	1	Graham
12	1842	Threlkeld	1	Enclosure

^a This manuscript survey may well be using customary acres, in which case the area could be as much as 155 acres

nine of the twenty-six fields for which survey data for this period survive could have been as much as 300 acres in extent; or even more, if there were substantial freeholdings in the fields. On the other hand, another nine would have extended to less than 100 acres, even at the most generous multiplier (again, excluding freeholders). The mean size as documented for all twenty-six was just over 150 acres. If all were customary (which is very likely at that time), that would imply from 185 to 260 statute acres. This last figure, especially with the addition of some amount for freeholders, is close approaching Elliott's estimate of 300 acres for a county average. However, there is no reason to assume that the largest multiplier was always, or even regularly used. The most that can reasonably be stated from the evidence presented is that the average common arable field in Cumberland around 1600 was somewhere between 200 and 300 acres in extent. Of particular significance are the two cases where areas survive for fields at two different dates. At Whitrigg, near Kirkbride, the tenants' share of the common arable field in 1638 was from 180 to 250 acres in extent. Since we are told the freeholders had about one-third of the field, this made its total somewhere between 240 and 330 statute acres. By the time the field was mapped well over a century later, it had shrunk to 140 acres. Wasdale Head field in 1578 extended somewhere from 140 to 195 acres (there were no freeholders); by 1795 this had been

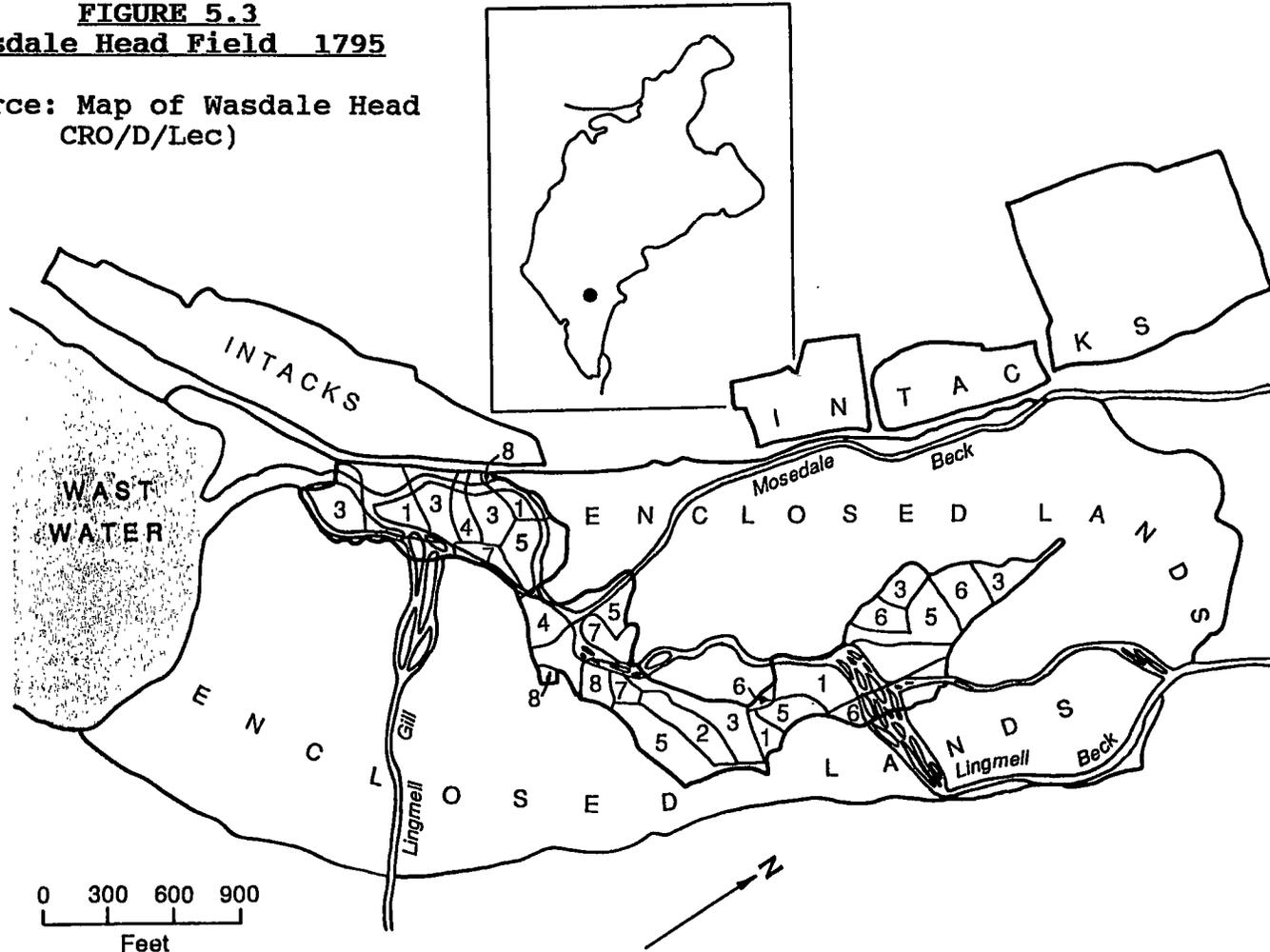
reduced to only 30 acres (Figure 5.3). Some of the small fields depicted in the eighteenth and nineteenth centuries may, therefore, have been the remains of once much more extensive areas of common arable.

Not all common fields were common arable fields, and those which were did not always, or even usually, consist exclusively of arable. This is especially clear in the surveys of the sixteenth and seventeenth centuries, where meadow, pasture and even wood is listed among the arable dales. The 1745 map of Aikton townfield contains areas clearly identified as meadow (Figure 5.4) and the enclosure map of Renwick shows a number of irregular parcels in one part of the common field, strongly suggestive of meadow (Figure 5.5).

There was no clear example in Cumberland of a settlement with its fields organised into the precise two- or three-year rotations recognised in other parts of England and generally known as the 'Midland' system (though, as Thirsk pointed out (1953: 22), "To look for field arrangements by the sixteenth century on the classic Midland model is unrewarding"). The nearest approach was to be found in the early seventeenth century in the little village of Bowness-on-Solway. According to the 1638 Burgh Survey there were 143 acres in the High Field, and 143.5 in the West Field and East Field combined. All sixteen tenants had land in both fields (treating West and East as one), and in

FIGURE 5.3
Wasdale Head Field 1795

(source: Map of Wasdale Head
 CRO/D/Lec)



Numbers represent the number of owners
 in the common field

FIGURE 5.4
Aikton Field 1795

(source: Map of Aikton
Townfield CRO/D/Lons/L)

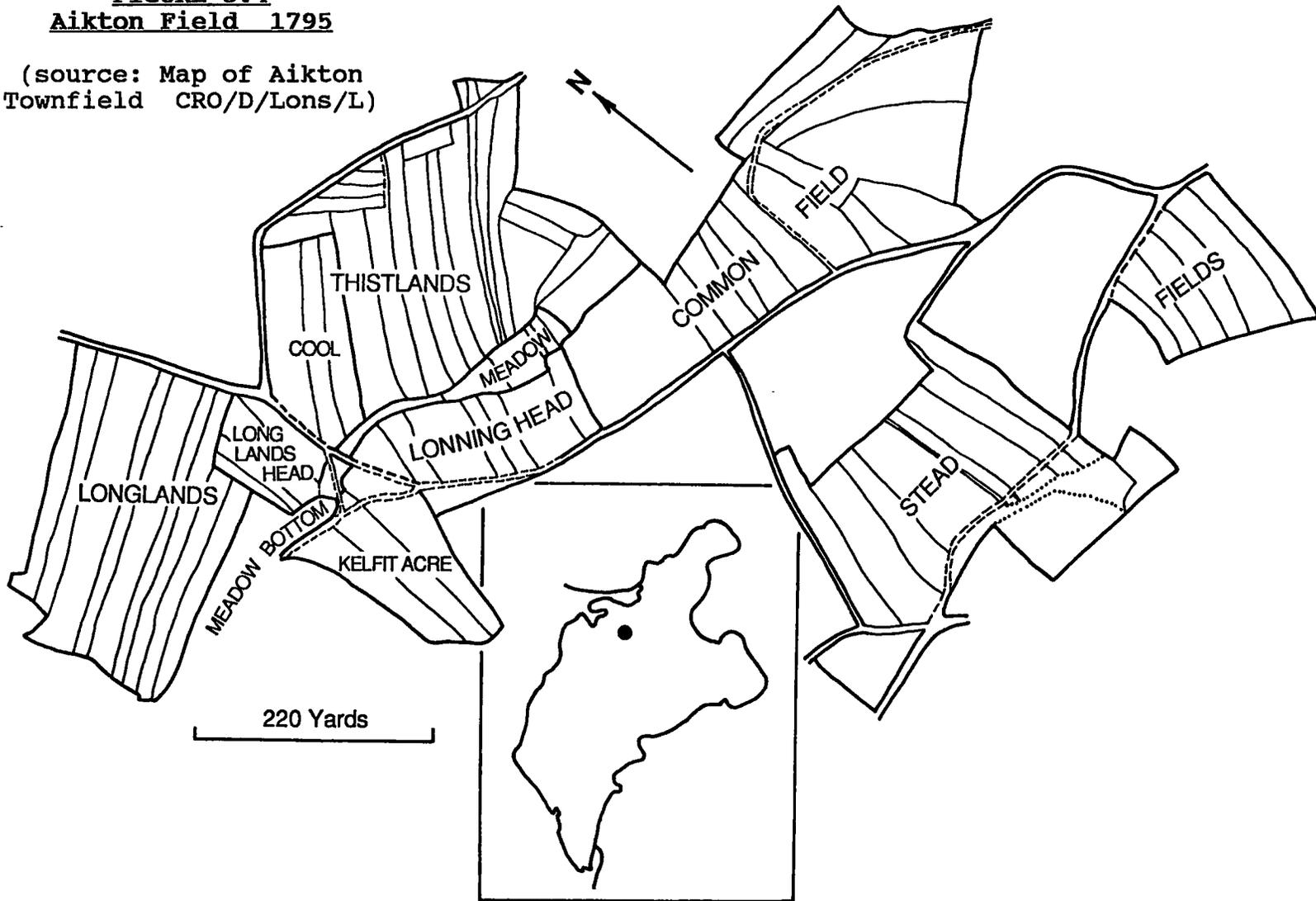
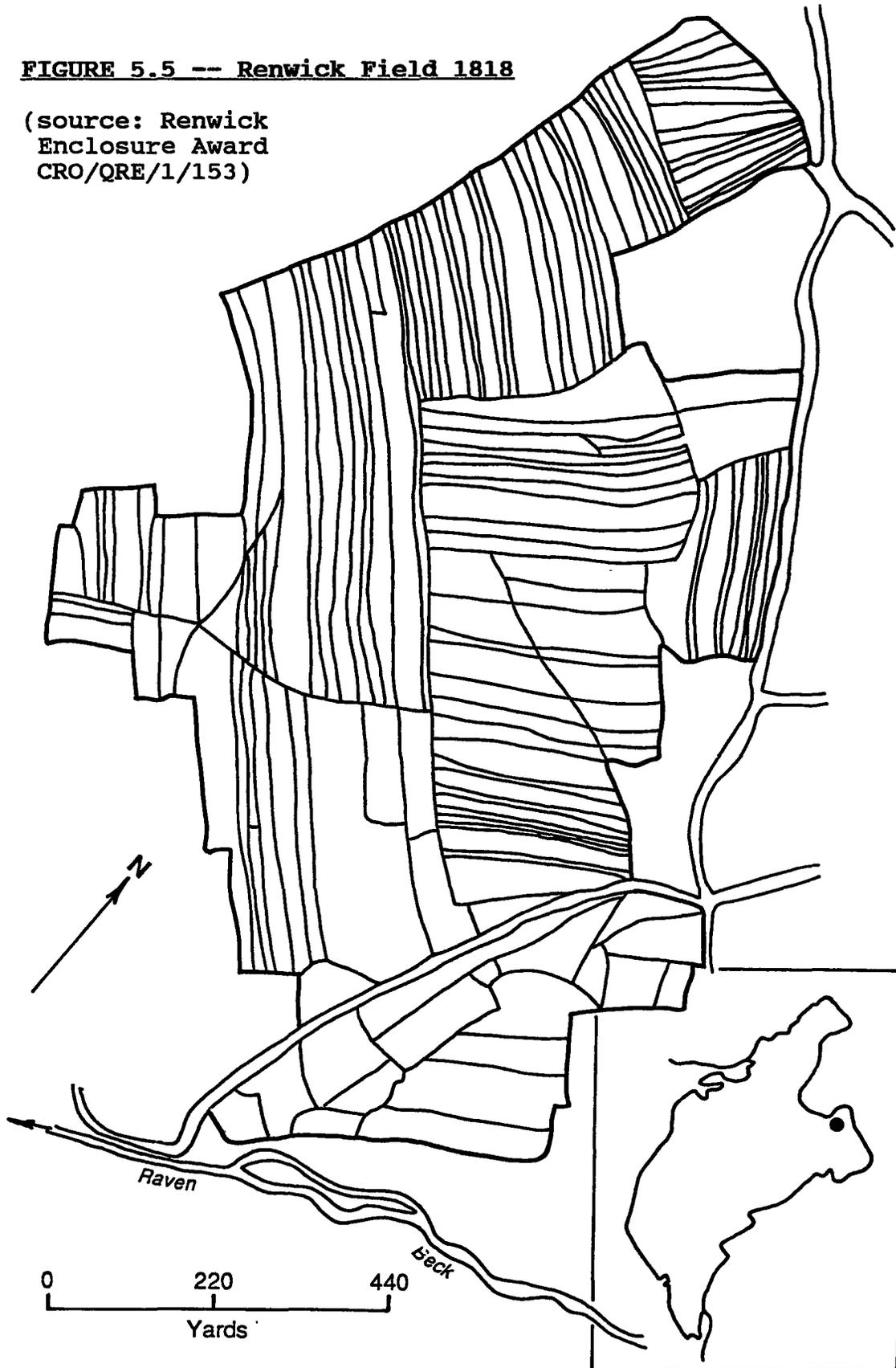


FIGURE 5.5 -- Renwick Field 1818

(source: Renwick
Enclosure Award
CRO/QRE/1/153)



only two cases was the difference between holdings in the two fields much more than an acre, and in no case as much as two acres (tenant holdings averaged 6.25 acres in each field).

As noted, a number of communities, like Caldbeck, had fields attached to several distinct settlements within the parish or manor. In other cases a single settlement had more than one field. In no case, at least from 1500 onwards, was there any indication that these were organised into a system. Indeed, the evidence suggests strongly that each place, however small, tended to make use of its own local field. Armathwaite in 1745 consisted of 360 acres of farmed land, ninety-two of which were in two small common arable fields. Only ten of the seventeen farmers in Armathwaite held land in these fields, and only six held in both. In 1762-1763 Rockcliffe and Westlinton each had two common fields. In the latter seven farmers shared in one field, eight in the other; only one held in both. In Rockcliffe the fields were smaller, shared by seven and four farmers respectively, with no-one holding in both. Croglin in 1815 had two fields about a mile and a half apart: one in Croglin itself, the other at Newbiggin. After enclosure nineteen farmers were awarded land in the former common-field area around Croglin, eighteen around Newbiggin, only two were allocated land in both former fields. With the

solitary exception of Bowness, systematic arrangements of common arable fields were absent from Cumberland.

For a county credited by Gray with strong 'Celtic' affiliations, Cumberland possessed relatively few examples of organised infield-outfield arrangements. Several of these date from the sixteenth century, with little sign of them later. In most cases there is no indication that the outfield was moved from time to time, and there is reason to suspect that a good deal of the infield-outfield distinction was, as Dodgshon suggested, tenurial rather than functional; the outfield being land more recently taken into cultivation. In many cases the terms seem to have been used simply to distinguish fields close to the settlement from those further away. Thornley described the employment of field-names to indicate relationship to the settlement, and Butlin gave examples from Northumberland of this use of the terms infield and outfield. The 1776 map of 'Oughterside Outfield' showed what appears to be a regular common arable field held by nine farmers in 241 parcels. It is unlikely that such a detailed map would have been drawn of a temporary intake: significantly, the Enclosure Agreement referred to 'Oughterside Townfield'.⁷ The one example suggesting something more on the traditional infield-

⁷ Youd (1961: 30-31) suggested that in places in Lancashire infield may have been used as a synonym for townfield.

outfield lines was at Aspatria, where in 1578 there was an infield of 256.5 acres and an outfield of which seventy-nine acres were ploughed while the rest was used as a stinted pasture. There was no explicit statement that the ploughed part of the outfield was rotated, but it seems likely (Dodgshon 1973; 1975; Thornley 1897-8; Butlin 1964: 115).

Finally, it should be noted that in most communities there were quantities of common arable (and meadow) which cannot be identified with any organised common field, and which may have been found in communities without such fields. In most areas these took the form of enclosed parcels of land divided into a few pieces. As already pointed out, there was no absolute lower limit for the size of a common field nor for the number of owners sharing in it. However, it is misleading to use the existence of a few such shared closes as proof of the presence of organised common arable fields: for example, Avery recognised in Edmonton no fewer than seventeen "common fields," the smallest of which was of 2.5 acres and held by one tenant. Baker has suggested the use of the term subdivided fields. Shared closes, however, is more in keeping with Cumbrian terminology (Avery 1965; Baker 1965).

It is quite likely that common arable fields and shared closes differed in nature as well as in size and ownership. Most common fields are assumed to have originated as such, by the communal clearing and cultivating

of the waste. Shared closes were more likely to have begun as fields in severalty, and to have been later divided by multiple sales or leases, by partible inheritance or by the perpetuation of the widow's share. The widespread presence of third parts of fields suggests that this last, at least, may have happened quite frequently.

Since these shared closes did not originate from communal activities, they would not have been subject to general communal practices. Agreement would have been needed to ensure the sharers could work the land in harmony, but there would be no question of the community as a whole having rights in the shared closes, and their management would probably only come to the attention of the manorial courts when the sharers could not agree.

Common meadows

Meadow is distinguished from pasture in that meadow grass is cut and fed to animals away from the field while pasture grass is grazed as it grows. Thus meadows can be used to provide a store of fodder to be eaten when pasturage is unavailable: however, to be worth the trouble of mowing meadow grass needed to be especially long and lush, which meant good soils and plentiful water. Cumberland, a county where animal rearing had long been a leading activity, needed quantities of fodder to maintain stock throughout the

long winters when the extensive upland pastures are covered with snow and the temperatures are too low for continued grass growth. However, Cumberland is also a county provided with plentiful rainfall and abundant surface water so, although soils are rarely first-class, few communities lacked at least a little well-watered land to provide for a meadow. As observed by Caird

The quantity of rain which falls during the year in this county is, in the most favoured parts, nearly twice as much as on land of the same elevation on the east coast, while the greater frequency of rainy days imparts a character of humidity to the atmosphere much more beneficial to the growth of grass and green crops than corn (1852: 350).

The evidence for the existence of common meadows is essentially the same as that for the existence of common arable fields: maps, surveys, and passing references in other sources. In many cases distinct fields of common meadow existed: Bowness had its Town Meadow and Burgh its Oxon Myre Meadow (both 1638 Burgh Survey, CRO/D/Lons), Seaton its Fullock Meadow (Map 1822, CRO/D/Lons) and Great Broughton its Common Broadmire (Admittances 1759-1830, CRO/D/Lec). Two generic names which occurred widely and which are strongly indicative of meadow were ings (which actually meant meadow) and mire (or swampy ground, commonly reserved for meadow). Thus Lord's Ing, Blencow (Blencow manorial court 1622); Johnby Ings (Enclosure Award 1795: CRO/QRE/1/2); Castle Ing, Birkby near Maryport (Map 1779:

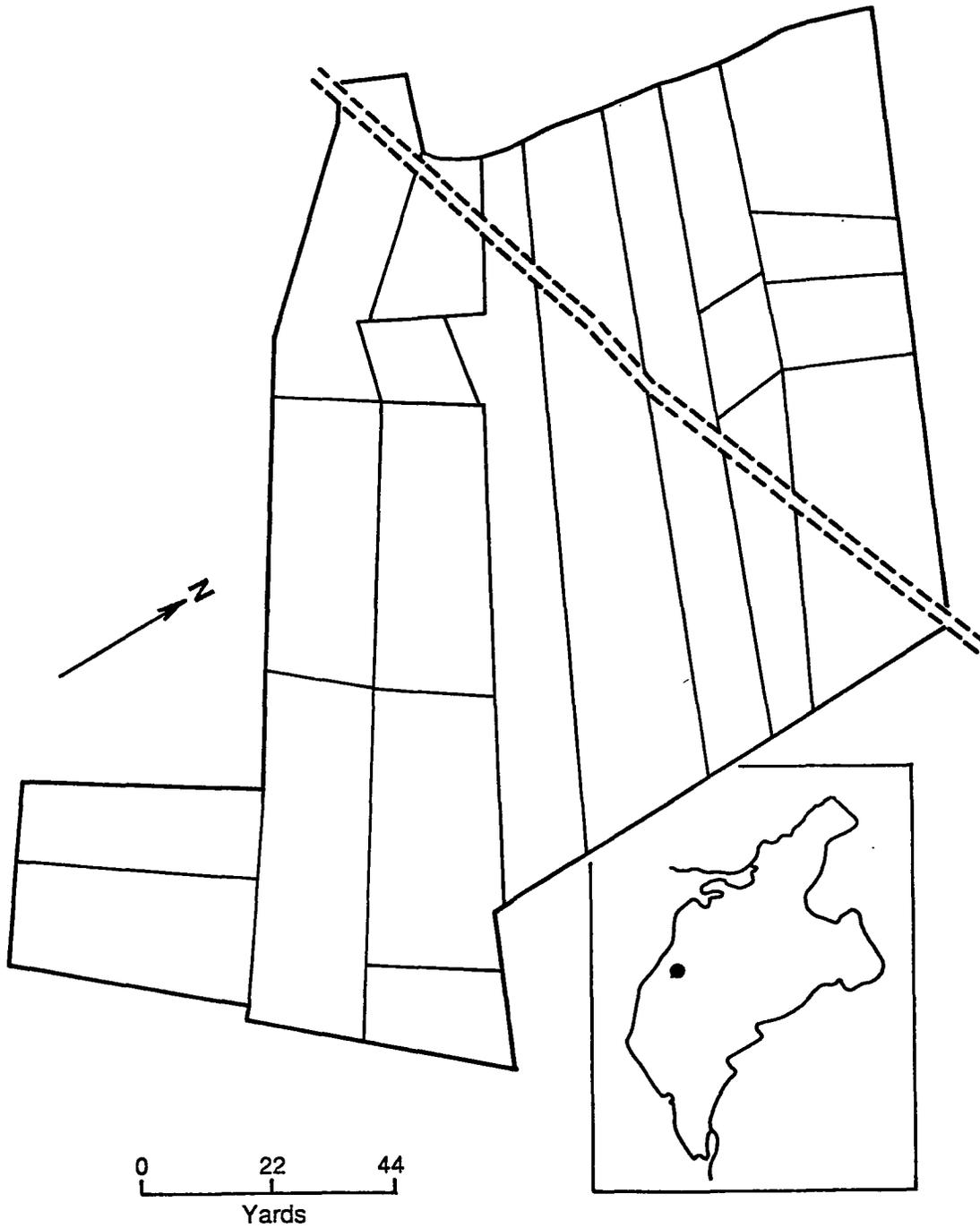
CRO/D/Lec); Oustrigg Mire and Reedmire, Westward; Greenmire and Colemire, Wigton (all Percy Survey 1578: CRO/D/Lec/301) and Ingmire, Penrith (Penrith manorial court 1611-1684) were all meadows.

The common meadows were closely associated with the common arable fields: in many cases, as noted, the two were combined. Where they were not intermixed, the meadow may have been divided and enclosed before the arable; though it was probably more usual for the meadow to survive longer in common as its management involved fewer problems than did that of the common arable. Thus at Great Broughton the townfield seems to have been enclosed by the mid-eighteenth century (CRO/D/Ben/457\d), but a map of 1842 (CRO/D/Lec) shows the Town Kirkmire still to be in twenty parcels shared by nine tenants (Figure 5.6), and Graham's survey of surviving common field in early twentieth-century Cumberland (1913) shows that nearly all of it was then in meadow.

In size, the individual meadows were generally considerably smaller than the arable fields. Hay for animals was less vital in this area of huge common wastes than grain for people; only limited amounts of land may have been suitable for permanent meadow and, anyway, there were usually extensive areas of meadow in and amongst the arable fields. The meadows, like the arable, were often divided into strips. Since the meadows were not ploughed and the mowing was done by hand there was no need for the long,

FIGURE 5.6 -- Town Kirkmire, Great Broughton

(source: Map, Kirkmire Dales CRO/D/Lec)



narrow divisions of the arable lands. Meadow parcels were usually shorter and broader, or of an irregular shape if the terrain made that more convenient.

Within the common arable fields sections may have been permanently in meadow. This seems apparent from the different strip shapes close to the streams in maps of common fields at Aikton and at Renwick. Many other fields had ranes and headlands that were used for meadow: the Burgh Survey of Cardurnock noted that "there is no meadows there but certain hades which are measured with the lands" (CRO/D/Lons/Whitrigg 48).⁸ This coexistence of arable and meadow is to be expected, as the often small areas suitable for growing crops were often also the best for growing lush grass. The main distinction was that the meadow would tend to concentrate in the wetter sections of the field. From its location along the courses of the streams and from the irregular shape of its parcels, there is good reason to suppose that the remaining common field at Wasdale Head (Figure 5.3) was meadow rather than arable.

Moreover, except in communities with small arable fields and many livestock to provide manure, it is doubtful

⁸ The Oxford English Dictionary defines hade as synonymous with rane and also "according to some recent writers, a small piece of greensward left at the head or end of arable land upon which the plough turns". A further note comments "But the latter sense is perhaps a mistake arising from the identification of hade with head". The Cardurnock example does not make it clear which is meant in this case.

if the fields could have had all their area producing crops every year. At intervals, therefore, certain strips, furlongs or larger portions of the fields would have been left fallow and in many cases cut for hay before the animals were let in. This is seen in the frequent listing of landholdings in surveys as "so much arable and meadow." This did not mean half arable and half meadow, but each alternately. A late-eighteenth century letter referring to Croglin Common Field stated that "the owners of this common field have always yearly and every year plowed and sown with oats and barley more or less of their parcels of land and the rest lay in grass for hay" (CRO/D/Ben). In all, there seems to have been less common meadow than common arable in any community, though in few cases can the amounts be measured with any precision.

Reference should be made to common pasture fields: areas enclosed by a ring fence and held in common but not used to grow any form of crop. The main advantage in enclosing such areas was to facilitate stinting arrangements, and so these were generally higher-quality areas of pasture. The fields also provided a further source of animal feed: a coarse type of grass, mostly growing near the sea and generally known as bent, which was gathered and used as a poor form of hay. Bent seems to have been particularly prevalent in the extensive, sandy pastures along the southwestern coast: areas locally termed meals and

haws. Bent seems to have been most useful in those areas which, due to their soils, were short of good meadow.

Common wastes

All the land in Cumberland was waste at one time: forest, marsh, open grassland or bare rock. The earliest post-glacial inhabitants hunted over these lands and collected such wild produce as they had to offer. Later, pastoral groups began to clear some of the woodland and build small stockades to house their domestic animals in winter: but these people were mostly nomadic and to a great extent the land was left in its original state. Change began with the early agricultural settlements of the Neolithic period: fences and walls were built, hedges planted to keep wild and domesticated animals from the crop-growing areas. As agricultural techniques improved and as population increased, naturally and by the influx of new settlers, more land was cleared, fenced-round and planted. The problem of keeping animals alive through the long winters was alleviated by the development of meadows; desire for control of the richest areas of pasture led in places to their separation from the wastes (Rollinson 1967: 9-13).

Settlements were for a long time few and far apart. Large areas of the original waste were left between the small cultivated patches. It would have been an enormous

task to have fenced these areas in: it was far easier to allow everyone to use them at will; perhaps ensuring that neighbouring communities kept within certain boundaries, rather as hunting groups tend to define and respect each others' territory. With time the cultivated areas grew and new settlements were founded between the old ones. The amount of waste thus shrank and in more and more cases it was found that some stricter form of control was needed over who used the waste and for what purposes. As the waste diminished settlements needed to keep a close eye on its boundaries. In 1520 the Great Broughton manorial court reported "that nine people led four wagon loads of stone to the lord's common called Broughton moor and there sixty acres ... did mark out in divers places there pretending that the aforesaid sixty acres of the lord's common was the right and soil of the Abbot and Convent of Holm Cultram" and in 1748 the Cockermouth court ordered five people to "remove the several near stones lately set up on Cockermouth common by the parishioners of Brigham with an intention in time to prejudice the inhabitants of Cockermouth."

In describing the common wastes it is necessary to stress that these were, and are, relict features in the agrarian landscape. They are what is left when everything else -- common arable fields and meadows, enclosed pastures, private crofts and buildings -- are removed. Common wastes were not designed, their size not calculated, their shape

not predetermined. The pattern and extent of the common wastes is entirely a function of the original landscape and subsequent encroachment and enclosure.

As with other types of land use in Cumberland, the most important distinction was between the upland wastes and the lowland wastes. In the upland areas settlements are located at the edge of the fells or in deep valleys and each community had a large extent of rough country under its control, often many times the size of the enclosed lands and common fields. Renwick, at enclosure in 1818 (CRO/QRE/1/53) had eighty per cent of its area in common waste (of which one-fifth was enclosed then, the remainder in 1864 (CRO/SPC/35/1)); Matterdale in 1589 was eighty-eight per cent waste (PRO/LR/2/212/260, 270-272); Bewcastle in 1604 ninety-two per cent (CRO/D/MH/III/249) and Wasdale Head in 1578, with a couple of hundred acres of cultivated land set amongst the highest and wildest of the Cumbrian mountains, over ninety-five per cent (CRO/D/Lec/301/137-138).

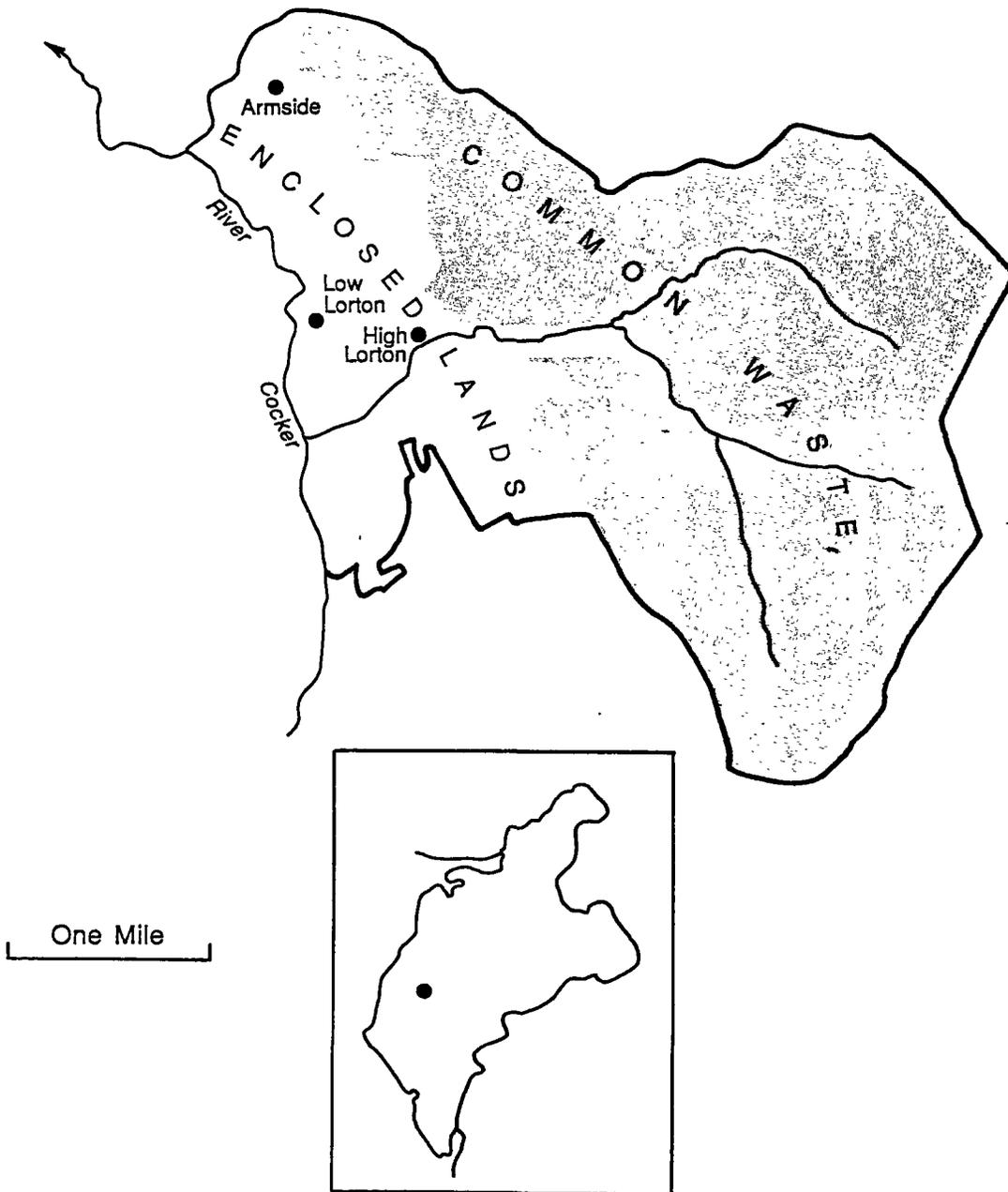
In the uplands there was little land that could have been cultivated, or that it would have paid to cultivate. Much of this area is still common pasture, as even today it is uneconomic to enclose it. Ellison categorised forty to fifty per cent of Cumberland as marginal land, defined by Ashby and Britton as "anything which under existing conditions of prices, costs, organisation and management is only just worth bringing into use." It is still used as an

extensive pasture, and many walls and fences that were erected in some earlier fit of improvement have decayed and fallen down. The common waste was everything left over once all cultivable land had been taken away. In contrast, most of the land in the lowlands was capable of being cultivated though some, because of poor soils or poor drainage, was less suitable than the rest. This poorer land could best be spared from cultivation and was retained as waste. In the lowlands, therefore, the wastes were usually lands that could have been tilled but were deliberately left uncultivated. Not surprisingly the wastes tended to make up a smaller proportion of the total area in the lowland communities: Eden noted that Sebergham had just over half its land in waste; Carlisle (Caldewgate Quarter) twenty-five per cent; Gilcrux under eight per cent. At that time the upland area of Caldbeck was two-thirds waste and Croglin eighty-seven per cent (Ellison 1953: facing page 64; Ashby and Britton 1953: 11; Eden 1797).

Another distinction was between wastes which had been encroached on from the margins, leaving a more-or-less compact area surrounded by enclosures, and those where improvement had taken place around several nuclei, giving the waste a patchwork appearance. All the upland wastes fell into the first category; their extensive areas of rough fell ground were unsuitable for settlement and supported only small peripheral encroachments (Figure 5.7). Several

FIGURE 5.7 -- Lorton Waste 1835

(source: Lorton Enclosure Award CRO/QRE/1/55)



lowland communities developed in a similar way, with their wastes in a single block: usually much smaller than in the uplands (Figure 5.8). Sometimes the wastes were reduced to very small proportions as the cultivated lands grew around them (Figure 5.9). In other lowland areas enclosure around scattered settlements left the waste like a sea around an archipelago (Figure 5.10); elsewhere continuing encroachment resulted in the division of the waste into separate sections (Figure 5.11).

The wastes were a source for a great many items valuable to the population: fuel, building materials, fertiliser and especially pasture for their animals. Since the shape of the common wastes depended on what was left over from everything else they cannot be said to have been designed for any of these uses, though their surface appearance could be modified by turf-digging, stone extraction and the like. However, as the principal use of the wastes was for pasture one feature had to be present in all cases: some means of access to the waste from the village area. Where settlement was scattered and the cultivated land islands in the midst of the waste this presented little problem. As Hutchinson noted of Westward "The inclosed land does not lay in regular villages, but interspersed here and there in one, two or three tenements together, upon the border of the common, so that the tenants have their grounds very compact, and commonage very

FIGURE 5.8 -- Dacre and Soulby Waste 1808

(source: Dacre and Soulby Enclosure Award CRO/QRE/46)

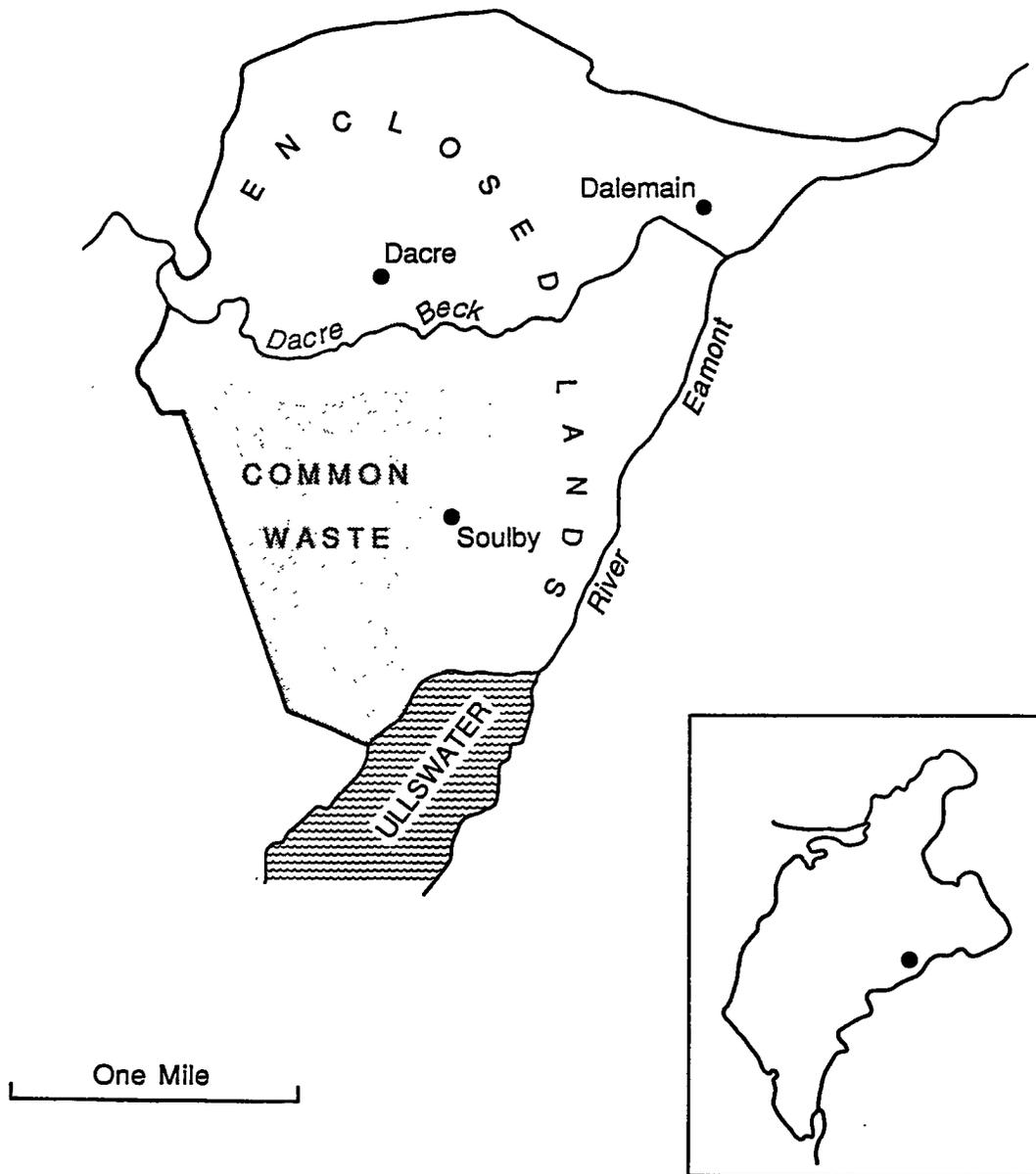


FIGURE 5.9 -- Birkby Waste 1779

(source: Map of Birkby CRO/D/Lec)

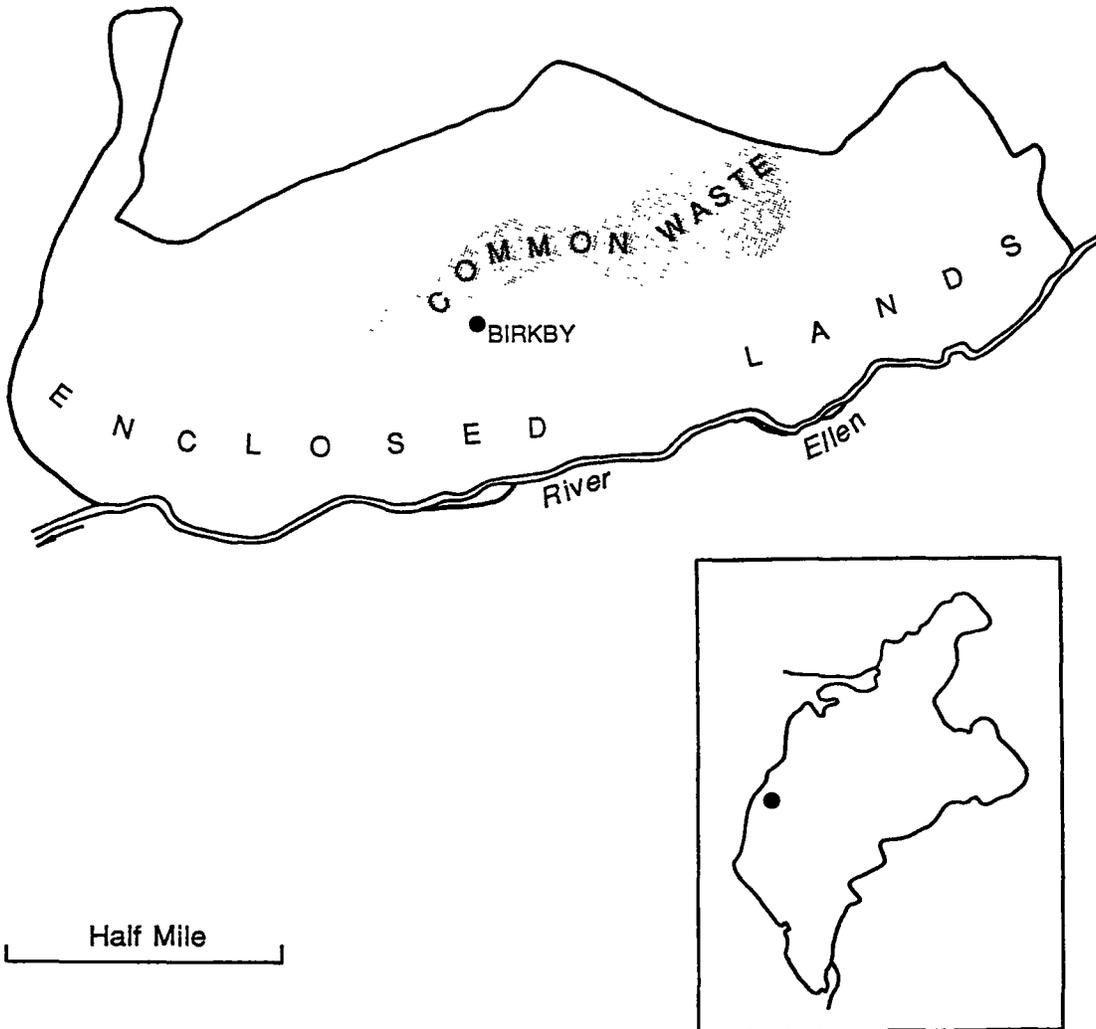


FIGURE 5.10 -- Westward Waste 1822

(source: Westward Enclosure Award
CRO/QRE/1/107)

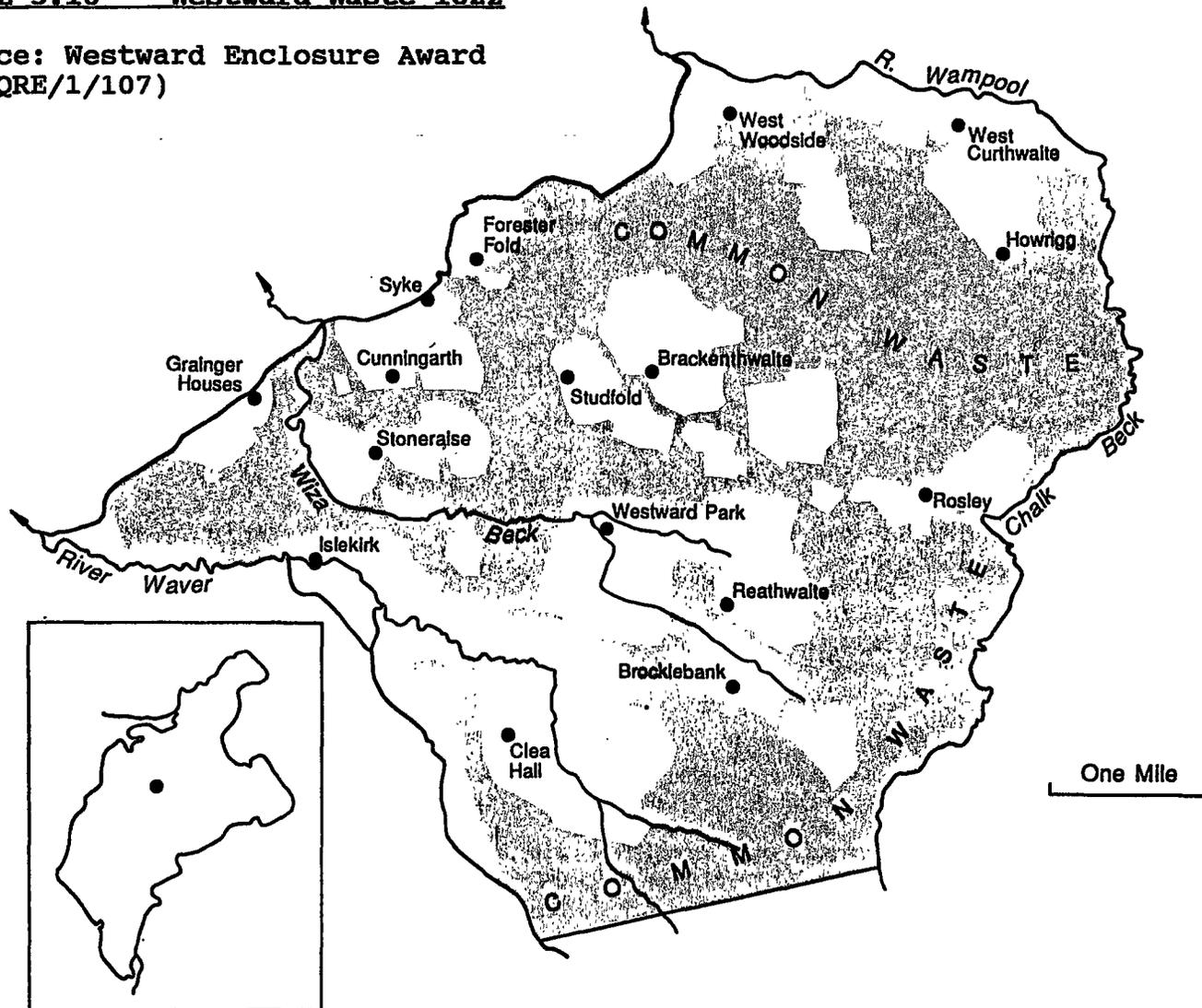
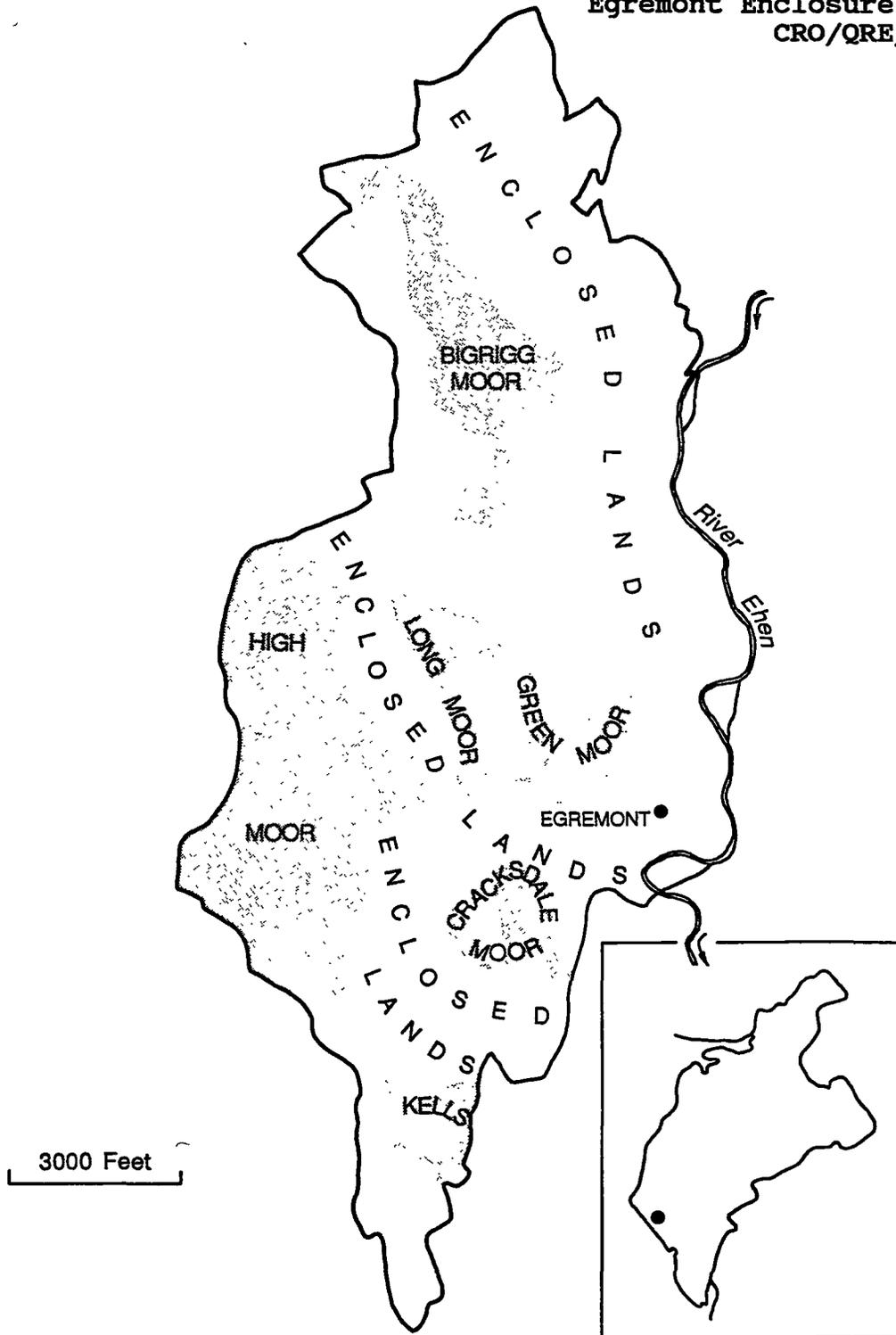


FIGURE 5.11 -- Egremont Waste 1783

(source:
Egremont Enclosure Award
CRO/QRE/1/30)



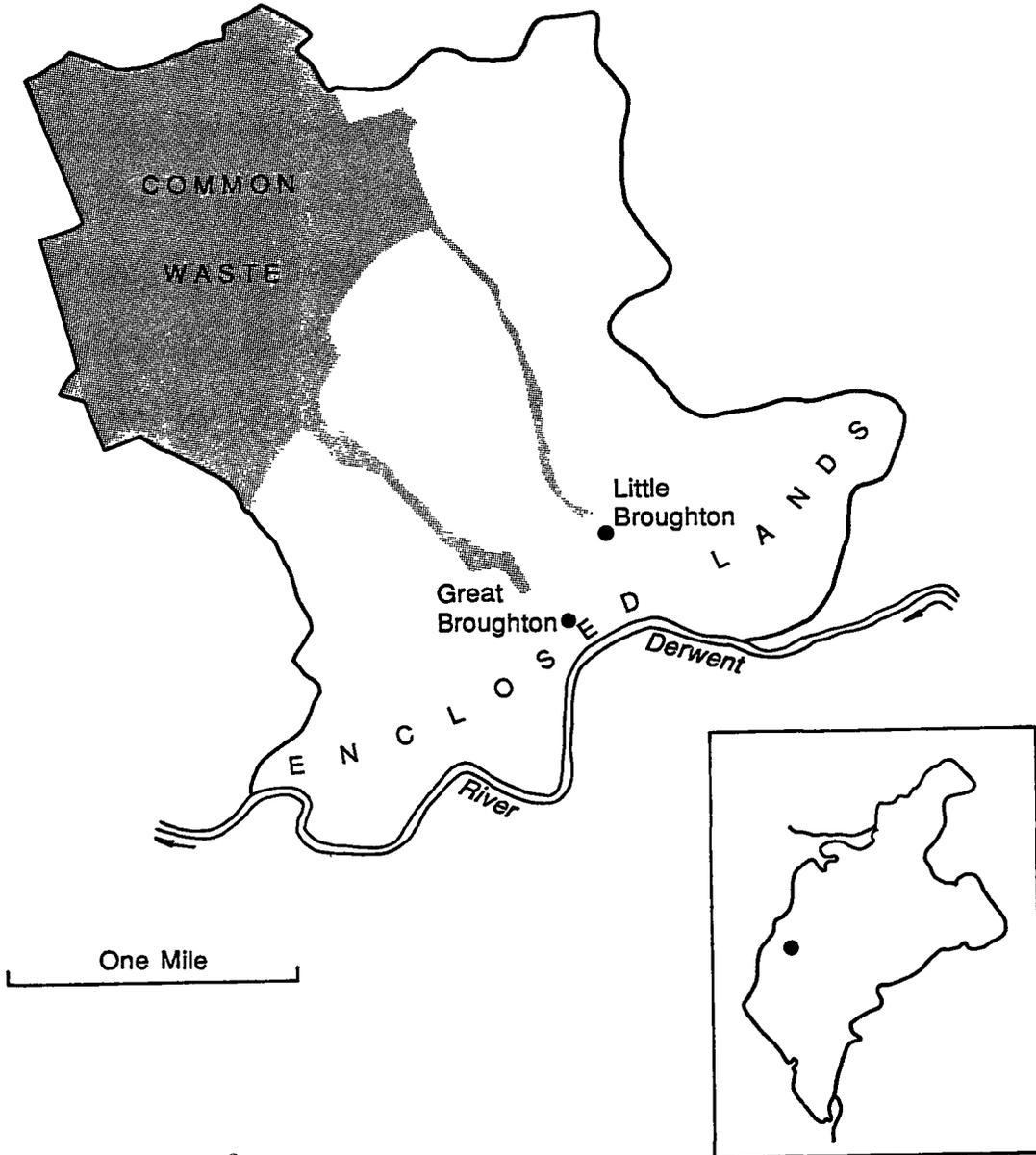
convenient for their cattle" (1794: II-398). Where the common waste was some distance from the settlement, with fields or enclosures in between, it was necessary to maintain access routes. If the number of animals involved was not too large roads were used, but these were often too narrow for the flocks and herds and broad outgangs were necessary. Isel, at its enclosure in 1813, had an outgang over half a mile long from Blindcrake village to Moota common (CRO/QRE/1/86). Papcastle outgang, shown on the 1838 Tithe Award (CRO/DRC/8/149) was three-quarters of a mile long and, about halfway along its length, less than a hundred feet wide. Particularly striking were the outgangs in 1801 at Great and Little Broughton (Figure 5.12). That at Great Broughton was a little over a mile long and a maximum of 500 feet wide; that at Little Broughton was nearly a mile and a quarter long and no more than 250 feet wide.

Conclusion

Definitions can be complicated, and definitions of different types of common land are no exception. Common arable fields came in many sizes, down to the very small, and it is argued that the smaller fields with fewer farmers participating really need a different term. 'Shared close' is the expression used here, though there are no hard-and-

FIGURE 5.12 -- Great and Little Broughton Waste 1801

(source: Map of Great and Little Broughton CRO/D/Lec)



fast rules to distinguish one from a small common arable field. A revision of the currently-held view of the size and distribution of common arable fields in Cumberland is proposed, downsizing them somewhat. Contemporary writers made little mention of common arable field in Cumberland, and for long it was assumed that the county had few of any significance. More recent work has swung the pendulum too far in the other direction, relying on flimsy evidence and crediting the area with many arable fields that were really meadow or tiny shared closes.

Current evidence suggests that there were about 150 definite common arable fields in Cumberland in 1500, perhaps as many as 210. Of these, forty definite and thirty-five possibles had disappeared, to encroachment and enclosure, by 1700. Not surprisingly, the common fields were concentrated in the lowland plains, though there were several in the upland areas.

Estimates of the size of individual common arable fields is hampered by paucity of evidence and by uncertainty about the size of the Cumberland acre. Such figures as survive suggest that in the sixteenth and seventeenth centuries some common arable fields in Cumberland could have been as large as a thousand acres, with several over three hundred acres. Many, however, were much smaller than that. By the eighteenth and nineteenth centuries fields were much

smaller: none that were measurable exceeded three hundred acres, and many were smaller than one hundred acres.

Cumberland shows only one example of a definite two-field system. All the others for which evidence of their internal arrangements survives were irregular. Many manors had several common fields: sometimes a main one near the principal settlement and smaller ones around outlying villages and hamlets. Many common arable fields contained quantities of meadow, either in distinct parts of the field or as part of a rotation. Other common fields were entirely meadow, usually quite small in size.

For the county as a whole, though, 'common land' meant the common waste; in the more mountainous districts these were huge areas left unenclosed and uncultivated between the often widely-scattered settlements.

CHAPTER SIX
USES OF COMMON LAND

Introduction

Any consideration of agricultural change in the eighteenth and early nineteenth centuries must take into account the matter of rights of common, since it was during this period that they were extinguished. A great deal of argument took place at the time, and ever since, about how significant these rights were for different segments of the population. This chapter looks at the nature of common rights, just what they entitled their holders to, and at their importance to farmers, cottagers and the landless.

The role of common rights

As Hoskins has pointed out, common land is not what it is widely supposed to be, land belonging to the general public or common people, but that

all common land is private property. It belongs to someone, whether an individual or a corporation, and has done so from time immemorial. The owner of the common land is the lord of the manor within which the common lies, or his legal descendant and representative

today. The common lands of England and Wales are therefore not public property, despite their name, nor have they ever been during the past thousand years. But they are peculiar in the sense that a considerable number of ordinary people ... have legal rights over the surface of such lands, which they exercise together or in common (Hoskins and Stamp 1963: 4).

The possession of common rights thus involves the title to some at least of the products or profits of land, the soil of which belongs to another person.

Common rights today are rarely of any real significance, except in extensive upland areas such as those of Cumberland where farmers still exercise their rights of common of pasture. In the period of this study the situation was quite different.

Common rights ... were a necessary element in the agricultural system, they were involved in the ownership and cultivation of the land, and they were largely the source of the profits obtained from the land and the means of rendering its cultivation effective. It is possible to go further and, in respect of much of the cultivated country, to treat the common as necessary to the general life as well as to the agriculture of the village or manor, since from it were obtained many of the things required both to make the home habitable and for the general purpose of living. The common, then, so far from being an incidental or occasional feature, or a separate and auxiliary means of small gains, was an integral part of a system (Gonner 1966: 4).

The importance of common rights to the tenant farmers has been clear for a long time. As an example of the range of materials that could be obtained from the wastes, the inhabitants of one Derbyshire manor claimed not only to be allowed to graze their animals, but also "liberty to get turves, peats, clods, limestone, clay, marl, sand, gravel, slate, stone, heath, fern, furze, and gorse, and to fell or cut for reasonable estovers any hollies or underwoods growing on the wastes" (Hey 1984b: 136).

There has been more argument over the significance of the common wastes in the economy of the cottagers and landless labourers. Chambers dismissed them as trivial and Chambers and Mingay downplayed their role with the suggestion that "the commons were of little real advantage to labouring men" and that "even before enclosure the majority of cottagers had no rights of common." In contrast, it is now held by many that, whether legally or not, the poor were accustomed to keep some animals on the common waste: even those who could not afford cows might run a few sheep, pigs or geese. Yelling, for example, stated that as well as those with clear rights of common deriving from land in the arable fields or legally attached to their dwellings, others continued to put livestock on common land without any legal title because it had become generally accepted among the community that their right existed. There were also those who pastured their livestock in spite

of the regulations where stinting was not strictly controlled, or where illegal livestock were subject to only small fines. It was not unknown for the common-rights holders to turn a blind eye to such infringements of their privileges, clearly viewing it as a form of charity towards the poor. For instance, Hey described a late seventeenth-century scheme to enclose Nidderdale (Yorkshire) which failed due to the opposition of both the freeholders and the customary tenants: they were afraid of a great rise in their poor rates if the cottagers no longer had anywhere to graze their cows¹ (Chambers 1953; Chambers and Mingay 1966: 97; Yelling 1977: 228; Hey 1984a: 70).

Current opinion is that these rights of common provided a useful addition to the diet and income of the poor. Snell noted that dairy produce was a valuable supplement to a bread diet, especially for children. Meagre incomes could be augmented by the sale of young or fattened geese or fowls and the sale of hides. Hides and wool could be used domestically. The poor had also been allowed to collect fuel from the waste and woods, which must have been

¹ Although it is usual to treat the cottagers as a homogeneous population, a useful distinction can be made between cottagers proper -- with houses in the village but no land in the common arable fields -- and squatters -- people from outside the village who established themselves on the waste. The literature rarely distinguishes between them, and as squatters seem to have been rare in Cumberland, the term 'cottager' will continue to be used generically (Beckett 1991a).

particularly useful in winter. Neeson suggested that the prevalence of hedge-breaking and fence-post stealing from new enclosures in Northamptonshire may have been a product as much of desperation for fuel among a population deprived of its traditional common rights as a gesture of opposition to enclosure. On the common wastes of Cardiganshire, Davies argued "The importance of fuel rights to the labouring classes and the chronic poor cannot be exaggerated." The Hammonds cited an (undated) calculation that a man with rights of common of turbary could get a year's fuel for his family for ten shillings; without such rights costs could be three to eight times as much. Snell remarked that after enclosure what they faced in the woods was not cheap fuel but "the menace of man traps and trip wire operated swivel shot-guns." Another frequent benefit was the right to glean in the common arable fields after the harvest, which might provide a family with enough grain to last from a third to a whole year. Yelling pointed out that while gleaning could have been continued over the enclosed fields, it was easier after enclosure for a farmer to object to and stop the practice. Hasbach added to the list the snaring of snipe and other birds; though he can hardly have been describing a typical case when he cited a contemporary observer as knowing personally many cottagers with two or three cows, two or three calves, forty or fifty sheep, two or three pigs, and fifty to a hundred head of poultry, including

chickens, geese and turkeys. A large unstinted common, in Tate's words, could be a considerable attraction to poor people: "At least they might hope for the site of a cabin, and with luck for turbarry and grazing facilities" (Snell 1985: 177-178; Neeson 1984: 130; Davies 1976: 118; Hammonds 1927: 103; Yelling 1977: 228; Hasbach 1908: 80, 37; Tate 1967: 163).

Maybe it should not be a surprise that the value of the common wastes to the subsistence-level cottager should be so often underestimated: the Hammonds explain "It is difficult for us, who think of a common as a wild sweep of heather and beauty and freedom ... to realise that the commons that disappeared from so many an English village in the eighteenth century belonged to a very elaborate, complex, and ancient economy." Mills suggested that it was just as difficult for the contemporary ruling class, since like us they relied upon specialists to supply their needs and could not easily comprehend a subsistence economy. Moreover, much research in this area has been based on the land-tax returns, and these tell little about cottage common rights. Those which had been customary only were lost on enclosure and not recorded in the tax returns. However, "such deprivations were self-evident even to most contemporary enclosure enthusiasts" (Hammonds 1927: 20; Mills 1980: 102; Hunt 1959: 505; Snell 1985: 180).

Some enclosure awards followed the example of certain earlier agreements, and set aside an area of waste to be left for the continuation of common rights, but -- except in the wilder uplands -- this was an unusual arrangement. An even rarer option was that found by Williams in one Somerset enclosure, where small 'potato gardens' were provided for the displaced commoners. Tate has estimated that not more than one per cent of over 4000 enclosure acts in the eighteenth and early nineteenth centuries contained provisions safeguarding the interests of cottagers. Commissioners sometimes upheld the rights of cottagers to compensation (but often did not). Porter pointed out that a cottager without legal right would find proof of custom difficult, "and the decision as to the observance or recognition of custom lay with the commissioners, appointed of course by the principal owners." Even when they did allow compensation, allotments were often so small as to be non-functional, and they were usually sold to a larger farmer. In many cases there may already have been too many using the common waste before enclosure, which would put the cottager in an especially vulnerable position (Williams 1971: 78; Tate 1967: 153; Porter 1989: 861; Yelling 1977: 230-231).

One proponent of schemes to help the poor, described by Horn, was Nathaniel Kent. He arranged at the end of the eighteenth century for the provision of plots of land on the

Earl of Egremont's property in Yorkshire on which the cottager could raise a cow and some pigs, and grow vegetables. Thus, said Kent, he had "a stake in the common interest of the country, and is never prompt to riot in times of sedition, like the man who has nothing to lose." As Arthur Young put it, he "will love his country the better even for a pig." Around the same time several landowners in Lincolnshire were providing small plots of land on which cottagers could keep a cow or two: "The cow rather than the pig in the eighteenth century made the difference between need and a degree of comfort in the farm workers' domestic economy." Humphries calculated that the annual income from a cow kept on the common waste was often more than half the adult male labourer's wage, and that an average-priced cow would pay for itself in about a year (Horn 1982: 7; Hammonds 1927: 80; Beastall 1978: 108; Humphries 1990: 31).

Arthur Young collected evidence to show that the provision of small plots for the poor enabled many to avoid seeking parish relief. Mingay argued "It seems likely that had Young's scheme been widely adopted ... it might have done much to avoid the worst effects of poverty, degradation and unrest which marked parts of the eastern and southern counties in the first half of the nineteenth century." On the other hand, it might simply have encouraged growth of the poor rural population: Young himself noted of families settled on cow-pastures in Ireland "a marked inclination to

propagate 'so that pigs and children fill every quarter'." As the nineteenth century progressed, allotment schemes became more common, until by 1833 they were found in over forty per cent of all enclosure parishes. Armstrong considered this as evidence that rights of common did, in fact, have real value; especially as allotments were more widespread where rural poverty was more intense (Mingay 1975: 115-116; Armstrong 1989a: 724).

Since such valuable (to the poor) economic opportunities were lost: "The crucial question, of course, is not whether there was simply an increase in waged employment after enclosure; but whether such an increase, if it occurred, was such as to compensate the poor for the widespread deprivation on other fronts which enclosure caused." Snell believed it was not, suggesting that if one analyses counties which were over 35 per cent enclosed and also counties that were from 17 to 35 per cent enclosed then, pace Chambers and Mingay, there is a close positive statistical relationship between percentage of county enclosed and per capita poor relief. Huzel, however, found no significant correlation between the rate of increase in county levels of poor expenditure and the pace of enclosure between 1750 and 1850: rather, it was "deeply rooted in the economic structure - particularly in the levels of wages, variety of employment, and types of agriculture." Mingay, in a personal communication, stressed that "the areas of the

country which suffered the greatest rural poverty in the period between the Napoleonic Wars and 1850, notably southern counties and East Anglia, were also counties where there was little or no enclosure, as in the case of Kent and Sussex, or only a minor degree of enclosure" (Snell 1985: 180, 195-197; Huzel 1989: 765-769).

There were social as well as economic losses associated with enclosure. As Mingay said of the cottagers: "the abolition of the open fields removed a ladder of opportunity by which it was possible for a few of the more able of them to advance to the rank of farmers." No longer was it possible for the farm servant to "save up his wages and begin his married life by hiring a cottage which carried rights of common and gradually buy or hire strips of land." Humphries pointed out that enclosure led to changes in the economic position of women in labouring families, since it was often they who were the primary exploiters of common rights (Mingay 1963a: 184; Hammonds 1927: 26; Humphries 1990).

In general, social deprivation is even more difficult to measure than economic; but this has not prevented some writers from suspecting that much contemporary opposition to common fields and wastes arose not because they were seen as ineffective and as increasing the poor rates, but because they were believed to confer an undesirable degree of independence and self-reliant

resourcefulness. One contemporary observer complained that the ownership of common rights by the poor simply provided an excuse for idleness: "if you offer them work, they will tell you, that they must go to look up their sheep, cut furzes, get their cow out of the pound, or perhaps, say that they must take their horse to be shod, that he may carry them to a horse-race or a cricket-match." Another laments that "The possession of a cow or two, with a hog, and a few geese, naturally exalts the peasant, in his own conception, above his brethren in the same rank of society." The real offence seems to have been the effrontery of the poor in wishing to better themselves; in particular in presuming to share the leisure occupations of the rich. In Mills' words "Commons were clearly of importance to the peasant system, to those who wished to keep a little independence, for otherwise why did landlords, especially in the period from 1750, look so askance at them?." It seems likely that Bowen's comment regarding Wales could be applied equally well to England: "None of the common or waste lands in Wales were ever enclosed with the real approbation or to the material advantage of the humbler inhabitants" (Snell 1985: 173; Hammonds 1927: 30; Mills 1980: 101; Colyer 1977).

Common of pasture in Cumberland

The common lands of Cumberland were at least as important as those in other parts of the country in providing a range of economic opportunities for the farmer and cottager. Of these, in Hoskins' words

the most generally known and understood is the right of common pasture: the right to graze one's animals over the herbage. Other important rights are the right to gather wood for fuel (estovers), the right to dig turf for fuel or roofing (turbary) ... and the right to cut bracken for fuel or cattle bedding (Hoskins and Stamp 1963: 4).

The preeminence of common of pasture in Cumberland is certainly evident from analysis of the manorial court records. Of the 12,330 studied for the period 1660-1869 no less than fifty-five percent were concerned with some aspect of common grazing; either on the waste or in and around the common fields.

The most basic need was to monitor who was entitled to the right and to treat any others as trespassers. Thus the Wigton court in 1720 ordered "that every or any person having no right or privilege upon the Lords waste shall not put or cause to be put any cattle of what kind so ever to be fed thereupon to the prejudice of my Lords freeholders and tenants." Several such statements were made in very general terms: "the commoners there" (at Bootle 1603), "those with liberty" (at Linstock 1713). Many were clearly referring to common appendant; a right based on possession of lands in

the community on which animals could be maintained throughout the winter, animals that were 'levant and couchant' on the property (Butlin 1961). At Workington in 1717 it was ordered "that no person shall put any cattle into the townfields that has no land there" while Ennerdale in 1795 restricted common of pasture to those "which have a full tenement." The animals were to be fed in winter not only on but by the farmer's own lands: importing winter feed was not permitted, as made clear by the Eskdale order in 1736 "that no tenant nor occupier shall put no cattle neither great nor small upon the common but those that winter upon their own estate neither take any vestures to feed them with in winter." In some instances winter was carefully defined: at Linstock in 1663 only those animals kept on the owners' tenements from 30 November to 25 March would be allowed on the waste, while at Nicholforest in 1745 the limits were December 1 and April 7 for cattle and December 1 and May 3 for horses. These limits coincided more-or-less with the end of grass growth and its recommencement: the later spring in the higher Nicholforest area is noticeable. Such rights were appendant to the property and not to the individual. One man was presented at Aspatria in 1697 "for bringing his cattle into the fog at Michaelmas time (having letten his estate to another man),"

and another at Wetheral in 1703 "for letting his ground and keeping two stirks on the common."²

There was also some evidence of common appurtenant; a right granted by prescription and not tied to possession of arable land in the manor (Butlin 1961). However, such grants in Cumberland seem to have been made only of small numbers and only in the form of pensions to the needy or rewards for undertaking certain tasks. At Castle Sowerby in 1669 it was agreed "that the widows of Newlands every one of them shall have a horse to go on the common and pasture within this manor." One of the articles of an Agreement at Holm Cultram in 1785 was "To be allowed one stint (as a reward for their trouble) to one person (the Grieve) in every Grieveship for taking an account of what kind and number every one within his Grieveship doth put on" (CRO/HC), while the Waberthwaite manorial court in 1712 agreed to allow the stinting officials "two stands for their troubles."³ The Borough of Egremont court in 1782 granted a stint in return for maintaining a length of hedge and that

² Fog can be either the aftermath, grass growing after the removal of the hay crop, or rank grass left standing in the fields during winter (Dilley 1970).

³ The significance of stints, stands etc is explained below. No evidence was found for Cumberland of the practice at Launceston, Cornwall, where the number of animals permitted on the common depended on the rank of the official concerned (Rowse 1941: 38).

at Plumpton in 1703 for the repair of a gate. Altogether these awards were few in number, and formed only a small proportion of the total number of grazing animals in any locale. No example was found of a court awarding full rights of common of pasture to someone otherwise wholly unentitled, and there is no evidence for this period of any manorial lord making such a grant. There is some evidence that common rights could be gained if they were permitted to continue for long enough. In 1827 Egremont's agent wrote to one of the local bailiffs that "I understand that the sheep of John Bragg of Beckermest are depasturing on the common in Netherwasdale without any right. Something must be done to put a stop to this and you should decide upon having it remedied immediately or he will be gaining a right by time" (CRO/D/Lec/174).

Individuals not belonging to the manor were known as foreigners: at Five Towns in 1678 it was ordered "that no foreigner nor any person that have not right of common shall from henceforth bring any sheep or cattle unto the common belonging to Eaglesfield." A 'foreigner' was not necessarily a stranger from another manor: the tenants of one township within a manor could be quite unsympathetic towards other townships in the same manor, as when the people of Embleton and Wythop were excluded from Lorton waste (at Derwentfells 1682). On occasion neighbours within the same township acted to restrict each other, if they

happened to be tenants of different lords, as when the tenants of the Dean and Chapter of Carlisle were excluded from the Duke of Somerset's wastes by the Derwentfells court in 1704 "the said Dean and Chapter tenants having but a small right and thereby oppressing our Lord and his tenants rights by sheep or other goods." Even passing animals were not supposed to feed at the common expense: one man was fined at Penrith in 1625 "for putting his guest horses in Keldrigg Mire, and another at Wetheral in 1674 "for lodging stranger whose horses was put into the field." Two people were presented at Castlerigg in 1818 because they "hath at various times to the great detriment of the tenants harboured vagrants and other disorderly persons who depasture their goods upon the common belonging to this manor."

While the exclusion of foreigners was the basis of much common-rights legislation, there was one major exception to this rule. The existence of huge unenclosed wastes adjoining each other, with indefinite or no boundary markers, meant that it could be extremely difficult to determine and police precise boundaries for the exercise of common rights. In early times, when settlements were small and the areas of common waste seemingly endless, two or more villages might make joint use of the same area. As pressure on resources grew, concern to define rights increased commensurately. Each settlement would lay claim to a

specific part of the waste as its own territory, for its own use. However, where there was a long tradition of joint use such attempts to establish territory could become acrimonious. In many instances the solution adopted was to append a given area of waste to a specific settlement (or manor), but to recognise that the people of one or more other manors were entitled to continue to exercise at least some rights of common over that waste. The term for this process was intercommon. The livestock of neighbouring settlements freely grazed over each other's lands, while the inhabitants dug peats and gathered other fuels.

There were many variations to rights of intercommon. Sometimes only partial rights were retained: neighbours might be permitted to pasture their animals on your waste, but not dig peats; or exercise common of turbary and estover but not pasture. They might be allowed to pasture only during certain times. At Bolton in 1586 it was ordered "that there ought no townships and neighbours adjoining to have intercommon or pasture with their cattle on the night time" and at Castle Sowerby in 1665, repeated in 1704, "that the inhabitants of Johnby shall not impound any goods belonging to the tenants of Castle Sowerby betwixt sun rising and sun setting."

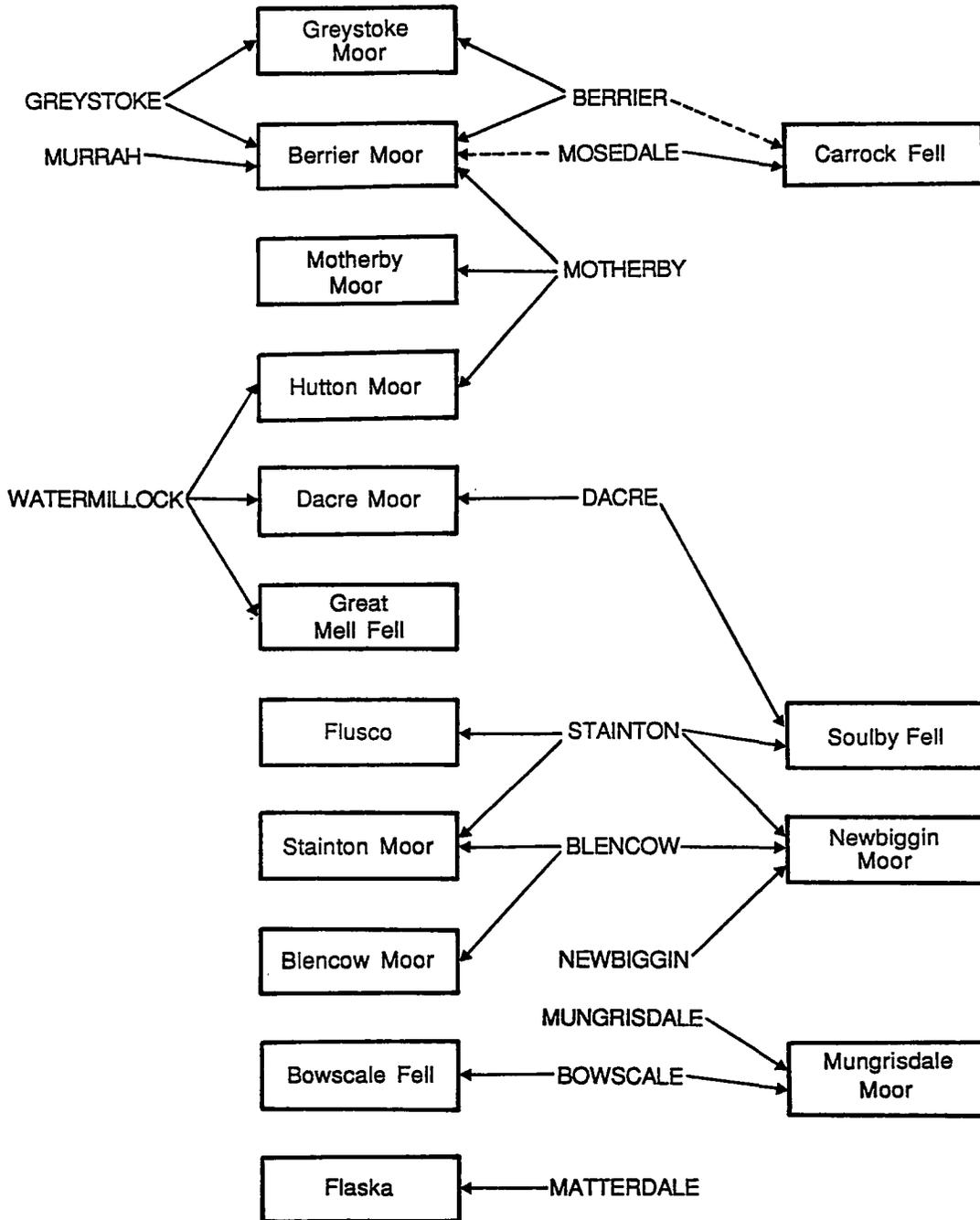
Neighbouring settlements would often pay an annual fee to the lord of the manor within which the waste in question lay for their rights of intercommon. Around 1640 a

number of freeholders and customary tenants from Wigton complained to the Earl of Northumberland that for seventy years they had "enjoyed common of pasture and turbary within the waste grounds of your honours forest of Westward each house paying for the said commons" yet lately the Westward inhabitants had been fining them and taking their cattle (CRO/D/Lec/265/50). In other cases such neighbours might be required to remove their animals when detected, but allowed to do so without penalty: Ennerdale legislated in 1674 "that the tenants of Kinniside have only egress and regress within the manor and forest of Ennerdale but they are not to heaf or leave any goods on the common there."

Some idea of the intricacies of intercommon may be gained from Figure 6.1, which shows some of the arrangements in the area north of Ullswater in the late sixteenth century. In the middle of the seventeenth century the tenants of Westward complained that their common waste was being destroyed by intercommoners from the Earl of Arundel's manors at Thursby and Nealhouse, Lord Wharton's manor of Caldbeck, the Bishop of Carlisle's manor of Dalston, Sir George Dalston's manor of Moorthwaite, Mr George Braithwaite's manor of Dockray, Mr William Brisco's manor of Crofton "and divers others which daily eat up our commons not paying anything, so we do most humbly crave ... that these foreigners may be caused to show what right they have within the said forest" (CRO/D/Lec/119). At Penrith in 1774

FIGURE 6.1 -- Intercommon North of Ullswater

(sources: Dacre Survey 1567 PRO/LR/2/213
Greystoke Survey 1589 PRO/LR/212)



Open rectangles represent areas of common waste. Lines show ownership of rights of common waste or the various wastes by the various communities. Broken lines indicate partial rights (e.g. of pasture only, or of turbary only)

a special group of six men called 'fell lookers' was appointed with the job of impounding foreign cattle. Their attention was especially directed to livestock from the surrounding townships of Great and Little Blencow, Calthwaite, Catterlen, Edenhall, Hutton, Langwathby, Morton, Newton Reigny, Plumpton Street and Wall, Great Salkeld, Skelton and Unthank who

have of late years trespassed upon the common and waste grounds within this manor and under pretence and colour thereof now set up a claim thereunto whereas it is notorious they have no right at all thereon they having separate and distinct commons of their own on which they claim an exclusive right.

Powley (1874) provided a list from an 1849 Shepherd's Guide of every parish possessing a right to graze sheep on the Western Fells of the Lake District: there are thirty-eight Cumberland parishes, nineteen from Westmorland and thirteen from Lancashire. Not all would have shared in the same areas of waste; nonetheless, the complexities of rights would have been staggering.

On the more extensive upland wastes it was often sufficient to ensure that only the animals the inhabitants had kept and fed themselves throughout the winter were allowed to graze. More usually increasing populations, increasing enclosure and increasing production of winter feed meant that there was a real danger of the wastes becoming overstocked. To counter this it was necessary to

establish a maximum carrying-capacity for each area of pasture. Farmers in the Manor of Five Towns recognised this when they agreed in 1800 that

Whereas Greysouthen Common is much oppressed by extraordinary numbers of cattle and other goods depastured thereon, and no kind of rule or regular mode of stinting the same being observed, its real value and utility are by this means very much diminished. Therefore we whose names are hereunto subscribed being proprietors of lands in Greysouthen, are unanimously of opinion that the adoption of a regular plan of stinting the said common will be productive of general benefit (CRO/D/Ben/1628).

A stint was the right to put a certain number of animals, or a share of the total number of animals permitted, on a particular area of common pasture. Common fields (after harvest and during fallow) had long been stinted, but the stinting of common wastes became much more widespread in the seventeenth and eighteenth centuries. The simplest way of allocating stints was to divide the total equally between all the tenants: thus in 1689 the Papcastle manorial court allowed each tenant twenty sheep on the waste.

Such stints were likely to need to be altered from time to time. A good or bad winter would affect the amount of grass available; overgrazing one year might demand more careful management the next; encroachment would deplete the amount of pasture available. Moreover, the number of people entitled to common of pasture might increase with the spread

of arable land, demanding a reallocation or reevaluation of stints. Changes of this sort may be observed in the Linstock manorial court records. In 1656 it was ordered "that no tenant within the manor of Linstock shall keep above thirty sheep, the half tenant fifteen and the cottagers eight apiece." By 1686 the manor must have encountered some sort of pasturing problem, as the stint for the three types of tenure was reduced to twenty, ten and five sheep respectively. Two years later, however, it was back to thirty and fifteen for whole and half tenements, cottagers coming off even better than before with ten. By 1713 the situation had improved even further and the limit was raised to forty, twenty and ten sheep respectively, cottagers remaining the same. In another six years it became necessary to order "that none in Linstock shall keep above 30 sheep."

Such equal division of stints between tenants was rarely entirely satisfactory: tenements varied widely in size and the tenant of a small farm would not normally have carried as many animals as the farmer of a larger area. It is possible that the equality of tenements was based on the mediaeval concept of the villein yardland as the standard tenant holding. This unit was widely used in lowland England for stinting purposes (Ault 1965). No mention was found of the yardland by name in Cumberland, though there was occasional reference to the similar measures of bovates

and oxgangs and one or two stinting arrangements based on such units. It is not implied in any of these cases that they comprised a standardised holding: they seem to have been used simply as a unit of areal measurement, as in the agreement at the Millom manorial court in 1731 "for every yoking of land one stand or for every two yoking of land one stand as shall be agreed by a majority."

A number of attempts were made to assess stints more fairly. In the common fields the stint was usually made directly dependent on the amount of land held in that field. Proportions used included one, two, four and eight cows per acre; often different values for different fields in the same community. Sometimes stints were expressed in terms of sheep: two per acre at Dearham and ten at Penrith (manorial courts 1710 and 1716 respectively). At Croglin in 1780 a Memorandum survives reporting stints tied to the number of days' ploughing in the common field, and an variant is recorded at the Muncaster court in 1714, whereby those with rights in the fields "shall for the future, for every bushel of oats sown there, put in a stand only, and for every half bushel of bigg a stand, and so proportionably for other grain, and also for every half day work of mowing ground a stand and so proportionably." These orders all had the same basic principle: the right to pasture in the common fields was the prerogative of those who held land there. The only

variations were the bases for allocating individual rights, and the values attached to them.

On the stinted wastes a different method was required, as no-one but the lord owned land there, so the stint could not be made proportional to land holdings (though an unusual arrangement was recorded at Dearham in 1701 whereby each acre of land held in the common fields entitled its owner to run two sheep on the waste in summer). Most usual was the employment of rent or contributions to the purvey as a measure: so many animals for each stated sum of money, as at Watendlath (Borrowdale manorial court 1749) where "the ancient and customary way of stinting is 20 grasses for every mark rent and so in proportion."⁴ There is no indication of anyone having been able to purchase stints in addition to his allowance, though there is some evidence that stints could be bought, sold or exchanged like land and not necessarily with land. An undated deed notes the surrender of four cattlegates at Wythburn (CRO/DX/8/2/9) and at Egremont in 1804 an agreement was made to exchange a

⁴ The purvey was an assessment based on land value; though as that value was fixed its relationship to real value became increasingly remote and by the second half of the eighteenth century it bore only a tenuous relationship to reality. However, by tradition it continued to be used to measure the relative value of each person's holding. It was used in some parishes to divide land and apportion tithes at the time of enclosure: Watermillock used the purvey nineteen years after its abolition; "an indication of the respect in which that rate was held in some places" (Beckett 1976).

parcel of land for a cattlegate (CRO/D/Lec/15/184). This separation of stints from land was unusual and appears to have been found only late on, when there were still substantial areas of stinted pasture on the common wastes but little or no remaining common arable.

In some instances a measure such as a stand or cattlegate was used instead of specifying an actual number of animals. A stand etc was a share in the grazing rights; a share whose value could be varied without affecting the distribution of stands. Thus at Lazonby in 1695 the manorial court records a grass (stand, cattlegate) was reckoned at five sheep in winter and ten in summer. The proportional values of stands varied from place to place and over time. Horses were usually considered to need more pasture than cows: one horse in the manorial courts was deemed the equivalent of one cow in two cases; one and a half cows in two cases and two cows in ten cases. Sheep were invariably valued at less than a cow: one cow equalled three sheep in three cases; five in three cases; six in four cases; seven in two cases; eight in two cases; ten in four cases and fifteen in one case. Young animals were usually reckoned at a lower value than the adults: colts up to a certain age counting as half a grown horse, and lambs sometimes counted with their mothers until separated. Some stinting orders also give equivalents for geese.

The actual values employed in any locality must have depended on local interpretations of the amount of pasture eaten by the different animals and to some extent must have been influenced by the predominant type of animal in each area. Equivalents for sheep, for instance, tended to be higher on the common wastes than in the fields. The exact proportions were not always seen as well judged. At Wilton it was argued in 1798 that

The mode of stinting with cows and horses is a fair proportion, but the fifteen sheep for a stint is very much beyond the proportion of what the common will fairly carry and is one third more at least than this pasture if all stinted with sheep will support (CRO/D/Lec/80).

Sometimes individuals found themselves with fewer animals than their stint entitled them to. In some cases the regulations were strictly enforced and they just had to put up with it. The Linstock manorial court observed in 1686 "and if it be so that any tenant ... shall not be able to get the said stint they are not to give leave or licence to any other to keep sheep upon their account" and that at Aglionby in 1641 "that no tenant or inhabitant of the said manor shall take the beasts of any foreigner to be grazed within the same." The practice of grazing animals in the summer that had spent the winter elsewhere is outlined in Chapter Three, and where it conflicted with local use of the

waste resentment could build. A complaint was raised at Castlerigg in 1739 that

several inhabitants about Keswick and elsewhere within this manor do keep large stocks of sheep and other cattle which they feed in winter season with the hay that grows out of the said manor and pasture their cattle at Michaelmas Winter and Spring out of the said manor which goods they the said inhabitants do put on the commons within this manor in the summer season to the great abuse and oppression of the said commons.

There are many instances in the court records of individuals being presented for so sharing their stints with foreigners: one enterprising person appeared before at Millom in 1702 "for taking goods in summer forth of Lancashire and beyond Ravenglass and other places to Ulpha Fell and to the great oppression of the tenants of Millom and Ulpha." Another sharp practice was proscribed at Westward in 1718, when it was ordered "that no tenant nor inhabitant within the manor of Westward shall buy any sheep and sell within the same year to over charge the common." People were clearly buying animals in the spring and grazing them all summer on the grounds that they were not 'foreign' but the property of local common-right holders, and then selling them again in the fall.

More usually stints could be let up to the allotted amount, though some courts ruled that they could be let only to local inhabitants. As early as 1516 the Papcastle court provided "that anyone having no sheep of his own may take in

from foreign persons viz. for each shilling of rent 1 sheep and no more." At Linstock in 1639 "tenants and others within this manor" were allowed to keep up to sixty agisted sheep as well as their own, at Wigton in 1693 the court ordered "that none shall take any highlands sheep to winter excepting such that have not 10 of their own and these may take 10 to winter and no more" and at Scotby in 1716 tenants were allowed to bring in sheep to make up their stints. Where it was felt that there was a possible surplus of grazing, provision could even be made to exceed the stint. The order at Seaton in 1736 "that no man shall put any cattle ... more than his due stint in any common without consent of the four Sworn Men" implies that such consent might be obtainable. At Netherwasdale in 1769 twenty sheep were allowed on the waste for every sixpence rent, but the fine for exceeding this allotment was also sixpence for every twenty.

These arrangements for over-stinting were unusual, and most communities guarded their stint jealously. In the common arable and meadow fields it was not difficult to keep an eye on the numbers and ownership of animals. The common wastes presented a more serious problem. Their size meant that in most cases it was impossible to control all entrances, and many wastes were divided from those of neighbouring manors by nothing more than landmarks. Regular counts were made in spring and in autumn to check for

illicit animals; otherwise the manors were dependent on the drift, which might involve collecting all the animals from an area of the common waste into one place so that they could be counted and their ownership ascertained, or sometimes just sorting out those that had no right to be there. The number of times the waste was driven varied: only once a year at Netherwasdale, six times a year at Bolton and once a month at Loweswater (during summer, presumably). Sometimes the drift was the collective responsibility of the tenants, as in the requirement at Isel in 1662 that every tenant "upon lawful warning given before the sun be set the day before shall either go themselves or else send a sufficient person to help to drive the moor provided the drift be made between sun and sun." Elsewhere a group of men was appointed to do the job: the Loweswater court in 1707 provided "that 4 tenants called impounders within this manor do upon summons by the bailiff once every month beginning at the May Day next, drive and impound all goods found upon the common not belonging to the tenants of this manor."

A final type of pasturing by foreign animals that occurred involved the great herds of cattle and sheep that went every year from their breeding grounds in Scotland to the urban markets of the south of England. West Cumberland was not troubled with these great droves of beasts as they worked their way south, not being on the way to anywhere,

but further east manors were sometimes forced to take steps to prevent their pastures from being stripped by animals which passed in the night. The concern felt about this imposition on the common of pasture was expressed at length in the Castle Sowerby manorial court in 1733:

Whereas several of the tenants within this manor have of late been guilty of eating up the grass growing and arising upon the common within this manor with cattle that had no right to common here whereby the same hath been surcharged for many years past and for as much as the surcharging of common is a matter difficult to define and distinguish and that every offender have always been ready to flatter themselves to be well entitled to take common here with Scotch sheep and Scotch or other outlying cattle that they never or very seldom laid or couched upon their respective ancient tenements to consume or eat the produce thereof for cultivating or otherwise meliorating their several tenements whereby they would have been entitled to take common within this manor. Now for the better regulating and ordering the abuses aforesaid and for the preventing the same in the time to come we do order and put in pain that no tenant or occupier of any lands within this manor shall take common here with any Scotch sheep or other outlying cattle or horses or beasts that have not been levant and couchant upon their respective lands or tenements mostly in the winter season to eat and consume the produce thereof or have not been useful or beneficial to soil or compestore their lands whereby the same may be brought to good husbandry and bettered thereby.

However, the drove-beasts still had to go through, and some manors were willing to compromise. The court at Aikbank

ordered in 1757 "that no person or persons shall have feeding lying or couchant any droves of Scotch cattle either beasts or sheep above the space of one hour at any one time upon any of the commons in the Forest of Inglewood." The Dalston court in 1730 also allowed a one-hour stopover while that at Linstock in 1652 allowed twenty-four hours. Not everyone saw these migrant animals negatively: writing of the main highway between Carlisle and Penrith and the south Housman comments "Scotch droves of cattle rest on their passage at High and Low Hesket which greatly enhances the value of hay and grass there" (Hutchinson 1794-I: 498).

The care with which stinting arrangements were made, and the variations that existed from place to place and from time to time in the same place, suggest a considerable level of concern with the preservation of rights to common of pasture.

Concern over common of pasture was naturally focussed on sheep, cattle and, to a lesser extent, horses. There were other types of animal that were significant in the agricultural economy, though as they were not grazed in wandering flocks or herds they attracted less attention. Pigs, as described in Chapter Three, formed a useful addition to the diet, though many manors put strict limits on the number that could be kept -- three or four at a time seemed to have been a common maximum, with cottagers often limited to one or even forbidden to keep any. Linstock in

1640 had the interesting restriction "that no young people unmarried keep any swine." There is little concern at the manorial courts with foreign swine, presumably as these animals were mostly kept around the dwellings, though there was an interest in keeping them out of the common fields and out of people's gardens: for instance, it was ordered at Linstock in 1703 "that none in Walby shall have any swine from the 25th day of March until the corn be taken away except they keep them fast tethered or else in a house." The pig's habit of rooting around with its snout led to many orders that they should be kept ringed -- sometimes all year, sometimes only when there were crops on the ground -- and often 'bowed' too. A bow was a stick fixed through the ring, which would prevent the animal from pushing through hedges as well as from rooting. Offenders were likely to be presented, as one woman was at Aspatria in 1734 "for suffering her swine to range unrung and unbowed to the prejudice of J. Ritson for destroying his potatoes."

Goats were found much less often than pigs, although in Glamorgan the goat was important in the seventeenth and eighteenth centuries, with "its ability to convert into milk herbage that no other animal can utilise" (Williams 1965: 177). Indeed, many manors specifically excluded them, fearing the damage they could do. At Cumwhinton in 1641 the keeping of goats required the lord's licence and at Linstock in 1686 it was directed "that no-one within these liberties

shall keep any goats that is able to keep a cow, and those that cannot get a cow have liberty to keep 4 goats provided they keep a herd to keep them."

Geese, like pigs, were most often kept around the village area, though they were also grazed on the wastes and figured in a number of stinting arrangements. There is no record of geese being forbidden anywhere, though some places put limits on the number that could be held: as low as three at Bewcastle in 1746. Also like pigs, there was little trouble with foreigners, though legislation was needed in a number of cases to prevent the taking in of geese for the summer. Geese, too, needed to be kept out of the common arable fields, and as they were difficult to tether there was a good deal of concern about their wandering around. The Workington court in 1630 threatened to fine "all persons who keep geese that go out of their own liberties, and thereby injure any of the inhabitants." Elsewhere geese had to have their wings clipped or obstructing bows tied to them: at Isel in 1675 "geese that is not bowed and cut-winged is unlawful."

Overall, these smaller animals made much less use of the common lands, and the main concern was to keep them from doing damage to crops and gardens. Enclosure would have little effect on attitudes towards them, as few were dependent on the waste (except, perhaps, larger flocks of

geese), and their capacity for local damage would be unchanged.

Common of turbarry

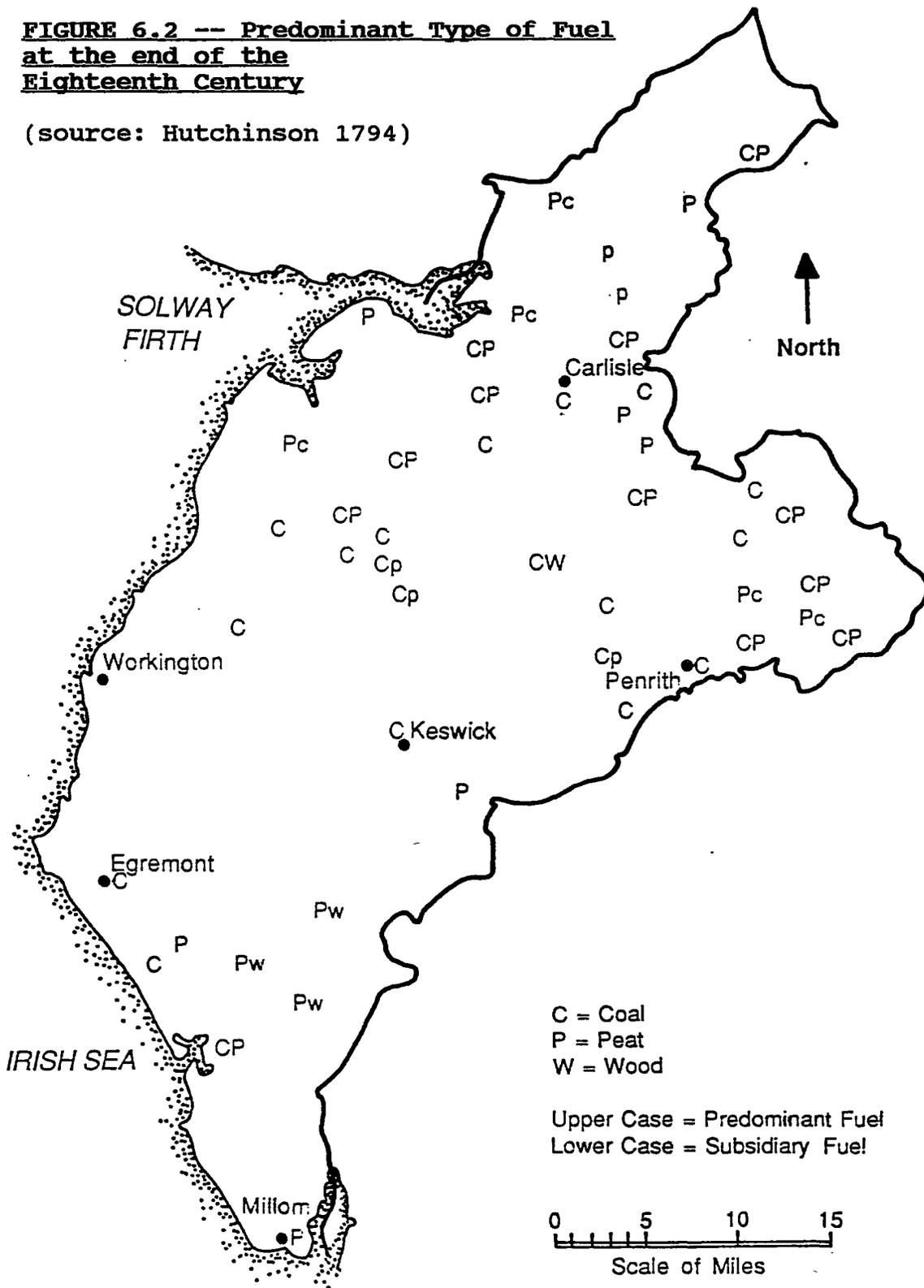
The use of turf as a fuel remained important in Cumberland longer than in most other parts of the country. Coal was the foundation of the west Cumberland iron industry and was locally important as a domestic fuel, but the soils and climate in much of the county favoured the development of peat in quantity, and it provided a fuel available to the common-right holders for the cost of excavation. Rights to coal remained in the hands of the local lords, and it had to be bought.⁵

Housman, in his parish notes, mentioned the fuel supplies used at the end of the eighteenth century in forty-eight locations throughout the county (Figure 6.2). In only fifteen of these places was coal alone used. Seven supplemented coal with peat: at Greystoke, for example, the fuel was "Coal from Warnel-Fell [about nine miles away]. Turf and peat may be got in various parts of the parish, at a small expense, and are used by the poorer families"

⁵ The terms peat and turf are used interchangeably. In some contemporary documents turf was sometimes used more specifically to denote peats with the surface grass still intact. Such peats were more usually called topping peats or flacks.

FIGURE 6.2 -- Predominant Type of Fuel at the end of the Eighteenth Century

(source: Hutchinson 1794)



(Hutchinson 1794-I: 406). Eight communities used coal and peat more-or-less equally; another eight relied mainly and nine exclusively on peat. A few areas used wood, though nowhere was it the only source of fuel. In over half the places listed peat was at least as important as coal. Housman gave no details of fuel supplies on the main Workington-Whitehaven coalfield -- presumably expecting everyone to know it would be coal. However, neither did he do so for many upland communities, where peat was probably more important.

There is little pattern to this distribution. Generally the larger settlements used coal (Carlisle, Penrith, Keswick, Aspatria) or a mixture of coal and peat (Burgh, Greystoke, Ireby, Wigton). Such places may have had difficulty in supplying any substantial non-farming population with sufficient peat. The only larger centre entirely dependent on peat was Millom. Elsewhere local uses varied considerably: depending on proximity to coal, quality of local peat, ease of transport and the level of the community's economy. It should not be assumed that use of peat, even when freely available, was always economic. Collier calculated for part of Easter Ross that with the cost of labour of men and animals, plus general wear-and-tear, getting peat from a bank three and a half miles from a house and a mile from the road was three and a half times as expensive as shipping in coal. Collier was calculating with

mid-twentieth century wages: even so the cost of extracting, carting and drying peat should not be underestimated. Of Rosthwaite in Borrowdale Gilpin wrote

The procuring of fuel is among their greatest hardships. In most parts of the world the article is sought either in pits, or on the surface of the earth. Here the inhabitants are obliged to get it on the tops of the mountains; which abounding with mossy grounds, seldom found in the vallies below, supply them with peat. The difficulty lies in conveying it from such immense heights.

Donaldson commented of the Shetlands in the seventeenth century "the trouble is not the lack of peats but the lack of hands to work it" (Collier 1953: 187; Gilpin 1786: 197-198; Donaldson 1958: 43).

Entitlement to common of turbary was based, as with other common rights, on possession of land. In answer to questions on the rights of tenants in Ennerdale in 1676 it was stated "that the respective customary tenants of the said customary lands of the said manor ought to have ... common of turbary, in and upon all and every the commons and waste grounds within the said manor and forest" (PRO/SC/12/6/31). Without this restriction supplies would have been endangered by cottagers and non-landowners: thus the Westward manorial court ordered in 1689 that "If any man that is tenant or occupier within our liberties let any house of his toft to any farmer that shall grave any turfs ... shall for his default be amerced unless he let four

acres of ground with it." The last thing the courts wanted was farmers letting tiny parcels to poor cottagers who would then presume a right to common of turbary. An example of the sort of thing that could happen without strict controls is found in the 1638 Burgh Survey at Moorhouse. Seven freeholders were listed "which purchased one tenement ... and every one of them doth grave as much turf and flacks as the whole tenement did before which is now 7 times as much to the spoiling of the common and hindrance of his lordships tenants" (CRO/D/Lons/Burgh 41). One indication of its importance is that almost twenty-three percent of the manorial court entries studied concerned common of turbary, second only to common of pasture and well ahead of any other topic.

Common of turbary could be appurtenant as well as appendant. The manorial court at Bootle recorded in 1608 one individual who "entreated by the good means of Mr G. Carus his Master to have half a dargue of peats upon Hycemoor among the commoners there for that year only upon his good behaviour and no otherwise."⁶ In 1651 a letter to the Earl of Northumberland's agent stated

⁶ Darrack, dargue and various other spellings are variants of daywork, a common measure of quantity or extent; the amount that could be done between sunrise and sunset: in this context, the amount of peat that could be excavated (Dilley 1970).

My farmers being amerced for graving flacks within some part of Westward for the reparation of a house of mine in Crofton I request you to be pleased to give order for remitting the said amercement for that I have a grant for this purpose, as may appear by some evidence in my custody (CRO/D/Lec/169).

The letter was annotated "amercement being x^s is respited till he show his grant."

Common of turbary was not always linked with other common rights. When the Millom court settled a dispute over a piece of ground in 1702 it divided the ploughing, grazing and upkeep of hedges between the contestants, but forbade one of them to dig any peats in any of the grounds. The court at Drigg in 1704 gave one individual permission to dig turf in part of the manor but not to plough, sow, mow or pasture his animals there. There is at least one example of common of turbary being sold, independent of any sale of land: 'A Millom Note-Book' by W.S. Sykes contains a copy of an indenture witnessing the sale of "a right of getting turf at Gutterby" (CRO/Sykes).

Turbary was another common right that had to be guarded from the depredations of 'foreigners'. The Penal Orders attached to the 1578 Percy Survey provided for the substantial fine of 6s 8d

if any foreign person or indwelling neighbour who is no tenant nor hath ground within any of the said manors lordships forests etc do grave or dig peats turves or other elding in any of the said lordships manors etc for the

behoof of himself or of any other person
(CRO/D/Lec/301).

Presentments of offending foreigners at the manorial courts abound. Not surprisingly, the inhabitants of urban areas were particularly guilty of such transgressions: demand there was high and their own supplies rarely adequate. Thus the people of Eaglesfield and Blindbothel complained in an undated petition

that your petitioners have been grievously and notoriously wronged by many poor inhabitants of Cockermonth encroaching year by year upon us digging graving and taking away our common-right presumptuously and peremptorily though your petitioners did persuade admonish and reprove them and by evident reasons and demonstrations showed them their illegal doings (CRO/D/Lec/265/8).

Just as there was a concern to prevent locals from taking foreign cattle to graze, so also regulations were approved to prevent locals from digging peats themselves and then selling them to foreigners. The Percy Survey proffered condign punishment: "if any of the lords tenants do grave or get peats turves or elding more than for the serving of their own uses or necessary behoof to give or sell the same away to any foreign or other person to forfeit his estate" (CRO/D/Lec/301). Despite this, there were many presentments of offenders for doing just that, especially in the seventeenth century. All involved short journeys, as the cost-to-weight ratio of peat was such that it was rarely worth carrying any distance. The longest recorded was about

nine miles from Matterdale to Penrith (Matterdale manorial court 1639). There is some sixteenth-century evidence of peat being taken by foreigners in exchange for payment, but none was found for dates since that time.

Once it had been established just who had the right to obtain peat, the next step was to ascertain how much each person was entitled to. Where turf was plentiful it might have been enough to allow, as at Ulpha in 1604 "sufficient for their necessary use of every their several houses and no more." In most cases, however, the actual amount permitted was specified; "sufficient" being open to rather liberal interpretation. The usual measure employed was the 'daywork'. An estimate for the nineteenth-century Norfolk Broads suggests "a good day's digging" would yield 1000 turfs or about 250 cubic feet (Smith 1960: 103-104). If a Cumbrian could achieve this much it would probably have been about enough for basic heating and cooking; 250 cubic feet of peat being the equivalent of about two and a half tons of coal.⁷

⁷ Gonner (1966: 15) suggested that common of turbarry (and also of estover) was originally defined by "reasonable need", the development of a quantitative measurement -- which therefore need not be attached to any particular tenement -- coming later. Calculations of peat-coal equivalency are from entries under 'Coal' and 'Heating Appliances: Solid Fuel' in Chambers's Encyclopædia.

There is insufficient information to draw meaningful conclusions about allowances of peat. At Dalston in 1706 it was prescribed "that every tenant and inhabitant within this manor may grave one day work of peats (and no more) in the common moss" while a similar order at Wigton in 1681 permitted tenants four dayswork of turfs and two of flacks, half tenants two of turfs and one of flacks and cottagers one of each. Many other courts placed restrictions on the amounts allowed to various classes of inhabitants and from various parts of the manors. Sometimes the limits were expressed by number: at Papcastle in 1689 each tenant was allowed one hundred turfs and each cottager fifty; at Harrington in 1717 tenants were permitted a shilling's and cottagers fourpence worth; in the only attempt found to link common of turbary to property value the Sebergham court in 1669 allocated turf according to contribution to the purvey. The problem in all of these cases is that there is no indication (a) of what other sources of fuel were available in that place at that time nor (b) what other sources of turbary there were. The Papcastle quota of a hundred turfs seems improbably small; but it refers to the common waste, and presumably there was a common moss which was expected to provide the bulk of requirements.

The principal use for turf in all areas was as a fuel. However, it had a number of other applications. In the days before the invention of corrugated iron, roofs were

made of tiles, slate or thatch, all relatively expensive; so many people used turf as a cheaper substitute, especially on barns and outbuildings. Such turfs were cut fairly thin and with the grass still intact: thin so that the weight on the roof-timbers would not be excessive and grassed so that they would grow together and repel rain. Turfs cut for this purpose were termed flacks, or more specifically rigging flacks; occasionally topping peats. Since the taking of peats from the surface did more to destroy pasture than any other type of turf extraction (peats for burning were usually obtained from small, deep cuttings) the amount taken needed to be strictly controlled, and it had to be insisted that such peats be used only for roofing purposes.

Manorial court records show that there was a widespread practice of using turfs as fertiliser. One method was to cut flacks and lay or bed them in barns and sheepfolds as a flooring material which later, with the animal droppings well trodden-in, could be spread on the land. Many courts legislated against this use of the valuable surface peats, as in the 1715 order at the Court under the Thorn that the inhabitants of Lazonby, Great Salkeld and Edenhall "do not bed their folds with flacks or turfs graven upon the common." As noted in Chapter Four (p 215) a standard technique for obtaining fertiliser from turf was to burn it and spread the ashes. This practice led to the order at Dean in 1741

that no customary tenant or freeholder within this manor or any person by their order or for their use shall at any time hereafter grave or dig the soil of the commons or wastes of this manor in order to burn the same into ashes for manuring of ground or other purpose whatsoever except what the said tenants may now lawfully do by reason of their being entitled to common of turbary.

Thus it was permissible at Dean to burn part of one's regular allotment of turf for manure, but not above that amount. Even this much was not permitted at Derwentfells in 1741, when a fine was decreed for anyone "destroying or burning either upon the said common or in any other place except on their own fires in their own houses for their necessary service as fuel"; nor at Dalston in 1763 when the allowance of six dayswork of turfs involved an obligation "to burn the said turfs in their own houses and not upon the common or any other place to manure their ground."

A great many entries in the manorial court records limited or forbade the extraction of turf from certain areas. Sometimes these were absolute prohibitions, as "that none shall grave any turf or flacks in any of the out fields of Aspatria" (1741); sometimes the restrictions were imposed for a limited time, as in the Dalston order of 1669 "that no tenant or inhabitant within this manor shall grave or dig for any peats in the common moss for seven years next ensuing." A prohibition might be suspended temporarily in case of need. It was decided at Penrith in 1741 "that the

Cow pasture be at liberty for this year only for the inhabitants of this town to grave turf and to get whins and ling on account of the Far Fell ling being burnt."

The placing of certain areas out of bounds for turf extraction was primarily intended to preserve the grass cover. In a letter of 1704 four tenants of Westnewton complained that

for several years last past our common and pasture has been destroyed and cut up by many but most especially the Township of Langrigg and Mealrigg ... Mealrigg having divided and made arable land of that which formerly they used to grave for turfs etc by which means we can keep no sheep or other goods going on the pasture but are like to be starved (CRO/D/Lec/41).

Certain areas were especially favoured for turf-extraction and needed particularly close control. The very best sources were usually set aside as mosses and used for the provision of fuel. In a letter to Sir John Pennington in 1759 the writer explains that two individuals had been taking topping peats from Eskmeals. When one of them was confronted

he told us that it had been the custom so to do, and therefore thought that he had a right to do it; but would for the future (if your Honour would allow him) take care to get them within the compass of the moss, and not to come upon the pasturing ground, for without doubt, the pasture would in a very little time, be entirely ruined, if such like practices were allowed to go on (CRO/D/Pen/Acc/1325).

Elsewhere the most popular areas were those that were easily accessible. The cost of carting turf was such that everyone favoured locations near their houses, close outside the ring fence (the closest part of the waste to the settlement) or near a road. There were many complaints about the negative effects of such peat extraction. The inhabitants of Waverton protested in a seventeenth-century petition that they

have sustained great loss by several inhabitants both of Wigton and also of the said town, in that they have for these 3 years by past (contrary to the pain) graven up all the land adjoining to their said town of Waverton to the number of 30 days work each year, being very prejudicial to the said town, so that none can pass either to church or market (CRO/D/Lec/264/44).

The manorial courts frequently restricted the distance from road or hedge that peat-extraction could take place: it was allowed as near as two yards and not within sixty yards of roads, and within five yards and not within five hundred yards of a hedge: the greater the distance placed out of bounds, the greater the concern over possible damage to road or hedge. Few of the surviving restrictions could be considered really punitive: three-quarters of them involved distances of forty yards or less. The main concern, therefore, seems to have been to prevent damage to the foundations of roads or the roots of hedges. On the Renwick Tithe Map (CRO/DRC/8/161) the land use of several fields

around Renwick village was described as "Old Turf," implying that the land had been so excavated that it was not much use for anything else. This description was also given to fields near some of the smaller settlements and for parts of the recently-enclosed waste near the edge of the long-cultivated area.

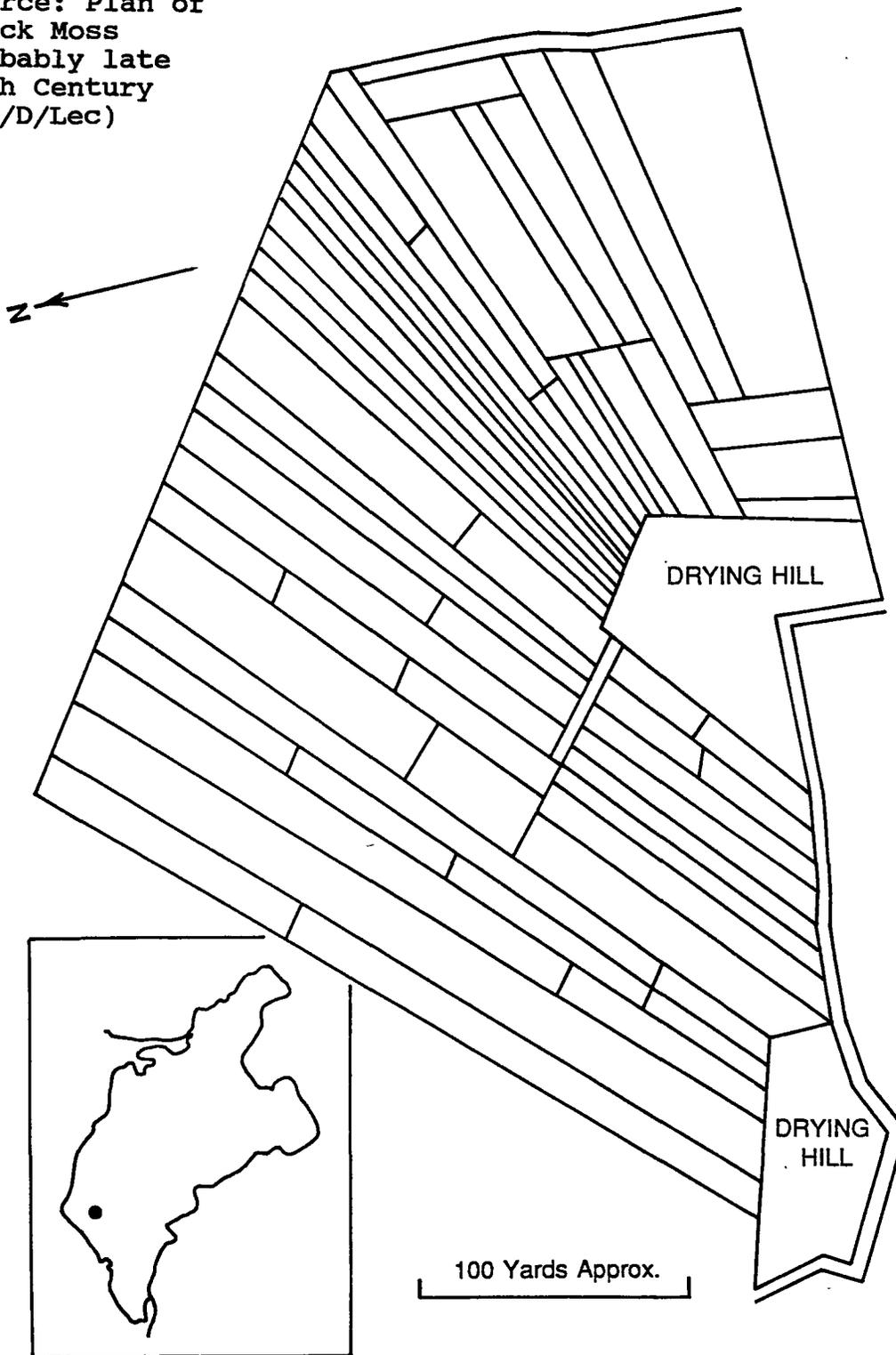
The peat mosses, the restricted areas of good peat-yielding land, were usually divided between the various common-right holders. Such mosses were small: Black Moss in Egremont comprised sixteen acres shared by fifty-four people (Figure 6.3). Patches of moss on the common waste were not, as a rule, divided. Although no-one had title to any of these pieces of turbary it was generally acknowledged that a person working a particular spot for peat had established a sort of a right to it. The Eskdale manorial court observed in 1727 that

It have been made appear to us by several credible sworn witnesses that they have known it a general custom within the said manor for 40, 50 or 60 years last past that any tenant or occupier might dig or grave peats in any mans cow pasture that was upon the fell unenclosed keeping out of another man's peat pot for 2 years after it was left graving in it.

There was no suggestion, however, that any part of the waste became thereby the exclusive property of the accustomed peat-digger, as apparently happened under the Glamorgan arosyfa system (Osborne 1974: 268-270).

FIGURE 6.3 -- Black Moss, Egremont

(source: Plan of
Black Moss
probably late
18th Century
CRO/D/Lec)



One of the problems involved with digging peat on the waste was that the excavations not only destroyed the grass but were also a potential danger to animals, especially if they filled with water. It was therefore necessary to ensure, as decreed at Moresby in 1704

that all person and persons who dig and cut up any turf in either of the said manors on the commons in mosses that they bed and cover the peat pots ... sufficiently so that the same holes may not drown nor destroy sheep or other cattle going on the said commons.

A technique was used in Scotland whereby "the peat was dug only to such a depth as to leave a layer of it above the subsoil, and finally the turf was replaced on this layer of peat and the pasture restored to a lower level than before" (Franklin 1952: 61). There is some evidence that this was also practiced in Cumberland: for instance, an order at Eskdale in 1769 that none should dig turfs "but what they dig and grave in a husbandlike manner and set the top again" -- and several others elsewhere like it.

Regulations were also necessary to ensure that the excavated peats did not become a nuisance by being spread all over the ground to dry: several orders specified that they were to be taken directly to the houses to be stacked and dried, though some mosses, such as Black Moss, did set aside parcels as "drying hills."

Thus it can be seen that concern over common of turbary was considerable: that careful restrictions were put on the quantity obtainable and on the places from where it could be obtained. This concern was due both to a desire to preserve a valuable source of fuel and roofing material, and a desire to conserve the pasture areas from too much damage.

Other common rights

Parker said of Inglewood that in the time of Henry II "it may reasonably be doubted whether any other forest in England approached it in size." However, at the end of the eighteenth century Bailey and Culley commented that "This county is far from being well wooded, the Ithing [sic for Irthing], Eden, and Caldew, are the only rivers whose banks produce any quantity of natural wood." It is therefore not surprising that common of estover, which figures prominently in many other parts of the country, is rarely of significance in Cumberland. Traditional rights such as plough bote, hedge bote and house bote are seldom implied and never mentioned by name (Parker 1905: 35; Bailey and Culley 1805: 12).

The few references to wood tend to be very conservationist. It was usually required that anyone given permission to cut wood should not only pay for the privilege but should also plant at least one new tree to replace the

old one. Thus at Seaton in 1706 the jury agreed that it was "our ancient custom that if any tenant fell one ash for the necessary use of his house or land, he ought to set two." Most landowners (or their stewards) seem to have investigated quite closely before permitting any wood to be cut for repairs, and cutting of wood for commercial uses was frowned on: the Borough of Egremont court ruled in 1742 "that no person keeping a common bake house shall cut any wood within the borough common of Egremont." Trees were the property of the lord of the manor: Bailey and Culley noted that "if a customary tenant plants wood, he cannot cut it without leave of the lord" (1805: 13). Some courts had a number of presentments for such offences as cutting trees. These were not included in the statistics, as their occurrence varied considerably: at a few courts they recurred with great frequency, at many they were never mentioned at all.

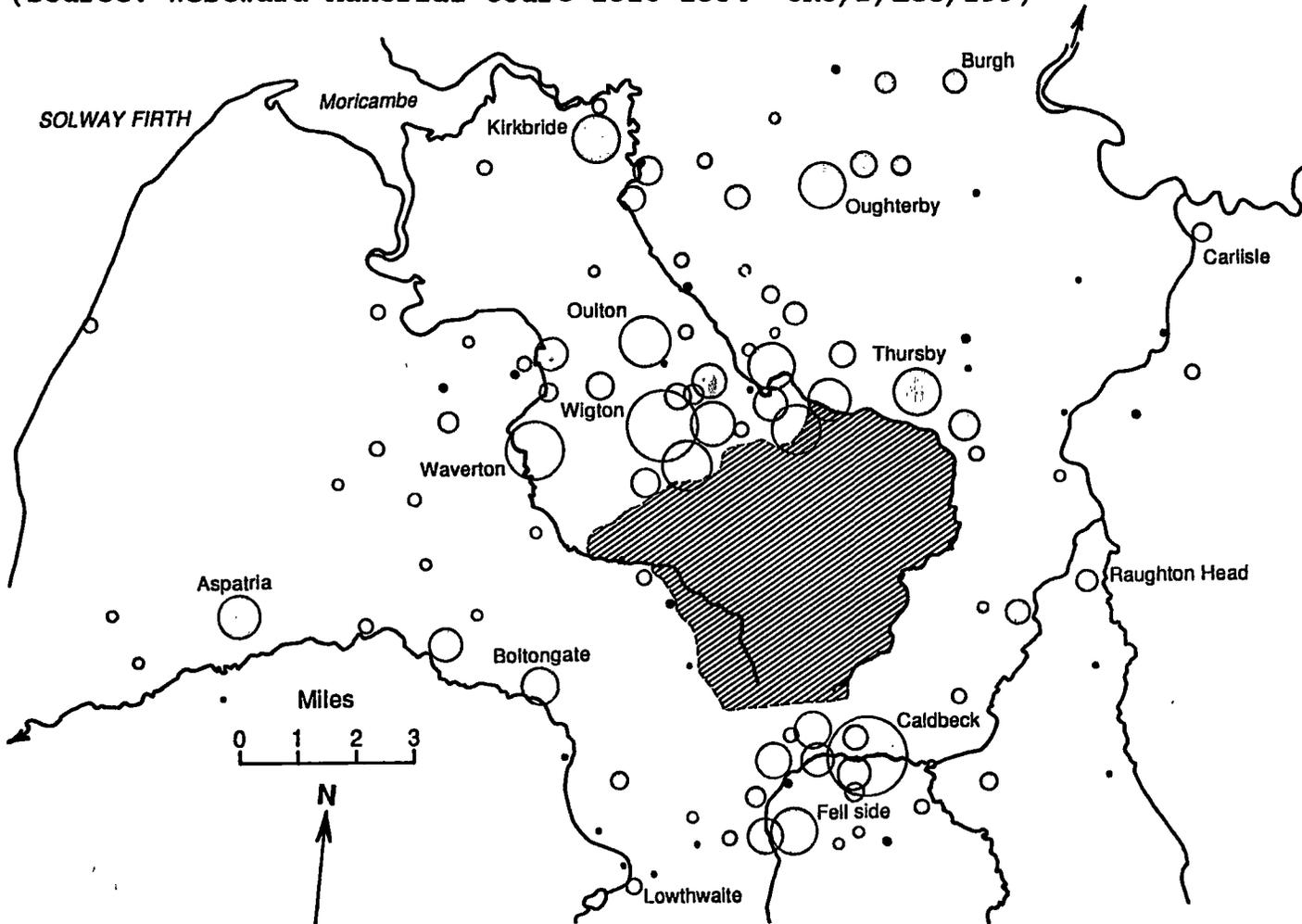
Tenants were permitted to collect fallen branches and twigs (spelks, in local usage), as at Netherwasdale in 1679 when the court agreed that "any tenant within this manor may get spelks in any tenants ground three days before Michaelmas yearly." As with other kinds of common right there was concern to keep estovers for the local inhabitants. Seaton found it "quite contrary to the custom to cut and sell any or carry any out of town" and at Castlerigg in 1666 it was ruled "that none shall sell spelks

to any but the tenants, and that at one penny ob. [$1\frac{1}{2}d$] per 100." Few areas were abundantly supplied with wood. Given its value as a building material it rarely figured as a fuel by Housman's time: only at Castle Sowerby (near Bailey and Culley's well-wooded Caldew) did he mention wood other than in a minor capacity. The Castlerigg court specifically ordered in 1695 "that no farmer or owner in the Whitemoss shall cut or carry any wood out of the same to burn on their fires." Better-wooded areas were exploited early on. Early sixteenth century manorial court records list a great deal of wood being taken from Westward to more than a hundred different communities (Figure 6.4). Most went to places just outside Westward, notably Caldbeck and Wigton, but some was travelling as much as twelve miles. Wood had a somewhat higher cost-to-weight ratio than turf, partly from being rather less readily available, and it was clearly economic to transport it a little further. In time demand for wood denuded much of Westward, despite replanting. Wood never achieved the importance in Cumberland it had in many better-forested countries. This lack of wood doubtless accounts for the significance of substitute fuels and building materials.

Miscellaneous common rights altogether account for somewhat less than nine per cent of all presentments at the manorial court in the period 1660-1869. Most important among them was the right to use many of the other plants

FIGURE 6.4 -- Wood taken from Westward in the early Sixteenth Century

(source: Westward Manorial Court 1516-1534 CRO/D/Lec/299)



Westward parish shaded

Circles proportional to value of wood taken: maximum £2-0-7d; minimum 1d

that grew wild on the common wastes: notably bracken (forty-five per cent of all mentions in this category), gorse (thirty-two per cent) and heather (eight per cent). It is noticeable that gorse (known universally as whin in Cumberland) was mainly a concern of the lowland manors, while bracken was rather more of an upland interest. This may to some extent have been environmental, in that bracken will flourish at higher altitudes than whin. However, heather (itself always referred to as ling) will grow even further up the mountains than bracken, yet was of much less significance in the upland courts than the lowland ones. The economic role of the plants was probably more important in this zonal differentiation. The more woody growths, making the better fuels and usable as hedging materials (whin and ling, along with broom, thorns and briars) were of greater interest in the lowlands where peat may have been less readily available and where there were fewer rocks of the right size for the traditional drystone walls; while the fern- or grass-like plants (bracken, thatch and rushes) were of more concern to the upland farmers with barns and feed-stalls needing cheap roofing.

Like other forms of common right, the liberty to get whin was based on the possession of land: foreigners and those without land were not entitled. Relatively little concern was shown over who cut how much; the general understanding being that each was entitled to however much

was needed for his own tenement. A few of the lowland manors, presumably those where whin was -- temporarily at least -- in short supply imposed restrictions: by amount to be cut, the number of people allowed to cut, or the number of days on which cutting was permitted. One of the principal uses of whin was for the repairing of hedges: even when cutting was permitted elsewhere special provision was usually made to preserve some whin for that purpose. At Whittrigg in 1657 all whin was reserved for hedge repair; in most other cases it was the whin growing within a certain distance (from three to forty yards) of hedges that was protected so that "they shall be preserved for repairing and making of pasture hedges" (Court under the Thorn 1748).

Whin was also used as a fuel. This was not unique to Cumberland or even to the north: Harris reports its use in the wood-poor wolds of the East Riding of Yorkshire (1961: 17) and according to Tye (1957: 100) it was gathered as a fuel in East Suffolk up to World War I. It was valuable enough that care was usually taken to ensure that it was employed only for domestic purposes: for instance, the Little Salkeld court in 1687 forbade its use to bake bread that was to be sent out of the manor. Over time, however, this protective attitude towards whins tended to soften: either because the plant was spreading or because there were fewer demands for it. The court at Penrith agreed in 1715 that

whereas by a late jury the freeholders and tenants of this town paying fell rent were prohibited by pain from cutting of whins on the In Fell for the towns use and sold by cart load as formerly to the enhancing the price of fuel and baking of bread and other things and to the abridging the freeholders and tenants their proper right the bakers also complaining that it is prejudicial to them and the town in general. We therefore think it not useful nor justifiable that any tenants should be hindered from cutting whins for their own or other tenants use the adjacent towns being under no confinement.

There is no indication whether the whins survived this invitation to an open harvest. Certainly the demands of a market town such as Penrith must have been much greater than those of the much smaller "adjacent towns."

There is some evidence that by the middle of the eighteenth century whins were coming to be considered more as a nuisance than a benefit. In 1705 it was directed at Dalston "that no tenant or inhabitant shall cut any whins upon Cummersdale pasture with any hacks or anything else to take them up by the roots, but only with sickles." Cut whin would grow again; if uprooted it would not. By 1756 it was ordered in the same place "that no tenant nor inhabitant within the manor shall burn any whins standing or growing upon Hawksdale pasture or any other part of the wastes or commons within this manor before they be stubbed or cut up." Simply burning them would not have been sufficient to eradicate them. An even clearer indication is the order at

Castle Sowerby in 1735 "that every tenant near his own ground shall burn cut or destroy all such whins as are prejudicial to roads or ways either public or private and also such beds of whins as encumber the common." Just a few years earlier Castle Sowerby had been restricting the gathering of whins to one day a year. The once-useful plant was becoming a nuisance, perhaps as coal became increasingly common as a fuel and the demand for whins declined. Housman wrote of Gosforth "I observed several fields, where the furze (called whins in the provincial dialect) with which the fences are, in general, bearded or planted, had been suffered to spread their seed, and run all over the inclosure" (Hutchinson 1794-I: 585).

The gathering of bracken was sufficiently important part of the Cumbrian economy to have a special day, bracken day, created for it. The main purpose of this was to prevent the collection of bracken too early in the year, before it had shed its seed. Michaelmas (September 29) or thereabouts was the most popular time. Quantities were nowhere specified, though it was common to restrict the number of bracken-gatherers, usually to one per tenement. There seems to have been little traffic in bracken between manors. With the whole manor appearing on the same day to gather it, foreigners would presumably have little chance of passing undetected. This may be behind the ruling at Castlerigg in 1689 that "whereas inconveniences have

happened by having their bracken days different within several parts within the lordship, we do order that one bracken day shall be for all the lordship and that upon the first Wednesday after Michaelmas day." Once everyone had gathered their share it was unlikely anyone would have minded if they sold it, as the plant was so widespread. At Cartmel in Furness the sale of rights to cut bracken was sometimes used to help support the local school (Stockdale 1872). In 1766 the Westward court qualified the restrictions on bracken-cutting by announcing that "if this pain shall be found to be of any prejudice to any poor tenant within the manor not able to be at the expense of buying that the same shall be in the option of any subsequent jury to make void and of no effect."

There is some evidence that bracken, unlike whin, was divided into allotments on the common waste. One man was recorded at Braithwaite in 1678 as possessing "a bracken dalt in Swinside pasture" which is located in detail, as is a "bracken bed" at Kirksanton in 1690.⁸ At Muncaster in 1715 the jury noted "we find that the several persons hereunder named have right and privilege to get brackens in New Park, according to their several and respective shares meared out." However, at Penrith in 1681 it was ordered

⁸ A dalt was a specified portion assigned to various owners of any unenclosed privilege or duty (Wright 1905).

that "none ought to mark any brackens on the fell" and the whole area was clearly meant to be open to all.

Bracken was used as a fuel, which points up the lack of wood, as bracken burns too quickly to be very efficient. Like turf, it was sometimes burned to make fertiliser. Ewen noted the use of bracken (and also furze) as a fuel on Alderney, and Fussell wrote of Cornwall in the late sixteenth century that "Wood was lacking so the common people were forced to use turf, furze and bracken for fuel." Quayle commented that in the Isle of Man bracken was widely used to provide bulk and humus for the soil after being kept in the midden. Flacks served this purpose in Cumberland, but there is no record of this use of bracken. Neeson mentioned that, among other uses, ferns were burned and their ashes used for lye (for laundering purposes) (Ewen 1959: 418; Fussell 1960; Quayle 1954-55; Neeson 1988).

Unripe brackens were best for burning, especially for ash (dry ones would be consumed too quickly and leave little residue). However, there was usually opposition to the picking of brackens which had not yet shed their seed: the Castlerigg court directed in 1741 "that neither tenant nor farmer shall cut any green brackens to burn to ashes without the consent of the jury or the major part of them." Dalston was sufficiently concerned about brackens as fuel that its manorial court ordered in 1745 that

the brackens within this manor being destroyed by mowing and burning to ashes very often before midsummer and as they are so necessary a fuel for the parishioners we put in pain that none within this manor shall burn or mow any for the future, till the bracken day.

Bracken ash was valuable enough that those with private wastes could sell brackens: in 1757 brackens in the Deer Park at Muncaster were for sale at two shillings a bushel (CRO/D/Pen/Acc/1325).

Bracken was also widely used for thatching roofs. Dead plants were too dry and brittle for this use, so the obtaining of brackens for thatch was the one exception to the rule of waiting until late in the year. In the Borough of Egremont the bracken day in 1697 was September 30, but bracken for thatching could be pulled from August 20 and at Aikbank in 1670 thatch bracken was specially exempted from the other regulations. It is noticeable that thatch bracken was always pulled, not cut, mowed, sheared or reaped as was fuel bracken. Presumably this prevented it from drying out so quickly.

Of the various other growing things to which the tenants had common rights, the most important was heather, or ling. Collection was usually limited to one or two cartloads late in the year. Not being especially widespread there was considerable concern to prevent its export by foreigners. Its main use was as a fuel: like other fuels it was supposed to be employed only for domestic fires, though

an order at Edenhall in 1689 allowed "that every alehouse keeper in the town was to pull 4 cart load of ling on Dolphenby moor yearly and no more"; one of the few entries permitting the commercial exploitation of a common right. To those mainly interested in pasture ling was a nuisance and graziers were sometimes tempted to burn it off to encourage the growth of young grass shoots. It was ordered at Millom in 1590 and again in 1595 "that none shall burn any ling upon the fell but within his own heaf." In a letter of 1819 the writer observes

I have been informed that a large extent of liny ground within Skiddaw forest has been set fire to and the ling burned and destroyed. Have you any knowledge of this or any means of ascertaining the offenders as if they could be discovered I apprehend it will be Lord Egremont's determination to prosecute them (CRO/D/Ben).

In this case it was probably concern over grouse-shooting that led to the threat of prosecution. It is unlikely ling was being reserved as a fuel as late as 1819.

Thorns and briars were other plants considered worth conserving; largely as fencing material. Broom was used for fences and also for fuel. Thatch, grass or straw cut for use as roofing material, was mentioned from time to time, as were rushes, used for roofing and also for lighting (Quayle (1958-60) discussed the former use of rushes on the Isle of Man).

As well as growing things, the common waste was a source of a number of other useful materials, such as stone. Although many houses and farm buildings were constructed of brick, of timber and even of turf, stone was widely used for foundations, for more solid buildings, for sheepfolds and for walls and bridges. Quality building stone was obtained from quarries: from private quarries whose product had to be paid for, and from public quarries free to those who held rights of common. Other stones were picked up from the common lands. In the upland areas the removal of surface rocks was undoubtedly regarded as a public service: at Wasdale Head, for example, the walls are much wider than necessary to use up the stones which had previously covered the ground (and which must have been a major nuisance when Wasdale Head was in common field and had few walls). In some parts of the county loose stones and outcropping rock were rare and their removal had to be limited to the common-right holders: at Glassonby in 1676 it was directed that no one "shall either give or sell any stones without this manor or within to any not having a right." In addition, people had to be prevented from obtaining stones in places where their large-scale removal might have caused a nuisance, as at Threlkeld in 1749 where it was ruled that "no tenant or any other person shall get any stones in the outgang leading to the fell whereby the way in much damnified."

Another building material whose extraction needed to be limited was clay; used to make bricks and also as a fertiliser, especially on limestone soils: Fussell (1954) described the use of burned clay as manure. In many cases the place to obtain clay most easily was by the roadside; here the earth was exposed and the transport problem simplified. However, this was also the place where most damage could be done to the road surrounds or surface, and orders similar to those for turbary were sometimes necessary to keep clay-digging away from the edges of roads, and also from hedges. In some manors special areas were set aside for the procurement of clay: the 1704 glebe terrier of Ousby included "one parcel of ground, containing (by estimation) two acres, called Kirkmoor-common on which the neighbours have liberty to get clay" (Ferguson 1877: 182).

As with turbary, there was concern that excavation for building materials could pose hazards on the waste. The Cockermouth court ordered in 1687 "that none shall keep any lime pits upon the common uncovered to any mans damage" and two people were fined at Lazonby in 1771 "for digging large holes for quarries it being dangerous to peoples goods." There was especial disquiet about pits left by clay-diggers. It was decided at Nicholforest in 1745 that the bottoms of all pits on Nether Common were to be covered with turf, and at Blencow in 1614 it was decreed "that none within this

manor shall dig or make any clay pits in Birkmire but shall fill the same up again that no hurt ensue thereby."

Conclusion

Common rights, said Gonner, were a necessary element in the agricultural system, and this was certainly true for Cumberland in this period. By far the most important common right there was the freedom to pasture one's animals on the common waste and in the common fields after the removal of the crop, though there was also a good deal of interest in the right to turf (turbary) and to other plants growing on the waste, such as bracken, gorse and heather. By the eighteenth century Cumberland had become so denuded of wood that interest in common of estover was limited. In each case consideration is given to the regulations that were used to determine entitlement, methods of limiting exploitation, and what evidence there is for the uses to which the materials obtained through common rights were put.

Common of pasture provided grazing land for the farmer's livestock, and in places allowed him to earn extra money by taking in agisted animals. Common of turbary yielded a major source of fuel for over half of the county, as well as roofing material for farm buildings and an occasional source of fertiliser. Other common rights

provided for additional sources of fuel, roofing and fertiliser and for a variety of building materials.

The degree of importance of the common lands to the poorer inhabitants is difficult to judge. There is certainly evidence that many communities not only winked at the use of the common lands by the cottagers and others, but actually legislated for it. Linstock in the late seventeenth and early eighteenth century included cottagers in their allowances for sheep; several communities permitted cottagers to dig turf and at Westward in the late eighteenth century the rules for cutting bracken could be suspended if likely to be of prejudice to "any poor tenant." Not all places were so generous and there were many examples of legislation designed to prevent overexploitation by those not entitled. However, the key point was OVERexploitation: cottagers and others were often permitted if not officially granted an allowance, but they not expected to take advantage. Concern was in most cases to prevent trespass by outsiders: when the freeholders and tenants of Eaglesfield and Blindbothel complained about abuse of turbary by the poor of Cockermouth they felt the urban poor had shown "ingratitude they having received alms at our doors and though your petitioners never were severe upon poor people yet can we not without vexation see our right and the right of our posterity violently and wrongfully taken away" (CRO/D/Lec/265/8). The concern was not that the people

offending were poor, but that they were not local poor. A great many court orders used some such phrase as 'tenants and inhabitants', making it clear that the common lands were not being restricted exclusively to those with legal rights thereon.

In the eighteenth century the care communities took to preserve these common resources and to control their exploitation shows how important they were. Interest dropped off in the nineteenth century, as the common lands were enclosed: further south, at Stockport, Cheshire, Giles (1950-1) reports that many burgesses made no use of their rights of common of pasture or of turbary by the end of the eighteenth century. Moreover, alternative and more efficient sources for the resources formerly acquired through common rights were developed: coal increasingly replaced peat as a fuel, slates and then iron replaced turfs for roofing, guano replaced local manures and enclosed pastures and feedstuffs replaced the common grazings.

CHAPTER SEVEN
ENCLOSURE AND ENCROACHMENT

Introduction

The reason above all others why Macaulay's mid-Victorian would have been unable to recognise England in the late seventeenth century was enclosure. Between those two dates virtually all the open and common land across the country disappeared, to be replaced by the late nineteenth century landscape of rectangular hedged fields surrounding new-built farmhouses. In this chapter the different types of enclosure are defined, and the neglected process of encroachment is examined in some detail.

Types of enclosure

Of all the changes that took place in agriculture from the end of the sixteenth to the middle of the nineteenth centuries, none was to be of greater significance than enclosure. As Chambers and Mingay wrote "The enclosure of open fields, common lands, meadows and wastes constitutes one of the most remarkable developments in English agriculture in the eighteenth and early nineteenth

centuries, and certainly the one that has aroused the most controversy." More recently Mingay noted that of all the principal capital needs for agricultural change in this period -- enclosure, drainage, local transport, farm buildings, livestock, implements, fertiliser, labour -- enclosure and drainage between them probably accounted for over half. While Harvey estimated that about sixty per cent of the long-term capital invested in British agriculture was in the form of farm buildings, this calculation applied to buildings from all periods, including those not involved in enclosure. In a more dramatic vein, Hoskins claimed that the enclosure of Wigston Magna in Leicestershire in the 1760s "was comparable, in the magnitude of its consequences for village society, with the introduction of Christianity in the Dark Ages.... Indeed, the enclosure of the parish was perhaps a more dramatic event" (Chambers and Mingay 1966: 77; Mingay 1977: 11; Harvey 1970: 15; Hoskins 1957: 216).

Enclosure is simple in concept; more complex on closer examination. At its most basic "Enclosure is the process by which land has been bounded by fences, ditches, walls or hedgerows." However, this overlooks the fact that what was really important about enclosure was the ending of common rights: after all, a common arable field surrounded by a ring-fence is 'enclosed' by the above definition. An upland area might have been enclosed with a drystone wall:

if that wall were later allowed to fall into disrepair since the area was no longer being used to graze animals, was it no longer 'enclosed'? Such concerns were clearly behind Wordie's decision that

the term 'enclosed' will be used in its legal rather than in its physical sense: that is to say, it will refer to land held in severalty, falling completely under the power of one owner to do with as he pleased, whether or not he chose to enclose his land in the literal sense with hedges or ditches.

Unless otherwise specified, it is Wordie's definition that will be employed here (Adams 1976: 119; Wordie 1983: 484).

Different types of enclosure also have to be recognised. Traditionally the distinction is between enclosure by private agreement, mostly finished by the middle of the eighteenth century, and the more formal enclosure by Act of Parliament, which did not become really important until after 1750 (Wordie 1983: 487; Turner 1980: 68).

Gonner listed five methods of legally enclosing and extinguishing rights of common. (1) Extinction of common in ordinary process of law. This was possibly significant only in cases of disuse of common, notably in times of civil disorder, and of unity of possession, the acquisition by a single individual of lands with common rights.

"Opportunities of this kind were not of infrequent occurrence, but it is difficult or impossible to ascertain

how far they were taken advantage of." Kerridge claimed that "enclosure by unity of possession bore most hardly ... in urban centres where the owners were closed corporations and the erstwhile commoners utterly dependent upon one single common. The oligarchic governments of commercial capitalists in most free boroughs proved even more dangerous enclosers than the lords of manors and manorial boroughs."

(2) Withdrawal from common by sufferance was enclosure of parts of open fields over which common rights did not apply: notably strips of the lord's demesne. (3) Approvement was the right of the owner of the soil to enclose the waste, provided this did not interfere with the legitimate claims of others. There is some evidence of its early use to achieve arbitrary enclosure, but it was little used by the end of the eighteenth century since it was rarely possible to satisfy the commoners' various claims. (4) Agreement was the most widespread form in the seventeenth century. It could range from amicable to coercive: sometimes forced through by Chancery suits. According to Kerridge this procedure was sometimes called "enclosure by commission" because the contracting parties commissioned disinterested persons to supervise the division and award of allotments. (5) Private acts and Parliamentary enactments. Involvement of Parliament in enclosure was known as far back as the thirteenth century although it did not become common until the eighteenth, at least in part because of the

ineffectiveness of agreement as a procedure in contentious cases. The idea of a general act was mooted as far back as 1681, though none did pass until 1801. Enclosure by private act began systematically at the beginning of the eighteenth century. The number of private acts grew until "by reason of the very uniformity and complexity of the provisions included on each occasion, a general act was rendered not only feasible and useful but essential." The general act of 1801 specified how commissioners were appointed and how they worked, provided for the division of property, the provision of roads, hedges and ditches and the apportionment of expenses. After 1845 Parliament delegated much of its powers to a number of permanent bodies, though their decisions or orders had to remain on the table of the Houses before becoming operative (Gonner 1966: 43-70; Kerridge 1969a: 98; 1963a: 103; Thirsk 1985: 380).

Williams emphasised an important distinction; between the enclosure of the common and predominantly arable fields that surrounded the village settlements, and the enclosure and reclamation of the wastes. Chapman complained that "For the most part attention has been focused on the elimination of common fields, the common pastures and wastes being considered as minor parts of the system." Although both Williams and Chapman were writing of the period of Parliamentary enclosure, the distinction remains a valid one

for all kinds of enclosure (Williams 1970: 55; Chapman 1976: 1).

Enclosure of the common waste

The general tendency of scholars examining Parliamentary enclosure has been to treat it as a single entity and to seek overall explanations. In reality, Chapman remarked

it performed two entirely distinct functions. On the one hand it was concerned with the reorganisation of fragmented holdings in open fields, and was thus a farm consolidation movement.... On the other hand, it was concerned with the subdivision of the former common pastures and wastes amongst those owning rights there, and thus had as its primary aim the increase in the acreage of land available for intensive agriculture.

Being different processes, they are likely to have been affected by different factors, and it becomes important to determine which was dominant in any one place at any one time. Much more has been written about the enclosure of the common arable fields, but Chapman's sample survey of Parliamentary enclosure awards showed that over England and Wales arable land accounted for only 33.5 per cent of the area enclosed, pasture for nearly sixty per cent, though the arable total was somewhat higher (39.1 per cent) if England alone were considered. Moreover, the enclosure of common

arable fields was spatially quite concentrated, being strongly concentrated in the Midland counties. There was "a much larger outer area where attention focused essentially upon common waste" (Chapman 1987b 137; 1987a: 29-30).

The pattern obviously changes over time as well as space. Anywhere, that is to say, an enclosure mostly of arable was likely to take place earlier than one mostly of common waste. Moreover, arable enclosures tended to cluster much more closely about the median, which means that within any given area, field enclosure took place relatively quickly, whereas enclosure of common waste was far more drawn-out. This later enclosure of the common waste has been generally acknowledged. As Blum observed of the common arable fields: "the enclosure movement ended with the conclusion of the Napoleonic wars." On the other hand, Williams wrote that "it was the wars with France between 1795 and 1815 that brought about an increased awareness of the value of the waste, and the conquest of the waste and the conquest of France became synonymous in some minds." The war analogy had been used over a century earlier to promote another agricultural advance, when Andrew Yarranton exclaimed that by adopting the crops and methods of the New Husbandry England could "outdo the Dutch without fighting, pay debts without money and set to work all the Poor of England" (Chapman 1987a: 32; Blum 1981: 480; Williams 1970: 57; Tate 1967: 81).

Chapman also pointed out that very little attention has been given to the enclosure of common meadow. Although, in his sample, there were virtually no awards that were all meadow, over forty per cent had some and over ten per cent were at least one-tenth meadow. The pattern of meadow enclosure closely followed that of arable field enclosure. Meadow was usually, though not always, enclosed as part of the general abolition of some kind of common field system. Moreover, the actual processes of enclosing meadow and arable were very similar: for instance the need to establish the exact proportions of land held by each individual before enclosure (Chapman 1987a).

The importance of the extension of agriculture to former waste lands has not always been adequately acknowledged. Grigg complained that historians have tended to emphasise the importance of increased crop yields in the eighteenth and nineteenth centuries while neglecting the very considerable increase in area under cultivation which took place, particularly after the 1770s. One exception to this neglect is Mingay, who remarked of increases in production 1700-1850 that "The achievement appears the more moderate when it is remembered that the major part of the increase in output was obtained by a large expansion in the cultivated acreage." However, it is not necessarily safe to assume that the spread of cultivation to former waste land was tied directly to the spread of Parliamentary enclosure.

Such factors as under-draining and forest-clearing, the marling and manuring of the light soils, and the encroachments in the upland moors may also have played a part (Grigg 1982: 184; Mingay 1977: 3; Williams 1970: 64).

Encroachment

In Porter's words "An aspect of settlement which has so far received little attention is encroachment."

Encroachment may be defined as the taking-in of parcels of common land by an individual, and the adding of that land to that individual's private holding. It was a piecemeal, usually small-scale, activity which left the operation of common rights over the remainder of the common lands unchanged. Osborne wrote "To be successful, encroachments were required to present some form of legal, or generally accepted, claim to the land, or somehow to elude detection by the manorial authorities." In several parts of the country it was accepted that if a squatter could erect a cottage on the waste at night, and have smoke coming out of its chimney by morning, then he had the right to stay: though on enclosure in Montgomery "it would appear that the commissioners were unimpressed by the traditional concept of the 'ty un nos' or 'one night house'. Only encroachments of 20 years were recognised as legal" (Porter 1974: 141; Osborne 1974: 267; Hammonds 1927: 24-25; Thomas 1955: 6).

According to Harvey, at Mexborough in Yorkshire "There are references to enclosures being taken out of the Fields in the mid-seventeenth century whilst the tithe plan of 1839 indicates that the process was still continuing at that date." Over time such actions could have considerable local significance. According to Osborne "Encroachments against the communal pastures of Wales have played a significant role in formulating patterns of land use and land tenure"; in Wensleydale Fieldhouse found that "Despite the vigilance of the manorial courts, the commons were constantly eroded by intaking and encroachments"; while in the Vale of York Harris described many common fields almost surrounded by closes. Hey noted that in West Bromwich "The opportunities for industrial employment and for keeping a few cows and sheep attracted a great influx of squatters" so that by 1723 there were 99 cottagers encroaching on the common waste. In Saddleworth (Yorkshire) there were many small encroachments in the first half of the eighteenth century, which were duly paid for. Later they became more extensive, and "By 1806, encroachment had become such a problem that the proprietors of the Manor had to conduct a survey of all illegal encroachments." Eventually this led to the conclusion that only enclosure could solve the problem, and the 1810 petition claimed that only those using the common waste illegally were opposed "because they may, though wrongfully, enjoy the privileges which belong to

others while the Commons lay open and unenclosed" (Harvey 1974: 117; Osborne 1974: 265; Fieldhouse 1980: 174; Harris 1961: 54; Hey 1984b: 145; Petford 1987: 94, 104).

According to Yelling encroachment (which he termed 'piecemeal enclosure') was the most important method of enclosure up to the mid-eighteenth century. Not only was it significant in the amount of land removed from common usage but, once such encroachment had become established custom in a township, there was a bias towards further change: "The first step from classic common-field conditions is the most difficult to envisage, and that is why the thesis that piecemeal enclosure mainly occurred where this step was unnecessary is so attractive." This piecemeal enclosure is seen as the principal mechanism resulting in the almost total enclosure of much of southwest, southeast and northwest England and of Wales by 1500: in so saying Yelling is clearly referring to common fields rather than to the waste (Yelling 1977: 87; 1978: 153).

Gray found piecemeal enclosure to have been of great importance in the decline of Herefordshire common arable fields, while in Somerset Harrison found that "More typical of the post-1640 period than the enclosure of large territories ... were the small piecemeal enclosures." In Buckinghamshire, according to Reed, much enclosure was piecemeal and involved only very small plots of land: "Much must have been carried out by individual villagers and could

scarcely have been distinguished from squatting, its continuance depending upon the indifference and inertia of neighbours." In part of Durham encroachments on the common waste were fined, but only at a level that was "singularly ineffective as a deterrent: the number of presentments increased from ten in 1696 to forty in 1709 and fifty in 1716." In neighbouring Northumberland the administrators of one estate evolved a standard procedure for dealing with new encroachments, renting plots as large as 100 acres. Parliamentary enclosure was thus frequently "the logical conclusion of the piecemeal creation of separate closes from the waste and the gradual modification of the common fields that had been going on for a century or more" (Gray 1915: 145; Harrison 1984: 361; Reed 1984: 140; Brassley 1984: 48-49; Mingay 1968: 18).

The extinction of common rights over an arable field could be achieved by simpler means than overall enclosure. Consolidation was sometimes practiced: as Tupling described it for Rossendale: "In order to improve their agriculture they interchanged their strips of arable and lumped them together into compact holdings.... Though they deprived one another of certain privileges, such as common of shack, they acquired something which they considered superior." Such consolidation occurred in both English- and Welsh-speaking parts of Wales in the seventeenth century (Tupling 1927; Howell 1985: 278).

Encroachment in Cumberland

Encroachment was a major and continuing issue in Cumberland: over thirteen per cent of all manorial court entries from 1700 onwards concern encroachment in some form: enclosing strips in the fields, taking in parts of the common waste, erecting buildings on common land and so on. The usual aim of the encroacher was to add to his private holding while continuing to enjoy common rights over the rest. Not surprisingly, there was opposition to this, as when five people were presented at the Borough of Egremont manorial court in 1689 for having

hedged in, walled and inclosed several parcels of common and under woods belong to the Borough of Egremont, which in all probability they or their heirs, may in a short time claim as their own proper inheritance, and seriously considering of what ill consequence this dishonest example may be of to other covetous people to follow the like methods of inclosing our woods and commons: Now for the preventing of the great damage and prejudice that these encroachments are like to be to us and our posterity for the future.... We think it highly just and reasonable, that all and every the said offenders that does not pull down and demolish the said now erected hedges and walls so that the whole Borough may have the benefit of their woods and commons as formerly [shall be fined].

Likewise, the freeholders of Embleton complained in the early eighteenth century about an eight acre encroachment "in a certain waste or common called Lowfell which is but of very narrow compass and extent and not sufficient to feed or

maintain in the summer so many goods as your petitioners tenements will keep in the winter" (CRO/D/Lec/265/41).

In some cases opposition was based as much on the nuisance value of the encroachment as on the quantitative loss of common involved. The tenants of Rosewain listed some of the problems that might be caused by encroachment in a petition of 1728, in which they claimed that they

have always been very cautious and tender of encroaching upon the lords wastes, as a thing in its own nature tending to introduce troubles and disturbance in the neighbourhood by diverting of ancient ways, stopping of avenues, lessening of turbary and pasturage, and abridging many other conveniences incident and belonging to their respective tenements (CRO/D/Lec/265/58).

Petitions at Braithwaite, undated, and at Westward, 1647, both complained of encroachments blocking access to the common waste (CRO/D/Lec/265). A tenant was presented at Harrington in 1741 because he "hath encroached on the Lords waste (four yards in breadth and six yards in length) in the outgang near Weskell Well." This last shows that even 200 square feet of encroachment was considered an imposition if so situated as to block an outgang. On the other hand, a petition of 1657 stated that the writer paid fourpence a year for an improvement which he had never enclosed "by reason that the same would hinder the forth gate of his cattle and being of so small a quantity not considerable to be at the charge of enclosing." He therefore petitioned

either to be allowed to give up the improvement (and the rent) or to be allowed to encroach a further two acres (with suitable rent) (CRO/D/Lec/265).

However, there is little evidence anywhere of a total ban on encroaching. Among a list of pains at the Edenhall court in 1666, repeated in several following years, is one stating "that none shall take in any improvement" and one of the "answers to articles to be enquired by a survey jury" at Holme Cultram in 1663 was "we say that if any encroach upon the pasture or saltmarshes the same ought to be presented to the two head juries within this lordship and be fined." Despite the examples above, in most cases the evidence is that an encroachment had a good chance of being permitted; provided the proper channels were gone through and proper payment made.

At one time, encroachment must have been essentially a communal activity, with families or groups of families moving into unoccupied territories and carving out their common arable fields and meadows. However, there is little evidence of the extension of common lands in Cumberland -- whether arable or not -- in the sixteenth and early seventeenth centuries, and none at all thereafter. Interest in the eighteenth and nineteenth centuries was exclusively in adding to enclosed, privately-held land.

The best way for an encroacher to take in a parcel from the common waste was with a circular enclosure: this

gave the maximum enclosed area for a given amount of fencing. Many maps show roughly circular encroachments of this sort, surrounded on all sides by the common waste. These can be especially clearly seen on the Enclosure Award maps: that at Egremont, for example (Figure 7.1), shows one of the pieces of waste being enclosed -- Briscoe -- with no fewer than eighteen separate encroachments (some subdivided), of which sixteen were planted on their own in the middle of the common area. The survey of Bowness (Figure 7.2), also late-eighteenth century, shows the farm of Rogersceugh clearly encroached from the waste; the garth and four fields forming an elliptical enclosure in the middle of the mossy waste. The outer ring of fields, in fact, seems to have been added later. Encroachments of this shape were possible because they had no need to fit in with the neighbouring parcels. Where large-scale encroachment involving more people had been going on, straighter field-edges would have been necessary (as in the subdivided parcels in Briscoe). This would also be true of encroachments on the side of valleys, where walls following the contours or crossing them at right angles would have been easiest to build, as in the 'intacks' at Wasdale Head (Figure 5.3). This situation was in contrast with that in Glamorgan, where encroachments "were required to be marginal extensions of the area of the enclosed estates and were always adjacent to the wastelands" (Osborne 1974: 267).

FIGURE 7.1 -- Briscoe Common Waste, Egremont, 1783

(source: Egremont Enclosure Award CRO/QRE/1/130)

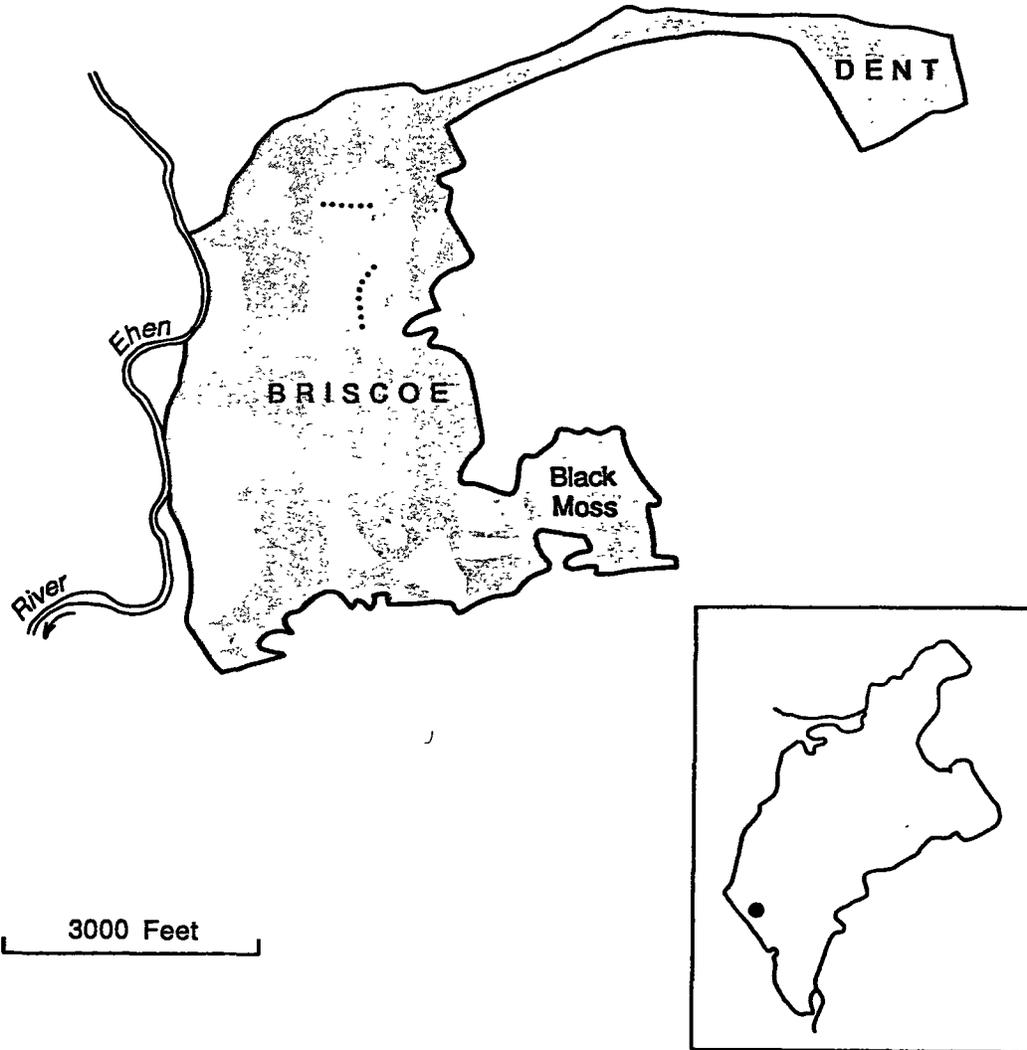
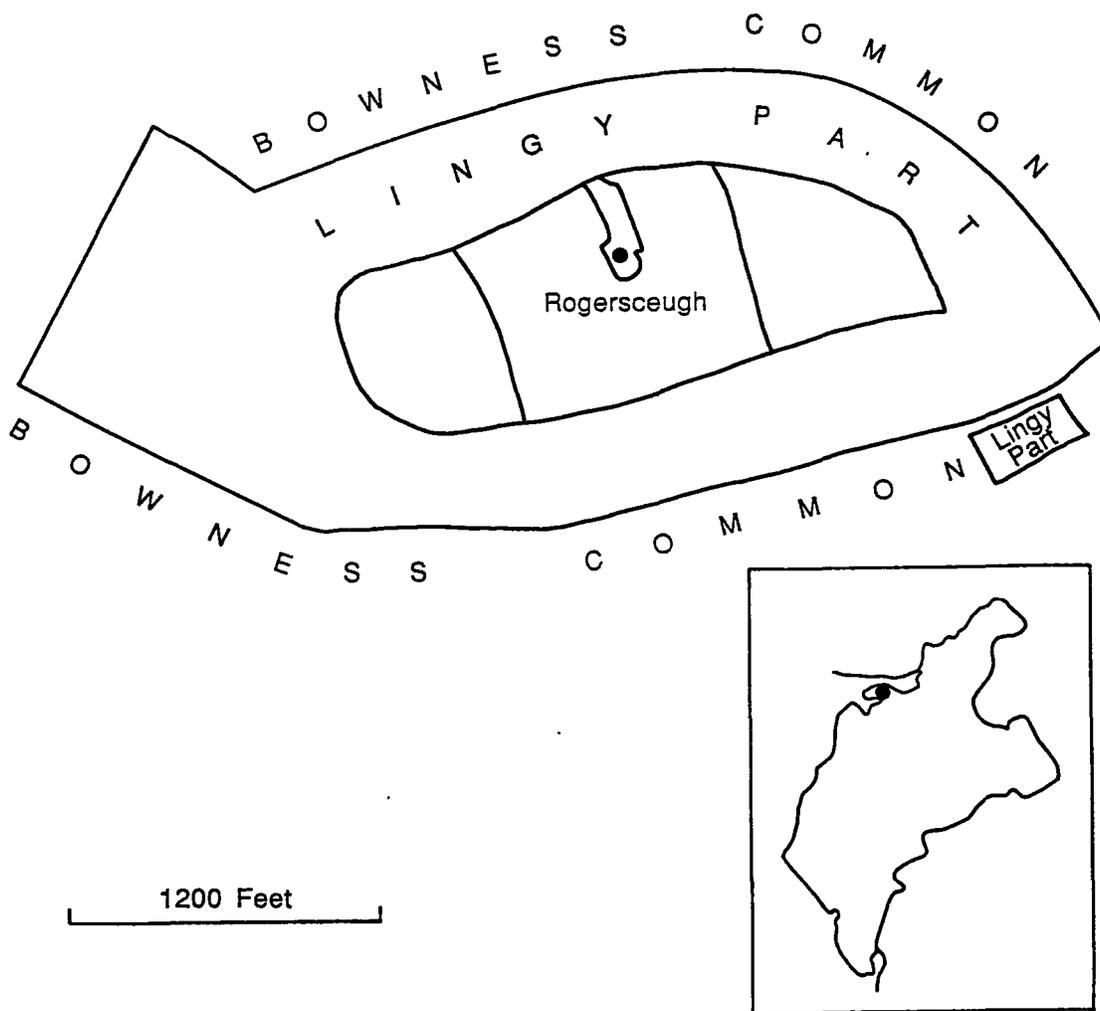


FIGURE 7.2 -- Rogersceugh, Bowness, 1763-1770

(source: Bowness Map CRO/D/Lons/L)



Moreover, there is no evidence from Cumberland of the South Wales practice of encroaching simply by planting near stones: all references to Cumbrian encroachment imply walls or fences. Since the principal reason for encroaching was to plough and crop the land, nothing less would have sufficed to keep off the animals pasturing on the waste.

The principal exception to this pattern of encroachment was when the encroacher already owned land abutting onto the common. He would have no need to build a separate enclosure standing on its own; he could simply push his fence further out and tack a piece on to his already-enclosed lands. Such encroachments were generally long and narrow, Glamorgan-style, parallel to the edge of the waste. In some cases this pushing-out of the boundary- or ring-fence was done not so much to add to property as to rebuild the fence (or hedge, or wall) because the foundations of the old one were unsatisfactory. In a petition from Bolton in 1726 a tenant "humbly requesteth that he may straight part of a hedge of a close called Intack adjoining to the common being 60 or 70 yards in length and 5 or 6 yards in breadth at one end and not one yard broad where it begin the hedge now standing on very wet ground and my design being to set it on firmer ground" (CRO/D/Lec/265/248). In a petition of 1703 from the freeholders of Wigton reference is made to a small parcel of the common waste "taken up the rather for shortening his dyke ... than for any advantage the said

little improvement may yield as we believe: And that the said little nook of common improved cannot in any wise be prejudicial to any tenants within the manor aforesaid"

(CRO/D/Lec/265/254). However, even such minor encroachments were not always regarded kindly. At Bolton in 1763 the jury reluctantly ruled that

Whereas several inhabitants of this manor who have had their ring fences in a ruinous condition have for the sake of having sound and commodious ground for erecting new and sufficient hedges upon have made encroachments upon the Lords wastes, which, though several of the neighbours look on it as not so prejudicial to herbage, as the advantage they find in having good ring fences adjoining the common, yet others of the said inhabitants of this manor finding it a nuisance to them and complaining thereof we present for such encroachments [thirty-three persons].

The erection of buildings on the common waste was another form of encroachment. Outbuildings -- barns, workshops and the like -- were not usually objected to: the Percy Survey of Westward noted "a little workhouse standing on the Lords waste during such time as he shall use it himself, keeping no fire therein" (CRO/D/Lec/301/9), and one of the witnesses at the 1633 inquiry into concealed lands at Holme Cultram gave evidence that

As for the houses, which are kilns barns and firehouses set out upon their own forefronts of their tenements and so erected by the tenants and copyholders within the said lordship he knoweth the same to be of small value and never within the memory of man any rent set

upon them yet a help and ease to the owners thereof whereby they may be the better enabled to pay the rent unto his majesty and repair their houses and none of the inhabitants within the said lordship either prejudiced wronged or damnified thereby nor the kings inheritance any way hindered but rather furthered (PRO/LR/2/212/1402-1403).

In 1848 licence was given to enclose 1000 square feet of waste in Braithwaite for a Methodist Meeting House "Provided that if such meeting house or chapel shall not be built within the space of one year from the date hereof then this licence shall be void and of none effect" (CRO/D/Lec/265/250).

The main danger in permitting the building of dwellings on the waste was that an individual without any land and without rights of common might erect a cottage, possibly with a small enclosure around it, and then claim rights of pasture, turbary and so on as a local property owner. An example of this sort of claim is seen in a late-seventeenth century petition from the tenants of Greystoke, Newbiggin and Stainton, who complained

Now so it is that one Mr. Wm. Hudleston a younger brother of Andrew Hudleston of Hutton John Esqr. doth farm a cottage house and some small parcel of land of his said brother which house was lately built by the said Andrew upon the borders of the said common to the great annoyance and prejudice of us and more now by reason that the said Will Hudleston doth pasture his cattle cut our furze and grave up the said common (CRO/D/HG/96).

In order to prevent this sort of encroachment regulations were enacted such as that at Bolton, 1690, "that none incumbent shall build any dwelling houses unless he have four acres of ground or upward." Four acres of land was also insisted on at the Dalston court in 1723 and that at Kinniside in 1767. Such requirements were clearly aimed at preventing landless people from claiming rights of common as a result of building on the waste: though in 1710 the Dalston manorial court gave permission for a "poor man" to build a cottage on the common waste. While such attempts to obtain common rights by building on the waste were usually made by individuals, at least one example survives of a whole township trying to claim rights of common of pasture in this way. In a letter from the tenants at Renwick, probably of the late seventeenth century, complaint was made that "the tenants of Staffield have ... set up and builded a house or shiel on your worships common, and dwell in the same, and have their goods there, and keep the house with force" (QCO/5a-3a).

For all these attempts to encroach by building, there is no evidence from Cumberland of the practice mentioned by the Hammonds, and described by Hoskins as "widely believed, both in the highland zone and the lowland," of permitting common rights to anyone who could erect a house in one night with smoke coming from its chimney before the sun rose. All Cumberland sources make it

clear that it was continued, unchallenged occupation that was the danger, and in no case is the one-night argument used (Hoskins and Stamp 1963: 52).

Amount of encroachment

Encroachments were mainly small: too large and tenant opposition would likely be aroused. Fourteen petitions in the Leconfield collection show requests for encroachment of from two acres to a little as twenty square yards (180 square feet). An undated list of nineteen encroachments on Aspatria East Common shows them to have ranged from 1.25 acres to five perches (272.25 square feet) ((CRO/D/Lec/41). In 1569 a large group of poor people, whose livelihood depended on common of pasture in the Westward area, met together and broke down a large number of encroachments there.¹ A subsequent commission of investigation reported that there were 127 new enclosures totalling about 545 acres, or somewhat over four acres per encroachment (Bouch and Jones 1961: 77-78). A 1635 list of improvements in Holme Cultram included none of over an acre. The most comprehensive list is that in the 1619 Penrith and

¹ Westward was originally thickly forested (it was the west ward of Inglewood forest), and before large-scale assarting had been thick enough that the locals could hide themselves and their cattle in it from raiders (Bouch and Jones 1961: 77).

Inglewood Survey (CRO/D/MH). This lists 619 encroachments scattered around thirty settlements. Areas are given for 540 of these, totalling just over 2000 acres, or an average of under four acres per encroachment (all measurements apparently customary). A few of these were very large, notably a 600 acre encroachment at Skelton, and others at ninety, sixty and fifty acres (some of these, as mentioned in Chapter Five, p 241, were group-encroachments and not the actions of individuals). Over two-thirds on this list were no larger than one acre in extent.

The only example of the listing of a number of large encroachments at one place for one time is an undated, but clearly pre-1700, return of those being served with ejections from improvements at Cotehill and Cumwhinton (CRO/D/MH/III/110). At Cotehill thirty-one encroachments had a mean size of nearly thirty acres, the largest being 168 acres; at Cumwhinton twenty-eight encroachments had a mean size of nearly thirteen acres (presumably customary measure). It is not clear why encroachments in this area should have been so much larger on average than elsewhere, unless it was associated with proximity to Carlisle and the pressures of an urban market. It may be significant that nearby Scotby had the largest encroachments of those listed in the Penrith and Inglewood Survey. The manorial court records do not usually specify the sizes of encroachments: there was, however, mention of a large one of sixty acres at

Papcastle in 1525. Later ones were mostly much smaller. Five individuals presented at Ennerdale in 1819 had encroached from just over 2.5 acres to just over a quarter of an acre, and one at Harrington in 1741 as little as twenty-four square yards (216 square feet).

It is difficult to make generalisations about the rate of encroachment at any time, because there are only scattered examples where date, place and area encroached are all clear. In a few cases land described as 'improved' contributed significantly to the cultivated area. The 1578 Percy Survey of Aspatria noted, in addition to 450 acres (customary) of common field and enclosed land, 150 acres in "diverse and sundry improvements, the greatest part whereof are lately enclosed upon the lords waste" (CRO/D/Lec/301/173-177). Thus the cultivated lands in late-sixteenth century Aspatria, including the common fields, were made up about twenty-five per cent of encroachments. In a survey of 1665 Scotby was described as consisting of 700 acres of enclosures plus 2500 acres of common (PRO/LR/2/258/165). In the Penrith and Inglewood Survey, nearly fifty years earlier, encroachments in Scotby were totalled at 240 acres. Assuming the enclosed area was roughly the same in 1619 as in 1665, then about thirty-five per cent of Scotby's enclosed lands at the latter date were made up of encroachments.

Great care has to be taken in drawing conclusions from data such as these. As pointed out, all land could be considered as having been encroached at some time in the past, and one unknown is for how long after the actual act of encroaching the term encroachment continued to be used. The Aspatria example, above, specified that only the majority of encroachments were recent: the rest were of unknown date. Encroachments at Staffield were still being presented and fined fifty years after the event. In Hall and Humberston's 1569 Survey virtually all of Westward was described as being either "newly improved" or "anciently improved" (PRO/E/164/37/177-186). In some lists only unrented encroachments were included: those which had followed the proper steps were considered as part of the individual's enclosed lands. Further, there is no certainty that the acreages used in different areas were comparable, nor even those used at different times in the same area.

One location for which the rate of encroachment may be judged with reasonable accuracy is Wasdale Head. The 1578 Percy Survey described the agricultural land of the community as being entirely made up of 119 acres of common field. This customary acreage is identifiable with the 190 statute acres of farmland (30 acres common, 160 acres enclosed) on a map of 1795 (Figure 5.3). In addition, the 1795 map shows thirty-five acres of land defined as intacks, parcels on the steep slopes above the flat valley floor.

These had clearly been encroached from what had been waste in 1578. At Wasdale Head, therefore, only these thirty-five acres had been encroached in over 200 years. Throughout this period most of the land remained, as it remains today, in unenclosed common waste.

Estimates may also be made for Westward. The area of the parish is 12,740 acres (the parish and manor were not quite coincidental, but the differences were small). In Hall and Humberston's Survey of 1569 1100 acres (customary) were listed as being in cultivation; two-thirds described as "anciently improved" and one-third as "newly improved" (PRO/E/164/37/177-186). In addition there was a little freehold land, plus the two enclosed deer parks of North Park and South Park. No area is given for these, but it is unlikely that the total enclosed and common-field land in Westward in the late sixteenth century was more than 3000 statute acres; probably a good deal less. By the time of enclosure in 1822 the approximately 10,000 acres of common waste in sixteenth-century Westward had been reduced to 7250 acres. In the intervening 250 years, therefore, the amount of cultivated land had increased from no more than 3000 acres to about 5500 acres. Though this is an approximate doubling of the land taken in from the waste, the annual rate of encroachment over the whole period was only about ten acres.

The manorial court records, while rarely giving sizes or locations, do show that encroachment remained important up to the end of the courts' lives (Table 7.1). Since the courts were usually run down or defunct by the time the common lands were enclosed, these figures suggest that encroachment continued to be significant for as long as there was common land to be encroached on. In the sixteenth century there was a good deal of concern over individuals nibbling at the common fields, but this does not seem to survive the century, and there was then a steady increase in entries relating to encroachment on the common waste. By the nineteenth century there were only a few remnant pieces of common field left, and most of the remaining common waste in the lowland areas were about to be enclosed. In the uplands there was less concern about encroachment (the topic appears twice as frequently in lowland courts), not least because there was much more land available and what was being encroached was rarely of high value. Even today much of the land in these areas remains unenclosed.

Encroachment in the common fields was rarer than on the waste. Although managed on a communal basis each field was held in carefully-delineated individually-owned parcels. A person might have been prepared to condone another's taking-in of a part of the waste as being something having no great effect on him personally, but he would scarcely permit such an encroacher to take in one or more of his

TABLE 7.1
Presentments for encroachment at the manorial courts

century	total presentments	total for encroachment	percentage for encroachment
1500-99	5185	844	16.3
1600-99	11526	699	6.1
1700-99	5861	733	12.5
1800-99	244	62	25.4

sources: see Appendix A

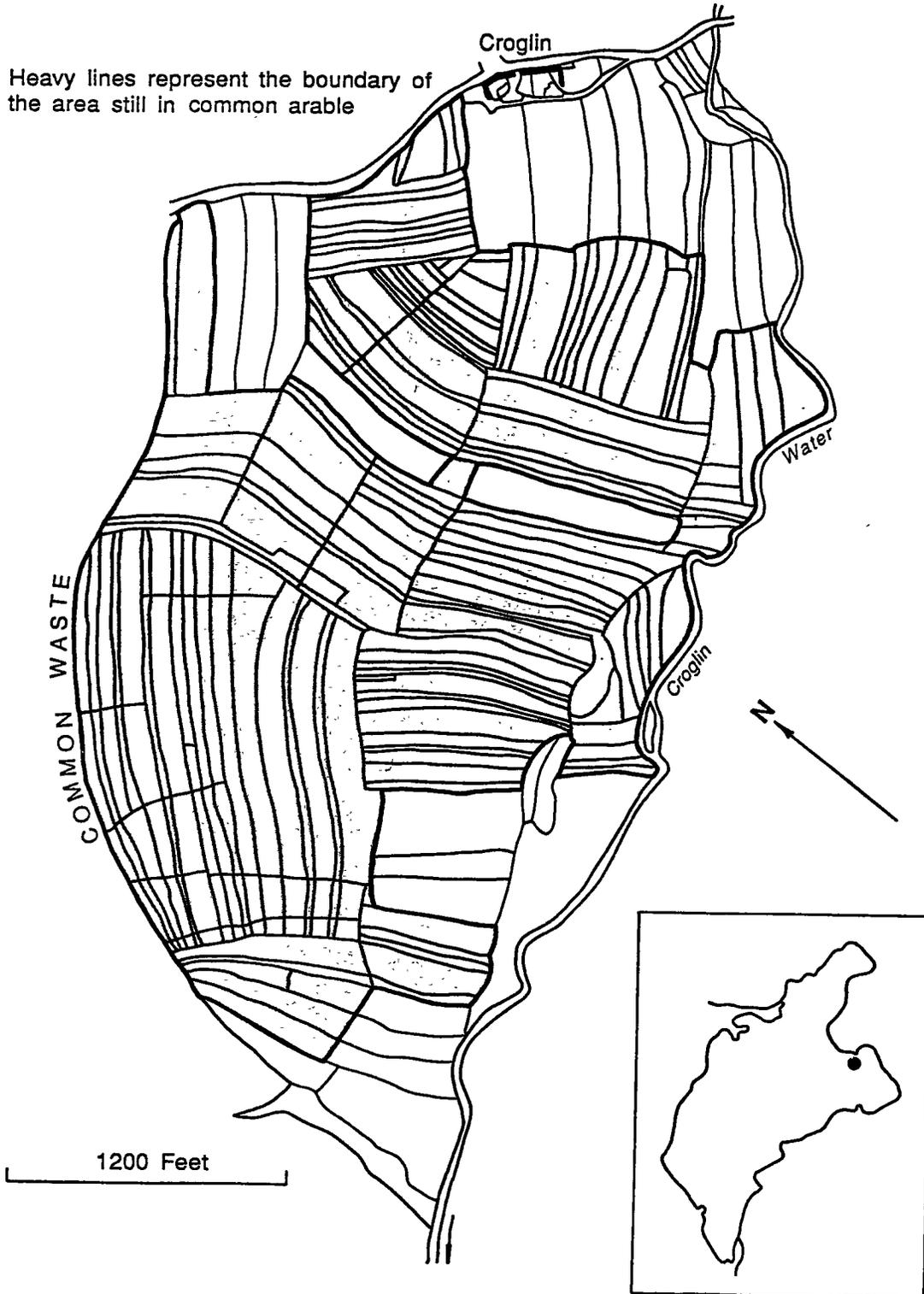
common-field strips. That encroachments of this sort were nonetheless occasionally attempted may be seen in the presentment of an individual at Dalston in 1710 "for erecting a new hedge in Green-head-field upon part of [another's] ground, he having taken the rain and part of his plowing land." Such attempts must have been rare, however, for it is hard to see how anyone could seriously hope to get away with it. Even the attempt to fence-in one's own strips would be expected to raise opposition, as this would be to deny other the rights of pasture over those strips once the crops had been removed.

Consolidation of individual strips was sometimes practiced. The Burgh Survey of 1638, for example, notes in Burgh South Field holdings of seventeen lands, "11 together" and of fourteen lands "10 together" (CRO/D/Lons/Burgh 30, 31). It might then be possible to fence round such a group of strips and separate them as a block of land divided from the rest of the field. In the same Greenhead field at Dalston an agreement was recorded in the 1726 for three people to exchange and enclose their lands. Another example of just such a consolidation followed by enclosure may be seen at Croglin in 1815 (Figure 7.3). There are also on this map examples of consolidated strips that have not been fenced around. The Croglin situation is probably the outcome of an earlier dispute, where one individual

FIGURE 7.3 -- Croglin Field 1815

(source: Croglin Enclosure Plan CRO/D/Lec)

Heavy lines represent the boundary of the area still in common arable



challenged the usual practice of allowing animals to graze the common arable field after harvest and decided to

take upon himself (though contrary to their ancient custom) to prepare about an acre of his land and sowed the same with wheat in the month of October that year and then attempted to prevent the said landowners from putting in their cattle etc to depasture there as usual lest they should destroy his wheat then growing (CRO/D/Ben).

This practice continued at least until 1796 as a notice survives warning against trespass "upon any of those dales situate in Croglin Common Field" belonging to the same person (CRO/D/Ben).

This consolidation and enclosure is probably what was happening at Penrith to cause the manorial court to observe in 1727 that "several owners of ground in the Common fields have inclosed their parcel of lands and the common fields are now reduced to a small compass." Similarly, the Seaton court in 1703 noted that one man had "inclosed a part of the Town field called Crookadakes ... we do find and order that he shall abate six fogs in the said Town field in respect of the said enclosure." In other words, he could have his encroachment, but his animals were not to continue to enjoy the same use of other peoples' strips now that his, or at least some of them, had been fenced off from their animals.

It should be noted that there were also occasional cases of encroachment in other kinds of common fields, as

well as the arable. At Holme Cultram in 1680 and at Bewcastle in 1706 there were presentments for encroachments in common meadows, and at Waberthwaite in 1797 for encroaching on the common wood (a pasture area, despite its name). These are all rather obscure, however, and in any or all cases the 'encroachment' may have meant simply taking hay or wood, rather than enclosing. The Isel court in 1606 liberally ruled "that Sunderland green shall lie together and be stinted together and if any will keep his own ground several let him make cost thereof and have it several." Nearly all the concern with encroachment in common fields, however, is concerned with the common arable fields, and collectively this is a concern that had declined to a very low level by the eighteenth century; indeed, by the seventeenth. If the number of entries at the manorial courts that can be clearly identified as relating to encroachment in the common fields on one hand, and on the common wastes on the other, are tabulated, then the rapid loss of interest is readily displayed (Table 7.2)

Encroachment in the common fields is a major concern in the sixteenth century, but declines rapidly thereafter. A great deal of this early involvement in the fields was related to the matter of temporary closes in the arable fields, but not all. By the nineteenth century presentments for encroachment took on much more of a standard formula,

TABLE 7.2
Encroachment at the manorial courts: waste and fields

century	presentments on waste	presentments in fields	percentage in fields
1500-99	47	63	57.3
1600-99	53	6	10.2
1700-99	80	8	9.1
1800-99	4	0	0.0

Sources: see Appendix A

and it is difficult to distinguish to where the offence or permission related.

Attitudes towards encroachment

The "proper channels" for making an encroachment included obtaining the permission of the lord of the manor. At the Millom manorial court in 1511 it was pointed out

that no inhabitant whatsoever within the liberty aforesaid ought to impark ditch-about or with wall or hedges inclose any part or parcel of the forest wastes waste grounds or common of pasture within the liberty of Millom aforesaid without the licence of the Chief Lord of Millom first had and obtained. And to render him yearly rent according to the quantity of land separated inclosed or encroached.

The Penal Orders attached to the 1578 Percy Survey required the neighbours of any encroacher to report his action or forfeit their estates (CRO/D/Lec/301/222). The tenants were not always enthusiastic about acting as informers in this way. In a letter of 1764 concerning some encroachments the writer commented "It is very strange to me that, when any such things happen, none of the tenants will pull the fences down or present the encroachments at the court" (CRO/D/Lec/170). The lord of the manor, as owner of the common wastes, was prepared to permit encroachments (perhaps therefore more properly termed assarts) provided he was

asked and provided he was paid a rent for the land so enclosed.

This leads to a suspicion that the apparent prohibitions on encroachment at Edenhall and Holme Cultram was more a warning of what would happen if the encroacher did not follow the rules, and that many of the fines at the manorial courts were more a form of rent. There is certainly plentiful evidence of the lord exercising his right to grant encroachments, and of his being requested to do so. Many petitions for permission to encroach survive, such as an undated one at Aspatria which

Sheweth: That your petitioner is owner of a tenement at Langrigg aforesaid adjoining to the common or waste in Aspatria aforesaid called Low Moor and is desirous to take in and inclose a parcel of the said common containing forty five yards in length and thirty two yards in breadth adjoining to a close of your petitioner ... but your petitioner cannot inclose the same without your Lordship licence ... for which your petitioner agrees to pay your Lordship the yearly rent of two shillings and sixpence at Michaelmas yearly for ever (CRO/D/Lec/41).

There are also many examples of letters of permission from lords of the manor, such as one at Wigton in the late eighteenth century

Licence is hereby granted to John Thompson of Kirkland yeoman to continue an inclosure made by him of about half an acre of the Lords waste near the middle of Kirkland Green in the front of his messuage ... to hold the same during the will and pleasure of the Lord paying

therefore one shilling for the time he has already occupied the same and the rent or sum of one shilling ... yearly for the time to come (CRO/D/Ben).

This latter individual had obviously made his encroachment before asking for permission: even so, that does not seem to have been held against him. A letter of 1656 referred to the intent to prosecute several people for encroachments in Aspatria, and suggested the best ones to start with. However, the concern was not encroachment as such but the fact that these were "improvements taken of my lords common unrented for to my lord." It was the money that was wanted, not the removal of the encroachments (CRO/D/Lec/169).

Further evidence that encroachments were acceptable if paid for appeared in the appeal of a seventeenth-century petitioner "that whereas there was of late an improvement in the possession of his grandfather which is decayed and ruined; these are therefore to entreat your worship to grant your licence ... to improve the same again" (CRO/D/Lec/265/251). The original encroachment had been allowed because the lord of the manor got money for it: the petitioner obviously expects that more money now will make it acceptable again. In the case of the petitioner, mentioned above, who wanted to be freed of his too-small encroachment and its rent or to be allowed to encroach a much larger area, it was significant that the steward ordered the local bailiff to "let the Jury at the next Court

view and set out the parcel of land desired and at the audit following he shall be admitted and fined accordingly" (CRO/D/Lec/265). Here, too, the lord wanted the fine, not the end of the encroachment.

Altogether, there is very little evidence of the lords of the manor opposing encroachment, provided they were adequately compensated. The rental income they would gain from authorised encroachments obviously more than compensated for any marginal loss of revenue from a slightly smaller common waste.

While the attitude of the lords of the manor seems to have been that encroachments were all right as long as they got paid for them, that of the tenants was more complicated. There is plentiful evidence that the farmers also expected to be consulted about encroachments. At Cockermouth in 1713 it was ordered "that the hedges about the improvements may be demolished and pulled down and that no more do presume to take up any commons but by consent of the Lord of the Manor and the freeholders of the Borough." In a petition of 1648 from certain of the tenants at Bolton concerning an encroachment, the writer commented "Whether such enclosure be lawful being without the consent and agreement of the tenants I am of opinion that none of the tenants though it be with consent of the Lords of the Manor can enclose or take up any part of the lands wherein they all have common without the general consent and agreement of

the tenants" (CRO/D/Lec/265/235). This was a particularly contentious case: a later petition concerning the same encroachment (CRO/D/Lec/265/236) points out that a jury of tenants had, in fact, condemned the encroachment; but that the encroacher, "being then writer to the said Jury did write their verdict that the said improvement was no prejudice to your petitioners."

Several requests were sent to the lord already countersigned as an indication of approval by the inhabitants (e.g. Embleton 1715: CRO/D/Lec/265/256), the landowners (e.g. Cleator 1783: CRO/D/Lec/265/255) and the jury at the manorial court (e.g. Cockermouth 1715: CRO/D/Lec/265/257). A petition from a poor tenant at Pardshaw Hall in 1726 for permission to "take up the said small parcel of common in order to improve it into a cabbage garth, which will be an act of great charity" had a note attached reading "We whose names are hereunder subscribed freeholders tenants and inhabitants of Pardshaw Pardshaw Hall and Kirby (being all neighbours) hereunto do unanimately consent and humbly join to request your favour on the behalf of the above named petitioner" (CRO/D/Lec/265/2). Like the lord of the manor, the tenants were prepared to take action if they had not been consulted. At Castlerigg in 1774 two people were presented "for farming and paying rent to the Lord's Receivers General for a part of the common right belonging to the tenants and makes this

order to discharge them for paying rents for the common to any person either for the use of the Lord or tenants." Even approval by the jury of the manorial court was not always enough, if there were enough opposed. In a letter of 1652 January 29 there is a complaint that after a tenant of Westward had been given permission to encroach by the lord's agent and the jury "So it is that some of the rest of the tenants hath combined them selves together and pulled it down to the ground after he had hedged it about" (CRO/D/Lec/169/1651).

Encroachment was thus restricted by the need to obtain the approval of the tenants as well as the consent of the lord. The latter was rarely difficult to obtain, provided a reasonable rent was offered. The former often provided more problems, as the tenants were naturally more concerned about loss of common than was the lord. Although statements of the regulations governing encroachments, such as the Penal Orders following the Percy Survey, made no mention of the tenants having any voice in the matter, there is evidence that the need for their consent was not only traditional but also legal. In the case of Leconfield versus Joliffe in 1904 it was observed, in relation to the Percy Survey of Aspatria, that

It appears from the rolls that there was, from very early days, a custom to grant out parcels of the waste in customary tenure; subject to the rights of herbage and rights of commonage. And

this custom continued to be acted upon until 1676. In that year an action of Trougher versus Thompson was tried at Carlisle ... the plaintiff complained that the defendant ... had enclosed part of the waste land of the manor and was using it as his own and was depriving the plaintiff and other tenants of the manor of his rights of common. The defendant justified by alleging a grant from the Lord in 1673, three years before, of a part of the waste which he said had been granted to him according to the custom of the manor which I have mentioned. The plaintiff replied "True, but this grant is bad because the lord has not left a sufficient amount of common convenient for the other tenants of the manor." And that question of sufficient common went to the Jury, the custom being admitted, and it being admitted that no sufficient common had been left, the Jury gave verdict for the plaintiff (CRO/D/Lec/71, 72).

Since the tenants had this power to object to encroachments, to stop them or have them removed, it may seem surprising that any encroachment at all was permitted, and that individuals were allowed to benefit themselves at the expense of the community. One reason was undoubtedly the hope of reciprocity. If there was plenty of common then the tenants were likely to ignore minor encroachments in the hope of getting away with the like themselves. This was especially true of the upland areas, with their extensive common wastes: Wordsworth noted of the Lakeland valleys that "enclosures seem to have taken place upon the sides of the mountains; because the land there was not intermixed, and was of little comparative value; and, therefore, small

opposition would be made to its being appropriated by those to whose habitations it was contiguous" (1835: 57).

Evidence of an organised scheme along these lines is found in Eskdale in the sixteenth century. In the 1587 Award of the Twenty-Four Men it was noted

also we the said xxiiij sworn men have gone through the Lordship and have viewed and seen every mans improvements, and have considered upon the same, and who was behind and had the smallest share: we have set out to some more some less according to the virtue of our oaths.... And we that have so warily and carefully done trust that our Lord and Master and his officers will ratify and allow the same, whereby it may be inclosed, and reasonably rented according to the Custom of the Lordship there (CRO/D/Lec).

Thus the lord of the manor was being asked to ratify a scheme to give everyone equal-sized encroachments.

Otherwise, the tenants could sometimes be persuaded to allow encroachment in exchange for some concession. At Kinniside in 1842 permission to encroach was given on payment of an 'acknowledgement'; presumably some form of contribution to public funds. An arrangement of this type was detailed in letters from his agent to the Earl of Egremont in 1759. Referring on June 16 to an encroachment of four acres at Great Broughton, he commented that

The tenants are willing to this enclosure and desirous of; but Addeley was so open as to inform me that he obtained their consent by his agreeing to pay yearly 3s to the overseer of the poor at Great Broughton for the use of

the town; and to make and keep in repair a particular part of the King's Highway, near adjoining to the intended enclosure, at his own expense.

Explaining further on June 27, he wrote "the tenants do apprehend that, as they have a right of common of pasture and turbary upon the common, the Lord cannot grant off parcels of the common at pleasure as improvements, or otherwise enclose the same without their consent, as their right of common and turbary would thereby be lessened" (CRO/D/Lec/170). However, he reassured Egremont that the tenants did not imagine they could authorise encroachments without also obtaining his consent. Permission to encroach in return for upkeeping a section of road is also found at Millom (1554), Dalston (1707) and Drigg (1801). At Dalston in 1707 such permission was given in exchange for an undertaking to see to the upkeep of local weirs.

Another means of persuading the locals to allow an encroachment was to offer in lieu some other (and presumably less convenient) piece of land. Thus at Eskdale in 1837 "J. Nicholson presents he wishes to take in a piece of common called Bakerstead Outrig consisting of three acres or thereabouts, and throw down the hedge round Bakerstead Intack consisting of four acres or thereabouts and lay it to the common in exchange. The verdict of the Jury is that they agree to J. Nicholson proposal." A more long-term view was taken at Kinniside in 1785 where permission to encroach

was given with the proviso that the encroacher was to accept that land as part of his allotment on the predicted enclosure of the common waste. Similar agreements were made as a result of petitions at the Borough of Egremont in 1765 and at Cleator in 1785 (CRO/D/Lec/265/245, 255). At the enclosure of Dalston in 1803 the Act provided "that all encroachments taken or made from or on any part or parts of the said moor, common or waste grounds respectively, within thirty years before the passing of the Act ... shall be allotted to the proprietor or proprietors thereof, as the whole or part of the share of the moors ... to be allotted to him, her or them respectively" (Wilson 1898: 13). It should be noted that the tenants were not always sympathetic to requests to approve encroachments. At Braithwaite in 1868 it was recorded that "J.S. Bell applies to be allowed to enclose a piece of common on the low side of the road adjoining his property near Fell End about 8 to 10 acres. Now we the Jury having considered the said application are of the opinion that the same should not be granted and do recommend that it be refused." It may be significant that J.S. Bell offered no sort of 'acknowledgement'.

One would expect that permission to encroach would be more difficult to obtain over time, as population rose and as the remaining amount of common waste grew smaller. While the lord of the manor might remain primarily concerned with cash flow, and therefore willing to permit further

erosion of the waste, the tenants would surely become more jealous of what remained. Evidence from the manorial court records actually points in the opposite direction, as the ratio of entries permitting encroachment steadily grows (Table 7.3).

Moreover, there was at least one case where the lord of the manor wanted to take action, but the tenants refused to cooperate. At Millom in 1721 the manorial court recorded that

Whereas J. Wilkinson bailiff put in a presentment about Ellers for inclosing some part thereof without the Lords licence which time out of memory of man hath laid open as waste notwithstanding the Jury refused to meddle to settle or concern themselves with it, although several orders was read to them to that purpose.

Similarly, at Branthwaite (Five Towns manorial court 1725) one J. James was presented "for encroaching and taking up a parcel of the common belonging to the said place. But none of the inhabitants complaining of any prejudice, except J. Scott, for so doing and being more than three years since the same was taken up ... we humbly presume to let it fall." Presumably no-one at Branthwaite felt the encroachment was a threat (except J. Scott), and the jury, as in the Millom case, seemed willing to defy the lord of the manor or his officers: sending the message that if he wanted his rent, he would have to get it by some other route. Lowther's bailiff at Westlinton complained to the steward in 1758 that "The

TABLE 7.3
Encroaching offences and permission to encroach
in the manorial courts

century	encroaching offences	permission to encroach	percentage permission
1500-99	784	1	0.1
1600-99	672	15	2.2
1700-99	594	97	14.0
1800-99	78	21	21.2

Sources: see Appendix A

people continue frequently to take up and make enclosures on Westlinton Common and pay no regard to being discharged" (CRO/D/Lons/L). Not that the courts were always entirely effective even when they wanted to be: at Cockermouth in 1714 is the entry "We find that I. Tyson was amerced by the court the 24th April 1713 ... for an improvement on the common and he has not demolished the same as yet or paid the amercement for the same. We do therefore amerce him now ... for his continuance in his obstinacy." Next year Tyson was back again. Despite these hiccups in the system, it appears that as pressure on the common wastes grew, the general desire to make the most individually increased. The lords of the manor were almost always willing to cooperate, since encroachment represented a chance to increase their rents and the tenants, as reflected in their manorial courts, were increasingly willing to permit the practice.

Conclusion

A distinction is made in this chapter between enclosure by private agreement, in which the common-right holders banded together to divide an area of common land, and enclosure by Act of Parliament, in which a proportion of the holders obtained legislation to compel the division. Another important distinction is made between the enclosure of common arable fields and the enclosure of common wastes.

The former were generally enclosed earlier and, across the country, within a shorter time span.

Attention is then directed to the too-often neglected procedure of encroachment. A form of enclosure (sometimes called 'piecemeal enclosure') it was widespread nationally and often was of considerable local importance. Individual encroachment might mostly be quite small, but a lot of them could add up to a significant amount of land removed from common uses. Encroachment was especially important in the diminution and disappearance of the common arable fields.

In Cumberland encroachment was of continuing significance. While most often and obviously used to add several land to farms, encroachments were also frequently taken in to re-site a dilapidated hedge, especially one whose foundations had become weak. Most recorded Cumberland encroachments were small, but the process was an ongoing one. Encroachment was a significant item at the manorial courts in the sixteenth century, when it was occurring particularly in the common arable fields. With their disappearance there was a decline in concern about encroachment in the seventeenth century, but growing interest in the common wastes led to a revival of concern.

Attitudes towards encroachment were not as negative as might have been expected. Lords of the manor were usually content to permit encroachment, provided they were

offered a suitable rent for the common land so lost, and tenants often failed to object; either because they felt there was enough left for everyone, or because they hoped to be allowed to encroach themselves. Negative feelings about encroachment peaked in the nineteenth century, when enclosure was going ahead and there was concern that encroachments might get counted in final allotments.

CHAPTER EIGHT
PROGRESS OF ENCLOSURE

Introduction

Enclosure ended the exercise of common rights across the country -- but not all at once. This chapter first attempts to develop a timetable for enclosure, examining the ongoing debate about the relative importance of enclosure by agreement and Parliamentary enclosure. Next, the early enclosure of common fields in Cumberland is contrasted with the significantly later enclosure of the common wastes

This chapter also looks at some of the factors causing enclosure to occur sooner in some areas and later in others. Since the productivity of the land is influenced by physical variables such as soil and climate, it may be expected that the more physically favoured areas would be enclosed earlier. Since the process of enclosure is a human operation, it may be expected that social and economic influences will play a part. Both sets of factors are examined.

Progress of enclosure

Until recently there have been little more than the broadest generalisations about the total area of land enclosed nationally; and most of these generalisations relate specifically to the better-documented period of Parliamentary enclosure. Ernle in 1912 was vague, estimating that in the period 1760-1815 not less than four million acres were enclosed in England and Wales. "Probably this figure was in reality considerably exceeded; possibly it might be, without exaggeration, increased by two-thirds." Gonner, in his Common Land and Inclosure, published in the same year, gave no overall estimate despite pages of detailed tables. From one such table it is possible to calculate that by his reckoning about 4.6 million acres were enclosed in England between 1700 and 1870, not counting Yorkshire, for which he gives no figures. With a reasonable estimate for Yorkshire this would give a total of somewhat over five million acres (Ernle 1961: 163; Gonner 1966: 268-269).

More recently Hoskins provided figures totalling over six and a half million acres for the period since 1700; Chambers and Mingay proposed a total of well over six million acres for the eighteenth and early nineteenth centuries; Tate suggested that altogether from 1700 to the 1890s some six and a half million acres were enclosed; Walton wrote, rather more specifically, of some 6,817,000

acres for the same period. Tate had been compiling an exhaustive list of all enclosure acts; after his death the material was edited and published by Turner, who calculated a total for enclosure by Parliamentary act in England of 6,794,429 acres (Hoskins and Stamp 1963: 62; Chambers and Mingay 1966: 77; Tate 1967: 87; Walton 1978: 243; Turner 1980).

Doubts about the precision of this last figure arise from the observations of Chapman of local variations in Parliamentary acts. Illegal encroachments were usually simply absorbed into the waste for the purposes of redistribution, and frequently were not distinguished either in the award or in the allotment map. Far more significantly, many awards involved old enclosures of undisputed legality and of any age. Some old enclosures became involved in the enclosure process, and appear in the enclosure awards, even though they were not technically allotted. Nor are the figures given in enclosure documents always reliable. There was often no survey, and the figures given were merely rough estimates or based on local tradition and might be in customary rather than statute measure: some figures were obviously arrived at by guesswork. Although estimates for field lands seem to have been more accurate than those for wastes, even field estimates were sometimes wildly astray. The figure in the preamble to the award in some cases merely restates that

given in the original act; in others it is clear that it was derived from a survey made for the award, and it may be correct to the nearest acre or even perch. A further difficulty is that it may represent either of the two totals. The third total provided, that at the end of the allotments, is normally by far the most accurate, and its meaning is usually perfectly clear, though it will include any old enclosures allotted. Its greatest disadvantage is the comparatively few awards which give such a total. The only way to get around these problems is to add all the individual allotment totals; provided the description is sufficiently detailed and accurate. This is not too onerous for the parish historian, with his local knowledge, but is a real headache for anyone primarily concerned with the enclosure process over a wider area. As a result, "All amalgamated totals must be regarded as likely to have a significant margin of error" (Chapman 1978: 109-114). A contemporary account of the problems of reported area occurred in a letter of 1758 to the steward at Lowther concerning Birkmire Bogs in Westlinton: "The Bogs consists of six divisions or enclosures, and on the nearest guess that I can make on viewing them yesterday they must be upwards of 60 acres of ground, notwithstanding I told you in my last they were about 34 or 35 acres which information I had from persons who I thought I could have depended upon,

which shows that ocular demonstration is the best to be relied on" (CRO/D/Lons/L).

In an attempt to overcome at least some of these problems, Chapman has taken a ten per cent sample of all Parliamentary enclosure awards in England and Wales, stratified by county, and added the individual allotment totals. This, when multiplied out, results in a total of 7.67 million acres for England, 1.18 million for Wales. However, this figure was reduced by a little more than four per cent for England, less for Wales, to allow for the area of old enclosed land often included in the awards. The final total proposed is 7.25 million acres for England, 1.17 million for Wales: a figure which "considerably exceeds those given by many previous authorities, and used in subsequent analyses of the movement." The accuracy of Chapman's figures depend upon a number of factors, not least the assumption that his ten per cent sample truly reflects the national total. Where awards are of much the same size this may pose little problem, but where there are wide variations the sampling procedure may overrepresent or underrepresent the larger awards. Cumberland, for example, has 197 surviving enclosure acts or awards of all types, with a mean area of around 1200 acres. Individual totals range from two at 10,000 acres and eleven others of 5000-8000 acres to thirty-two under 100 acres. The sample could easily miss the two largest areas, and possibly most or all

of the next size category. This point has recently been made by Walton, who also pointed out that the national total as derived by Turner fell within the confidence limits of Chapman's sample calculations. Walton argued that only extending Chapman's methods to all Parliamentary enclosures will "this important truth" finally be revealed (Chapman 1987a: 28; Walton 1990).

Moreover, although alluded to in his 1978 article, Chapman made no mention in his later calculations of the problem of local or customary measurements. An earlier paper dealing specifically with northern England listed several Cumbrian enclosure awards and compared actual acres with acres given. However, at least one such award was measured in customary acres at six yards to the rod, and there were quite likely other examples at other sizes. Neither of Walton's recent attacks on Chapman's statistical interpretations nor Chapman's defence make any mention of the customary acre problem (Chapman and Harris 1982; Dilley 1975: 174; Walton 1990; 1991; Chapman 1991).

Less precise but more ambitious was the attempt by Wordie to establish 'The chronology of English enclosure, 1500-1914'. Unlike Chapman's work, this was not based on original documents, but on secondary sources and on a series of assumptions about the nature of enclosure at different times. All kinds of enclosures were included, and not just those of the Parliamentary period. On the basis of his

assumptions, Wordie concluded that forty-five per cent of England was enclosed by 1500, forty-seven per cent by 1600, seventy-one per cent by 1700, eighty-four per cent by 1800 and ninety-five per cent by 1914. The implication, he pointed out, was clear: "There was almost twice as much enclosure in seventeenth-century England as in any other century, including the eighteenth." A further implication, of course, was that Parliamentary enclosure was much less important than has generally been assumed from its copious records and prominence in the records (Wordie 1983: 494-495, 502).

Butlin commented on this last point:

The means by which enclosure was attempted varied through time and with location and type of land involved, and our evaluation of enclosure attempts and occurrences is heavily influenced and perhaps distorted by the data produced in consequence. By and large, any attempt to effect enclosure by courts of law or private parliamentary Act would be recorded, though the record cannot be regarded as an accurate data source nor an unbiased one. A great deal of enclosure on a small scale probably went unrecorded, or if recorded the record may no longer exist.

Reed also supported this "heresy" that the importance of Parliamentary enclosure had been exaggerated (Butlin 1982: 47; Reed 1981: 62).

Chapman was not entirely in accord with all Wordie's assumptions, claiming that he had perpetrated the usual error of failing to distinguish between the enclosure of

open fields and the enclosure of common wastes and that he greatly underestimated the amount of piecemeal enclosure (encroachment) of the common waste. Wordie defended himself by declaring that any resultant errors are too small to be significant in the long-term national figure; but Chapman's sample survey suggests that Turner's figures for the amount of Parliamentary enclosure are more likely to be too low, as Chapman claimed and not too high, as Wordie originally stated and then reaffirmed (Chapman 1984: 557-558; Wordie 1984).

Progress of enclosure in Cumberland

While much of the rest of the country was complaining and rioting over the enclosures of the Tudor period, there was relatively little discontent in Cumberland. The nature of customary tenure presumably made it difficult for landowners to sweep away tenants and whole villages as elsewhere, while the marginal nature of much of the agriculture and the absenteeism of most of the larger proprietors made reform less than urgent. Wolsey's Enclosure Commission of 1517 did not cover the county and the Westward rising of 1569 seems to have been directed more at multiple encroachments than at a single systematic enclosure. Tate, quoting Gay (1904), suggested that "in the north west the agrarian grievance was rather the increase of

finer or 'gressoms' than the enclosure of common" (Tate 1943: 177-178).

As is detailed above, "Enclosure had ... been going on sporadically for centuries, both by means of intakes from the commons and waste and by combining dales or strips into crofts and closes" (Bouch and Jones 1961: 232). The actual amount of arable land so removed from common usage cannot be calculated with any precision, as surviving documents provide too little data. If, as suggested in Chapter Five, Cumberland in the sixteenth century had somewhere between 150 and 200 common arable fields, each 200 to 300 acres in extent, then the processes of consolidation and piecemeal enclosure had disposed of most of them, or reduced them to a small fraction of their former size, by the time that formal enclosure became the rule. In all, only thirty-seven awards and agreements for the enclosure of common arable fields survive, totalling some 3500 acres (Appendix C).

It is impossible to be precise about areas, of either fields or wastes. Many areas are available directly from the acts or awards, the latter being the more reliable. Others were calculated from individual allotments as listed in the text of the award, in the accompanying schedule or on the map. Some were directly measured off the map. Some enclosures included both fields and waste, and in many cases the proportions of each had to be estimated. Throughout, as Chapman has argued, care must be taken not to overstate the

accuracy of the measurements. In the case of the common fields, only ten of the thirty-seven enclosures can have their area given with reasonable confidence: the others are estimated as accurately as possible. Some of the enclosures covered two or more fields in adjoining communities (e.g. Stainton, Newbiggin and Blencow in 1775; Croglin and Newbiggin in 1805), and the largest (at Skelton, 419 acres) included the glebe and ancient enclosures as well as the common fields. A few are even of dubious status as arable fields: the three-acre 'Longcroftriggs Common Field' enclosed near Wigton in 1757 appears more likely to be a shared close, despite its name. The 'Outfield' at Seascale and the 'Common Outfields' at Blennerhasset have no other reference to them, and their respective agreements do not make them out to be clearly arable. Likewise at Irthington, where of Cambeck Ellers and Lairy Holme common fields, Dicky's Wood common field and Newby common field only the last has an authentic townfield ring. The average size of each field is therefore a good bit less than the apparent 100 acres, and the total of 3500 acres is the maximum possible.

Of the thirty-seven common-field enclosures, twenty-seven were accomplished by private agreement, including the fifteen earliest, and eight by Act of Parliament. The enclosure at Skelton was a mixture: a private agreement consequent on the earlier act to enclose the common waste;

that at Threlkeld was also part act part agreement. With the exception of Skelton, the Parliamentary enclosures were generally larger, the four of them comprising nearly a third of the total area. With a few exceptions, however, formal enclosure was not important for the common fields of Cumberland. The long processes of consolidation and encroachment had done their work first, and of the 30-60,000 acres there had been in the sixteenth century, only five to ten per cent were left by the nineteenth.

Very little has been written about the progress of enclosure of the common wastes in Cumberland. As late as 1961 Bouch and Jones recognised only three enclosures of arable fields in the county (vastly overestimating the area involved), and nineteen of common waste (vastly underestimating the area). Their only overall figure was a repeat of Dickinson's 1851 estimate of about 200,000 acres of enclosure between 1793 and 1816, with a further 50,000 since then. Even then, Dickinson based his figures on the late-eighteenth century figures of Bailey and Culley, who calculated the 'old enclosures' at 470,000 acres. Elliott provided a tolerably accurate chart of area enclosed by Parliamentary means between 1760 and 1900, though clearly based on some erroneous figures (Bouch and Jones 232-233; Bailey and Culley 1805: 202; Dickinson 1851: 289; Elliott 1973: 71).

A complete listing of all surviving records of enclosure of common waste shows that there were 197, from the earliest in 1600 to the last in 1893. A few are duplicates of those found in Appendix C, where one agreement or act enclosed both waste and arable fields. Some early dates had to be estimated, for lack of a clear statement in the document. Some areas also had to be estimated and others calculated. As noted above, even when the area was given in the document, there is no reason to suppose that it was necessarily accurate. It is hoped that this list avoids the worst inaccuracies, but the warning against treating enclosure statistics as precise bears repeating.

Given that caveat, it may be noted that the enclosure documents refer to a total of rather more than a quarter of a million acres, or about thirty per cent of the total area. Figure 8.1 (this and subsequent figures omit the two very small early-seventeenth-century awards) shows that the amount of land formally enclosed remained very low until the beginning of Parliamentary enclosure in the second half of the eighteenth century. It increased tremendously, even more than in most other parts of the country, at the time of the Napoleonic Wars; dropping thereafter to a lower level but remaining nonetheless significant until the end of the nineteenth century. Figure 8.2 shows that Dickinson's figures were considerably in error. Enclosure between 1793 and 1816 was (allowing a generous multiplier for the part of

FIGURE 8.1 -- Enclosure of Waste: Cumulative area enclosed

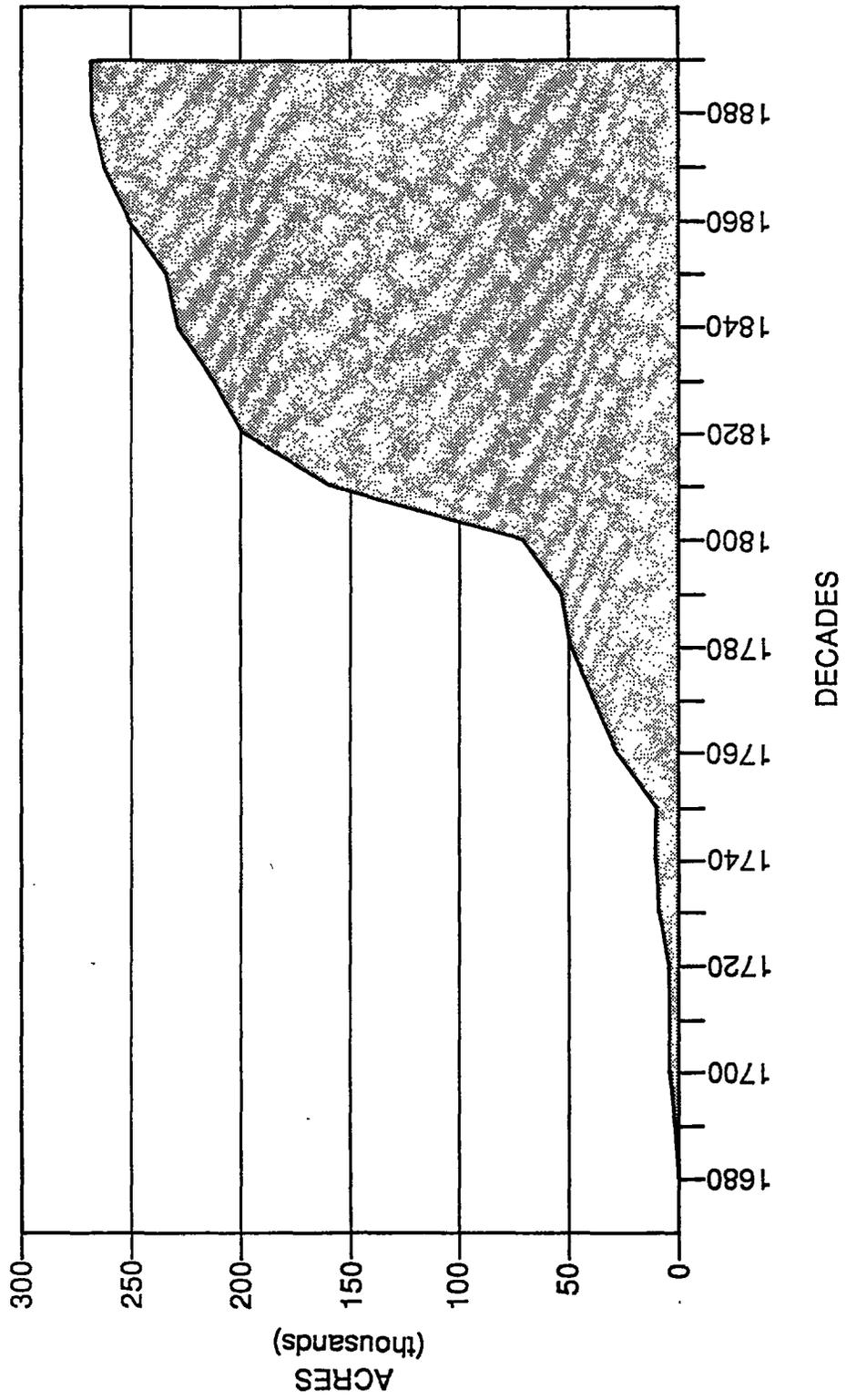
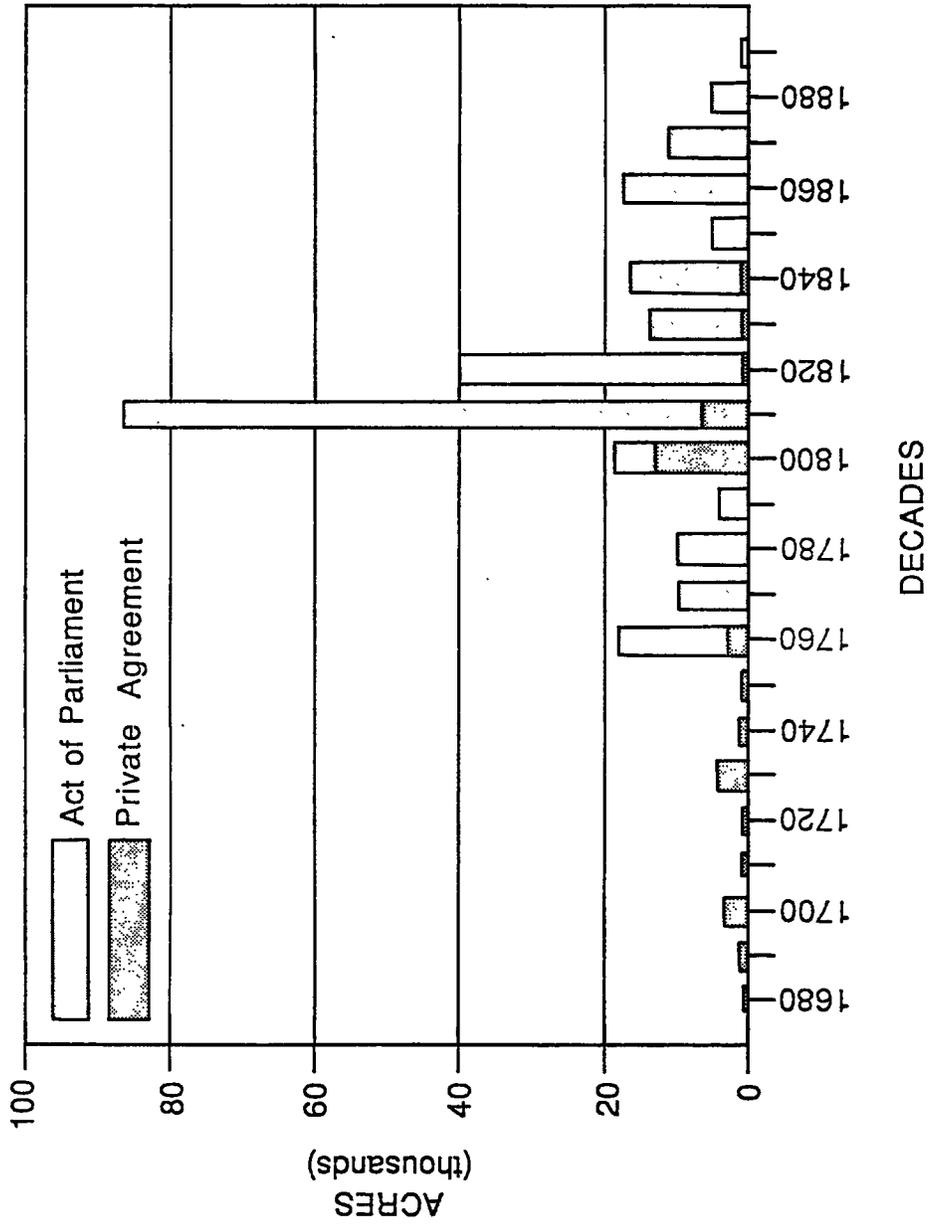


FIGURE 8.2 -- Enclosure of Waste: Private Agreement and Act of Parliament



the county omitted from this study) around 80,000 acres -- not 200,000. However, from thence to 1851 the total was around 125,000 acres, more than twice Dickinson's estimate. To give him credit, his suggestion that there then remained about 40,000 acres "which may still be held improvable by the application of modern enterprise" was quite prescient (1852: 289). By the end of the century another 44,000 or thereabouts had been enclosed.

Overall, in the two hundred years from the end of the seventeenth to the end of the nineteenth centuries, there was an average of about one enclosure per year and an average of a little over 1300 acres enclosed per year. From 1600 to 1762 enclosure was very slow, and mostly involved only small areas of waste: an average for the whole period of an enclosure every five years and eighty acres enclosed per year. All enclosures during this period were by private agreement. In the late eighteenth century the rate began to pick up following the first Parliamentary enclosure in 1763. From 1763 to 1804 there were almost two enclosures every three years, divided more-or-less equally between agreement and Parliamentary act, and averaging over a thousand acres a year (nearly all the larger ones being Parliamentary). Then the Napoleonic Wars had their impact, and from 1806 to 1825 enclosures proceeded at a rate approaching four a year and an area of nearly seven thousand acres a year, an immense acceleration. Most were now Parliamentary: the remaining

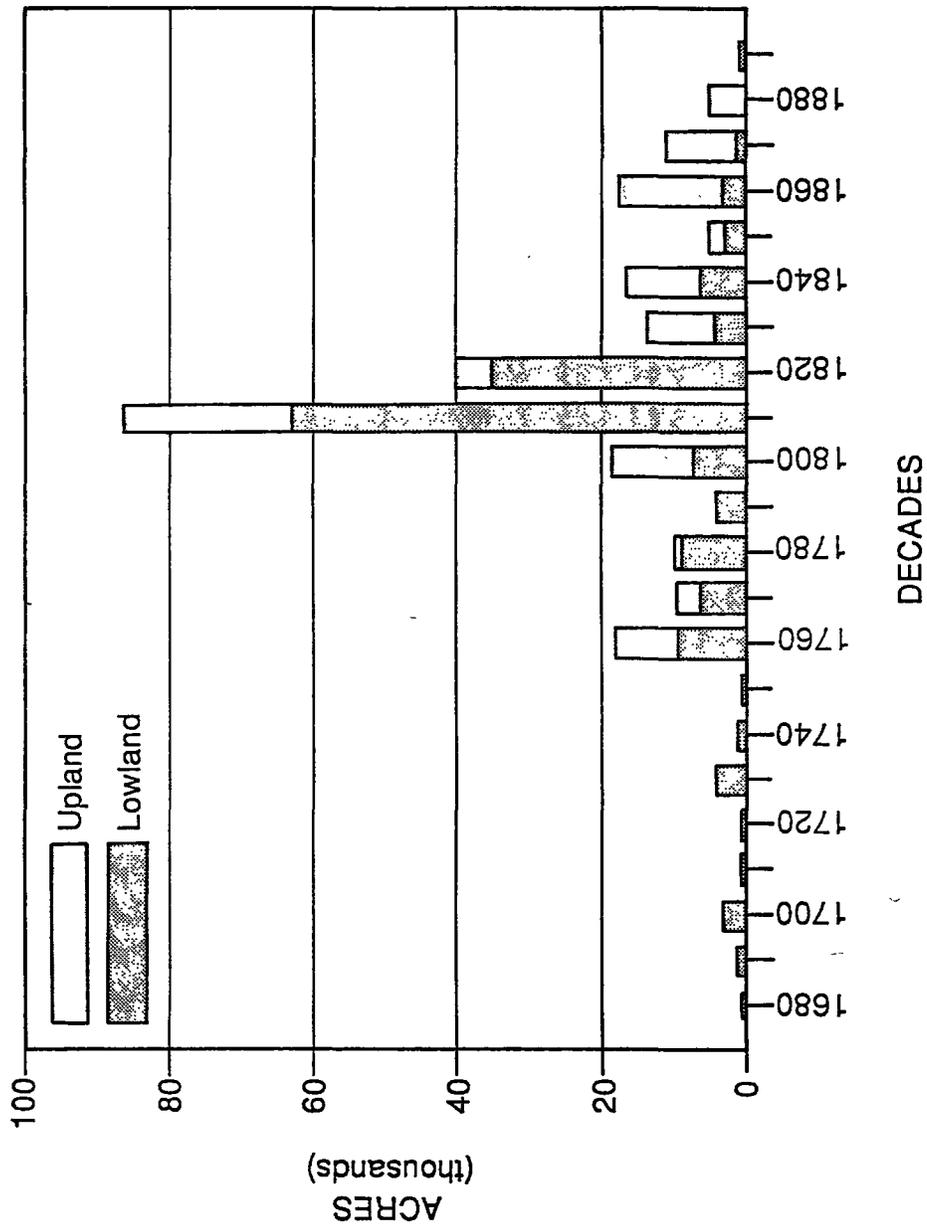
private agreements, apart from one very large one at Wasdale Head, being small. From 1826 until the end of the century there were few private agreements, and the rate of enclosure settled down to something close to the overall average: about one a year, and some eleven hundred acres a year.

More than three-quarters of the enclosures were for lowland wastes, defined as those under 750 feet above sea level. Upland enclosures tended to dominate from the second quarter of the nineteenth century onwards (Figure 8.3), and on average were much larger than their lowland counterparts: 2603 acres compared with 982. Thus, although accounting for only twenty-two per cent of the number of enclosures, they totalled forty-three per cent of the area enclosed.

There are still a number of problems involved in trying to develop an overall account of the rate of enclosure in Cumberland, in addition to the unknown accuracy of some of the acreages. Some formal enclosure documents may not have survived, especially for the seventeenth and early eighteenth centuries. Much more important is the question of encroachment. As noted in Chapter Seven, it is not possible to come up with anything even approaching an accurate figure for the rate of encroachment. However, in order to estimate of loss of common land, it is necessary to make some approximations.

The two areas for which reasonably accurate figures survive are Westward, between the foothills of the Lake

FIGURE 8.3 --- Enclosure of Waste: Lowland and Upland areas



District and the Carlisle plain, and Wasdale Head, deep in the highest fells. At Westward land was being lost to encroachment at a rate of about 1000 acres a century, or somewhat under eight per cent of the total area. At Wasdale Head the rate was infinitesimal: 16 acres a century, or less than one-fifth of a per cent of the total area. Westward, it may be adjudged, must have had an exceptionally high rate. It is an area of reasonable soils, fairly close to urban centres, but for long preserved as waste under forest law. Once encroachment got going, it was likely to get going rapidly. In contrast, Wasdale Head was probably the worst place in the county for would-be encroachers: apart from the fully-utilised valley and lakeshore patches, the land rises steeply and ruggedly and most unpromisingly for any form of agriculture except rough grazing.

Westward may therefore be seen as the best kind of lowland environment for encroachment, Wasdale Head as the worst upland counterpart. Since the county is divided roughly equally between lowland and upland, an overall estimate of that four per cent of the total area was encroached per century from 1500 onwards may not be too inaccurate. Of course, the total area available for encroachment diminished over time: however, the desire to encroach increased. Lacking evidence to the contrary, it is assumed that the rate of new encroachments remained constant. Since the research area totals about 850,000

acres, this means 34,000 acres of encroachment per century. Using this estimate, plus the figures from Appendixes C and D, it is possible to make the calculations shown in Table 8.1 (all figures rounded).

In the middle of the present century, it was estimated that there were about 110,000 acres of common land still to be found in Cumberland (Hoskins and Stamp 1963: 259-262). However, some of the listed commons fell outside the research area, while some large central ones had no area given for them. By including estimates for these last, and omitting those outside (and one small area noted as common-held but enclosed), a total is obtained of some 113,000 acres still unenclosed, about thirteen per cent of the area. Assuming (as seems reasonable) that this last figure has changed little since the beginning of the century, it is therefore possible to make a direct comparison between Cumberland and the country as a whole, as estimated by Wordie (Table 8.2). It should be pointed out that a much greater area than 113,000 acres is actually and literally unenclosed, in the sense that it has no functional walls or fences. Large areas of extensive upland grazing, enclosed in a fit of nineteenth-century enthusiasm, are now surrounded only by broken-down walls or decaying, rusty fences; neither a barrier to the free movement of animals. However, these fells are not common, those rights having been lost on the original enclosure. If conditions were

TABLE 8.1
Loss of common land

century	waste enclosed	arable enclosed	total encroached	removed from common use
1500-99	0	0	34,000	34,000
1600-99	1,000	0	34,000	35,000
1700-99	51,500	2,500	34,000	88,000
1800-99	216,000	1,000	34,000	251,000

TABLE 8.2
Enclosure of England and of Cumberland

date	percentage of England enclosed	percentage of Cumberland enclosed
1500	45	39
1600	47	43
1700	71	47
1800	84	57
1900	95	87

right and the farmer enthusiastic enough these areas could be fenced in again at any time.

Among other things, this table suggests that the estimated overall rate of encroachment (which includes non-surviving formal agreements to enclose) is not unreasonable. If the rate had been twice that estimated (or eight per cent of the total area per century), then the area enclosed in 1500 would have been little over a quarter of the total, which is far too low. If it had been only half that estimated, then in 1500 there would have been more land enclosed in Cumberland (nearly half) than the national average. There may be scope to query the equal apportionment of encroachment over the whole period, but the overall rate seems to be about right.

Table 8.2 illustrates the significant differences between the progress of enclosure in Cumberland and that postulated by Wordie for England as a whole. The overall rate of enclosure between 1500 and 1914 was almost identical in each case: fifty per cent for the country and forty-eight per cent for the county. Cumberland, predictably, had more open land at the beginning and at the end. Enclosure was slow in both areas in the sixteenth century, but whereas Wordie supposed that the great majority of national enclosure took place in the seventeenth century, there is no indication of any such early movement in Cumberland. If both sets of estimates are correct, then the national rate

of enclosure 1600-1700 was six times that for Cumberland. During the eighteenth century the two are again closely comparable, but Wordie's low rate for the nineteenth century is little more than a third of that occurring in Cumberland.

Too much should not be made of differences of a few percentage points between the two lists: both are estimated from incomplete data and both are open to criticism and revision. Nonetheless, the figures for Cumberland do tend to support Chapman's criticism, that Wordie underestimated the importance of Parliamentary enclosure of the common waste. Whatever may have been the case elsewhere, enclosure in Cumberland is above all a phenomenon of the late eighteenth and nineteenth centuries.

Factors influencing enclosure

Gonner argued that enclosure took place first where it was most profitable; where the profits from a change in land use or a considerable increase in yield would compensate for the cost incurred. However, this simple explanation is no longer seen as adequate. Other factors have to be considered, including price movements, improvements in transport, proximity to markets, fluctuations in interest rates, the possibility of a higher rate of return than that offered by other investments, shortage of grazing land, and simply the imitation of

neighbours who had enclosed (Gonner 1966: 198-1999; Blum 1981: 481).

Chambers and Mingay identified four main objects behind enclosure, whether by agreement or by Parliamentary act. First, enclosure resulted in more efficient farming by making farms more compact, larger and easier to work, by making possible a better balance between arable and pasture, by encouraging the adoption of alternate or convertible husbandry, and by allowing better care of animals; in short by overcoming the defects of much of open-field farming. Second, enclosure could have been used to convert land to more profitable uses: for instance, to turn out a worn-out arable area into pasture, or to plough and plant a long-neglected pasture. Hodgson attributed much of the early enclosure in County Durham to a realisation that pastoral products were likely to pay more, and that there was a distinct shortage of quality pasture land. "The close association between the first wave of Durham enclosures and a pastoral economy indicates an acute awareness of market opportunities on the part of enterprising landlords and their tenants." These first two explanations are applied principally to the common arable fields (Chambers and Mingay 1966: 79-80; Hodgson 1979: 93).

Third, according to Chambers and Mingay, the regularly-cultivated area could have been increased by the enclosure and intensive use of waste areas, up to then used

only very extensively. Fourth, enclosure might have been used to get rid of tithes, or to consolidate a confusing pattern of tiny fields brought about by long-term piecemeal encroachment. Enclosure did not always achieve what it set out to do. In areas of unsuitable soil, or of particularly unprogressive farmers, enclosure -- especially of common fields -- might have made little difference. Moreover, "it is clear that whilst enclosure made the introduction of new methods a great deal more easy, it did not necessitate improvement." However, enclosed farms were generally more efficient, easier to manage and more productive, and farmers were willing to pay higher rents for them, even when the rotation remained exactly the same as in the neighbouring open fields (Grigg 1966: 47; Chambers and Mingay 1966: 79).

Reasons for enclosure were not always the same. The presence of a large potentially fertile waste might be an inducement to enclose; a small, overstocked waste might also encourage enclosure to improve the quality of pasture land. On the remaining wastes in Somerset in the late eighteenth century the better-off commoners were becoming discontented because of the overstocking of the common wastes:

"Enclosure, apportionment of land, and the up-grading of the productivity of the waste were the answers to their problem" (Chambers and Mingay 1966: 80; Williams 1972: 101).

Gonner argued for both physical and economic factors affecting the willingness to enclose. Of the physical

elements, he considered soil to be of prime importance, especially during the period of Parliamentary acts, when

the progress of the movement was largely dependent on the nature of the soil, inclosure being determined by it, chiefly of course because it was in consequence of some special feature that land could be utilised to greater or less profit when inclosed, or had in some instances remained uninclosed till that time. But in a wider sense there is some correspondence between the great drift beds of soil and inclosure of the last three centuries as a whole. To realise this it is only necessary to compare an inclosure map with the drift or even solid geological maps.

Ernle, originally published in the same year as Gonner, must have been reading much the same background literature, since he made much the same comments about the soil and the geology (Gonner 1966: 115; Ernle 1961: 167).

The importance of soil was stressed by Hunt in his study of Leicestershire enclosures, where he found a distinct tendency for lands unsuited for arable farming to be enclosed first. Fallow periods, common rights and traditional farming methods were a nuisance to those who wanted to change from arable or mixed farming to permanent pasture. Many such areas were enclosed by agreement before 1730. Where the soil is less suitable for a large extension of pasture farming, enclosure was delayed until the later eighteenth century, especially to the period of the Napoleonic Wars. The soil was thought to be too poor to warrant the cost of enclosure before the steep rise in food

prices. However, soil was not always the main factor in the timing of enclosure in Leicestershire: both early and late enclosure might take place on the same type of soil. Sometimes other things, like the distribution of land ownership, seem to have been more important. Prince noted of the first half of the nineteenth century that "on some soils, improvers worked to no avail." Heavy clay lands, in particular, became a problem, as did some of the lightest and driest sands. In both cases livestock husbandry turned out to be more profitable than crop production (Hunt 1957; Prince 1981: 19).

Relief, according to Gonner, was also of significance, due to its influence on accessibility and on local climates. Availability of water was necessary for early settlement, and later was generally responsible for the richest pastures. As for climate Linneman, carried out an econometric analysis of seventy-nine English villages enclosed between 1761 and 1851, in the areas where common field was most widespread. He found little relationship between such physical factors as number of gale days, annual monthly temperature range, annual deviation in rainfall and days without bright sunlight on the one hand and date of enclosure on the other; despite the expectation by McCloskey that there would be a negative correlation. Moreover, Thirsk has shown that the presence of enterprising landowners and the absence of too many small freeholders

were as important as elevation, soil or drainage (Gonner 1966: 115-116; Linneman 1978; McCloskey 1975; Thirsk 1957: 237-238; 292-293).

On the socioeconomic side, Gonner emphasised especially the growth of towns and industries, creating an increased demand for both food and labour. The result was "a great tendency for the development of inclosure in the neighbourhood of towns." Towns not only demanded more food, they particularly demanded more meat, milk and cheese, more poultry, potatoes, and the produce of market gardens, as well as hay for their horses. All of this encouraged the conversion of arable to pasture: in Mingay's phrase "King Wheat was in the course of being dethroned." The loss of rural labour to urban occupations also encouraged this move to pasture. Market demand was important, especially the need to provision the rapidly-growing population of London: even in the early eighteenth century cattle reared in the Welsh and Scottish uplands were making their way to the capital via fattening pastures in the East Midlands and East Anglia. However, such metropolitan influence was mostly concentrated in the southeast, and did much to promote that part of the country as an early centre for innovation and change (Gonner 1966: 116; Mingay 1981: 4; Walton 1978: 243-244).

Urban influence was not limited to food demands. Early industrial developments were important in the

enclosure of County Durham, as Hodgson explained. Population was growing; the proportion of those in non-agricultural employment was increasing rapidly, requiring greater and greater supplies of foodstuffs for its support. Moreover, the influences were not only local: "it is not difficult to envisage that ... the first wave of enclosures in County Durham was a function of London's demand for coal." In some cases, however, industrialisation could actually slow enclosure. In Glamorgan Osborne found contemporary experts were unanimous in advocating the enclosure of manorial wastes as a general improvement to the county's agriculture. The coalfield estate owners, however, were not concerned with the agricultural benefits arising from enclosure, but rather with its effect upon industrial enterprises. "In fact, the presence of minerals dampened the enthusiasm of both commoners and lords for parliamentary enclosure." Gonner also commented on the influence of towns that "the very presence of the town was subversive of the mere rule of custom," especially the emphasis on profit rather than tradition (Hodgson 1979: 90; Osborne 1978: 246; Gonner 1966: 11).

Another variable mentioned by Gonner was transport. As long as transport remained primitive, the things needed in a particular locality had to be produced in that locality. This meant that much land was not being used in the way best suited to local conditions. Improvements in

transport and reductions in overland costs allowed more local specialisation. Wool, easily moved, had long been such a specialised product. Increasingly, grain and then animal products became involved in long-distance trading, and this affected local pressures on land. The competitive nature of farming was increased by the weakening of local agricultural monopolies. Moreover, many of the changes in both agriculture and industry would have been impossible without the building of canals and turnpikes. Remote areas were linked to new markets for the first time, and the movement of bulk commodities was cheapened. This allowed farmers to use lime, bones, tiles for underdrainage and later coal for steam engines (Gonner 1966: 122-123; Grigg 1966: 4).

However Hunt, while acknowledging the importance of transport developments in the enclosure of Leicestershire, suggested that in perhaps a majority of cases it is the increased production following enclosure that encouraged the construction of turnpikes and canals, rather than the reverse. In any case, the relationship between enclosure and the growth of better transport was unlikely to be a simple one. "They were both part of a much larger expansion of the economy in which the stimuli came from many directions." The railway, which was developing rapidly by the end of the period under study, did much to spread the

influence of urban -- and especially metropolitan -- markets (Hunt 1957: 272; Walton 1978: 254).

Linneman's 1978 analysis included a number of socioeconomic variables, such as marriage rates, male and female literacy, market town status in 1700, population in 1801, employment in agriculture and trades in 1801. He was particularly interested in whether the more educated villages enclosed relatively earlier, on the assumption that more educated people adapted more quickly to the various technological advances which provided the incentives for enclosure. The other variables are an attempt to hold constant the various costs and benefits of enclosure. A positive correlation was found between education and enclosure, supporting the hypothesis "that the more educated entrepreneurs were able to assimilate the changes in market information relatively quickly and hence found enclosure profitable at relatively early dates." Results indicated that larger villages tended to enclose earlier than smaller ones, but that very large ones were slower than large. This suggests that, up to a point, bigger villages were more willing to experiment, owing to their larger operations and lesser relative risk, but beyond that point the problem arises of "the costs of achieving the necessary concensus [sic] for the Parliamentary enclosure increasing with village size due to increasing the probability of encountering 'hold-outs'" (Linneman 1978: 224-226).

Others have picked up Thirsk's idea that the numbers of landowners involved in an enclosure was significant. Yelling has credited the small farmer with a certain amount of strength in numbers: "the more widespread and complex the property distribution in any township then, other things being equal, the more difficult it was to enclose." Mingay stated that possession of a large number of independent freeholders "may have posed a considerable obstacle in the path of a would-be encloser." In many Lincolnshire parishes, according to Beastall "fear of the reactions of the notoriously independent common-right owners might delay a scheme even when there was general acknowledgement that enclosure was desirable." The terms and motives recited in at least some north Buckinghamshire enclosure agreements seem to have been genuine because "there were too many tenants involved for all of them to have been brow-beaten" (Yelling 1978: 152; Mingay 1984: 116; Beastall 1978: 42; Reed 1984: 136).

There is reason to doubt, however, how successful such opposition by the lower orders could be in most cases. Postgate observed that in the Breckland "It was only in the marginal parishes that occupiers of 50-100 acre holdings held a sufficient proportion of the land to oppose the passage of an Enclosure Act, but even here, they merely delayed the final award," while Hunt wrote that it would seem likely that where land was concentrated in few hands

enclosure would be easier, but this is not necessarily so. Chapman, having analysed a national sample of Parliamentary enclosures, found almost no correlation between date of act and number of owners. Even if size of holding had been taken into account, and number of owners needed to make up three-quarters of the land considered, there was still no general relationship (Postgate 1962: 99; Hunt 1957: 269; Chapman 1987b: 141-143).

Overall, therefore, while "there is no doubt that purely geographical factors such as soil, climate and relief were of basic importance," the simple relationships pointed out by Gonner do not always stand up to closer scrutiny. Taylor pointed to two neighbouring parishes in Oxfordshire, of similar physical environments and with no significant difference in population growth nor in marriage age: one was enclosed in the seventeenth century, one in the nineteenth. Evidently, "Each village and each enclosure had some degree of uniqueness" (Chambers and Mingay 1966: 80-81; Taylor 1988).

One important factor in the progress of enclosure was cost. In Cardiganshire, "Among the obstacles to parliamentary enclosure, perhaps the most serious, was that of expense." To put it at its simplest: "each enclosure project must recover in increased output at least the cost incurred in undertaking it" (Davies 1976: 109; McCloskey 1972: 20-21).

Opinions of the scale of costs have varied.

Contemporary writers were in general agreement about the heavy expenses involved in enclosure, especially of smaller estates, arguing that costs often discouraged proprietors, especially of smaller estates, from enclosing. When proprietors did enclose they often found the costs so excessive that they severely reduced profits or, worse, drained the proprietor of capital needed to improve their now consolidated farms. Later there began a trend against this view. Tate argued that though there were instances of unreasonably expensive enclosures, most were not unduly so. Chambers and Mingay cited a low Board of Agriculture figure, but admitted that building roads and new farm buildings could treble or quadruple the total, and that these improvements were therefore often avoided (Blum 1981: 487; Tate 1952; Chambers and Mingay 1966: 85).

More recently yet there has been a return to the previous position, emphasising the negative role of costs. Turner suggested a total cost for enclosure of common arable very much higher than figures previously given. Moreover, he argued that of the four methods available for financing enclosures, that most often found -- the commissioners levying a rate upon the landowners -- often resulted in many proprietors being unable to pay. Sale of land to cover expenses was not often resorted to in the eighteenth or early nineteenth century common field areas, though he

admitted it might have been more usual in the enclosures of waste. Certainly Buchanan found the financing of enclosure by means of land sales well established in north Somerset by the 1770s: this method was used in thirty-seven of forty-one Parliamentary enclosures between 1770 and 1830. In West Sussex Chapman discovered it occurring in twenty of sixty-nine enclosures, though accounting for only just over five per cent of the open or common land. Buchanan made the important point that although land sales avoided the need to provide money immediately, they had a long-term effect in reducing future income: he contrasts one parish which sold one-fifth of its land and paid £10 per acre overall with another which paid as little as £3, but at the expense of selling off over half its land (Turner 1981a: 238; Buchanan 1982: 112-115; Chapman 1980: 79)

It seems likely that the real cause of these discrepancies is the tendency of earlier writers to pass too easily over the total costs of enclosure, focussing instead on the immediate legal costs. These alone might not seem too serious. Williams argues that this gives a misleading impression of the costs of enclosing common waste, as it does not allow for the expense of purchasing the land, nor of building interior roads, fencing, or houses and dwellings. Altogether this made the enclosure of waste land more expensive than the enclosure of common arable fields. In part of late eighteenth-century Lincolnshire it was

decided that enclosure of 3000 acres of common waste would be too expensive. Instead it was decided to install some drains and to institute a stinting arrangement "and avoid the expense of enclosure while increasing the value of the commons at a time when talk of enclosure was clearly affecting ideas on land values." The area in question was not enclosed for another twenty-three years (Davies 1976: 109; Williams 1972: 107; Beastall 1978: 29).

Factors influencing enclosure in Cumberland

Perhaps because most studies of the enclosure of common lands have concentrated largely or exclusively on the common arable fields, few have said much about the relationship of enclosure and the physical environment. Some authors, such as Hunt in Leicestershire, Chambers in Nottinghamshire and Hodgson in Durham, have noted that enclosure occurred at different rates in arable and pasture areas, but they have not tried to relate this to any specific aspect or aspects of the landscape. The smaller number of studies that deal principally with the enclosure of the common waste, such as Chapman on the North York Moors, said little about basic physical factors. Williams described the only unenclosed ground left in eighteenth-century Somerset as "the great commons and wastes which were the hard core of the difficult lands then left," but did not

attempt a formal definition of difficulty. One of the most specific statements was that of Osborne, who described the nuclear area of old enclosures in Glamorgan as being alluvial flats with slopes of less than five degrees, plus south-east facing plateau slopes of less than fifteen degrees and under 700 feet. "The area remaining as wasteland at this time consisted of the more northerly and wooded sections of the valleys, the steep valley side slopes, and the exposed plateau moorlands ... where the elevation was in excess of 1,000 feet." While this did provide a number of quantitative values, it was essentially descriptive, and not an attempt to develop a measurable relationship (Hunt 1957; Chambers 1966; Hodgson 1979; Williams 1972: 100; Osborne 1974: 273).

In fact, not since Gonner and Ernle has much been said in general terms about physical influences on enclosure. It may be that historical geographers steered away from the subject, for fear of being accused of environmental determinism, while historians and economic historians were presumably not accustomed to thinking in terms of soils and landforms. Most econometric explanations that have been proposed for the rate of enclosure have considered only such socioeconomic variables such as prices, interest rates and literacy levels. The only exception is Linneman, as noted above, who incorporated a few weather variables. However, it is hard to see how the physical

environment can be ignored in an area such as Cumberland, where there are extensive lowlands in close juxtaposition to the highest mountains in England, where the climate ranges from reasonable to awful and the soils from useful to uncultivable; the change from one to another type often occurring within a few miles.

Both Gonner and Ernle suggested that soil was of prime importance. To test this for Cumberland, each enclosure was plotted on a simplified soil map (Figure 1.3).¹ The most widespread soil type, occupying a broad arc from the Eden valley around the northern edge of the Lake District fells and all along the southern coast, is the acid brown soil. Brown soils dominate the British Isles, though the more highly-leached acid or podzolic variety are found largely in the more humid western and northern areas: in England essentially the southwest peninsula and Cumberland. They tend to be sandy or silty in texture, with a low clay content. Most of the rest of lowland Cumberland is covered with brown warp soils, interspersed with pockets of organic soils. The warp soils are deep, and formed on alluvium or

¹ The descriptive soil classification used in Figure 1.3 has been superseded in the Soil Survey of England and Wales by a new classification using specific soil properties to define class limits, as is done in the United States. Since this study is not investigating soils but only the possible relationship between the distribution of soil types and enclosure, the precise terms used are not important (Clayden 1982).

reclaimed estuarine silt. Organic soils have a surface layer more than fifteen inches thick and containing at least thirty per cent organic matter. Soil formation on peats occurs when the peat is dried by drainage or by plant roots extracting moisture. Those in north Cumberland are fen peats which, when drained, form good arable land (Pears 1985: 275-279; Bunting 1967).

The high Lake District fells have at best a shallow podzol cover; a heavily-leached soil commonly found in cool, wet areas, such as the northern coniferous forest and the upland moors of Britain. These shallow podzols consist essentially of the upper horizon only: a thin layer of raw humus on the rock base. Where the upper horizon is so thin that no recognisable soil type has developed, the result is known as a lithosol. The other upland areas, the Cheviots and Pennines, are dominated by upland gley soils. These are brown soils and podzols with especially poor drainage, where water accumulates in the lower profile with reduction and re-oxidation of the iron compounds. An extensive area of similar lowland gley soils are found around the northern Lake District fells. Finally, there are small areas of calcareous soils in the Pennine area, with calcium carbonate present in most or all horizons, and a narrow strip of lowland podzols along a ridge between the Eden and Petteril valleys (Pears 1985: 272-279; Bunting 1967).

Where the area enclosed appeared to overlap two zones the it was divided between the two (in one case three): the number thus appears to total more than 197 (Table 8.3). The third column shows the date by which half the total area of enclosures on that particular soil type was achieved. This is a more meaningful figure than that obtained simply by averaging the dates of all enclosures. It compensates for size, preventing the average being affected by many small enclosures. The calcareous soils and lowland podzols are omitted from this table, as the number of enclosures involved (five and four respectively) is too small.

Table 8.3 shows that, in fact, there is little difference between the first five types of soil: in the nearly 300 years of enclosure history the mean date of enclosure differs by only twelve years. It is a little surprising to find the lowland gley soils somewhat ahead of the others, as it is neither the best soil nor in the best location (altitude or proximity to urban areas). The good warp soils are next, but the potentially highly fertile organic soils are last among these first five. There does not seem to be a lot of point in trying to find explanations for these minor variations, as they are not statistically significant. A Kruskal-Wallace test of the first five soil types yields an H (corrected for ties) of 4.31 with four degrees of freedom: this is not significant even at the 0.1

TABLE 8.3
Enclosures by soil type

soil type	number of enclosures	date 50% enclosed
lowland gley	37	1808
warp	38	1814
upland gley	14	1815
acid brown	118	1819
organic	11	1820
lithosols	20	1849

level, so the null hypothesis that the samples were drawn from the same population is sustained. Noticeably later are the enclosures on the lithosols: on average nearly thirty years after the other areas. This is not surprising, as the lithosols are also the highest, steepest, wettest and most inaccessible areas, and there is no reason to suppose that soils were any more important in this tardiness than any of these other factors. That the lithosols were enclosed significantly later is supported by a further Kruskal-Wallace test of all six zones: in this instance the corrected H value is 11.64 with five degrees of freedom, significant at the 0.05 level.

Overall, therefore, it has to be concluded that soils were not a significant factor in the rate of enclosure of common waste in Cumberland, as the only substantially different area is different in many other ways. In defence of Gonner and Ernle, it may be supposed that they had common arable fields principally in mind when making their generalisations. There is too little evidence in Cumberland of the enclosure of these last to support a similar investigation.

As an alternative to soil, the relationship of enclosure to agricultural potential was investigated, on the grounds that soil is only one factor in making land attractive to farmers. Again, all enclosures of common waste were plotted on a map, this time one of the Ministry

TABLE 8.4
Enclosures by agricultural potential

agricultural classification	number of enclosures	date 50% enclosed
2, 2.5	15	1819
3	77	1819
3.5	31	1811
4	31	1814
4.5	12	1815
5	31	1835

of Agriculture's land classification (Figure 1.4). Since this classification is a numerical one with values from two (the best found in Cumberland) to five (the worst), enclosures overlapping two zones were given an average figure of the two values (Table 8.4). Since only two enclosures fell entirely within the small areas of Grade 2 land, these were combined with the next class, those overlapping Grades 2 and 3.

The results show a very similar pattern to that for soils, with the first five categories close together, only the last -- that very largely concentrated in the mountains -- showing any significant difference. If Parliamentary enclosure only is considered, there is very little change in this pattern: of the first five classes four have their median date unchanged, one becomes two years later. Only the last, Grade 5 land, changes significantly, to become considerably later at 1849. Overall, the pattern for enclosure and agricultural potential is so like that for soil that further testing seems unnecessary.

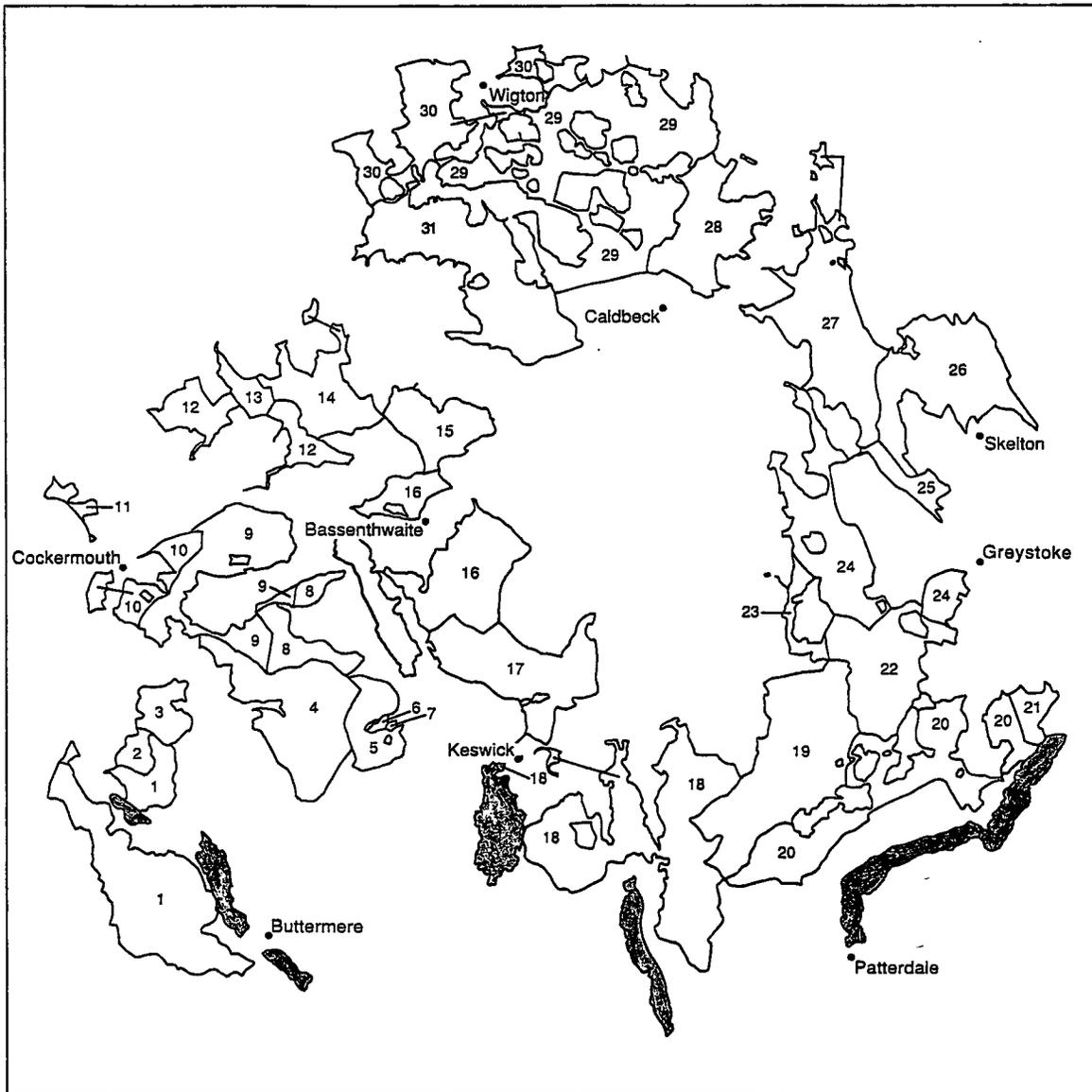
Gonner also stressed relief, and in a county with such marked relief as Cumberland a relationship should be expected, if it were to be found anywhere, between relief and enclosure. Indeed, the investigations of soil and agricultural potential have both suggested a strong role for relief.

A precise altitude cannot be given for many of the common waste enclosures, as they cover such extensive and frequently ill-defined tracts. For the purposes of analysis, each was assigned a value estimated to the nearest fifty feet. These values are likely to be more accurate for the smaller and lower enclosures. If they are simply divided into those below 750 feet and those at or above that altitude, then there is little difference in the date by which fifty per cent of the land in each category was enclosed: 1818 for the lowland group and 1820 for the upland ones. However, a Spearman Rank-Order correlation of altitude and date of enclosure for all 197 yields a coefficient of +0.144: with 197 degrees of freedom this is significant at the 0.05 level.

In order to test the relationship of altitude and enclosure date more precisely, thirty-one Parliamentary enclosures in the central part of the county were selected for more detailed analysis. The area includes some of the highest mountains, the higher (western) part of Inglewood Forest, and part of the Carlisle Plain (Figure 8.4). Plumpton Head Holme enclosure (1871) was omitted, as was that for Threlkeld Townfield (1842), as both concerned common fields. Part of the Hutton award (dealing with Motherby and Penruddock common fields) was likewise omitted, and difficulties of interpretation led to the abandonment of the 1775 Dacre enclosure. The enclosures range in date from

FIGURE 8.4 -- Parliamentary Enclosures in Central Cumberland

(numbers refer to Table 8.6)

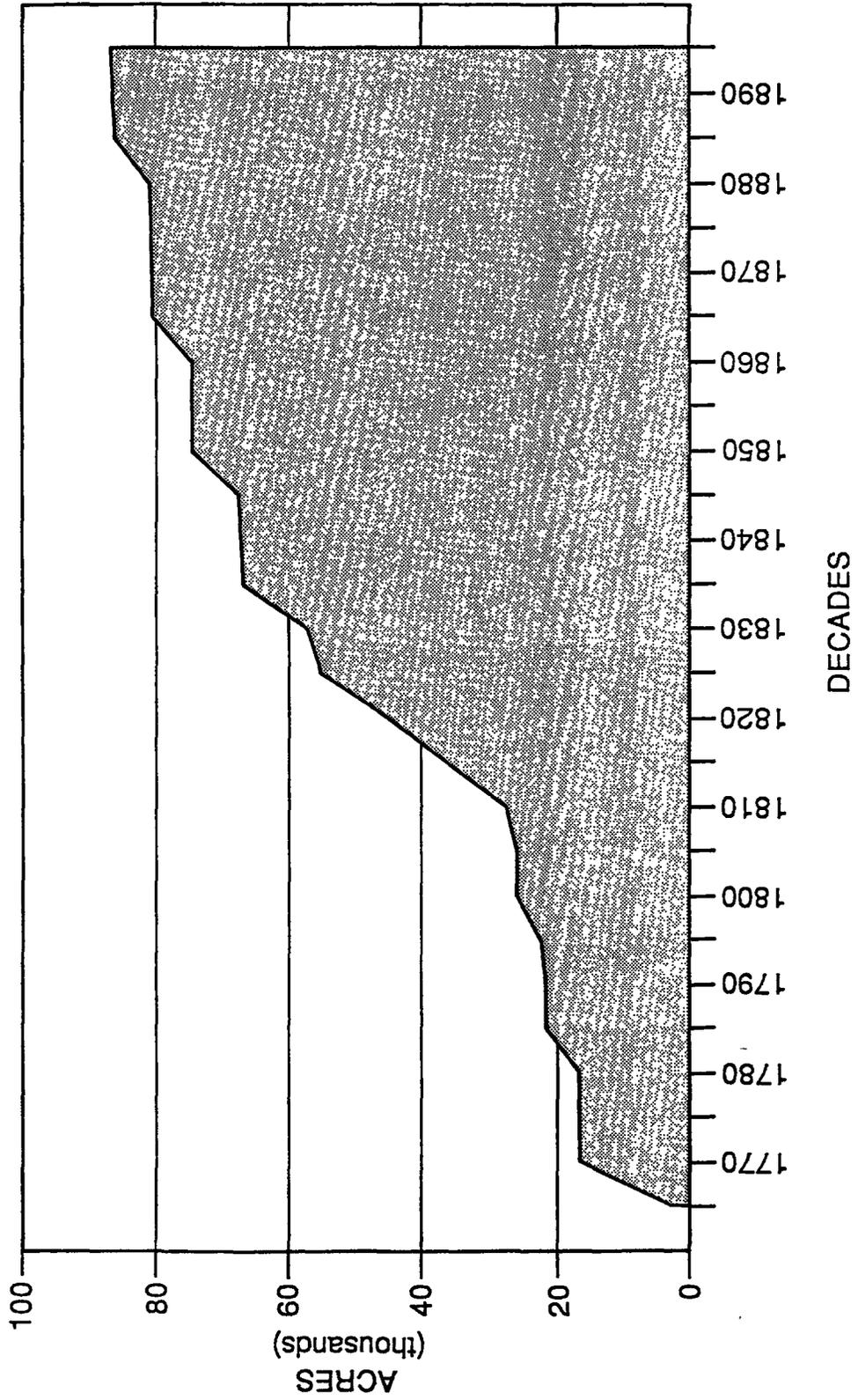


1765 to 1893, and total nearly 87,000 acres in area: just under a third of the Cumberland total. Cumulating the area enclosed over time shows a typical S-curve (Figure 8.5). Except near the beginning and at the end, the two biggest gaps in years (which also show as flattenings of the line in Figure 8.5) are from 1796 to 1808 and from 1835 to 1842. For convenience, the dates of 1800 and 1840 were taken as break points, dividing the enclosures into three periods.

The areas enclosed in each case were plotted onto 1:25,000 maps: with some difficulty in a few cases, owing to poor cartography of the maps accompanying the awards and lack of points of reference. For instance, parts of the Johnby and of the Wythop enclosures have been incorporated into recent Forestry Commission plantations, and the original agricultural boundaries have been lost. The Hutton and Greystoke maps both laid claim to one area of waste, though the later Hutton award makes no mention of this confusion. The map accompanying the Bassenthwaite award is patently wrong in locating its southern and eastern boundaries: the correct limits have been used in this study. Detailed analysis of this sort reinforces the concern about the accuracy of areal estimates. The Embleton area was estimated at 2000 acres, but was found to be 3150; that at Westward was estimated at 10,000 acres but was in fact 7246.

Three sets of forty sampling points were chosen for lands enclosed in each of the three periods, and a further

FIGURE 8.5 --- Central Cumberland: Cumulative area enclosed by Act of Parliament



forty for the areas still unenclosed. A stratified random sampling procedure was used. The height above sea level for each point was determined to the nearest fifty feet, from the relevant sheet of the 1:25,000 series. The mean height was 779 feet for the late eighteenth-century enclosures, 920 feet for those of the early nineteenth century, 1197 feet for the late nineteenth century and 1492 feet for land still unenclosed. These figures show quite an impressive upward trend in mean altitude with time. This impression is reinforced by a Kruskal-Wallis H score of 42.60, significant at the 0.001 level.

Relief, of course, is not just a matter of altitude but also of slope. Since the underlying assumption is that the land more convenient for agriculture will have been enclosed first, then it is quite possible that a relatively gently-sloping plateau area may have been more appealing than an area of lower but more highly-dissected terrain. To test for this, a measure here termed the roughness index was calculated for each of the 160 sample points already used. This index was obtained by drawing a circle of radius one centimetre around each point, and then counting the number of contours cut by that circle. The higher the number, the rougher the immediately surrounding terrain. The mean index for each enclosure period was 6.7, 12.4, 15.5 and 21.8 respectively: strong evidence that the land of lesser

average slope was enclosed first. The H score is 53.96, which is significant at the 0.001 level.

The tests carried out here, therefore, suggest that the principal physical influence on date of enclosure was relief; both altitude and roughness. Soil and agricultural potential appear to have been of little significance, except when associated with especially high and rugged terrain. Climatic factors were not studied, as they are not available in sufficiently local detail: but since most climatic differences in Cumberland are strongly controlled by the relief, the likelihood is that the results would be much the same as for soil. When the Cumbrian came to enclosure his common wastes, it was the lower areas he dealt with first, leaving the uplands for later, even to the present day.

Little can be said about the financial aspects of enclosure in Cumberland: the research has not been done, and it is in any case doubtful if there is enough evidence. Nearly all the studies that have been carried out on costs concern the common arable fields, and Cumberland has too few of these surviving. Williams estimated the increase in rent per acre in Cumberland between 1806 and 1878 at 102 per cent: towards the upper end of the second quartile, but not exceptionally high (in Norfolk and Lincolnshire it was well over 130 per cent, and in parts of Wales over 300 per cent). Figures for rate of enclosure in the county certainly show a tremendous burst of activity during and immediately

following the Napoleonic Wars, and it seems reasonable to suppose that prices had a lot to do with this. The newly-enclosed land would obviously bear a higher rent, but with so much of it being upland grazing, the increases per acre would be relatively modest. The above-average total rise reflects the great numerical increase in area enclosed: the highest percentage of total area for any county in England or Wales (Williams 1970: 64-65).

As for the more spatial variables, Gonner suggested that proximity to an urban area was important in encouraging early enclosure. In Cumberland, well into the nineteenth century, there were only two areas that could be considered significantly urban: the administrative and commercial centre of Carlisle and the west coast mining and manufacturing conurbation centred on Whitehaven and Workington. In the 1801 census Carlisle was credited with 9521 inhabitants and Whitehaven with 8742. Other centres were Penrith with 3801, Cockermouth with 2865 and Wigton with 2450. By 1881 the 'Big Two' had 14,488 and 12,438 respectively with Penrith at 5385 and everywhere else even smaller. Workington, while not significantly larger than Penrith in the nineteenth century (5716 and 6439 respectively), is included as it was the second pole of the major west Cumberland coalfield development, which included Egremont, Cleator Moor, Moresby, Distington, Seaton, Flimby, Maryport and other smaller mining centres as well as

Whitehaven. None of the urban centres outside the area (notably Kendal and Lancaster) was near enough to be considered a direct influence.

The analysis was carried out by drawing equidistant circles around each of the three towns at four mile intervals, and noting which enclosures fell within which ring.² Those on the line were allocated to the inner ring, but note was made of major mountain ridges and a few enclosures near the outer edge of one ring were reallocated to the next if there was a major physical obstacle intervening. The results of this exercise may be seen in Table 8.5. The pattern is a familiar one: the first three categories show no significant variation; only when the remoter (mostly higher) areas are reached is there a major jump in mean date of enclosure. Repeating the analysis with Parliamentary acts only does not change the pattern: the first three distance rings become enclosed a few years later, the outer ring does not change. It seems safe to conclude that the relatively minor urban centres of Cumberland had little influence on rate of enclosure.

Although west Cumberland was a significant coal and iron mining area, and although there were pockets of minerals being exploited in other parts of the county, there

² Other distances were tried, but the resultant patterns did not differ significantly from that using four-mile intervals.

TABLE 8.5
Enclosures by distance from urban centres

distance in miles	number of enclosures	date 50% enclosed
0 to 3.99	56	1815
4 to 7.99	67	1819
8 to 11.99	56	1815
12 and over	18	1849

is no evidence that mining directly hindered enclosure as it did in Glamorgan. Nothing in the correspondence files links the two. There may have been some indirect effects: the existence of opportunities in mining may have made the smaller farmers more content with their lot and thus less receptive to improvement. There was also some concern about the side-effects of mining. As with clay and stone pits, open coal pits were seen as hazards on the waste, and the Bolton manorial court observed as early as 1686 that "except there be some way contrived for the filling up of the same or securing the same some other way all the cattle going upon the commons is in danger of being lost." A century later Thomas Dykes was reassuring his niece that mines remained the right of the lord of the manor: "The entry of the tenants ground how highly soever cultivated to sink a pit digging for coal and laying the spoil dug out upon the cultivated ground surely can be no abuse of the right though the damage is manifest because the right cannot be enjoyed without occasioning the damage" (CRO/D/Lec/171). Perhaps some tenants were dissuaded from supporting enclosure on the grounds that their farms might be despoiled in this way; but there is no surviving record that this happened.

A final variable that was examined pursued Thirsk's point that enclosure might be easier when there were fewer small freeholders involved. On the face of it, this seems a reasonable suggestion. At one extreme, if the land were all

owned by one individual, he could enclose it whenever he liked (given due consideration to the common rights of any tenants); if there were a hundred owners, then it would be expected that a great deal of time and effort would be expended in trying to reach agreement.

The same central Cumberland Parliamentary enclosures were used as in the study of relief, with the exception of those at Castle Sowerby and Bolton, for which details of ownership could not be ascertained (Table 8.6). Since there was no clear agreement as to what proportion of landowners was necessary to obtain approval of an enclosure, figures were calculated for the minimum number of owners needed to make up both fifty and seventy-five per cent of the total area.

Study of Table 8.6 does not suggest any close relationship between number of owners and rate of enclosure: wastes with many and with few owners are scattered throughout the period, with some of the larger numbers towards the beginning. Spearman's correlation supports this initial impression. The best coefficient is actually that for all owners with date (not that anyone has suggested that unanimity was needed for Parliamentary enclosure), a coefficient of -0.197 . With twenty-nine degrees of freedom that misses being significant by a very long way. Correlation with the seventy-five per cent ownership level is even worse (-0.157) and with fifty per cent worst of all

TABLE 8.6
Parliamentary enclosures in central Cumberland

map #	award		area acres	landowners with		
	date	location		50%	75%	100%
28	1765	Sebergham	2896	24	58	116
27	1769	Castle Sowerby	5000	n/a	n/a	n/a
26	1769	Skelton	5000	10	26	100
16	1771	Bassenthwaite	3630	10	24	75
31	1781	Bolton	5178	n/a	n/a	n/a
25	1795	Johnby	638	1	3	11
24	1796	Greystoke etc	3688	1	5	56
21	1808	Dacre & Soulby	1480	1	3	17
14	1811	Bothel & Torpenhow	2200	3	13	73
12	1813	Moota etc	1600	2	6	9
13	1813	Bothel	500	2	5	22
5	1814	Thorntwaite	1273	1	2	21
17	1815	Brundholme	3488	2	3	37
15	1816	High Ireby	1596	6	14	42
22	1817	Hutton	3435	4	18	90
30	1817	Wigton etc	3205	14	39	209
29	1822	Westward	7246	3	22	146
9	1824	Embleton etc	3150	12	25	72
3	1826	Blindbothel	817	5	9	19
8	1830	Wythop	1292	2	2	18
10	1832	Cockermouth	1500	3	12	129
4	1835	Lorton	3867	6	12	51
20	1835	Watermillock	4591	4	21	82
11	1842	Dovenby & Papcastle	262	1	3	29
6	1843	Above Derwent	53	1	1	3
7	1843	Above Derwent	18	2	3	4
18	1849	St Johns Castlerigg	7094	1	6	71
1	1865	Loweswater	5871	6	14	43
2	1867	Mosser	464	3	6	13
19	1882	Matterdale	5300	7	16	58
23	1893	Mungrisdale	508	4	10	23

(-0.031, very close to a random relationship). Although statistical testing is not possible, simple visual inspection of Table 8.6 tells against Linneman's conclusion that larger villages tended to enclose earlier than smaller ones, though with the largest ones slowest of all.

Again, the conclusion remains that little seems to have been significant in the date by which the common waste in Cumberland was enclosed, except relief. Since number of owners is unrelated to relief, no pattern emerges. No pattern has emerged from any relationship examined, unless the factor concerned is closely associated with the major upland-lowland contrast that was emphasised in Chapter One.

Conclusion

Debate continues over the amount of land enclosed in England and Wales at different times, with opinion favouring more enclosure at an earlier time than has previously been supposed. This is largely based on a relative downplaying of the importance of Parliamentary enclosure, in favour of more land having been enclosed in the seventeenth century in particular by private agreement. In Cumberland the common arable fields had mostly been enclosed early, and by 1700 only remnants of their former extent remained. As for the common waste, the Cumberland example does not support the trend to lessen the importance of Parliamentary enclosure in

the late eighteenth and early nineteenth centuries. Including an estimate for land lost to encroachment, land in Cumberland was enclosed much more slowly than the proposed national rate in the seventeenth and even in the eighteenth century, but at almost three times the national rate in the nineteenth century. Had Macaulay been writing of Cumberland, he would not have had to go back so far to find an unrecognisable landscape.

Progress of enclosure could be influenced by both physical and socioeconomic factors, though there is little agreement on the relative importance of each. Examples are found where soil, as might have been expected, seems to have encouraged or discouraged early enclosure, but the evidence for relief and climate is shaky. Not least of the problems is that of disentangling physical influences from such human ones as the number of landowners involved in each enclosure, the influence of nearby urban areas and improvements in the transport network. Opinion is also divided on the importance of costs in delaying enclosure; largely because of the difficulty of calculating total expenditures involved.

In Cumberland attempts to relate progress of enclosure with soil type and the agricultural value of the land were unsuccessful, as any influence they may have had was overwhelmed by the dominance of the relief: the higher areas were enclosed later, and other physical variables are

significant only in so far as they correlate with altitude. Even the socioeconomic variables, by most today thought to be more important than physical ones, do not change this pattern. Distance from urban areas was significant only because the upland areas are further from town, and no correlation emerges from a comparison of date of enclosure with the number of landowners involved. Cumberland has the highest mountains in England, and it seems that these, more than anything else, have influenced the progress of enclosure.

CHAPTER NINE
ATTITUDES TO ENCLOSURE

Introduction

Chapter Seven describes the different types of enclosure and Chapter Eight examines the factors that may have influenced some areas to enclose earlier than others. In this chapter attention is directed to the feelings the people involved in enclosure had towards the process. Within Cumberland, attitudes are discussed largely in terms of the extensive Leconfield Estate, especially under the second and third Earls of Egremont at the height of enclosure in the late eighteenth and early nineteenth centuries.

National attitudes

Attitudes towards enclosure and the extinction of common rights have changed over time; attitudes of individuals, of social and economic classes, of officialdom. In the sixteenth century the government was concerned about the effects of enclosure on the poor, on their own revenues and on population growth, and had generally hindered the

process. In contrast, in the eighteenth century both local and national governments were dominated by landowners and enclosure had a much easier passage. It was long felt that the period was dominated by estate owners who used their influence to submit bills of enclosure serving their own interests or the interests of kinsmen or friends. As Blum put it, "Historians of the earlier part of the century saw this as systematic class robbery sanctioned by the rules laid down by a parliament of landowners, with the little man at the mercy of the great proprietors." The Hammonds typify this view. They argued that while the need to obtain an Act of Parliament theoretically made enclosure more difficult, in reality the reverse was true. In earlier times the crown had acted as an erratic but definite check on the excesses of the landowners, but from the beginning of the eighteenth century all decisions were abdicated to Parliament, which represented the landed interest: the very people who wished to press on with enclosure. Tate objected to this interpretation, admitting occasional cases of pursuit of personal interest but denying that it was carried out in a systematic, habitual or large-scale way. Blum believed that Tate "surely underestimated the bonds of kinship, political allegiances, log rolling, and class interest" (Blum 1981: 491-492; Hammonds 1927: 27-28; Tate 1942; 1949).

In 1774 some legislation was passed to prevent certain abuses, such as proceeding towards enclosure without

the knowledge of some of the landowners, and introducing what Tate called "some control over unreasonable extortion by the commissioners." However, the method of arriving at agreement to enclose was not changed. Parliamentary enclosure specifically avoided the earlier need (under enclosure by agreement) for unanimous consent, but there was no specification of the proportion needed, nor how that proportion was to be calculated. Parliament sometimes demanded sixty per cent in favour, often insisted on seventy-five per cent, and sometimes concurred with less. Percentages were derived from area owned, from value of land, from land tax paid, or from any combination thereof. The method chosen was most likely the one that showed the largest majority for enclosure. In any case, it was nearly always the large proprietors who made the decision to enclose. It is not surprising, therefore, that one of the main factors behind opposition to enclosure was, in Parker's phrase "fear of high-handed and arbitrary action on the part of the promoters and commissioners." The small landowners rarely held enough land in a parish to block enclosure, even if they had all combined (Tate 1967: 129; Parker 1982: 88; Blum 1981: 492).

One of the most influential writers on the subject of enclosure was Karl Marx. Much of the subsequent negative attitude towards the process can be traced back to his writings. Under the heading 'Primary Accumulation' in

volume one of Capital (first published in 1867) Marx showed the development of the capitalistic mode of production from the decline of feudalism in the fifteenth century onwards.

As Grigg summarised it

The central theme is how the peasants of the fifteenth century, who controlled the means of production, land, tools and livestock were separated from the land and became labourers, without control of the means of production, and therefore having to work for wages. He also tries to account for the rise of a landlord class, who owned progressively more of the land, at the expense of the peasantry, who had disappeared by 1750, and the emergence of a class of capitalist tenant farmers, who rented land from the landlord class and hired landless labourers to work it. Further, the farms that these tenants rented grew progressively larger, so that the small farmer sank to the level of a landless labourer. In the eighteenth and nineteenth centuries the rural landless provided the labour for the new factory industries of the towns.

According to Marx, the means of separating the peasant from the land was enclosure, both private and Parliamentary. He saw the forcible seizure of the common lands beginning in the fifteenth century and lasting on into the sixteenth. However, at that time enclosure was carried out by individuals, and the legislature often fought against it.

The advance that has been made in the eighteenth century is shown by this, that the law itself now became the instrument by which the theft of the people's land was achieved, although the great farmers continued to use their

petty private methods in addition. The parliamentary form of this robbery was to pass Acts for the enclosure of commons; in other words, decrees whereby the great landowners made a present to themselves of the people's land, which thus became their own private property.

Thus by the end of the eighteenth century the common lands had disappeared, making the occupation of the small farmer uneconomic, depriving the cottager of his last support, and driving them both to the industrial towns. The landless labourer, the substantial tenant farmer and the capitalist landlord became the basis of the new capitalistic agriculture that emerged in the late eighteenth and nineteenth centuries. Marx thus does not tie capitalism exclusively to the urbanisation and industrialisation of the nineteenth century. Although fully capitalistic agriculture depended upon the machinery, fertilisers and other products of advancing industry, the whole process "began in the sixteenth century with enclosures, which initiated the separation of producers from the land that was the precondition for the establishment of a wage-earning proletariat" (Grigg 1982: 197-198; Marx 1930: 802-803; Tribe 1981: 35).

It is easy, with more than a century of subsequent research, to pick holes in the details of Marx's arguments. He used definitions loosely -- peasantry, yeomanry, gentry - - and like many others did not satisfactorily distinguish large from small farms. It seems increasingly likely that

general population growth rather than enclosure supplied the bulk of the urban industrial labour force. He seemed seriously to have underestimated the number of landless in the fifteenth century and earlier: as Mingay remarked of both contemporary pamphleteers and nineteenth-century radicals like Marx and Engels "They looked back to a mythical 'golden age' of a much more numerous and contented peasantry, and romanticized the past in order to heighten the contrast with the grimness they found in their own day." Comparatively little was known of the economic history of England at the time Marx was writing. More recent work suggests that he greatly overstated the role of force in enclosure, misunderstood the trends in the rural and agricultural populations of the eighteenth and nineteenth centuries, and exaggerated the decline of the peasantry, not least because he was unaware of regional differences in farming structures. Whatever the limitations of his data, there is no denying the great influence Marx had and still has on writings about the period; though, as Grigg said, "It is perhaps unfortunate that his polemical style has carried on into modern debates" (Grigg 1982; Mingay 1963a: 93).

Writers at the end of the nineteenth and beginning of the twentieth century, such as Hasbach and the Hammonds, developed Marx's picture of the average common-field village as without the true landless labourer, and with everyone having a patch of land or at least the right to put an

animal or two on the common waste. Like Marx, they insisted that it was enclosure that created the mass of landless: they agreed with the late seventeenth-century pamphleteer cited by Tate who saw enclosure as a swindle, pushed by the gentry and the farmers at the expense of the cottagers and labourers, and they sympathised with the late eighteenth-century farm labourer turned writer Charles Varley (or Varlo) in his appeal that "I ... should consider it, rather as a misfortune, were all the townfields in England inclosed; for if we consider tillage in its most truly deserved light, we shall find in the countries where it most flourishes, to be most happy, rich and independent." The picture as presented by Ernle was one in which "Hundreds of cottagers, deprived of the commons, experienced that lack of rural employment which drove them into the towns in search of work." Those who stayed suffered from reduced living standards; increasing numbers depending on parish relief (Tate 1967: 85; Green 1961: 86; Ernle 1961: 301; Blum 1981: 498).

However, landless labourers were not unknown in the common fields, and although there was a proportionate increase in their numbers as a result of Parliamentary enclosure, it was not very dramatic. Clapham suggested there were about forty per cent more in 1831 compared with the end of the eighteenth century, while more recently Everitt has shown that the majority of labourers had little

or no land as early as the seventeenth and even the sixteenth century. Many cottagers, moreover, had already disappeared by the end of the eighteenth century in areas where land had long been consolidated. Further, there is plentiful evidence that, far from causing unemployment, enclosure required more hands than ever to bring commons and wastes into cultivation, to build fences and roads and to drain land. After that work had ended, the more intensive husbandry now practiced employed a larger labour force than before. There was little introduction of labour-saving machinery during the period of Parliamentary enclosure, so since agricultural output rose demand for labour must have increased overall, if falling in areas of large-scale conversion to pasture (Clapham 1923; Everitt 1967; Porter 1989: 862; Blum 1981: 498).

Rising prices at the end of the eighteenth century, followed by the demands of the Napoleonic Wars, led to significant labour shortages. These ended with the ending of the war in 1815 and, although agricultural productivity continued to rise, improved techniques and the increasing adoption of machinery meant fewer opportunities for a growing rural population. Wages declined and more calls were made on parish relief. Even so, there were labour shortages at key seasons, notably ploughing, haymaking and harvest: not least because machinery was adopted rather slowly (Blum 1981: 498-499; Collins 1987: 36).

Expenditure on poor relief in England rose more than elevenfold between 1750 and 1818, involving massive increases in local poor rates. However, Chambers and Mingay claimed that the distribution of poverty related not to the extent of recent enclosure but to the availability of work outside farming. Per capita expenditure on poor relief was higher in some counties virtually unaffected by eighteenth-century enclosure than in others exposed to the full flood of the movement. One may also hazard that enclosure, industrialisation and war helped to break down the traditional rural pattern of deferring children and even marriage until possessed of at least enough land for subsistence, thus encouraging rural population growth; though Armstrong suggested that the relationship between enclosure, poor relief and population growth is a complex one. Even in the twentieth century Williams found farmers' sons in Gosforth, Cumberland, delaying marriage until age 35 or even 45 while continuing to work their parents' farm. He noted that marriage ages tended to be even later in parts of rural Wales and Ireland (Chambers and Mingay 1966: 103; Williams 1956: 46; Armstrong 1989a).

One aspect of social life that was affected by enclosure but is rarely mentioned is the sport of hunting; again, perhaps, this is a reflection of the general concentration on the arable areas of the Midlands, where foxes tend to be preserved for the entertainment of the

wealthier classes: significantly, Porter's discussion of hunting from 1750 to 1850 was conducted entirely in terms of Midland-developed fox hunting on horseback. In the hill country of the north, Dent pointed out, the fox was considered to be a general menace to be exterminated, while the terrain was unsuited for galloping horses. Pursuit on foot and with whatever dogs were at hand was an activity shared by all regardless of station: "Though the local hunt solved no problems, made no fortunes, paid no man's rent, it may perhaps be credited with having fostered, however transiently, a sense of community and common purpose much harder to maintain when each man had his exclusive allotment and in turn was imprisoned within it." Hunting over the moors was largely ended with the erection of high stone walls and with the ability of unsympathetic farmers to prevent access. On the other hand, Chapman found that enclosure was favoured on the North York Moors because of the greater control it would give over game shooting: there the individual pursuit of grouse was presumably valued above the collective pursuit of foxes. A discussion of rural pursuits limited by enclosure should not overlook poaching. The use of spring-guns was at its peak in the early nineteenth century, while in 1828 the penalty for a third conviction of night poaching was transportation. Nonetheless, poaching survived as what Porter called "the

last rough amusement the evangelicals had not managed to suppress" (Porter 1989; Dent 1983: 97; Chapman 1976: 4).

The Hammonds, Hasbach and Mantoux also followed Marx in arguing that the lesser landowners had little option but to go along with enclosure: in Gonner's words "the small owners were practically unable to resist, even though opposed altogether to inclosure." More recently it has been claimed, among others by Hunt, Mingay and Tate, that the lack of widespread disturbances or mass risings against enclosure was evidence of support or at most weak opposition. Blum argued that in many cases opposition to enclosure was not so much absent as impotent. The small man was generally ignorant, he was powerless, he was accustomed to defer to his social superiors, and he was in no position to afford the heavy expenses of a counterpetition. When the 1764 bill to enclose Wigston Magna in Leicestershire was approved, by Hoskins' estimate about sixty owners of from one to twenty acres opposed it, yet there was little official opposition, as the small farmers were bewildered by the legal complexities and felt helpless to do anything to stop it (Gonner 1966: 73; Blum 1981: 493; Hoskins 1957: 248-250).

Locally, indeed, opposition might sometimes be vociferous and even violent. In Cardiganshire Davies found that one gentleman who had built a fishing lodge on his allotment of former waste had the building burned down in

his absence. Elsewhere in that county the surveyor responsible for drawing up an enclosure award was assaulted by a mob of cottagers. Troops had to be sent from Coventry to quell a riot following an attempt at enclosure in Bedfordshire. When an application was made to enclose part of Oxfordshire in 1814 "the whole neighbourhood of Otmoor was described as in a state of turbulence. Villagers armed with every kind of weapon prevented the affixing of notices to church doors" (Davies 1976: 116-117; Hammonds 1927: 73; Hoskins and Stamp 1963: 58).

Although opposition was undoubtedly based on tradition and fear of the unknown, it was also at least in part a concern that their new lands might not be as good as the ones they had. Bloch attributed the preference of French peasants for scattered strips to their feeling that it gave an equal distribution of different types of soil and reduced the risk of highly localised disasters. McCloskey made the same point for English common fields. Young pointed out that there could be an interval of twelve years or more between the passing of an enclosure act and the actual allotment of new holdings. During that time farmers would be reluctant to keep their land in good condition, as most likely it would not be theirs after enclosure. Moreover, many farmers lacked the capital and expertise to switch from arable farming to stock-raising. Considering these points, Young concluded "we shall not find much reason

to be surprised at the repugnance shown by many farmers at the idea of enclosing." Neeson has shown that opposition in Northamptonshire was far more widespread than formerly assumed: its extent had not been realised because researchers had not been looking in the right sources. Protest ranged from loud grumbling in the village inns, making the surveyors uncomfortable over their pints, to local writing campaigns and outright riots. Throughout the county the poorer people registered their dissent. Sometimes they slowed enclosure, though ultimately they were unable to prevent it (Bloch 1966: 55; McCloskey 1976; Young 1808: 31-32; Neeson 1984).

There were, on the other hand, cases where the smaller landowners desired enclosure and the big proprietors were the obstacle. Chambers and Mingay cited examples in the East Riding and the Vale of Pickering of Yorkshire, in Gloucestershire, in Lincolnshire and in Kent. Mingay claimed considerable evidence that in the East Midlands before 1750 "much of the initiative for enclosure arose from the farmers themselves, from their desire to overcome the serious weaknesses in the prevailing system of common fields and common grazing." The initial moves for enclosure on the North York Moors were made by different groups in different parishes. Small freeholders were concerned about squatters on the Moors, and saw enclosure as a means of finally preventing this erosion of their rights. However, there do

not seem to have been many cases in total, and even the Pickering example has been disputed. The number of counterpetitions presented to Parliament by large and middling landowners was not only relatively small, but they do not often involve opposition to attempts by small proprietors to force enclosure. Mostly they represent disagreements among principals about the terms of enclosure: Chapman detailed conflicts among the three major landowners in an early nineteenth-century Sussex enclosure. In all, therefore, "small proprietors as initiators or supporters of enclosure seem to have been an exceptional phenomenon" (Chambers and Mingay 1966: 87-90; Mingay 1984: 117; Chapman 1976: 5-6; Chapman 1982; Blum 1981: 494-495).

More real opposition came from the church. At the time of the Reformation, despite some examples of bad ecclesiastical landlords, the clergy generally regarded enclosure as undesirable, and by the early seventeenth century were reinforcing the traditional point of view that enclosure was an offence to God and man. Later their concern became more one of how to ensure themselves as large a share as possible of the proceeds: especially the owners of rectorial tithes, who feared loss of income. One Northamptonshire rector considered a lawsuit on enclosure to retain tithes in kind. To gain the support of such people larger sums had to be set aside for commutation,

increasingly in the form of generous allotments of land (Tate 1967: 143-145; Reed 1981: 61; Kerridge 1969a: 110).

Overall, one of the basic facts about the period was that "Enclosure was greeted grudgingly if not with downright hostility by the mass of the population." This hostility was not always based on careful and rational assessment: opposition might arise even when enclosure would actually benefit everyone. Anscombe noted one Northamptonshire enclosure where at least some opposition came from residents who accepted that it would probably lead to improvements. Among the reasons given for opposing this enclosure were: "Had signed against it last year"; "Don't care for the trouble of inclosing"; and, more dramatically, "Would tend to ruin the nation." Other opponents were described as "Old and childish and won't consent" and "Not right in her senses." In another Northamptonshire parish one proprietor of about 35 acres (one per cent of the total land) sternly stated "I object to inclosures, and therefore will not sign the Bill" (Anscombe 1968; Ranson 1965: 286).

Both hopes and fears tended to be exaggerated, and people assumed that whatever had happened elsewhere, good or bad, as a result of enclosure could be expected to happen in their case. In most instances, however, opposition was unsuccessful, and in none did it do more than postpone the day of enclosure of all but the bleakest uplands (Yelling 1977: 214). It is interesting to speculate as to the

ultimate consequences had that opposition started much earlier and been more successful:

English social history might have been a very different story. Enclosure no doubt would have come, but on very different terms and by very different methods from those actually adopted. England might conceivably have been still a country of peasant proprietors.... The Industrial Revolution might have begun or developed elsewhere than in England ... and England would assuredly have been a very different place could she have developed as a granary rather than as a workshop (Tate 1967: 142).

Early attitudes in Cumberland

There was little concern about or even interest in formal, large-scale enclosure in Tudor and Stewart Cumberland, though there was certainly a lot of land capable of improvement. In an undated letter, apparently from some time in the sixteenth century, an anonymous correspondent from the Eden valley part of Inglewood wrote

if this ground were plowed and sown the Kings Grace might have two hundred [?] men on horse and in harness where is now but a ling bush and a bracken bush and if the said ground were so occupied and plenished with towns there were ground enough within the said Forest for common for pasture to us that is the Kings tenants within the said Forest (BM/Lansdowne/105/8).

It is likely, however, that the author was appealing more for a freer approach to encroachment, of the sort that

caused the Westward rising on 1569, rather than wholesale enclosure: indeed, the letter indicates the continuation of common of pasture.

Piecemeal enclosure of the common fields had been going on for some time, such that relatively few agreements to enclose survive, and fewer than ten Acts of Parliament were needed in the whole area. The earliest known agreement is that recorded in the Gilcrux manorial court in 1648:

It is ordered by the Lord of the Manor and the general consent of the Jury and the rest of the inhabitants within this manor to make division of their infield grounds now in neighbourhood by measure and lots proportionably according to the value of any mans ground to be laid together every mans by itself, and to have each of them their proportion of hedge accordingly laid severally by themselves.

Unfortunately, it is not clear from this who had initiated the move to enclose. The twelve people who agreed to enclose Pardshaw outfield in 1719 certainly felt that it was "for the better advantage and profit of the said owners of the said outfield" (CRO/D/BH). A further example of enclosure of a common field beginning with the small landowners and tenants is found at Eaglesfield, near Cocker-mouth. In May 1755 seven customary tenants petitioned the Earl of Egremont to the effect that they

have several small parcels of ground lying dispersed in the common outfields of Eaglesfield aforesaid; which, by long experience have been found to yield but little profit to the tenants or

occupiers thereof by reason of their lying open and common intermixed with other lands. And as the greatest part of the said fields belongs to the freeholders, who have agreed to exchange and enclose their shares therein, it will make your petitioners interest still less valuable if they are not permitted to join the freeholders in a general division (CRO/D/Lec/265/4).

Not only were the tenants as anxious as the freeholders to dispose of their common arable: they were not prepared to wait to complete the formalities. The following March Egremont's secretary was informed that one of the Eaglesfield customary tenants had gone to Penrith to get licence to proceed with the enclosure from the Cumberland agent. However, having just visited Eaglesfield,

I find that some of the customary lands in the outfield are already enclosed by the freeholds.... And now they are about to petition my Lord for licence to do what they have already done.... I have seen their designs of enclosing for some weeks and told them frequently I was positive his Lordship would show resentment if they presumed to do it without his licence. I also acquainted Mr Simpson [Egremont's agent], who wrote very warmly to them to forbear till they knew his Lordship's pleasure; which did not avail in the least for now all hands are at work and they take no notice of any caution (CRO/D/Lec/170).

Here was no lord of the manor bullying or browbeating his lessees into enclosure, but rather a group of independent-minded farmers proceeding with what they thought best: willing to go through the motions of asking permission, but

not willing to wait for that permission before proceeding.¹ That nearly all the common fields were enclosed either by encroachment or by private agreement, all parties agreeing thereto, suggests that there was little difference of opinion about the best way to proceed. No evidence survives from Cumberland of any instance of a prolonged dispute over the enclosure of any common field.

As for the much more extensive and significant enclosure of the common wastes, it is fortunate that there is one series of documents that gives something of an insight into attitudes throughout most of this period. A large, though incomplete, collection of letters, petitions and other papers has survived in the archives of the Leconfield Estate. This estate was long in the hands of the Percies, Earls of Northumberland. In 1682 the heiress to the estate, Lady Elizabeth Percy, married Charles Seymour, sixth Duke of Somerset, and the estates passed to the Proud Duke. The seventh Duke (who had been granted the Earldoms of Northumberland and Egremont) died in 1750. As he had no

¹ Enclosure could sometimes be held up for other than agricultural or tenurial reasons. A letter of 1743 to Lord Lonsdale's secretary concerning the enclosure of Kirkbampton common field ended "as the season for inclosing is pretty far spent and we have not yet had his Lordship's answer I presume to give you this trouble to desire you will be pleased to endeavour to get us his Lordship's answer". The reply explained that "My lord has been laid up in a fit of the gout" (CRO/D/Lons/L). [This was Henry Lowther, third Viscount Lonsdale, whose title was extinguished when he died unmarried in 1750].

son, his estates were divided. The Earldom of Northumberland went to his son-in-law, Sir Hugh Smithson, who changed his family name to Percy. Petworth and the Cumberland estates, including the Earldom of Egremont, went to his sister's son, Charles Wyndham.

The second Earl of Egremont was the son of a former Secretary for War and Chancellor of the Exchequer who had also spent some time in the Tower for his involvement in the Jacobite intrigues which culminated in the Rebellion of 1715. Charles Wyndham, "though less distinguished than his father, was a capable and likeable man. He played a considerable role in the politics of the eighteenth century and maintained a reputation for honesty at a time when many politicians were corrupt." He died at the age of 53 and was succeeded in the title by his eldest child, a boy of twelve, who ruled Petworth and his Cumberland estates for sixty-five years (in his minority affairs were managed by his mother and his uncle -- by marriage -- the Irish Earl of Thomond) (Fedden and Jackson-Stops, 1978: 43).

Though the third Earl, unlike his father and grandfather, played little part in political life, he "grew up a remarkable man. Humane, cultured, and distinguished both as a patron of the arts and as an agriculturalist." He was for many years on the Board of Agriculture, where he busily promoted new, progressive farming methods, always with a view to improving the lot of the small tenant. He

formed a firm friendship with Arthur Young. Perhaps his most curious eccentricity was his failure to marry Elizabeth Ayliffe until after she had borne him their six children. At that time this meant that all were considered illegitimate. His oldest son, George Wyndham, was able to inherit Petworth and the estates in 1837, but the Earldom passed to a nephew and was extinguished in 1845 (Fedden and Jackson-Stops, 1978: 43-44).

George Wyndham was created Baron Leconfield in 1859. John Wyndham, eldest son of the fifth Lord Leconfield, was for many years private secretary and close personal friend of Harold Macmillan. As a reward for his services to a politician who rose to be Prime Minister, Wyndham was created a Baron in his own right in 1963, and chose to revive the family title of Egremont. In 1967 he succeeded his father as sixth Lord Leconfield. Since his death in 1972 the estate has been in the hands of Max Wyndham, the second Lord Egremont and seventh Lord Leconfield. The estate office continues to use the name Leconfield Estate, as it is used throughout this work for all the documents of Percies, Seymours and Wyndhams.

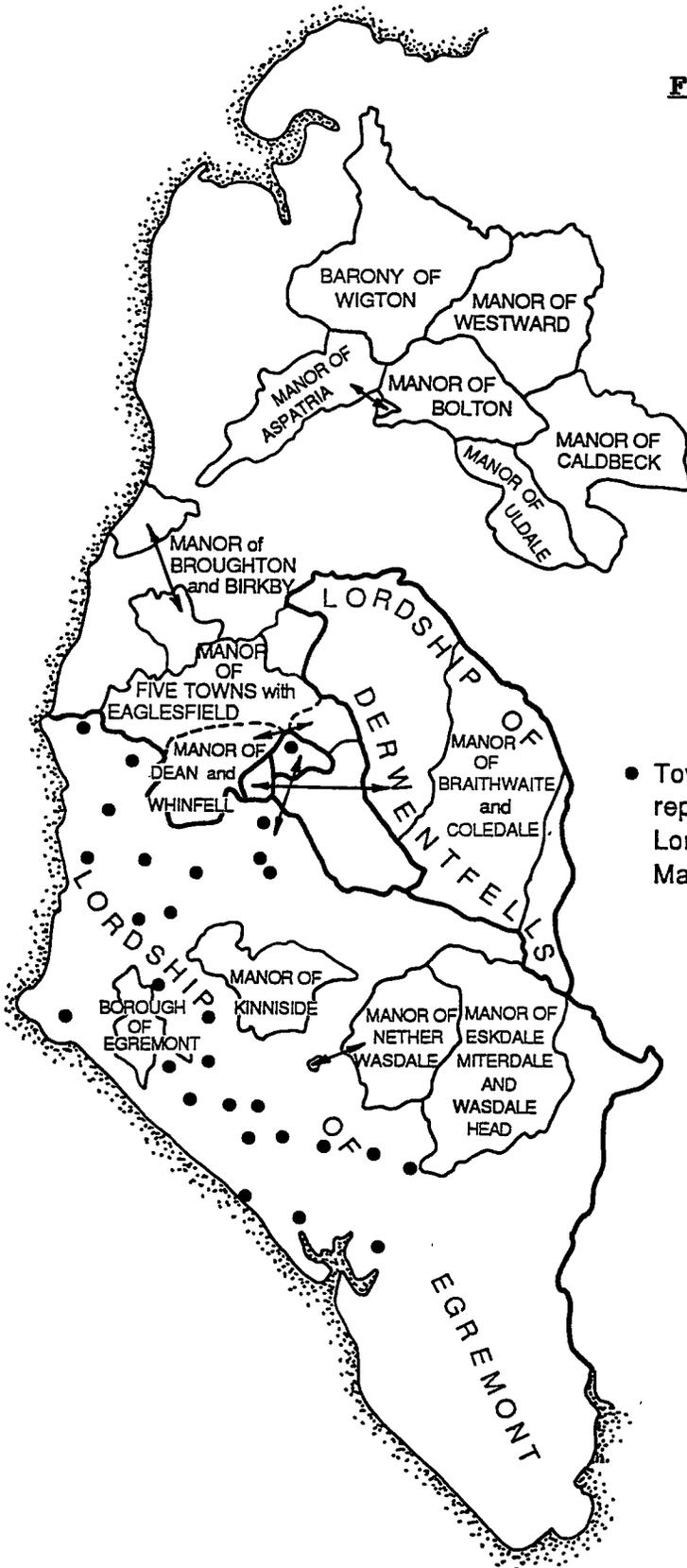
By 1800 the Leconfield estates covered the larger part of west Cumberland (Figure 9.1). The Duke of Wharton's estates had been forfeit to the crown as a result of his participation in the 1715 rebellion, and his three manors of Broughton, Caldbeck and Dean were bought from the crown by

the Duke of Somerset in about 1722. Uldale was added right at the end of the century. There was also one outlier: the manor of Croglin in the Pennines, far to the east of the county. Jurisdictions in the older southwest Cumberland area were complex. The two major divisions were the Lordships of Derwentfells and of Egremont. The former included a large subsidiary manor of Braithwaite and Coledale, often dealt with separately from the rest of the Lordship. The latter covered the entire southern part of the county, but for a good part of that the overlordship was purely nominal. There were four areas within the Lordship that were generally administered independently: the borough of Egremont and the manors of Eskdale, Kinniside and Nether Wasdale. South of Eskdale the estate owned no land and had little control. The extent of significant Leconfield influence can be seen by plotting the townships which sent representatives to the Egremont manorial court (Figure 9.1).

Thanks above all, no doubt, to the agricultural enthusiasms of the third Earl of Egremont, many of the estate papers have survived. In all, over 8000 letters (a majority between Petworth and Cumberland, but many between tenants and the Cumberland agents) and over 330 petitions were studied. Over ten per cent of the former and twenty per cent of the latter were directly concerned with such matters as enclosure, agricultural techniques and tenancies.

**FIGURE 9.1 -- Leconfield
(Egremont) Estate 1800**

(source: copied with
kind permission from
a map in the Leconfield
Estate Office,
Cockermouth)



- Township sending representatives to the Lordship of Egremont Manorial Court

(not shown is the
Manor of Croglin,
in east Cumberland)

The evidence suggests that, at least at first, the initiative for enclosure was coming from the local smaller landowners and customary tenants. A petition of 1663 from the freeholders of Cockermouth to one J. Clarke, presumably the steward to the Earl of Northumberland, said

In pursuance of what was agreed to by your self upon the motion of some of the freeholders and tenants of this town at the last audit, in order to the improvement of part of our commons, we the subscribers hereunto with the rest of the freeholders and tenants concerned, have this day been taking a view thereof; and are willing to proceed to the enclosing of such part thereof as shall be adjudged convenient; upon the terms then treated of. If you think good that a surveyor be sent down upon my lord's account, we desire you will please to give us notice of the time, to the end that we may provide another, that so things may be in some readiness against the next audit
(CRO/D/Lec/265/233).

This proposal, however, ran into opposition from the surrounding communities, who argued that Cockermouth was laying claim to -- and trying to enclose -- areas of common waste that actually belonged to their neighbours and over which they, Cockermouth, had only rights of intercommon. The case went to court, and the move to enclose was stopped.

A generation later the Cockermouth inhabitants were at it again, petitioning the Duke of Somerset in 1697 that

We (the Burgers and tenants of and within your Grace's ancient borough of Cockermouth) ... are encouraged ... humbly to offer unto your Grace such a proposal as may (in a great measure)

answer your Grace's wishes for our welfare, that is, that your Grace would please to agree to an improvement of the waste ground and commons appendant to this borough (upon any of the terms humbly offered in the paper hereunto annexed, or otherwise as your Grace shall deem more eligible) for we should not only reap a great benefit ourselves thereby, but it would also greatly contribute to the relief of our poor (CRO/D/Lec/265/94).

Even discounting the servile language obligatory in petitioning a Duke (and especially the sixth Duke of Somerset), it is clear that it was the Cockermouth people who were most keen on this enclosure. However, the neighbouring manors again intervened on the grounds that a good part of the proposed enclosure was of their waste which "will be a very great damage to your Lordship's petitioners and especially to the poorer sort of Cockermouth." They referred delicately to the former lawsuit, and asked the Duke "to give a check to their intended proceedings, that Christian peace and amity may be continued betwixt the Borough of Cockermouth, and their bordering neighbours." It is interesting how every party invoked the poor in support of their case. No statement survives as to how the poor of Cockermouth themselves felt about the issue. According to the complainants from Brigham, Moorside, Eaglesfield and Embleton it was "the richer sort of the inhabitants of the Borough of Cockermouth" who were pursuing this enclosure,

and there is no reason to suppose them wrong in this (CRO/D/Lec/265/5).

The Cockermouth people did not, however, give up easily. A letter of 1708 reported on the progress being made in surveying the moors at Cockermouth. There were still problems over the boundaries with neighbouring settlements "because they know not their bounds but lie in intercommon." The writer offered as a solution "perhaps it may be possible to make the rest inclose their chases as well as Cockermouth which at a small rent per acre would raise so considerable sum to his Grace that it deserves consideration" (CRO/D/Lec/169/1708). This last proposal, if acted upon, obviously did not work, for no more was heard of enclosures at Cockermouth for over forty years.

Enclosure was nonetheless going on elsewhere in the county. Large areas of the Barony of Burgh were enclosed by private agreement around 1700, and over 4000 acres of remote waste around Hethersgill, northeast of Carlisle, were likewise enclosed in 1735. In general, however, it was a period of low activity in agricultural improvements of any sort in Cumberland, and especially on the Leconfield estates. The Duke of Somerset was not really very interested in his wife's northern inheritance, and the experiences of Cockermouth may have deterred other would-be enclosers. There was a brief mention in a letter of 1747, near the end of the Somerset control, that a petition had

been sent for the enclosing of Greysouthen Moor, but there are no details of who sent it, nor what their terms were. In any case, nothing came of it.

Enclosure under the second Earl of Egremont

In 1750 the estate had just come to the second Earl when Cockermonth again entered the picture. Egremont's Cumberland agent wrote to the secretary at Petworth in April of that year that

At Cockermonth I had a short interview with Mr Thynne: he told me that he had a lease from the late Duke of all the commons for 30 years and designed to make some proposals to the tenants to take them up and improve them. To which I answered that he would find it difficult to bring the tenants into that scheme because their accepting leases would extinguish their rights of common and then at the 30 years' end their customary estates would be worth nothing. He said, that all this might be cured by my Lord Egremont's joining with him in making grants to the tenants. I told him that no commons could be taken up but by the unanimous consent of the tenants and that if he would procure that consent then very probably my Lord and he might settle some terms. But till then I did not see what my Lord could do in the affair.... It is certain that the commons are of very great value and if my Lord were quit of this man perhaps a scheme might be contrived to get a considerable part of them improved. But there will be no dealing with this blade until he finds that he can make nothing of the commons himself and therefore I stated the

difficulties in the strongest light I could (CRO/D/Lec/170).²

This letter introduced a new factor into the question of enclosure: the status of the customary tenants. The agent was clearly right: as outlined in Chapter Two, the nature of customary tenure was such that there was little appeal in converting to a leasehold arrangement, however attractive the prospect of enclosure might be.

In October 1749 an agreement was made at the Borough of Egremont manorial court

that all the lands lying within the liberty of Brisco undivided and inclosed shall with all convenient speed be measured set out allotted and divided to the several and respective Burgers in equal proportions to the Burgesses and shares of Burgesses they enjoy ... provided his Grace the Duke of Somerset shall approve thereof.

The Duke had little chance to consider the matter, as he died a few months later. By 1755 the inhabitants of Egremont were back with a more ambitious proposal to put before the new Earl. They wanted to enclose seven areas of common waste around Egremont

which contain together as supposed eight hundred acres or thereabouts ... if such lands were divided and enclosed such division would be to the mutual advantage of your Lordship and the said tenants. Therefore we beg leave humbly

² All the Leconfield Estate letters in this section have the call number CRO/D/Lec/170. Only documents with different reference numbers will be cited.

to acquaint your Lordship, that if your Lordship would please to grant to us severally the said several commons in freehold to be divided amongst us severally in proportion to our estates in the said manor and parish of Egremont, reserving to your Lordship Suit of Court, all mines and other royalties whatsoever, that there shall be allotted to your Lordship for and in respect of the Castle and Castle Garth and of your Lordship's two burgages a proportionable part according to their respective purvey rate paid for them and will further pay to your Lordship and your heirs for ever a clear quit rent of twelve pence for every other customary acre of the said commons, and will be at the expense of the enclosure and all other expenses attending the said division, saving your Lordship's share for and in respect of the common which shall be allotted to your Lordship as aforesaid (CRO/D/Lec/265/244).

Again it is seen that it was the local inhabitants, or some of them at any rate, who were proposing the enclosure. They undertook to continue to settle their disputes and pay their fines at the Egremont court, and the lord of the manor would retain the rights over all minerals found in the enclosed lands. As well as his own share of the wastes, Egremont would have received a shilling rent per customary acre in return for his other rights as lord of the manor. The tenants would pay for their own expenses.

It must have become apparent to Egremont, despite the neglect of his northern estates attributed to him by the Dictionary of National Biography, that the biggest stumbling

block to enclosure remained the status of the customary tenants.³ Accordingly, he wrote in 1758 that

I have been so often pressed to enfranchise the customary estates that I have at length determined to come into a general enfranchisement, if I can do it, upon fair and equitable terms and at the same time to enclose those commons which are capable of improvement. I mention this that you may let it be known from myself to be my intention and I shall soon send down proposals for carrying it into execution as I fancy it will be agreeable to all customary tenants.

Enfranchisement meant converting the awkward customary tenements, not to leasehold, as had been tried and failed by Elizabeth and many others, but to freehold. There were obvious problems. How much was the freehold worth? How much should the lord of the manor receive for giving up his rights upon the common waste? What was to be done about tithes? Robert Baynes, the Cockermouth solicitor who long represented the Wyndham family in Cumberland, was quick to reply with encouragement:

³ The second Earl insisted on his Cockermouth steward writing to him directly, instead of to his Petworth secretary, as had been the practice under Somerset. The picture that emerges from his correspondence is quite unlike the unpleasant figure of the Dictionary of National Biography. A correspondent in 1813 wrote of "a thorough conviction that his Lordship is a sincere friend and patron of agricultural improvement and an encourager of national industry as opening a source of national wealth and increasing the necessaries of life in the time of our increased population". Admittedly the writer was addressing the Earl's agent and hoping for the Earl's cooperation, but even flattery usually has some basis in reality.

If your Lordship can carry your intention of enfranchising the tenants and dividing the commons into execution upon fair and equitable terms I think it will be a desirable thing; both to your Lordship and to your tenants, as your Lordship will thereby part with an estate, as things are circumstanced, subject to a variety of disputes -- which consideration ought also to have its due weight with the tenants; as well as the many other advantages they would receive by such an enfranchisement which are obvious.

He estimated that the tenants should be expected to give eight years' full value of their land for their enfranchisement, as well as something in place of customary obligations such as heriots. He warned, however, that large-scale enfranchisement would cost a lot of money that would go out of the county and lessen the prices of land for some years. More cash would be needed for enclosures, which would drive the price of land down even further. However, despite difficulties inevitable in dealing with so many different people:

it may be reasonably expected that if, at a general meeting of the tenants of each manor, your Lordships proposals should be approved of by the most sensible and leading men among them they may be able to influence the rest and I very much incline to believe that if your Lordship once carry your intentions into execution with one manor that the other manors will with the greater readiness come into your Lordship's proposals.

Over the next few weeks, Baynes sent further thoughts. As well as his own share of common wherever he had land of his

own (there was in fact little demesne in the Leconfield estates: apart from the ruins at Egremont, only relatively small areas at Bolton, Cockermouth and Westward) the Earl should have a quarter of the waste in return for giving up his rights over it as lord of the manor (though not mineral rights, which were to be retained). If the tenants did not wish to give up a share, then they could pay a quit-rent of one shilling an acre, as had already been proposed by the Egremont burgesses (the amount was arrived at by estimating the average annual value of the common waste to be four shillings an acre). This, Baynes believed, "will be thought reasonable by all the tenants." He repeated the advice that it was desirable to persuade one manor to enfranchise and enclose as an example to the rest.

As he moved around the tenants he became more and more optimistic. A few days later he wrote to the Earl "Every person I have talked with appears pleased with the opportunity given them of being enfranchised and having the commons enclosed." There were no significant objections to the terms of enfranchisement, but there were concerns that, should the commons be rented, then some consideration should be given to reducing the rent in poorer areas. Baynes thought this was essentially a bargaining ploy: "I doubt not but that the tenants from their natural disposition would have talked in the same manner, had your Lordship proposed

half the rent mentioned in the proposal." However, he thought it worth considering in order to get approval.

Upon the whole I have not met with any discouragement to damp my expectations of seeing your Lordship's plan being carried into execution: and according to the best judgment I can form upon this important subject from the appearances hitherto, there is good reason to believe your Lordship will find a concurrence, at least in some of the Manors against the Spring.

Egremont replied by return, sharing the optimism, and feeling little doubt but that "if once a beginning is made I doubt little of its becoming general if not universal." He had deliberately offered terms "lower than ever I was advised" so that no-one could object and there need be no bargaining.

As to the commons, I agree with you that had I mentioned a sixpenny rent per acre they would have wanted it for a groat. But the proof of my having gone low enough is that I was offered a shilling an acre some years ago for a common near Egremont not near so good as Bolton Pasture and Westward commons.

The rent would not be lowered, except in very bad places. They had the option of granting him a quarter of the waste. If they did not agree to either, then they cannot be enfranchised: "these considerations will, I suppose, determine them to close with one of the alternatives proposed to them."

It was obvious that by now the Earl and his agent had both caught the enclosure bug. No longer was the lord

of the manor a distant and aloof figure, granting enclosures only if the tenants begged for it. Now he was -- or, rather, his agents were -- out there, actively soliciting, using the bait of enfranchisement to obtain enclosure. This was a striking change, and shows that Egremont was willing to become much more involved in his Cumberland estates than Somerset had been. It may even have been significant that the first major proposal for enclosure following his succession to the estates came from his title manor, at Egremont itself.

Several possible enclosures were in the air at this time, and the correspondence was peppered with thoughts about the prospects at this manor and that. At Wigton the inhabitants of the town favoured the enclosure of the wastes, but were dubious about the terms of enfranchisement, while those in the surrounding settlements were happy about the enfranchisement but wary of enclosure. Baynes suggested "that the country tenants, who keep stocks of cattle, are against the enclosure because they at present have the benefit of it more than the Wigton people who keep no stocks." At Broughton, opposition was coming especially from "all the Cottages and tenants who have small parcels of land and who receive the greatest benefit from the Common at present." Fewer than a quarter of the tenants would sign the proposal, though those who had accounted for about sixty per cent of the value of the land. There was also a concern at

Broughton over the right to dig clay. This was a royalty for the lord of the manor, but the people there were unhappy about its continuing, as the pits ruined the land for grazing. The suggestion was to let the tenants rent the clay themselves (and then, presumably, not work it) since "the Potter's clay is not likely to become an advantageous article to your Lordship in regard that the same sort of clay is got in the neighbouring manors and the potters in this country are poor men."

Most of the correspondence at this period concerned the proposed enclosure at Egremont. It repays study in more detail, as the issue displays the interplay of landlord and tenant, and illustrates some of the reasons why enclosure could take so long to be brought about. Shortly after the 1755 proposal for widespread enclosure had come from Egremont, the issue of intercommon once more raised its head. The inhabitants of neighbouring St Bees wrote to their landlord, Sir James Lowther, to complain that Egremont was planning to enclose areas of common waste over which they, the inhabitants of St Bees, had rights "in pasturage, by heaving and leaving their sheep and other cattle, in turbarry by graving and cutting turf etc. without any interruption, time immemorial." Moreover, they paid rent to both the Borough and the Lordship of Egremont for the right. They therefore called on Sir James to "join them in using all effectual means to prevent the said Act passing into a

law until the rights and claims of the said township upon the above mentioned commons be properly determined and their consent had thereto" (CRO/D/Lons/W).

The dispute with St Bees must have been settled fairly quickly (though Sir James Lowther was to be heard of again), for it did not appear in the Leconfield correspondence, and in February 1759 Baynes was writing about planned meetings in the Egremont area and having "little or no doubt but there will be a general assent" and that Egremont will provide the example to the other manors he wants. Nine days later, about the time he had promised positive news, he was sounding a cautionary note. There was a majority already assenting to enclosure:

But I beg leave to observe to your Lordship that in all your Lordship's manors there will always be a number of infant tenants, others whose estates are deeply mortgaged and who are in poor circumstances, and others who are seafaring men and abroad, or who live at a distance, which will occasion an assent not to become so general as otherwise it might be: Besides that there will be some that do not at first incline, who when they see the proposal carried into execution may alter their determination and come into the sentiments of their neighbours.

The Earl's reply was uncompromising: if they are unable to sign, that will only mean a delay. "But if any hold back from design or ill intentions (which will be easily discerned) they will be more hardly dealt with when they

come to treat than those who directly assent to and forward the scheme."

In September of that year pressure was still being put on the tenants to sign. Baynes' assistant (and son-in-law and eventual successor as agent) Thomas Benson wrote to his superior that he was to meet with the Egremont people that evening. "I make no doubt of a majority for a division of the commons, and believe it will be the best to wait of [sic] them separately, for in a crowd there is many doubts and scruples raised." These do not seem to be the words of a supremely confident man. It is again clear that it was the lord of the manor who wanted the enclosure; the tenants who were playing hard-to-get. However, next month the agent was able to write in triumph to his master

Enclosed is a copy of the agreement for the enclosure of the commons within the manor of Egremont, which was drawn up and settled by the gentlemen present at the Court Leet held there on Monday last and approved of by the jury.... It is the expectation of ... the gentlemen who were at your Lordship's court that all the persons interested will concur in signing the agreement except two or three retrograde people.

Agreement of the Court Leet meant that a selection of the more prominent farmers in the area had agreed. Discussion now turned to means of obtaining the concurrence of the "retrograde people." Several letters were exchanged on this subject, when a bombshell was dropped on November 9 in the form of a letter from one J. Gale, lord of a small manor

adjacent to Egremont, some of whose customary tenants had rights of common on the Egremont wastes. They wanted a share of the waste on enclosure, as otherwise their incomes would decline, as would that of Mr Gale, who was entitled to arbitrary fines. The Earl was in no doubt what this meant: "Mr Gale's letter of claim which I think though an unexpected blow puts an end to the division of the commons and consequently to all enfranchisements where commons are concerned till that vexatious suit is over." The tenants obviously agreed, for much of the discussion over the next few weeks was over their unwillingness to proceed until that issue was settled.

The indefatigable Baynes, however, saw no reason why everything should stop pendente lite, and in January 1760 he sent the Earl the petition to Parliament for the enclosure of the common waste at Egremont "signed by all who at present intend to do it." There was further discussion of tactics. Baynes favoured granting the enfranchisements even of those who refuse to sign the petition

because, as I apprehend, after the contract is carried into execution on your Lordship's part the House of Commons will not allow them to oppose the bill contrary to the clause in the contract with respect to the commons, whereby they agree to abide by such agreements as shall be made by a majority of those interested in the commons; and more especially after they have received the benefit by having that part of the contract relating to the enfranchisements carried into execution.

The Earl, however, was all for hewing to the hard line, and refused to sign the enfranchisement papers of dissenters. He softened his rejection of his agent's advice a little later, adding "I am not fully determined to decline absolutely the completing of the enfranchisements of those who oppose the enclosure of the commons; only, if they are left to the last I shall have more leisure to consider it."

For the next eighteen months there was nothing new on the Egremont enclosure, though there is no reason to suppose that local activity had ceased. In 1761 the Earl had succeeded Pitt as Secretary of State for the South, and it may be that national affairs diverted his interests from his Cumberland estates. On the other hand, there was one small sign that the lack of progress was bothering him: in January 1762 his Petworth secretary wrote to him that "Though the improvements of commons in Cumberland seem to advance but very slowly, yet sooner or later it must be the case. And other improvements in husbandry, and in the value of lands are now yearly advancing." Someone who was uninterested in the progress of his estates would surely not need such reassurance.

Then, in August of that year, came the good news that the courts had thrown out Gale's case, and the Egremont enclosure was free to proceed. There was, however, to be yet another unexpected delay. The second Earl of Egremont

died the next year in his early fifties, and his heir was a boy of twelve.

Enclosure under the third Earl: enfranchisement

The second Earl, encouraged perhaps by the enthusiasm of his Cumberland agent, had become a genuine champion of enclosure. It may be questioned whether he favoured agricultural improvement for its own sake. The correspondence suggests rather that he saw it as a way of getting rid of the cumbersome institution of customary tenure and of rationalising his holdings generally: hence the firm insistence that enclosure must be accompanied by enfranchisement, and vice-versa.

This position was reiterated by Robert Baynes near the end of the year in which the second Earl died. Writing to his brother Richard, another lawyer, he observed that "the greatest improvement my Lord's estate is capable of would be by the enfranchisement of the tenants and the enclosure of the improvable commons." The terms should be those set out by the second Earl:

and particularly in the manors where there are valuable commons the enclosure thereof and the enfranchisement ought to take place together: for if the estates were enfranchised the tenants would apply themselves to improve their land and be easy about the commons; and if the commons should be divided without the enfranchisement the tenants would

improve the commons, which would be freehold, and neglect their customary lands -- because the Lord would be interested by their advancing the value thereof.

Difficulties were anticipated, because of the great subdivision of property, because of disputes among the tenants over how to share out the lands, because of disputes (like Gale's) with contiguous landowners whose tenants have right of intercommon, and because of disputes over boundaries with neighbouring manors. There were also concerns about the conservatism of the customary tenants: one enthusiast wrote to Petworth in 1755 that "the bulk of our country people are backward in these things (though they may wish for it) until they see others break the way" (CRO/D/Lec/170).

Over the next year letters reveal only general discussion of possible enclosures. Baynes was unenthusiastic about the former Wharton manors: Caldbeck was too mountainous, Broughton (despite his previous efforts) had too many coal pits and Dean was too small. A petition to the Countess of Egremont and Lord Thomond of about this time asked for the enclosure of a large and remote part of the Ennerdale Fells. Since the only purpose was to keep out the animals of neighbouring manors, and the estimated price of £200 was to be "at the expense of his Lordship," it is not surprising that no more was heard of that proposal (CRO/D/Lec/265/134).

If Baynes was cooling off towards enclosure, perhaps because he had to deal with the stubborn tenants, the same was not true of Petworth. There the linkage between enfranchisement and enclosure continued to dominate thinking. In 1765 the private secretary wrote to Baynes complaining that the enfranchisement papers he has been sent contain no mention of the tenant covenanting to agree to enclosure on obtaining his freehold:

For otherwise, when the tenants have their enfranchisements, which is the most material article for their advantage or interest and have also the continuance of the enjoyment of the commons (as commons) they will be in full liberty to be obstinate in their refusal to agree to a division and enclosure of the commons, which is the principal article to the Lord's benefit.

Discussion of the Egremont enclosure reopened at the end of 1766, when Baynes pointed out that only thirteen of 112 landowners had refused to sign the petition, "of which number two were infants and one non compos mentis." A month later he informed Thomond that one of the major holdouts among the freeholders had now signed, and Thomond agreed to his enfranchisement.

The third Earl came of age in 1772, but there was no sign of a rapid change of direction or of dynamism concerning the Cumberland estate. The need for enclosure to accompany enfranchisement was reiterated. Around this time fifty-one tenants of Wigton petitioned the Earl to

reconsider the terms of his proposal for enfranchisement and enclosure, as "the said conditions are not upon such equitable terms as other commons in the county in like quality, have heretofore been enclosed upon"

(CRO/D/Ben/1787). Baynes' reply (1774 September) was blunt:

His Lordship has no intention of making any proposal to his tenants in Cumberland.... For as the late Earl of Egremont made a general proposal to all his tenants, it was to be understood that the terms then offered were refused by all, except those who accepted of the offer and had their estates enfranchised agreeable thereto. I think the most proper way of making the application would have been to have represented to his Lordship that they were desirous of having their estates enfranchised and the commons divided upon the terms offered by his Lordship's father to his tenants in Cumberland or such other reasonable terms as his Lordship may be pleased to offer them (CRO/D/Lec/170).

Discussion continued in a desultory way about the state of enclosures and enfranchisements in several manors. By the summer of 1776 Baynes was reminding the Earl of the potential advantages of enclosure:

The several manors of Westward Wigton Bolton Aspatria Caldbeck Upton and Caldbeck Underfell all adjoin upon one another ... in those manors there are upwards of twenty two thousand acres of common (exclusive of the mountainous parts) that are capable of improvement by tillage, and wherein your Lordship has eight hundred and seventy four customary tenants; so that the great increase of your Lordship's property influence and power in Cumberland would arise from those manors by carrying into execution my late Lord's plan of

enfranchisement and inclosure of the commons (CRO/D/Lec/170).

A few months later, however, he was confiding gloomily to the Petworth secretary "there are many difficulties to surmount, besides the want of unanimity amongst the tenants who differ among themselves and form different parties, which make it impossible for me to say how it would end." A little later he said of the Bolton petition that the tenants had had it for two weeks "but from the account we have received the tenants are very backward and decline signing some for one reason and some for another; so that I am afraid we shall not get forward there this year." In February of the following year, however, Benson was more confident, writing of the Bolton enclosure that "From the unhopeful appearance of this at the outset of it we have reason now to think ourselves very successful" (CRO/D/Lec/171).⁴

In 1778 Benson was writing hopefully of progress at Wigton: "the landowners there are most of them hearty and anxious for the business." He was less sanguine about Aspatria, where despite support of the leading landowners "some will stand out to the last I am afraid and those who have particular views of their own will rather encourage an opposition to accomplish their own ends." The tenants at

⁴ From here on until 1810 all Leconfield correspondence has the reference number CRO/D/Lec/171.

Westward were the next to apply for enfranchisement, in 1787, and Benson noted that it would be of considerable value but difficult to achieve "because the parties interested are so numerous and their rights so various" and because there was too little money in the area for them to be able to buy their freehold and pay for the enclosure "together or in any moderate distance of time from each other": advice that Baynes had given the second Earl thirty years earlier when the Earl had first proposed linking enfranchisement and enclosure. In 1759 a tenant in Braithwaite had declined enfranchisement, although accepting that the terms offered were liberal: "he says he can now live agreeably to himself upon the income of his estate.... That as he has not, nor is likely to have any children, and must borrow the money to pay for his enfranchisement, it would occasion such a diminution in his yearly income as would make it inconvenient to him." Many other tenants must have made similar calculations, and have decided that long-term gains did not justify short-term financial pains.

For a long time there was no real progress in enclosure: indeed, relatively little in Cumberland at all in the last two decades of the eighteenth century. In 1796 Benson continued to encourage the Earl to the effect that "there is no question of more magnitude to your Lordship in the County than the enclosure of wastes which are very

extensive in the most of your Lordship's manors in Cumberland," but nothing definite was achieved.

Of all the issues that divided landlord and tenant, and delayed the process of enclosure and enfranchisement, few if any were as significant as the question of compensation to the lord of the manor. In his 1763 letter to his brother, Baynes stated that the offer to the tenants should be that made by the second Earl: a fourth part of the waste or a shilling an acre quit rent. The agent hoped they would agree to the former, as the added area "by laying into proper farms and the expenses of necessary buildings and other proper encouragements to improving tenants would become a very valuable estate."

In 1781 Bolton became the first of the Leconfield Estate common wastes to be enclosed by Act of Parliament. It was followed, two years later, by the waste at Egremont: thirty-four years after enclosure had been proposed at the Egremont Court Leet. In both cases the Earl got his quarter part of the waste, but tenants elsewhere in the county were less accommodating, and the other proposed enclosures stalled.

At the beginning of the nineteenth century the rate of enclosure picked up again in Cumberland, though not immediately on the Leconfield estate. The principal reason was undoubtedly that identified by a neighbouring lord of the manor, who wrote to the Earl in 1802, pointing out that

"We are at this moment enclosing our common here by Act of Parliament which is held on just the same terms as your Lordship's in Cumberland, the Lords here take 1/16th -- your Lordship's agents ask one quarter part -- which I have no doubt is the reason your Lordship's commons were not enclosed many years since." Bailey and Culley wrote of the ten enclosures that had most recently taken place (at the end of the eighteenth century) "At the last four places, the lord of the manor had one-twelfth for his consent, as lord of the soil, and making the allotments freehold; at the most other lords had one-eighth" (1805: 217).

This point was taken up in the next year by Benson, who noted that "The tenants are not perfectly content to allow your Lordship a fourth part of the commons as your share as owner of the soil as they say other Lords accept a 14th or a 16th part in other parts of the county." The Earl, in other words, was being much too greedy and the tenants, aware of what was going on elsewhere, were simply not willing to allow him so large a share (the idea of an acre rent had long ago been forgotten: everyone now wanted straight, unencumbered freehold). It is not clear why the third Earl, generally acknowledged in his day as an agricultural expert and a friend of the poorer tenant, should have held out so long for so large a share of the common waste. Perhaps it was filial piety; not wishing to

change a basic policy which his father had laid down and had declared immutable.

In 1804 the Rector of Croglin, the only Leconfield manor on the Pennine side of the county, wrote directly to the Earl indicating that the tenants there wished to enclose their common -- not least to end the problem of intercommoning by neighbouring parishes with no rights -- and he asked to know "what portion your Lordship claims as Lord of the said Manor." Benson, giving his advice, agreed that the enclosure would be beneficial, among others to the Rector himself. However, he added that they had applied several times in the past, but would never commit themselves to what they were prepared to give the Earl as lord of the manor; adding with some sarcasm "and I apprehended they would be very averse to allow your Lordship a thirtieth part." Nonetheless he suggested asking the Rector, who was new to the area, to provide a proposal from the tenants: "for if your Lordship should make them proposals they would be seized on as a rule for all your Lordship's other enclosures which in other treaties might prove very inconvenient." Requests for enclosure, therefore, were still coming from the tenants: there is little evidence that the Earl or his agents had been exerting pressure as they had done earlier elsewhere. The issue of how much should be given in return for the rights of the lord of the manor was still open, and this uncertainty was undoubtedly behind the

unwillingness on the Earl's side to make a definite proposal.

Late in 1806 John Curwen joined the chorus of those trying to convince the Earl he was demanding too much. He reminded Egremont of "the disposition there was in the country for enclosing the wastes," but which was being retarded by the terms required. Curwen wanted the enclosure of Dean waste, and urged the Earl to accept a fourteenth, as Curwen himself had for the adjacent enclosure of Winscales. He added an appeal to the Earl's desire for general agricultural improvement:

We shall never be able to succeed to any considerable extent in the improvements of the sheep in this county till the whole is enclosed; for the contention who shall have the largest stock on the waste spoils the whole: the sheep on it fed in summer and half-starved in winter.... Could all the fells be enclosed they would then be used only as summer pastures and the sheep brought down and taken care of in winter.

Meanwhile, discussions were continuing at Croglin. Early in 1807 Benson wrote hopefully that "I am at last enabled to entertain some reasonable hope that the enclosure may be brought about although some obstacles still remain." One of the obstacles was undoubtedly the share to be granted to the Earl, but in March of that year one letter mentions, almost in passing, that in the case of Croglin it is to be one-twelfth. There is no record of any discussion between the Earl and his agent, but at some time the instructions

must have been issued that the old insistence on a quarter were no longer operative. It is curious that such a major turnabout should have taken place with so little fanfare. It has to be supposed that outside advice, and his own reading of the situation, must have finally convinced Egremont that his father's policy had to go. About the same time a suggestion is received to enclose the waste at Dundraw (in Wigton), the Earl being offered one sixteenth. The lack of response implies that he was not prepared to go that low yet.

At the end of 1808, not long after the sudden about-face at Croglin, Nicholson (Benson's partner and successor) wrote to Petworth, regarding negotiations over the enclosure at Dean:

A fourteenth is the most usual share which is given to Lords in Cumberland and I believe no share so large as a twelfth has ever been given within the last 40 years except in Lord Carlisle's manors within the Barony of Gilsland and in the Manor of Croglin last year and in several enclosures lately a sixteenth has been taken by the Lords. I hope his Lordship will pardon my inserting a 14th part as his share under the above circumstances without his previous concurrence.

In other words, Egremont's Cumberland staff were now so confident of their master's change of mind that they were negotiating for him for amounts even lower than that agreed to at Croglin. While the agreement to this amount was questioned there was no suggestion that it would not be

accepted: it was only the failure even to consult Petworth that seems to have triggered the complaint.

Late in the next year, in discussing the proposal for enclosure at Westward, a point is raised that had not been mentioned before: namely, that as the customary tenants were gaining more on enclosure than the freeholders, they should have to give more. According to Nicholson

In the Manor of Isel a manor in the county belonging to the late Sir Wilfrid Lawson an Act was lately obtained for enclosing the common and the compensation was a 14th for the freehold and a 12th for the arbitrary customary estates. Perhaps the Westward proprietors would agree to give a 13th and 11th but I am afraid they would not consent to a 12th and 10th as the share most frequently given to the Lord of late years has been a fourteenth.

In 1811 he reaffirmed the point that the freeholders are not gaining so much. Writing of the Wigton enclosure he remarked that "No customary tenants in Cumberland will consent to the commons being enclosed of the same tenure as the ancient customary estates." It is surprising that this point had not arisen before, as certainly some of the earlier enclosures, notably that at Egremont, had included both freeholders and customary tenants. In 1813, when a suggestion was made to enclose a small 100-acre waste in St Bees, Nicholson replied "I conceive that Lord Egremont will readily agree to the enclosure of the Low Mire on the usual terms of his consenting to enclosure viz. his having one

14th share as Lord." The question of freeholders and customary tenants was not raised (CRO/D/Lec/172).⁵

Altogether, the issue of compensation for converting customary estates into freehold provides a clear insight into changing attitudes of landlord and tenant. At first the tenants were the most enthusiastic about the process, and were prepared to accept almost any terms. The second Earl and his agents came up with the formula of a quarter of the waste or an equivalent rent, and this was accepted (eventually) at both Bolton and Egremont, though only after considerable pressure from the landowner's side.

Later, the enthusiasm of the tenants slackened off; perhaps because they saw other wastes being enclosed on more generous terms. They would still have liked to enclose; they would still have liked to hold their estates in freehold, but they were not willing to give up a quarter of their land to achieve these ends. The Earl, however, would not even consider reducing his demands, and both issues stalled. Talks continued on both sides, but they were clearly too far apart.

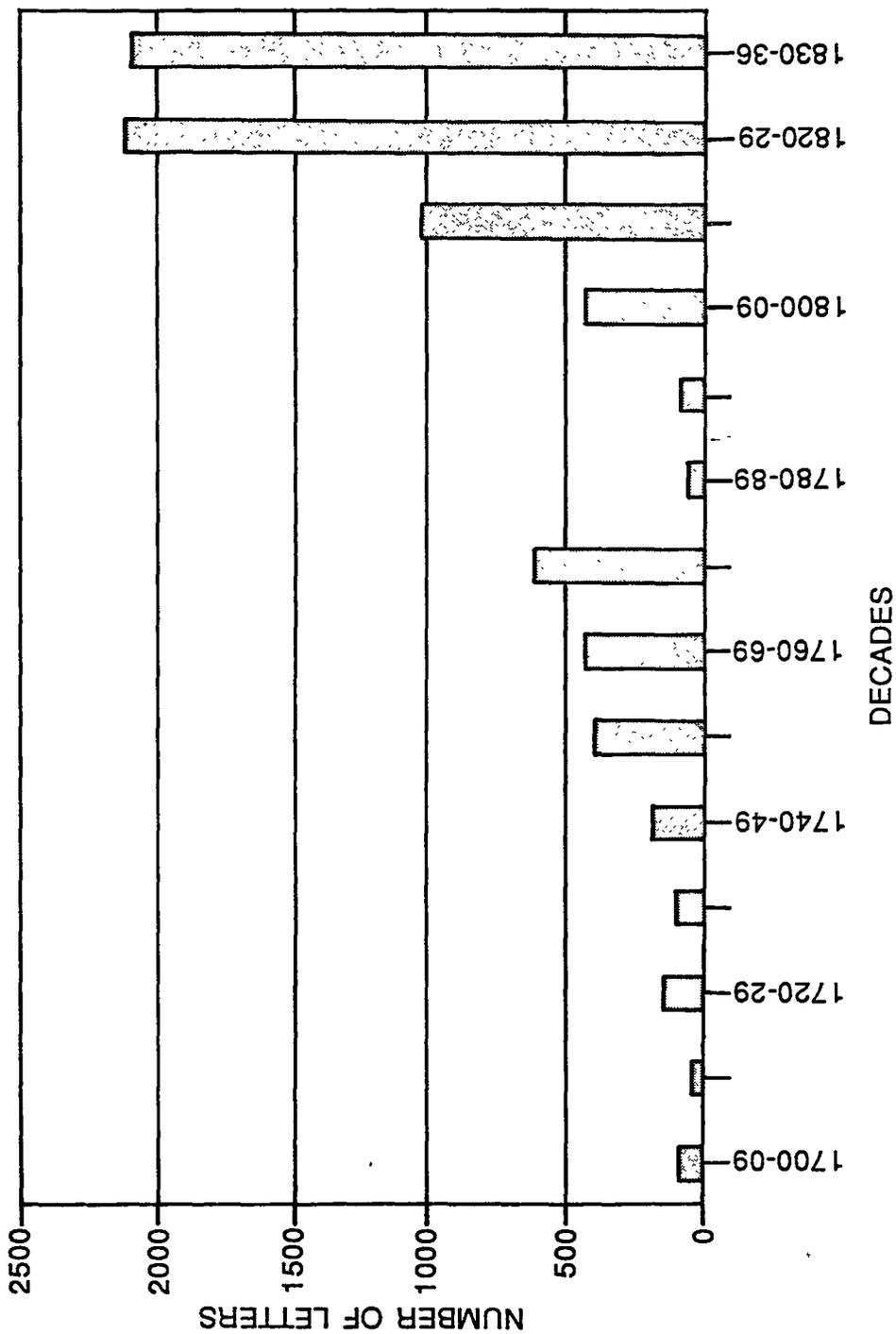
Then, in the new century, the landlord suddenly gave way. From a quarter as a fixed and undebatable amount, the demand changed by a factor of three, and a twelfth was

⁵ From 1810 onwards the reference number for the Leconfield correspondence is CRO/D/Lec/172.

considered acceptable. Shortly after that, a fourteenth was perceived as so normal that the agent did not even feel the need to ask permission to accept it. It is possible to do no more than speculate what caused this major change of attitude. Pressure from other landowners is apparent from the correspondence, and the Cumberland agent was adding his own cautious recommendations to lessen the demands. Perhaps membership of the Board of Agriculture, and exposure to the ideas and practices of others was working into the Earl's consciousness. Perhaps simply the need to maintain a reputation as progressive and liberal-minded played a role. Looking back from two centuries in the future, what seems most astonishing is not that the change took place; but that it aroused so little comment and was accompanied with no explanation.

The third Earl lived until 1837 and, apart from a period at the end of the eighteenth century for which the records are missing, the estate correspondence continued voluminously -- indeed, increasingly -- until that date (Figure 9.2). Interest in agricultural matters, which had been low under the Somersets, rose with the accession of the second Earl and continued to form between ten and twenty per cent of all letters until the end of the century. In the first two decades of the nineteenth century letters on agricultural topics, especially enclosure, peaked to nearly forty per cent of the total, until suddenly and inexplicably

FIGURE 9.2 -- Leconfield Correspondence: number of surviving letters

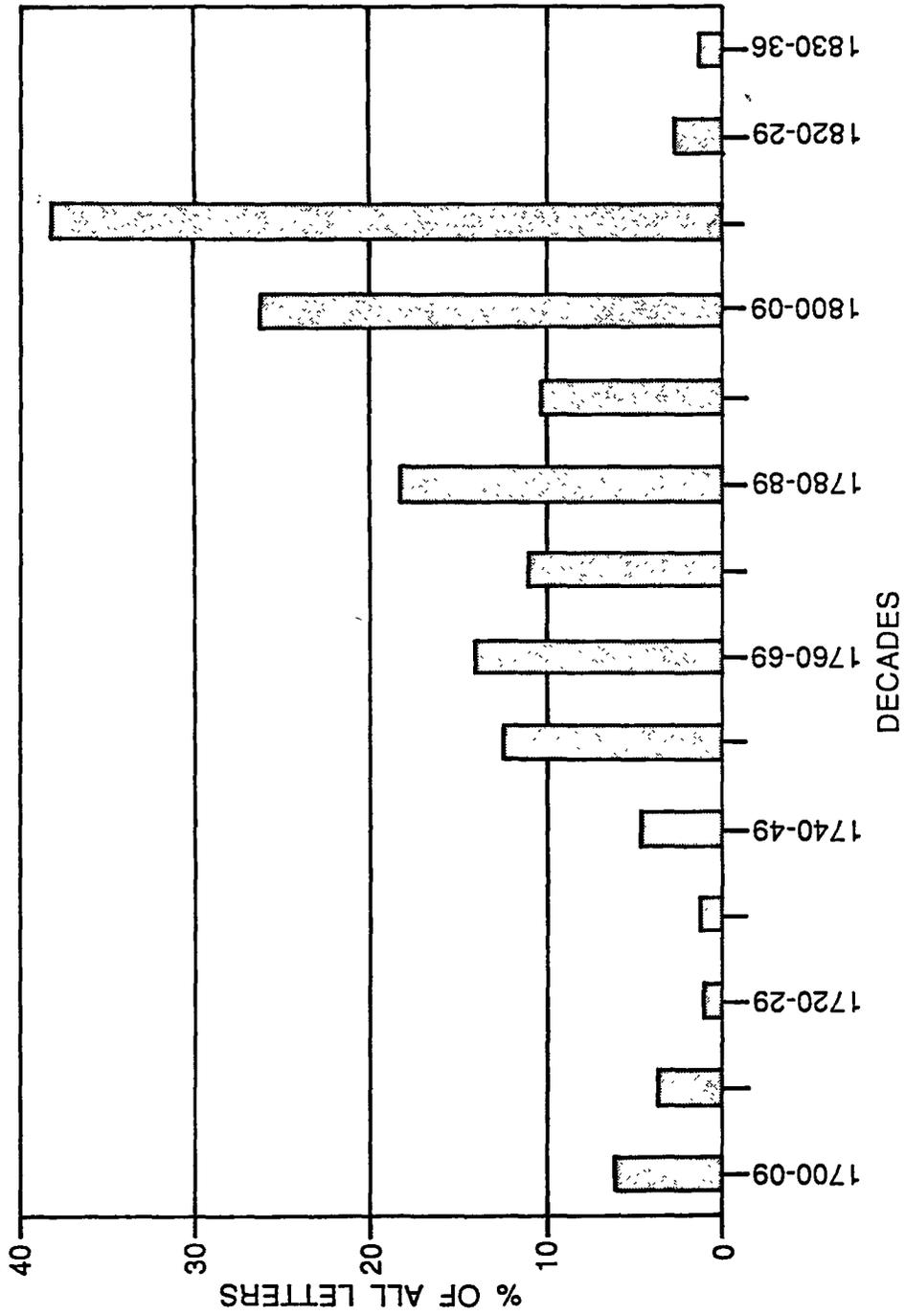


dropping almost to nothing (Figure 9.3). Large numbers of letters were exchanged, but virtually no mention was made of enclosure or other such topics. Further, from about 1800 onwards there was much less direct communication between the Earl and his Cumberland agents: instructions and ideas were more and more channelled through the Earl's private secretary at Petworth. The absence of agricultural matters in the letters is surprising, as most of the actual enclosures were still to come: Croglin, Dean and Eaglesfield in 1815; Wigton in 1817; Dundraw and Westward in 1822; Embleton and Setmurthy in 1824; Aspatria in 1825; Greysouthen in 1826; Broughton in 1829; Cockermouth in 1832 and Lorton in 1835, as well as sundry smaller enclosures. All the major areas of common waste within the Leconfield estate that were to be enclosed had been enclosed by the death of the third Earl. Why virtually all reference should have disappeared from the estate correspondence is curious. Possibly, as he got older, the Earl was willing to delegate much more authority to his Cumberland agents and thus had less need to keep in touch? There is no obvious explanation.

Enclosure under the third Earl: externalities

One of the principal obstacles to enclosure on the Leconfield estate -- indeed, probably the greatest single

FIGURE 9.3 --- Leconfield Correspondence: letters on agricultural topics



impediment -- was the inability of the Earl and his tenants to agree on a reasonable allowance to be made to the Earl in return for the freehold of the land to be enclosed. In this case, the solution to the problem was internal: either the tenants had to be willing to give what the landlord wanted, or the landlord had to reduce his demands. As has been seen, it was the latter that happened.

There were, however, several other factors that affected the rate and success of enclosure. Many of these were external to the immediate debate between the lord of the manor and his tenants. Examples of this have already been seen, in the apparent effect on the Earl of letters from other Cumberland landowners, encouraging him to accept a smaller share. One factor widely mentioned in the literature is the Church (the established Church of England, which was a major landowner in much of the country). Nationally, the Church was seen as something of a drag on enclosure, with endless disputes over tithes. The first mention of this subject in Cumberland came during the time of the second Earl. Early in 1759 agreement to enclose the common fields at Aspatria was near. The tithes had been farmed out to one Lady Hilton, and it appears that she had reached an amicable settlement with the tenants. Suddenly, the incumbent appeared and ordered all work on the enclosure to be stopped; saying he had been so instructed by the Bishop of Carlisle. The next month the Earl wrote that he

had called on the Bishop in London, and that neither the Bishop nor Lady Hilton had any objection to the enclosure: "and if Dr Briscoe who discharged them from going on before, will not take my word, he may write to the Bishop and be satisfied" (CRO/D/Lec/170).

Under the third Earl there was a good deal of discussion at Egremont in 1766 about tithes: how much should be allowed on enclosure to the Rector of Egremont and also to the Rector of neighbouring Haile, who also had some rights there. Baynes wrote to his brother at the end of the year that "the landowners would be averse to proceed in the enclosures which are to be subject to any tithe in kind -- and especially corn tithe of Brisco which is the most improvable land for tillage." The farmers did not want to see pasture land converted to arable only to have to hand over part of their new crops to the Church. In the 1770s there were problems over tithes at Aspatria again, as enclosure of the common waste was being considered, and at Wigton. As late as 1803 Benson was informing the Earl that the tenants generally were concerned to settle the commutation of the tithes before agreeing to enclosure.

Overall, judging from the relative infrequency with which it appears in the correspondence, the Church does not seem to have been a major problem in Cumberland. Some enclosures were undoubtedly slowed as tithe disputes were settled, and in some cases tenants were undoubtedly

reluctant to proceed while the issue of tithes was still in the air. However, relatively few lines are expended on the issue and in many instances it does not arise at all.

What was a continuing problem was the issue of intercommon. In view of the difficulties that had arisen at Egremont over J. Gale's claim, in 1769 Baynes recommended to Thomond that Gale's land in Egremont, up for sale, should be bought to save further trouble. A few years later exactly that issue threatened the enclosure at Bolton, in this case with the tenants of the neighbouring manor of Blennerhasset. Problems between Bolton and Blennerhasset dated back at least as far as 1656, when a petition from the Bolton tenants to the Earl of Northumberland complained of "the inhabitants of Blennerhasset who (pretending an interest) do daily surcharge the common of Bolton, not having any colour or cause there to intercommon" (CRO/D/Lec/265/238). The situation had still not been cleared up by 1777. However, Benson wrote in that year that "we agreed with them for a purchase of their claim on very good terms and the leaders of them have signed a contract in purchase of it and have also signed the Bill so that we have nothing to fear from them; otherwise they might have been a trouble to us" (CRO/D/Lec/171). The Earl's agents were obviously learning, from their experiences at Egremont and elsewhere, to deal with the problem of intercommon as quickly and firmly as possible.

In this instance there was some feeling that the problem had been settled a little too quickly and firmly. Six months later one of the lords of the manor of Blennerhasset wrote to Baynes, complaining that his estate was likely to suffer from the Bolton enclosure, and that his tenants should not have entered into a private contract without the agreement of himself and the other lord. Baynes replied rather abruptly that disputes between the tenants of Blennerhasset and their lord were no business of the Earl of Egremont, and that "it seems very extraordinary that this pretended claim -- which you say is so obvious -- should now be named for the first time so long after the Act has passed." The Blennerhasset lords took the case to court and lost (CRO/D/Lec/171).

In 1791 there were reports that two people in the Middleward area, one Egremont's own gamekeeper

have not only set up a right for themselves but have also induced and encouraged several others to claim a similar right upon a parcel of land called Stockdale Moor part of the Forest which is your Lordship's separate property and which your Lordship has a right to enclose from the rest of the Forest.... The tenants also inform me ... that these two gentlemen ... are encouraging all the persons they can collect to make claims of common right on this part of your Lordship's estate (CRO/D/Lec/171).

These people, one a neighbouring landowner who may have feared losing his rights of intercommon, were trying to

confuse the issue and make Egremont back off from any attempt to enclose.

Caine reported that there was a long-standing dispute between the inhabitants of Cleator and those of Egremont over the upland waste of Dent: "Cleator people very naturally fall into the old mistake of regarding the waste of Dent as exclusively part of the old Common Lands of Cleator.... [However] It would appear as if there were very few people in Egremont, formerly, but who claimed rights on Dent, if not for depasturing cattle and sheep, certainly for 'carving rigging turves' for thatching, cutting brackens, quarrying stones, or preparing peat for the household fires." When Cleator got its Enclosure Act a large number of claims for rights of common were submitted from Egremont, to which Cleator objected. The case went to trial at the Carlisle Assizes and "The verdict was in favour of Egremont, subject to the award of the Commissioners, and finally nearly ninety Egremont claims were admitted as valid" (1916: 171-175).

At Croglin, too, the problem of intercommon was delaying enclosure. As at Egremont and Bolton, there was a problem with the tenants of minor lords of the manor exercising rights of common on the waste. A suggestion was made that, to speed things up, the claim of Lord Carlisle should be submitted to the Enclosure Commissioners.

Nicholson was strongly opposed to this. He wrote to Petworth in September 1808 that

If Lord Carlisle should get a part of the soil and royalties of the common at Croglin it would open a door to let in other mesne Lords for a share of the soil of the wastes in all Lord Egremont's manors in Cumberland and if that was to happen a much greater part than half of my Lord's wastes would be given up to the mesne Lords who have no shadow of right to the soil of the wastes (CRO/D/Lec/171).

After this the problem of intercommon seem to have subsided at Croglin, though it took another seven years, to 1815, before the award was finally made.

As Baynes had predicted in 1763, there were to be several disputes over the precise boundaries between manors: perhaps inevitable when common wastes were so large and especially where manors extended into the wild upland fells. A series of concerns were reported at the end of the eighteenth and beginning of the nineteenth centuries: in 1797 between Caldbeck and Dacre; in 1798 between Caldbeck and Uldale (which resulted in the purchase of Uldale) and between Broughton and Dean; in 1801 between Ellenborough and Birkby and between Broughton and Flimby.

Sometimes local problems were the result of purely local issues. Early in 1808 Benson informed the Earl's secretary that the inhabitants at Broughton had decided against proceeding with enclosure. Instead, they wanted to ring-fence their waste and employ a public herd, to keep off

the animals of neighbours. However, Benson pointed out that many of the roads over the waste were under indictment for lack of repair, and there were disagreements over who was responsible for paying to improve them. One indictment had been thrown out of the assizes at Carlisle on the grounds that as both Great and Little Broughton shared the waste "and as no separate boundaries were known the burden of repairing the highway must fall on the Parish at large" (the very large parish of Bridekirk). He suspected that they felt that keeping the waste in common would somehow benefit their case over the roads, and that this was "more their motive for fencing the commons than any advantage they can derive from it" (CRO/D/Lec/171).

Finally, mention should be made of what amounted to a personal feud: a relationship that permeated even the agricultural correspondence of the Leconfield estate. The involvement of Sir James Lowther in the Egremont enclosure has been mentioned. Late in 1766 Baynes wrote to his brother that the tenants there were getting nervous about the opposition of "Sir J.L.": presumably Lowther was making difficulties again about his St Bees tenants, though the nature of the opposition was not explained (CRO/D/Lec/170).

At the end of 1777 a further conflict with Sir James was reported. Lowther had bought an estate in Sebergham, adjacent to both Caldbeck and Westward. The previous owner of this estate had tried to establish a claim to several

hundred acres of Westward common, but had been driven off and prosecuted by the Westward tenants:

Under these circumstances Sir James Lowther has thought proper upon Monday last, to order workmen to enclose the whole of this parcel of land with hedges which they have begun with and are proceeding in, notwithstanding Mr Benson went over on purpose and discharged them. And the workmen gave for answer that their directions were to proceed without paying regard to any discharge; and that they were employed by Mr Wheately, Sir James Lowther's land steward: and I apprehend they intend to proceed at all events.

A little later Benson himself reassured Petworth that "from what we have met with there does not appear the least foundation for Sir James to enclose; and if he has any right we presume it can only be for turbary for his house, and excuse for trespasses for cattle" (CRO/D/Lec/171).

The next year came ominous news about the projected enclosure at Greysouthen: "there is a secret opposition encouraged we understand by Sir James Lowther, who it is hinted pretends to be Lord of the Waste in opposition to my Lord who has been in actual possession of it and exercising acts of ownership for upwards of thirty years." Shortly after this a terse instruction came from Petworth: "I am to inform you that my Lord will have nothing to do with any Enclosure Bill or consent to any Bill wherein Sir James can be concerned" (CRO/D/Lec/171).

The rivalry between Lord Egremont and Sir James Lowther had become intense at this time, with the latter obviously intent on harassing the former at every opportunity. It is not clear why Lowther should have been so antagonistic towards Egremont. Egremont played little part in politics; unlike the Duke of Portland with whom Lowther waged an unrelenting battle for the electoral dominance of Cumberland and Westmorland. Perhaps it was just ordinary, all-round malice. The Dictionary of National Biography says that Lowther, when Earl of Lonsdale, was "known throughout Cumberland and Westmorland as the 'bad earl'," and "was a man of unenviable character and enormous wealth."

An idea of the depth of feeling, at least on the Egremont side, can be gauged from a letter of 1784; sent by Thomas Benson (who by this time had succeeded his father-in-law as Cumberland agent) to John Christian (later Curwen) of Ewanrigg, just outside Maryport. Significantly, no copy or record of it survives in the Leconfield archives. The following, which is quoted at length to illustrate the attitude towards Lowther in the Egremont camp, is taken from the Curwen records.

I have some reason to believe that my Lord Egremont has come to a resolution to dispose of all or the greatest part of his estates in Cumberland. The attempts of a certain Person to accomplish the purchase is I am persuaded not unknown to you. You once

expressed to me an inclination to purchase those parts of the estates that lay convenient to you, and it may perhaps yet be in my power to prevent their falling into those hands in which there can be no hopes of your ever coming at them. If you would wish to arrest so great a calamity to the country and at the same time accommodate yourself on fair terms with those properties that will be an object to you both in point of profit and influence and would wish to talk with me upon the subject -- I will meet you at Ouse Bridge privately and as by accident on Saturday afternoon, as I would not wish any thing to transpire nor any suspicion to arise lest it should come to the knowledge of those whose wish it is to engross the whole -- and which unless something can be done will in the event and perhaps too speedily prove to be the case (CRO/D/CU/3/66).

This is the only indication that the Earl was contemplating selling his Cumberland estates. In 1773 he had been approached to sell the manor of Westward, or to exchange it with lands in Sussex, but nothing more was heard of that idea. Why he should have been thinking of disposing of the whole lot eleven years later is not known. In any case, Benson's interlude as the James Bond of west Cumberland was wasted: the Earl obviously changed his mind, and the estate remains in his descendant's hands today. At least Sir James did not get it.

Sir James (in 1784 ennobled as the Earl of Lowther) continued to be a thorn in Egremont's side for years to come. The 1801 boundary dispute between Broughton and

Flimby involved one of his manors. In 1810 a report came to Petworth that at Cockermonth

It is understood in the town that Mr Satterthwaite Lord Lonsdale's agent here has purchased of his Lordship several houses and on that account the landowners are apprehensive that he may wish to throw obstacles in the way of the intended enclosure unless houses in the town without land annexed to them are declared in the intended Act to be entitled to allotments of common in proportion to the valuation of them to the poor and other rates and as such a mode of division would run away with nearly the whole of the common from the proprietors of land and is certainly contrary to the rule of law (CRO/D/Lec/172).

This kind of personality conflict is one of the reasons why simple explanations for the rate of enclosure in different parts of the county are so difficult to establish.

Conclusion

It is generally agreed that most enclosure in England and Wales, especially in the Parliamentary period, was initiated by the larger landowners, often against the opposition of the smaller landowners and the tenants. Just how much opposition there was at various times, how vociferous, and how effective, is still undetermined. Many writers to today have followed Marx in seeing enclosure at all times as 'class robbery', a means for the great proprietors to buy out the lesser owners and to extinguish

the common rights of the tenants. Others have argued that enclosure benefitted more of the poor than it harmed, by improving the overall economy and especially by providing more jobs in agriculture.

Overall, there is little evidence from Cumberland of enclosure as class robbery. Tenants were wary of committing themselves to schemes where they perceived the landlord was getting too big a share of the proceeds; but it appears that in most such cases enclosure simply did not proceed. In the Parliamentary era, at least, the principal impulse for enclosure does seem to have come from the larger landowners: but very often the tenants, especially the larger ones, shared their enthusiasm and before around 1750 were often the originators of proposals.

On the Leconfield estate, only in the case of Broughton is there definite evidence of opposition among the smaller farmers and cottagers. It may be, the bulk of the surviving documents having been written from the point of view of the landowner, that such opposition was suppressed. If so, it hard to account for its appearance in discussions of Broughton enclosure: and it is even harder to explain why this problem alone might have been suppressed when there was free discussion of all other kinds of problems. The simplest explanation for the general lack of mention of mass opposition from the poorer inhabitants is that there was none.

Wordsworth was overindulging in romanticism when he wrote of the Lake District yeomen "this pure Commonwealth.... Neither high-born nobleman, knight, nor esquire was here; but many of these humble sons of the hills had a consciousness that the land, which they walked over and tilled, had for more than five hundred years been possessed by men of their name and blood." The Cumberland customary tenants hardly constituted a pure Commonwealth -- but they were certainly not easy to push around. Marshall, discussing early tourism in the Lake District, explains that "the Cumbrian was not conceived with a deferential mien," while the second Earl of Egremont wrote to his agent in 1760 that "I find in this instance as I have in all others that the people of Cumberland are the most impracticable and disagreeable to deal with of any in the kingdom" (CRO/D/Lec/170). Elsewhere in England, as in the argument of Blum cited at the beginning of this chapter, the small man may have been generally ignorant, powerless, and accustomed to defer to his social superiors. In Cumberland he may have been ignorant: but he deferred to no-one, and was far from powerless; as Queen Elizabeth, King James I, the Earl of Northumberland, the Hudlestons of Hutton John and others who tried to deprive him of something he felt was his found out (Wordsworth 1835: 68; Marshall 1971: 168).

There were therefore in Cumberland none of Hoskins' bewildered Midland Peasants; none of the violence of

Bedfordshire, Northamptonshire, Oxfordshire or Cardiganshire. As the Earls of Egremont -- and others too -- found out, if the tenants did not want enclosure, they did not get it. They could be talked into it; they could be bribed into it with offers of the freehold of their land. But they could, and did, prevent it.

In many cases, of course, the tenants themselves wanted enclosure; especially with the accompanying prospect of enfranchisement. There is little evidence of the situation outlined by Mingay and others, where the small landowners desired enclosure and the big proprietors were an obstacle. When, as in the case of Cockermouth in the seventeenth century, the proposal to enclose came from the tenants and small freeholders, failure does not seem to have been attributable to large landowner opposition. Rather it was the small farmers who could not secure unanimity among themselves.

The Church does not seem to have been the obstacle in Cumberland it was in many other areas. There were concerns over tithes, and occasionally (as at Aspatria) the incumbent would interfere and slow things down. Generally, however, enclosure seems to have proceeded with little Church opposition, and sometimes, as in the case of Croglin, following Church initiatives. Even the proponents of 'picturesqueness', who with Wordsworth and the other Lake Poets were discovering Cumberland at the end of the

eighteenth century, favoured enclosure. In his Survey of the Lakes Clarke commented "I know not that there can be a more remarkable passage in the history of rural civilisation, than the substitution of hedges in the place of the rude metes and boundaries so generally used in former times; and thus rendering the watchers of cattle needless, as well as giving beauty to the country itself" (1787).

There was in Cumberland one element of the whole common-rights system that did operate to slow down enclosure; more than it did in most other parts of the country. This was the practice of intercommon. Intercommon caused problems not only among the tenants, who did not want to lose ancient rights by the enclosure of a neighbour's common waste; it also involved the lords of the manor. If the neighbouring tenants lost income through the loss of traditional common rights, so did the lord of that manor, whose rental and fines would suffer. Given the complex intermixture of estates, with subsidiary manors and mesne lords all over the place; rights of intercommon, and the need to compensate for their loss, became one of the most potent issues delaying enclosure. It is no accident that virtually every court case related to enclosure mentioned in the Leconfield correspondence was over rights of intercommon: on the other hand, some proposals for enclosure emanating from the tenants and local freeholders were sparked by a conviction that rights of intercommon were

being abused. Enclosure would have ended indiscriminate and excessive use of a village's lands by its neighbours.

Perhaps one of the key differences between Cumberland and most of the other areas discussed in terms of attitudes towards enclosure is that in Cumberland enclosure was mostly of common waste, whereas most other writings have dealt with enclosure of common arable fields. Most common arable fields in Cumberland had disappeared early through encroachment or by peaceable agreement. Those that survived into the era of Parliamentary enclosure seem to have done so more by accident than intent, and were not especially prized. When the proposal to enclose the common waste at Croglin began to run into difficulties, it was suggested that the remaining arable fields should be enclosed too. As Thomas Benson relayed to the third Earl: "The introducing of the common fields into the plan has made it much more satisfactory to the parties and produced nearly a general reconciliation to it" (CRO/D/Lec/171).

Moreover, in many communities enclosure did not mean an end to the common waste: large upland areas remained unenclosed and worked in common, as they still are today. This would have pleased the "kindly Quaker," Thomas Wilkinson of Yanwath (just over the Westmorland border, south of Penrith). He conceded many advantages to enclosure, but nonetheless thought it

an advantage to the community, to have a twentieth of the land so uninclosed. It is a resource to which the little farmer may have access in time of difficulty: if his small pasture, from unforeseen circumstances, happens to be overburthened.... The cottager may have a range for his cow, his geese and his pig, all contributing, with his industry, to rear a young family.... By the poor I do not mean those who have a weekly support from the poor rates, but those that have a little of their own.... A cottage and two or three acres give them credit, and they pay their taxes, but their capital is perhaps diminishing, and such may draw a little advantage from the Common, which I should not like to have for ever annihilated (Bouch and Jones 1961: 239).

Among other things, the preservation of a considerable extent of common waste meant the opportunity to continue the hunt. As elsewhere in the north, hunting in Cumberland was carried out on foot, as no horse could keep its footing over the rough fells. As suits the county of John Peel "It has been said that the Cumbrian is a huntsman by hereditary instinct," so the people of Braithwaite in 1690 must have been very untypical for the manorial court to have had to record that

whereas there hath been great complaint by the neighbourhood of Little Town Skelgill and Hawse End that several within that neighbourhood have been very negligent, when desired, to go to hunt the fox: were put in pain that all the neighbourhood that has any heaf-going sheep lying betwixt Hawse End and so as far as Yew Crag and so on back as far as Buttermere Hause shall upon notice given particularly send every one a man to hunt.

Unlike Dent's findings for Yorkshire, there was no real diminution of hunting in Cumberland. It was, and remains, essentially a plebeian activity, much favoured by farmers (combining as it does an exciting chase with the disposal of an animal considered a nuisance). At Loweswater, according to Housman

As soon as harvest is in, an honest cobbler shifts his garb and becomes huntsman, and every second and third morning collects his dogs, and calls the sportsmen to the field: the cottagers climb the mountain's side, where they can view the chace, and without much exertion, enjoy the pleasure of the hunt: after which they retire with cheerful mind and invigorated constitutions to their peaceful homes, and do not end the day of sport in revelling and riot, like the sportsmen of the plains.

Caine reported two thousand following the Whitehaven Hunt in December 1787 -- though they did end with a Hunt Dinner.

Not even in hunting was there a real grievance about enclosure for the common man (Caine 1916: 391-392; Hutchinson 1794-II: 135).

In all, there is very little indication in Cumberland of opposition to enclosure as such. While the Cumbrian certainly valued his common rights, he was aware that they ultimately stood in the way of progress. Butlin has remarked that

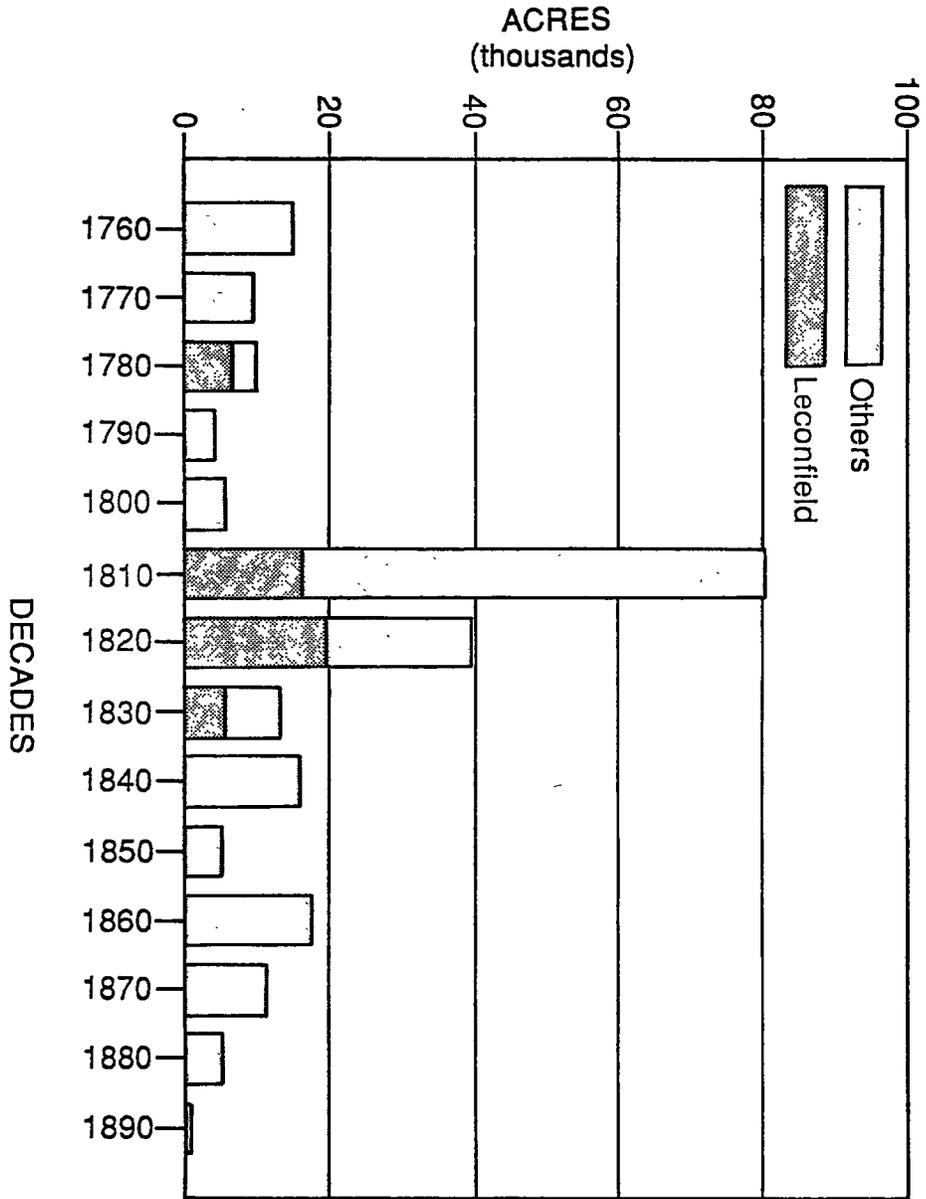
Enclosure and the extinction of common rights are physical, structural and legal reforms necessary for agricultural progress: it is difficult to imagine a

major agricultural reform movement developing with any success in a region where open-field farming and rights of common remained.... Certainly to many of its advocates in the seventeenth and eighteenth centuries, the expected or perceived return from enclosure was thought to be large, and this was a potent force behind advocacy and the implementation of the movement (1979: 78-79).

Not so much in the seventeenth and eighteenth as in the eighteenth and nineteenth centuries, Cumbrians generally liked the idea of enclosure. Most delays were due to concern about the terms of enclosure, as expressed by the inhabitants of the community concerned or those of neighbouring communities, rather than the act itself.

Much of this chapter is based on the papers of the Leconfield estate, and this, of course, is not all Cumberland. In total, about thirty per cent of all the enclosures listed in Appendix D were of settlements on the Leconfield estate (it is impossible to be precise, because of the difficulties of establishing the precise extent of the estate at any one time). The pattern of Parliamentary enclosures (Figure 9.4) shows that, with the exception of the Bolton and Egremont awards, enclosure was late to come to the Leconfield estate. From 1810 to 1840 the estate was very busy, after which there were only a couple of tiny enclosures, too small to show on the graph. Since there is no reason to suppose the Leconfield tenants to be any different from those elsewhere in the county, it must be the

FIGURE 9.4 -- Leconfield Estate: Enclosure by Act of Parliament



personalities of the chief landlords that explains this pattern, as recounted above.

CHAPTER TEN

CONCLUSION: THE AGRICULTURAL REVOLUTION AND CUMBERLAND

Was there an agricultural revolution in Cumberland? And if there was, when did it occur? One answer can be given immediately: there was no sign of Kerridge's sixteenth and seventeenth century revolution. According to Kerridge, his chosen period was marked by the introduction of most of the innovations traditionally ascribed to the eighteenth and nineteenth centuries, and by a number of other key but usually neglected improvements. Among the early introductions was large-scale drainage. In Cumberland, there was little but primitive stone- or brushwood-filled drains before the nineteenth century. Fertilisers, such as manure, marl and lime, were said by Kerridge to have appeared in the seventeenth and even sixteenth centuries. Lime, a product abundantly available in Cumberland, had begun to be used in the early seventeenth century, though marl is not often mentioned and not before the end of the eighteenth century. Farmyard manure became increasingly common as a fertiliser throughout the eighteenth century, though it was not until well in to the nineteenth that its collection became systematised, including the import of

Irish manure and guano. Lime was therefore the only widely-used fertiliser, other than naturally-occurring animal droppings, before 1700, and the limitations of lime are such that it alone cannot be considered a revolution in land fertilising.

New crops, according to Kerridge, appeared much sooner than traditionally supposed. In Cumberland turnips did not appear until the 1750s (1730s according to Beckett) and were still regarded locally as a curiosity at the end of the eighteenth century. One landowner experimented unsuccessfully with carrots around 1800, but few were grown as late as 1850. Even wheat was uncommon in the eighteenth century and did not become widely-grown until the middle of the nineteenth. Clover and artificial grasses were not found in the county until the mid-eighteenth century and, partly because of the abundance of natural grazing, had not become general a hundred years later. Only in potatoes was Cumberland ahead of the rest of the country (except possibly Lancashire), being introduced in the late seventeenth century; though not common until after 1700.

The Kerridge revolution was based on the idea of widespread experiments in crop and stock rotations well before 1700. In Cumberland there was no sign of organised crop-rotation as late as 1800; the best that local improvers could have hoped for was to prevent too many cereal crops from being taken in succession. As late as 1850 a survey of

local farming noted only one farmer practising a recognisable rotation. Concerning improvements in animal stocks, there is little evidence of this before 1800, and only the beginnings of experiments by a few more advanced farmers over the next fifty years. While Kerridge saw considerable improvements taking place in the breeds of sheep before the eighteenth century, Cumbrians were content with "sik as God set upon the land." Far from suggesting that the publicists of the eighteenth and nineteenth centuries were writing for the converted, the evidence of Cumberland is that their messages were largely falling on deaf ears.

The most important of what Kerridge considered to be the conventionally-ignored criteria for revolution was 'up and down' (convertible) husbandry, the alternating of arable and grass. Certainly landowners in Cumberland were trying from the early eighteenth century to prevent over-cropping, by insisting on fallow or grass periods at least as long as the grain-growing periods. Nonetheless, the practice of taking two, three or more grain crops in succession was still widespread in 1800, and where they were free from lease restrictions there is evidence that farmers continued to crop the land into exhaustion. The floating of the water-meadows, Kerridge's other principal ignored development, was all but unknown in Cumberland. Bailey and Culley, around 1800, wrote "The only attempts we saw of this

species of improvement, that had the least resemblance to a watered meadow laid out by art, was at Bleatarn (about six miles east of Carlisle)." Even there they "were sorry to find, there was little more water than what was collected by rains; the ridges narrow and long; the trenches small, and inadequate to carry a sufficient quantity of water, for the purpose intended." Fifty years later Dickinson described only hill-side irrigation, deploring the fact that so many farmers let valuable water run away as waste, and mentioned floated meadows only in a footnote citing the Bailey and Culley quotation, above (Bailey and Culley 1805: 241-242; Dickinson 1852: 291-294).

Support for sixteenth and seventeenth century agricultural change in Cumberland is therefore minimal. Some lime was being applied, some attempts were being made to limit the number of successive grain crops grown, and the potato had made its appearance. None of this makes a revolution.

In the Cumberland situation, Kerridge's sixteenth- and seventeenth-century agricultural revolution is easily dismissed. What about the eighteenth and nineteenth centuries? Specifically, is there evidence to support the main thesis of this dissertation, that changes in the county between 1700 and 1850 were striking enough to constitute a genuine 'agricultural revolution'?

In terms of landownership, Cumberland in 1700 was a region of absentee landlords, small 'yeoman' farmers, and customary tenants. By 1850 the incidence of absenteeism had increased somewhat, aided by improving communications. Most of the customary tenants had been enfranchised as freeholders; though those with smaller holdings, including the smaller yeoman freeholders, had often been obliged to sell their lands to larger and more successful owners. There were changes, therefore, but it is doubtful if any of these changes, except perhaps the enfranchisement that went with enclosure, was important enough to be considered revolutionary. Even enfranchisement did not do much to change the nature of Cumbrian agriculture. The newly-made freeholders were the same conservative, independent-minded farmers they had been as customary tenants. Customary tenure had for centuries given them a near equivalent of freehold so, while doubtless glad to be rid of boons, heriots, and the unpredictability of fines, they would have seen no reason in enfranchisement to change their farming practices.

As for these larger landowners, some at least among them seem to have begun to pay more attention to the management of their estates as the period progressed. Leases became quite specific about practices for alternating crops and grass and about the use of fertilisers. Some carried out experiments on their home farms, and encouraged

their tenants and other farmers to practice them. The average farmer, however, was not an avid experimenter at any time in this period, and most would have continued to view innovations, especially those introduced by the larger landowners, with considerable suspicion.

Any examination of Cumbrian agriculture has to look carefully at animal husbandry, as the county has always been more dependent on sheep and cattle than on grains and roots. Advances over this period were slight. Little was done to improve breeds until well in to the nineteenth century, and until many of the vast common wastes began to be enclosed from around 1800 onwards most animals spent most of their time roaming unattended in mixed flocks. Many sheep in the higher areas still do. The idea of providing feed to animals, rather than having them forage for it themselves, was very slow to gain acceptance. Traditionally, Cumberland farmers fed their animals only in times of severe winter weather, and most continued with that attitude well into the nineteenth century. There were no drastic changes in numbers. Numbers of ordinary-quality horses dropped with the introduction of the railway, and there is some evidence that quantities of sheep declined at first with enclosure, only to recover quite rapidly.

Given the opinion of Bouch and Jones that changes in crop-raising were behind even those in animal husbandry, nothing very spectacular should be expected. According to

Johnson's famous definition, oats was "A grain, which in England is generally given to horses, but in Scotland supports the people." Johnson's geography was a little off: in much of the north of England oats was also the principal grain, not least in Cumberland. Wheat was almost unknown in the eighteenth century, and was only beginning to be reasonably widespread by 1850. Turnips did make their appearance at this time, and by 1850 were beginning to become of some significance as animal fodder. There is little evidence of their use in human diet, perhaps because of the widespread cultivation of potatoes, which dominated here more than in other parts of the country. Overall, except for the advance of turnips, there was little in the way of startling changes between 1700 and 1850 in the kinds of crops grown.

As noted above, there were few signs of organised crop rotations in Cumberland even as late as 1850, and improvers had had only limited success in persuading farmers to abandon their traditional practice of cropping the land to exhaustion. There were some advances in fertilising. The over-use of lime slowly declined, and the employment of more effective fertilisers increased, especially in the nineteenth century. Drainage improved, again only after 1800, though there was little irrigation (perhaps seen as unnecessary in an area of plentiful rainfall). In a period when farms elsewhere were eagerly participating in the

mechanisation of the industrial revolution, tools in Cumberland remained mostly simple. The use of threshing machines did begin to spread, but most farmers continued with their traditional methods.

Overall, the evidence of changes in landownership, animal husbandry and field management shows that while there was agricultural progress in Cumberland between 1700 and 1850, this progress not really on a scale that could be considered revolutionary. Agriculture did improve, but slowly and seemingly reluctantly. If there was a revolution, therefore, it came not in ownership nor in the management of production, but in enclosure. Beastall, examining Lincolnshire's mid-nineteenth century reputation for its high farming noted that

the search for the nature of the liberating influences seems to bring one back again and again to enclosure either as an essential cause of progress or as an equally essential expression of a desire for it. It is difficult to imagine that without enclosure the subsequent progress would have taken place, for enclosure surely was the revolution, the irrevocable break with the past on a scale great enough to change the landscape, the habits of thought and even the vocabulary of farming people (Beastall 1978: 24).

Unlike Lincolnshire, Cumberland was not noted for its high farming at any time. However, it did undergo a great deal of enclosure. Perhaps here is the key to the Cumbrian agricultural revolution.

Enclosure in Cumberland was distinct from that in most of the rest of the country in a number of ways. In 1700 crop growing in much of England was carried out in common arable fields. In the southeast such fields, if they had ever existed, had disappeared centuries before. In Cumberland, common arable fields had once been quite important, but by 1700 they had been reduced to mere remnants. The common wastes, on the other hand, remained open much longer in Cumberland. By Wordie's estimate, some twenty-six per cent of the total area of England was enclosed between 1500 and 1700. In Cumberland the total was only eight per cent, virtually all of that lost to piecemeal encroachment. Between 1700 and 1900 enclosure in the country as a whole was a further twenty-four per cent. For Cumberland no less than forty per cent was enclosed, four-fifths of that by formal enclosure through private agreement or Parliamentary act. Thus while the national rate of enclosure was much the same in the eighteenth and nineteenth centuries as in the sixteenth and seventeenth, in Cumberland the rate increased five-fold.

There were therefore dramatic differences between the national and the local rates of enclosure (although not everyone accepts Wordie's estimates, and many would give a little more emphasis than he did to the eighteenth and nineteenth centuries). How significant was this difference? In agricultural terms, enclosure had two principal effects

in Cumberland. It led to the enfranchisement of the customary tenants; to the conversion of a great deal of what had been leasehold (albeit, in Clay's term, lifeleasehold) land into freehold. This process in turn led to a decline in smaller farmers and the engrossment of their estates by the larger landowners. The other major change was that it permitted, or made much easier, a whole range of agricultural advances, from crop rotations to animal breeding. As outlined above, relatively few farmers had taken advantage of this even as late as 1850.

Other differences between Cumberland and England as a whole revolved around attitudes to enclosure. Nationally, enclosure has been seen as a product of landowner pressure, assisted by their dominance of Parliament and the legal system, against the wishes of the smaller farmer and to the distress of the poorer elements. In Cumberland proposals for enclosure often came from the tenants, and there is a singular lack of evidence to suggest that the cottagers and labourers suffered disproportionately from the process. There was little interference from the Church: in many cases the principal obstacle to rapid enclosure was the practice on intercommon, the difficulty many neighbouring settlements had in agreeing who had what rights over a given piece of common waste.

Ernle's agricultural revolution stressed new crops and rotations, increased grain output, new breeding

techniques, increased animal sizes and the ending of the system of common fields. In Cumberland the common fields had mostly already gone by 1700: one of the few ways in which the county was ahead of much of the rest of the country. There was little in the way of new crops or rotations: at best they were just beginning to take effect by the middle of the nineteenth century. Grain output undoubtedly increased, although accurate figures are not available, simply because of the vast increase in arable lands with the enclosure of so many lowland wastes. This increase was not sustained, as the accumulated fertility of the wastes was soon exhausted and the marginal soils and climate over much of the county meant that a reversion to animal raising was inevitable. A few pioneers were trying to introduce new animal breeds in the early 1800s, but with no widespread success in the first half of the century. Judging from contemporary accounts, there were few changes in animal size or productivity by that date.

From this, it would seem that the changes in Cumberland between 1700 and 1850 hardly qualify to be described as an 'agricultural revolution'. However, few would now accept Ernle's picture as applying to any part of the country. In particular, Mingay has pointed out (see Chapter One: p 39) that two-thirds of the increase in output in this period was due to the cultivation of new lands, only one-third to increases in output per acre. In Cumberland

these figures were probably even more differentiated, not least for the reasons Mingay gave: the money, labour and effort that went into enclosure, and the natural caution of the farmers. Cumberland was poor; discussions of the benefits of enclosure more than once included acknowledgement that lack of cash was an obstacle. There was not an army of labourers available: most farms managed with family labour or with one or two 'servants in husbandry'. This natural caution of farmers was reinforced in Cumberland by the generally small holdings and the marginal conditions, meaning that failure and destitution were never far away.

Mingay also stressed the slow and localised spread of information. In so remote a part of the country there seems little reason to doubt that this spread was even slower than elsewhere. That most major landowners were absentee would not have helped speed up the diffusion of new ideas, despite the best efforts of such as John Christian Curwen. The introduction of machinery was slow, as Mingay explained, due to lack of capital and lack of a pressing need to replace manual labour.

There is little sign of even the beginnings of 'high farming' in Cumberland by 1850. A few farmers were trying to increase output by greater efficiency or new strains, but most -- if interested in increases -- expected them to come from newly-enclosed lands. There is little interlocking of

livestock raising and cereal growing: indeed, at least one contemporary deplored the lack of just such a linkage.

In summary, there was no Kerridge-type sixteenth- and seventeenth-century agricultural revolution. Neither was there an eighteenth- and nineteenth-century revolution as described by Ernle. There was a revolution in enclosure practices, in that the rate by which land was removed from common used multiplied by about five-fold in 1700-1900 compared with 1500-1700. However, this massive enclosure seems rather to have been a preliminary to changes in agricultural practice which came later in the nineteenth and in the twentieth centuries. By 1850 relatively little use had been made of the fact that most of the land was now in severalty and freehold.

Chapter One concluded with the observation that most writers today avoided the term 'agricultural revolution' as too difficult to pin down. Careful examination of the situation in Cumberland suggests that the same conclusion needs to be reached for that county. Agricultural change has not been a continuous process, but the different strands of agricultural progress have advanced at different rates, so that no one period can be pointed to with confidence as the one when all these strands came together and agriculture was 'revolutionised'. More change occurred in most agricultural practices between 1700 and 1850 than in the previous two centuries, but still more were to occur from

1850 onwards. Between 1700 and 1850 Cumberland underwent an enclosure revolution. It cannot confidently be claimed that it underwent an agricultural one.

APPENDIX A

MANORIAL COURT RECORDS IN CUMBERLAND

One of the most valuable yet little-used sources for agricultural history is to be found in the records of the various manorial courts. Very little has been done to employ these records in any systematic way to reconstruct agricultural practice: the most notable exception is Ault (1965, also a shorter study in 1954) who used extensive collections from southern and midland manors between the thirteenth and sixteenth centuries to reconstruct husbandry practices in the common fields. However, Ault was concerned primarily with detailing the regulations and the technicalities of their operation and enforcement. His area of study was too wide to allow the making of significant generalisations on the local implications of the regulations. Moreover, he did not consider the common wastes and thus could not put common rights into the context of the whole community.

An author who did use manorial court records as part of a wider depiction of early life was Donaldson (1958) in his study of the early seventeenth century Shetlands. Otherwise the only appearances of these chronicles in print

was as transcripts, of varying completeness and for varying periods: examples include Cartmel, Lancashire (Stockdale 1872); Shap, Westmorland (Whiteside 1903); Biggar, Isle of Walney (Pearson 1911); Carnwath, Lanarkshire (Dickinson 1937); Coventry (Fox 1946); Kent (Jessup 1960); Tottenham, Middlesex (Marcham and Fenton 1959, 1960, 1961, 1963) Kirkintilloch, Dunbartonshire (Pryde 1963) and Radnorshire (Lewis 1964). There were also some transcripts for Cumberland manors: Watermillock (Hodgson 1883); Alston (Nanson 1884-85); Holm Cultram (Grainger 1903, Grainger and Collingwood 1929); Hutton John (Hudleston 1969). Some made a few comments on the transcripts, but none can be considered a detailed analysis. So far, other than Dilley (1967), Ault's remains the only published attempt to use the manorial court records in a large-scale and systematic way.

Each manor in Cumberland had its own local court which, under the lord of the manor or his steward, tried such civil and criminal cases as royal justice allowed it as well as enforcing legislation relating to the individual and collective responsibilities for the upkeep of the community. Ault (1965) stated that legislation at the manorial courts originated with the lord or his steward, but needed the consent of the villagers. In Cumberland, perhaps because most lords were absentee, the villagers seem to have originated a good part of the legislation themselves, bringing it to the court for the consent of the jury and the

approval of the lord or his representative. That the local people saw the courts more positively than the lords of the manor was reflected in a letter from the Earl of Egremont's secretary in 1819, in which he says "I conceive that as to Court Leets, which are the Kings Courts, the inhabitants of the district are much more interested than the Lord is or can be in supporting those courts" (CRO/D/Lec/172)

There were several different types or titles of manorial court: by-law courts, capital courts, courts baron, courts leet and customary courts. Each manor had at least one of these: sometimes several. The Lordship of Egremont, for instance, had three: a court baron, a customary court and a court leet. The first was the small debt court of the freeholders; the second the court of the customary tenants and the third a court for the appointment of officers and for the punishment of minor offences (Caine 1915: 77). The leet was thus the court where agricultural rules were agreed and infractions punished. However, there is no consistency in the use of names in Cumberland, and in some places the name of the court changed from time to time; apparently at the whim of the recording secretary. For that reason all courts are here termed 'manorial courts'.

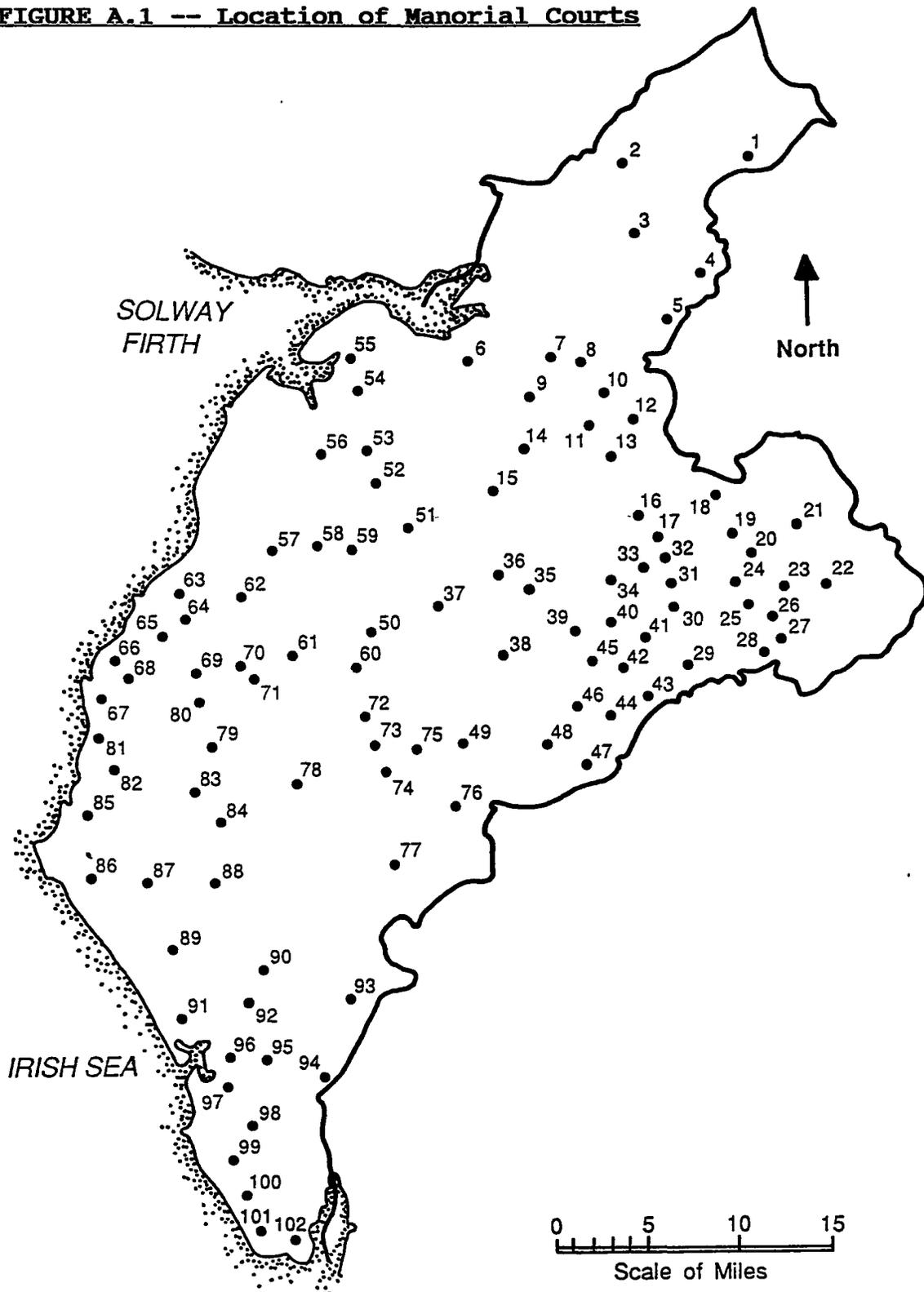
The manorial courts usually met twice a year, in the spring and in the late autumn. Just how many courts there were in Cumberland cannot be determined. No list exists of all the courts and no map survives showing the distribution

of all the manors. The frequent lack of coincidence between manor and parish boundaries means that the latter are no sure guide to manorial organisation. Moreover, the manorial organisation was more complex than the parish organisation. The estate of the Earl of Egremont in the mid-eighteenth century (Figure 9.1) consisted of thirteen manors, two boroughs and one barony. There were confusing overlaps of responsibility. The Manor of Five Towns entirely included that of Dean; the Lordship of Derwentfells included the Manor of Braithwaite; the Lordship of Egremont included the Borough of Egremont and the Manors of Eskdale, Kinniside and Netherwasdale.¹ Dean inhabitants appeared at the Five Towns courts as well as their own; similarly those of Braithwaite at Derwentfells. The four units within the Lordship of Egremont, however, had quite separate courts.

In view of these circumstances it will be clear why it is impossible to state exactly how many manors there were -- especially as they were changing hands, being amalgamated or divided. However, the surviving papers cover the county quite thoroughly (Figure A.1), though not with an equal density of information. Some manors have large gaps in their court records, some have only a few scattered

¹ For convenience, multiple-named manors are labelled by their first name only: thus Five Towns for Five Towns with Eaglesfield; Eskdale for Eskdale, Miterdale and Wasdale Head.

FIGURE A.1 -- Location of Manorial Courts



survivals. In all, manorial court papers were studied for 108 manors.

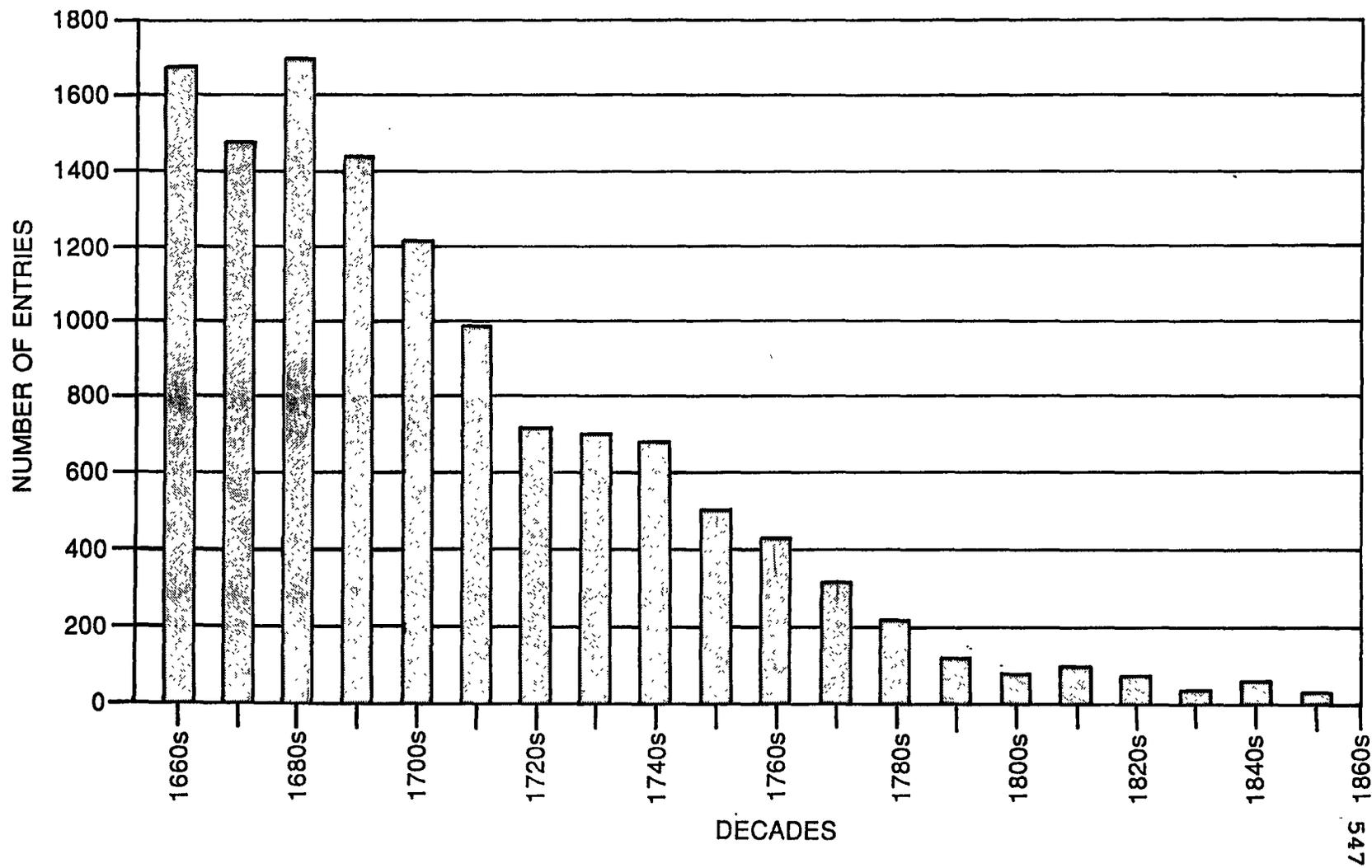
The form and nature of the documents vary considerably: they may be books, rolls or loose sheets; on vellum or on paper. They may be originals, copies or summaries; in Latin, English or a mixture of both. They are invariably in handwriting, which in any one place may change from year to year or be consistent over a long period. Despite these wide variations there is an overall consistency of content which allows the making of generalisations. There are basically two forms of entry: pains and ameracements. Pains set up by-laws and other regulations governing the activities of the population; restricting or encouraging certain actions. Ameracements recorded offences against these local laws. More serious crimes went directly to higher courts.

In a county that was still almost entirely agricultural, the courts spent a great deal of time on matters concerning the common fields and common wastes. However another -- often the larger -- part of the courts' interest was in nonagricultural legislation. Local officers had to be elected, roads and ditches kept in repair, markets inspected and regulated. Courts in the larger centres were more interested in urban affairs than in common land: presentments at courts such as Cockermonth and the Borough of Egremont were mostly for such offences as giving short

weight, leaving rubbish in the street and taking in lodgers from other manors. Cases used here are those which related directly to agricultural practice; especially as it concerned the common lands.

In an earlier article, manorial court records from 1500 onwards were studied (Dilley 1967). In this present study, entries from 1660 onwards form the basis of the statistical generalisations: there is a significant gap in the records with very few entries in the 1640s and 50s, while the last four decades of the seventeenth century have the four highest numbers of presentments of all ten-year periods. There is a steady decline in agricultural entries through the eighteenth and nineteenth centuries, until only one relevant presentment is recorded for the 1860s (Figure A.2). This decline and final ending of the interests and powers of the courts is scarcely surprising. As enclosure spread the courts in each newly-enclosed area were left with little or no agricultural function, as farmers could do what they liked in their several fields and there were few common rights left to supervise. In fact, all functions of the manorial courts declined over time from 1700 onwards. The verdict sheets of many courts after 1750 increasingly frequently carried the brief comment "no presentments." At Newbiggin in 1779 the blank sheet was explained by "nothing can be done for want of a juryman" while at Bolton in 1815 (April, though it would more appropriately have been

FIGURE A.2 -- Agricultural Entries at the Manorial Courts



Christmas) "There is no presentments nor any fines and we consider the season being very wet and we forgive them all."

The great number of presentments (12,330 for the period used) makes it possible to generalise on their quantitative distribution. Such generalisations are based on the assumption that the more often a certain type of offence or regulation appeared in the courts the more important it was in the local agrarian life. This assumption has to be qualified: the energy, honesty and ability of the courts and their officers must have varied from place to place and from time to time. Moreover, certain aspects of land management, while important, may not have caused many disputes. Ault argued "It is clear, however, that most agrarian rules of procedure, as 'ancient custom', went unrecorded" (1965: 40). This may have been true of entries laying out procedures that did not need to change from year to year, but ameracements would have continued for breaches of custom, however ancient. In many cases practices can be reconstructed from what people were fined for not doing, rather than from specifications of the required practices themselves. Nonetheless caution must be used in deciding what to compare in this way and what deductions to draw from the comparison.

Since a number of early seventeenth- and even a few sixteenth-century court entries are cited in the text, references are provided for all courts from 1500 onwards.

List of Cumberland manorial courts

With dates of first and last courts used and document reference numbers.

Numbers in the first column refer to Figure A.1. In a few instances where two or more courts met in the same place, or in two or more places very close to each other, a single location is shown on the map.

Map #	Location	Period	Reference
10	Aglionby	(1553-1641)	CRO/DX/128/7/1
32	Aikbank	(1624-1671) (1667-1766)	PRO/SC2/165 CRO/Devon
18	Ainstable	(1598-1673)	PRO/SC2/165/1
76	Armboth	(1573)	PRO/Adm/74/2/1
57	Aspatria	(1502-1595) (1634-1813)	CRO/D/Lec/299 CRO/D/Lec/59
93	Austhwaite and Birker	(1723-1739)	CRO/D/Pen/172
60	Bassenthwaite	(1688-1690) (1724)	CRO/DX/128/1/43 CRO/D/Law
1	Bewcastle	(1696-1799)	CRO/D/GN/1-4
95	Birkby in Muncaster	(1719-1738)	CRO/D/Pen/172
14	Blackwell	(1617-1640) (1624)	PRO/SC2/227/108 PRO/SC2/165/3
40	Blencow	(1600-1634)	CRO/D/HG/Blencow
59	Bolton	(1579-1587) (1628-1820)	CRO/D/Lec/299 CRO/D/Lec/90

99	Bootle	(1512-1745)	CRO/D/Lons
77	Borrowdale	(1538) (1716-1851)	PRO/DL30/32/281 CRO/D/Law
9	Botchergate	(1662-1674)	CH/Dean and Chapter
38	Bowscale and Mosedale	(1605-1635)	PRO/SC2/165/7
73	Braithwaite and Coledale	(1502-1595) (1678-1868)	CRO/D/Lec/299 CRO/D/Lec/120
6	Burgh by Sands	(1581-1582) (1591-1599) (1591-1734)	CRO/D/HG/1 PRO/SC2/165/2, 23 CRO/D/Lons
37	Caldbeck	(1505-1534) (1722-1757)	CRO/D/Lec/299 CRO/D/Lec/219
89	Calder	(1592-1607) (1683-1777)	PRO/SC2/165/4 CRO/D/Lons
33	Calthwaite	(1628-1630)	PRO/SC2/165
9	Carlisle (City)	(1597-1688)	CRO/Ca/3/20-43
9	Carlisle (Socage)	(1712-1750)	CRO/Devon
75	Castlerigg and Derwentwater	(1585-1728) (1739-1818)	PRO/Adm/1/17, 2/2-57 CRO/DX/1/16-18
35	Castle Sowerby	(1578-1642) (1662-1765)	PRO/SC2/207/105, 165/6 CRO/Devon
71	Cockermouth	(1502-1595) (1639-1770)	CRO/D/Lec/299 CRO/D/Lec/103
12	Corby	(1584)	CRO/DX/128/6/1
98	Corney and Middleton Place	(1678-1757)	CRO/D/Pen/177
63	Crosby	(1503-1534)	CRO/D/Lec/299
13	Cumwhinton	(1551-1641)	CRO/DX/7/1
44	Dacre	(1605-1640)	PRO/SC2/165/7

15	Dalston	(1534-1792)	CRO/DRC/2/65-93
79	Dean and Whinfell	(1502-1534) (1697-1754)	CRO/D/Lec/299 CRO/D/Lec/116
64	Dearham	(1581-1776)	CRO/D/Lons
74	Derwentfells	(1502-1596) (1677-1858)	CRO/D/Lec/299 CRO/D/Lec/85
91	Drigg and Carleton	(1678-1809)	CRO/D/Pen/158
28	Edenhall	(1629-1699)	CRO/D/Mus
87	Egremont (Borough)	(1518-1595) (1639-1847)	CRO/D/Lec/299 CRO/D/Lec/247
87	Egremont (Lordship)	(1594) (1639-1819)	CRO/D/Lec/299 CRO/D/Lec/247
65	Ellenborough	(1671-1712)	CRO/D/Sen
84	Ennerdale	(1591-1676) (1673-1826)	PRO/SC2/165/8 CRO/D/Lons
92	Eskdale, Miterdale and Wasdale Head	(1521-1595) (1679-1837)	CRO/D/Lec/299 CRO/D/Lec/94
80	Five Towns with Eaglesfield	(1501-1595) (1678-1832)	CRO/D/Lec/299 CRO/D/Lec/127
22	Gamblesby	(1616-1636) (1727-1741)	PRO/SC2/165/20 CRO/Devon
62	Gilcrux	(1648-1681)	CRO/DX/128/1/32
23	Glassonby	(1607-1640) (1667-1733)	PRO/SC2/165/9 CRO/D/Mus
69	Great Broughton	(1507-1534) (1702) (1763)	CRO/D/Lec/299 CRO/D/Lec/123 CRO/D/Lec/64
25	Great Salkeld	(1590-1684) (1716-1764)	PRO/SC2/165/20-21 CRO/Devon
45	Greystoke and Mungrisdale	(1591-1593) (1633-1764)	PRO/LR11/1 CRO/D/HG/4-6

81	Harrington	(1705-1741)	CRO/D/Lons
85	Hensingham	(1764-1807)	CRO/D/Lons
17	Hesket	(1590-1670) (1667-1760)	PRO/SC2/165/10-11 CRO/Devon
56	Holm Cultram	(1562-1647) (1577-1699) (1589-1704)	Grainger and Collingwood 1929 PRO/SC2/165 PRO/LR11/59/850, 81/924
46	Hutton John	(1567-1602)	Hudleston 1969
5	Irthington	(1605-1612)	PRO/SC2/165/16
61	Isel	(1572-1629) (1660-1830)	CRO/D/Law CRO/DX/128/5/3
39	Johnby	(1633)	CRO/D/HG/4
83	Kelton and Arlecdon	(1642-1755)	CRO/D/Lons
88	Kinniside	(1595) (1682-1857)	CRO/D/Lec/299 CRO/D/Lec/8
54	Kirkbride	(1704-1719)	CRO/D/Lons
20	Kirkoswald	(1605-1609) (1613-1731)	PRO/SC2/165/17 CRO/D/Mus
101	Kirksanton and Satterton	(1511-1738)	CRO/D/Lons
27	Langwathby	(1611-1671) (1716-1764)	PRO/SC2/165/20-21 CRO/Devon
24	Lazonby	(1605-1640) (1636-1771)	PRO/SC2/165/18 CRO/D/Mus
8	Linstock	(1562-1829)	CRO/DRC/2/117-130
69	Little Broughton and Birkby	(1503-1534) (1762-1811)	CRO/D/Lec/299 CRO/D/Lec/64
26	Little Salkeld	(1687-1810)	CH/Dean and Chapter
78	Loweswater	(1502-1534) (1665-1758)	CRO/D/Lec/299 CRO/DX/128/1/42-44

48	Matterdale	(1591-1596) (1633-1766)	PRO/LR11/1 CRO/D/HG/4-6
102	Millom	(1511-1748)	CRO/D/Lons
82	Moresby and Distington	(1703-1745)	CRO/D/Lons
34	Morton	(1738)	CRO/Devon
96	Muncaster	(1628-1725)	CRO/D/Pen/184
90	Netherwasdale	(1595) (1679-1856)	CRO/D/Lec/299 CRO/D/Lec/94
42	Newbiggin	(1591-1596) (1633-1779)	PRO/LR11/1 CRO/D/HG/4-6
41	Newton Reigny	(1737-1794)	CRO/D/Lons
2	Nicholforest	(1696-1756)	CRO/D/GN/9-10
53	Oulton	(1696-1719)	CRO/D/Lons
70	Papcastle	(1502-1534) (1684-1714)	CRO/D/Lec/299 CRO/DX/1/48
29	Penrith	(1577-1685) (1715-1775)	PRO/SC2/165/20-21 CRO/Devon
30	Plumpton	(1703-1775)	CRO/D/Lons
31	Plumpton Wall	(1739)	CRO/Devon
21	Renwick	(1573-1653)	QCO/5a/1a-d
86	St Bees	(1609-1719)	CRO/D/Lons
9	St John Chapel	(1675)	CH/Dean and Chapter
11	Scotby	(1617-1669) (1716-1745)	PRO/SC2/165 CRO/Devon
66	Seaton	(1702-1778)	CRO/D/Lons
36	Sebergham	(1578-1669) (1674) (1667-1755)	PRO/SC2/165 CH/Dean and Chapter CRO/Devon
3	Solport	(1698-1778)	CRO/D/GN/15-16

19	Staffield	(1613-1640) (1637-1724)	PRO/SC2/165/22 CRO/D/Mus
68	Stainburn	(1706-1729)	CRO/D/Lons
43	Stainton	(1591-1598) (1639-1762)	PRO/LR11/1 CRO/D/HG/4-6
7	Tarraby	(1555-1641)	CRO/DX/128/7/1
16	Court under the Thorn ²	(1578-1685) (1667-1764)	PRO/SC2/165/11 CRO/Devon
72	Thornthwaite	(1701-1730) (1740-1760)	PRO/Adm/74/1/17, 2/72-3 CRO/DX/128/1/16
49	Threlkeld	(1634-1777)	CRO/D/Lons
50	Uldale	(1502-1534)	CRO/D/Lec/299
94	Ulpha	(1511-1806)	CRO/D/Lons
97	Waberthwaite	(1678-1797)	CRO/D/Pen/196-8
4	Walton	(1724-1727)	CRO/DX/128/2/1
47	Watermillock	(1591-1597) (1639-1766)	PRO/LR11/1 CRO/D/HG/4-6
51	Westward	(1512-1534) (1674-1809)	CRO/D/Lec/299 CRO/D/Lec/144
12	Wetheral	(1673-1773)	CH/Dean and Chapter
100	Whitbeck	(1540-1562) (1658-1804)	PRO/DL30/80/1084 CRO/D/Lons
58	White Hall	(1503-1531)	CRO/D/Lec/299

² According to Parson and White (1829) "The Swainmote Court for Inglewood Forest is held yearly on the day of St Barnabas, in the parish of Heskett-in-the-Forest ... at the accustomed place, now no otherwise marked than by an ancient thorn". On Bowley's 1715 map of the forest "Heskett thorn" is shown on the highway midway between High and Low Heskett (CRO/DX/128/7/21).

55	Whitrigg	(1657)	CRO/D/Law
52	Wigton	(1502-1534) (1665-1809)	CRO/D/Lec/299 CRO/D/Lec/323-4
67	Workington	(1702-1741)	CRO/D/Cu/9

APPENDIX B

EVIDENCE FOR THE EXISTENCE OF COMMON ARABLE FIELDS

The first column refers to the map, Figure B.1. Where two or more common fields were located close together, they are shown on the map with a single symbol. This does not necessarily mean that they were all part of the same village or manor.

The second column refers to type of field (see Chapter Five, pp 238-239):

- 1 = major common arable field;
- 2 = minor common arable field;
- 3 = common arable field, size unknown;
- 4 = probable common arable field;
- 5 = possible common arable field.

In cases where there are more than three references in the same document series in the third column, only the extreme dates are given.

MC = Manorial Court. Location of Manorial Court and other documents is specified only if different from that of the field.

Secondary sources are listed in detail in the list of references.

Underlined locations are those still with common arable fields in 1700.

List of common arable fields

Map #	Field type	Location	References
49	1	<u>AGLIONBY</u>	MC 1553, 1624, 1641 (CRO/DX/128/7/1); Court under the Thorn 1737 (CRO/Devon)
70	3	<u>AIKHEAD</u>	Percy Survey 1578 (CRO/D/Lec/301/53-54); Wigton Admittances 1641, 1650 (CRO/D/Lec/311-314)
59	2	<u>AIKTON</u>	Map, Aikton Townfield 18th century (CRO/D/Lons/L); Glebe Terrier 1704 (Ferguson 1877: 159); Burgh MC 1731 (CRO/D/Lons)
26	1	<u>AINSTABLE</u>	Monastic Survey, Armathwaite 1537 (PRO/E/315/399/55-56; Dacre Survey 1568 (PRO/LR/2/213/36-38); MC 1599- 1626 (PRO/SC/2/165/1); Eden c1750 ¹ (Eden 1797: 44-45)
86	5	<u>ALLERBY</u>	Correspondence 1811 (CRO/D/Lec/172)
83	3	<u>ALLONBY</u>	Bromfield Survey 1559 (Gray 1915: 235)
121	3	<u>ANNASIDE</u>	Whitbeck MC 1658-1735 (CRO/D/Lons)
65	2	<u>ANTHORN</u>	Burgh Survey 1638 (CRO/D/Lons/Whitrigg 22-30)
103	5	<u>ARLECDON</u>	Lordship of Egremont MC 1786 (CRO/D/Lec/247)

¹ Eden noted 400 acres at Ainstable "enclosed in the common fields within the last 50 years".

96	4	<u>ARMASIDE</u>	Percy Survey 1578 (CRO/D/Lec/301/165)
27	2	<u>ARMATHWAITE</u> nr Hesket	Map, Armathwaite 1745 (CRO/D/BS)
82	1	<u>ASPATRIA</u>	Percy Survey 1578 (CRO/D/Lec/301/68-77); MC 1534-1749 (CRO/D/Lec/59, 299); Correspondence 1759, 1760 (CRO/D/Lec/170); Enclosure Agreements (Elliott 1960: 107- 108); Admittances 1639-1835 (CRO/D/Lec/207, 311-314)
71	4	<u>BARUGH</u>	Percy Survey 1578 (CRO/D/Lec/301/44-45); Wigton MC 1719 (CRO/D/Lec/324)
55	3	<u>BEAUMONT</u>	Enclosure Agreement 1781 (CRO/D/MH/III/152)
107	1	<u>BECKERMET</u> ²	Percy Survey 1578 (CRO/D/Lec/301/105-106); Lordship of Egremont MC 1687 (CRO/D/Lec/247); Copy Deed 1755 (CRO/D/Lec/322)
35	4	<u>BIGGARDS</u>	Caldbeck Admittances 1656, 1658 (CRO/D/Lec)
88	4	<u>BIRKBY</u> nr Maryport	Little Broughton MC 1519 (CRO/D/Lec/299); Admittances 1792-1828 (CRO/D/Lec)
116	5	<u>BIRKERTHWAITE</u>	Austhwaite MC 1735, 1737 (CRO/D/Pen/172)
46	3	<u>BLACKWELL</u>	Dacre Survey 1568 (PRO/LR/2/213/39-40); Carlisle Survey 1608 (PRO/LR/2/212/142- 143); Socage of Carlisle MC 1713-1750 (CRO/Devon)

² May be St John or St Bridget Beckermets.

8	1	<u>BLENCOW</u> ³	MC 1600, 1604, 1609 (CRO/D/HG/Blencow); Newbiggin MC 1668 (CRO/D/HG/4); Stainton, Blencow and Newbiggin Enclosure Award 1775 (CRO/QRE/1/38)
81	5	<u>BLENNERHASSET</u>	Enclosure Agreement 1792 (CRO/D/Lec/75)
94	1	<u>BLINDCRAKE</u>	Isel MC 1662-1709 (CRO/D/Law; CRO/DX/128/5/3)
20	4	<u>BLUNDERFIELD</u>	Staffield MC 1667, 1690 (CRO/D/Mus)
79	1	<u>BOLTONGATE</u>	Percy Survey 1578 ⁴ (CRO/D/Lec/301/207-220)
101	5	<u>BORROWDALE</u> ⁵	MC 1538 (PRO/DL/30/32/281)
47	1	<u>BOTCHERBY</u>	Enclosure Agreement 1766 (CRO/D/Ha)
80	5	<u>BOTHEL</u>	Enclosure Agreement 1726 (CRO/PR/1/1/p 204)
63	1	<u>BOWNESS-ON-SOLWAY</u>	Burgh Survey 1638 (CRO/D/Lons/Whitrigg 49-125); Burgh MC 1711 (CRO/D/Lons)
98	2	<u>BRAITHWAITE</u> nr Keswick	Percy Survey 1578 (CRO/D/Lec/301/175-185)
36	4	<u>BRANTHWAITE</u> nr Caldbeck	Caldbeck Admittances 1799-1838 (CRO/D/Lec)

³ The Enclosure Award refers to Great Blencow. The other references may be to Great or Little.

⁴ The location at Boltongate of the field described in the Percy Survey is deduced from internal evidence: it is not so named.

⁵ The precise settlement is not known. These Duchy of Lancaster records refer to the east side of the valley, so Rosthwaite is most probable.

107	5	BRAYSTONES	Lordship of Egremont MC 1640 (CRO/D/Lec/247)
91	5	<u>BRIGHAM</u> nr Cockermouth	Five Towns MC 1707 (CRO/D/Lec/127)
38	2	BROCKLEBANK	Percy Survey 1578 (CRO/D/Lec/301/6-7)
48	1	<u>BRUNSTOCK</u>	Linstock MC 1641-1731 (CRO/DRC/2/118-213)
37	1	<u>BUCKABANK</u>	Dalston MC 1656-1705 (CRO/DRC/2/77-90)
56	1	<u>BURGH BY SANDS</u>	Burgh Survey 1638 (CRO/D/Lons/Burgh 16-39); MC 1581-1708 (CRO/D/Lons; CRO/D/HG/1)
21	3	BUSK	Dacre Survey 1604 (PRO/SC/11/986/4); Kirkoswald MC 1667 (CRO/D/Mus)
102	2	<u>BUTTERMERE</u>	Percy Survey 1578 (CRO/D/Lec/301/170-172); Title Deed 1765 (CRO/D/Ben/225\5)
22	5	CABER	Dacre Survey 1604 (PRO/SC/11/986/7)
35	1	<u>CALDBECK</u>	MC 1505-1525 (CRO/D/Lec/299); Sale Particulars 1835 (CRO/D/Ben/871(2)); Admittances 1592-1836 ⁶ (CRO/D/Lec)
111	3	<u>CALDER</u>	Schedule 1596 (CRO/D/Stan/3/109/4); MC 1683, 1715, 1736 (CRO/D/Lons)
29	3	<u>CALTHWAITE</u>	Aikbank MC 1667-1728 (CRO/Devon)

⁶ Ratten Row Common Field, from the Admittances, is presumed to be the Caldbeck Common Field referred to elsewhere.

74	3	CALVO	Monastic Survey, Holme Cultram 1537 (PRO/E/315/399/36-40)
42	3	CARDEW	Cardew Survey 1610 (CRO/D/Lons)
64	1	CARDURNOCK	Burgh Survey 1638 (CRO/D/Lons/Whitrigg 33-48)
45	4	CARLETON nr Carlisle	Botchergate MC 1670 (Ch/Dean)
106	3	<u>CARLETON</u> nr Egremont	Percy Survey 1578 (CRO/D/Lec/301/108); Browne's Survey 1758 (CRO/D/Lec/300); Enclosure Agreement 1756 (CRO/D/Lec/15/126); Baynes' Valuation 1776 (CRO/D/Lec/300)
11	5	<u>CARLETON</u> nr Penrith	Aikbank MC 1734 (CRO/Devon)
47	1	<u>CARLISLE</u> ⁷	Carlisle Survey 1608 (PRO/LR/2/212/132-145); St John Chapel MC 1675 (Ch/Dean); Dalston MC 1688 (CRO/DRC/2/85); Socage of Carlisle MC 1590-1719 (CRO/Devon)
34	1	<u>CASTLE SOWERBY</u> ⁸	MC 1569-1737 (CRO/Devon; PRO/SC/2/165/5-6; PRO/SC/2/207/105)

⁷ Separate fields within the central area of the city have not been distinguished.

⁸ The precise settlement is not known. The most frequently mentioned "Old Field" seems distinct from Sowerby Row and Stockdalewath Fields (qqv). Millhouse is perhaps the most likely location.

- 93 1 COCKERMOUTH Hall and Humberston's Survey
1569 (PRO/E/164/37/21-25);
Percy Survey 1578
(CRO/D/Lec/301/21-25); Title
Deed 1671 (CRO/D/Ben/270\5);
MC 1680-1748 (CRO/D/Lec/103);
Draft Release 1758
(CRO/D/Ben/206\4); Admittances
1627-1812 (CRO/D/Lec/207, 311-
314)
- 120 5 CORNEY HALL Millom MC 1559 (CRO/D/Lons)
- 43 1 COTEHILL Cumwhinton MC 1601
(CRO/DX/128/7/1); Court under
the Thorn 1747 (CRO/Devon);
Enclosure Map 1840
(CRO/DX/128/7/20)
- 107 1 COULDERTON⁹ Percy Survey 1578
(CRO/D/Lec/301/102-103);
Browne's Survey 1758
(CRO/D/Lec/300); Enclosure
Agreement 1794 (CRO/D/Lec/136)
- 69 4 CROFTON Monastic Survey 1537
(PRO/E/315/399/57)
- 22 1 CROGLIN Admittance 1698 (CRO/D/Lec);
Memorandum 1780 (CRO/D/Ben);
Hutchinson 1794-I: 203;
Correspondence c1796¹⁰
(CRO/D/Ben); Eden 1797 (67);
Correspondence 1807
(CRO/D/Lec/171); Enclosure
Plan 1815¹¹ (CRO/D/Lec)

⁹ Middle and Over Coulderton (Percy Survey) can no longer be distinguished.

¹⁰ The letter is undated, but appears to relate to a dispute going on in 1796.

¹¹ This plan is untitled and undated, but is clearly a working plan for the Croglin Enclosure Award of 1815 (CRO/QRE/1/32)

50	1	<u>CROSBY</u> ¹² nr Linstock	Linstock MC 1640-1745 (CRO/DRC/2/118-128); Enclosure Agreement 1772 (CRO/D/MBS/I/10)
87	5	CROSBY nr Maryport	MC 1517 (CRO/D/Lec/299)
42	3	CUMDIVOCK	Cardew Survey 1610 (CRO/D/Lons); Dalston MC 1569- 1695 (CRO/DRC/2/67-90)
46	3	<u>CUMMERSDALE</u>	Dalston MC 1547-1740 (CRO/DRC/2/66-91)
45	1	<u>CUMWHINTON</u>	MC 1601, 1613, 1641 (CRO/DX/128/7/1); Court under the Thorn 1693, 1747 (CRO/Devon)
2	4	DACRE	Dacre Survey 1567 (PRO/LR/2/213/27); MC 1608 (PRO/SC/2/165/7)
42	1	<u>DALSTON</u>	MC 1546-1750 (CRO/DRC/2/66-92)
92	3	<u>DEAN</u>	MC 1507, 1516 (CRO/D/Lec/299); Glebe Terrier 1698 (CRO/DRC/9); Five Towns MC 1735 (CRO/D/Lec/127); Enclosure Agreement 1737 (CRO/D/Ben/103); Admittances 1656-1837
92	5	<u>DEANSCALES</u>	Enclosure Agreement 1753 (CRO/D/Ben/2/284)
88	1	<u>DEARHAM</u>	MC 1581-1717 (CRO/D/Lons)
70	4	DOCKRAY nr Wigton	Percy Survey 1578 (CRO/D/Lec/301/52)

¹² May be High or Low Crosby.

- 113 3 DRIGG Percy Survey 1578
(CRO/D/Lec/301/110); Lordship
of Egremont Admittances 1633-
1688 (CRO/D/Lec/311-314); MC
1721 (CRO/D/Pen/158); Browne's
Survey 1758 (CRO/D/Lec/300);
Baynes' Valuation 1776
(CRO/D/Lec/300); Glebe Terrier
1778 (CRO/DRC/9); Fair 1934¹³
- 62 2 DRUMBURGH Burgh MC 1591, 1706
(CRO/D/Lons); Bowness Map
1763-70 (CRO/D/Lons/L)
- 72 5 DUNDRAW Percy Survey 1578
(CRO/D/Lec/301/54-56)
- 92 3 EAGLESFIELD Five Towns MC 1682-1707
(CRO/D/Lec/127); Petition 1755
(CRO/D/Lec/265/4);
Correspondence 1756
(CRO/D/Lec/170)
- 12 1 EDENHALL MC 1629-1695 (CRO/D/Mus);
Glebe Terrier 1704 (Ferguson
1877: 173); Admittances 1688-
1709 (CRO/D/Mus); Edenhall
Survey c1710¹⁴ (CRO/D/Mus)

¹³ Fair's 1934 reference was to a small remaining
common-held parcel in a field presumably once much larger.

¹⁴ This survey is undated, but referred to three
parcels as being "in lease for 21 days from Lady Day 1710".
Notes of sales in 1726 appear to be later interpolations.

106	1	<u>EGREMONT</u>	Percy Survey 1578 (CRO/D/Lec/301/87-92); Indenture 1749 (CRO/D/Ben/558\h); Browne's Survey 1758 (CRO/D/Lec/300); Borough of Egremont Admittances 1633-1744 (CRO/D/Lec/207, 311-314); Baynes' Valuation 1776 (CRO/D/Lec/300); Borough of Egremont MC 1683-1783 (CRO/D/Lec/247)
107	1	<u>EHENSIDE</u>	Percy Survey 1578 (CRO/D/Lec/301/104)
88	3	<u>ELLENBOROUGH</u>	MC 1703, 1711 (CRO/D/Sen)
6	2	<u>ELLONBY</u>	Graham 1912 (Graham 1913: 1-5)
47	3	<u>ETTERBY</u>	Burgh MC 1706, 1708 (CRO/D/Lons)
36	5	<u>FELL SIDE</u> nr Caldbeck	Caldbeck Admittances 1652, 1723 (CRO/D/Lec)
61	1	<u>FINGLAND</u>	Burgh Survey 1589 (PRO/E/164/42/20-21)
35	4	<u>FRIAR HALL</u> ¹⁵	Sebergham MC 1688 (CRO/Devon)
17	3	<u>GAMBLESBY</u>	MC 1616, 1636, 1729 (PRO/SC/2/165/20; CRO/Devon)
85	1	<u>GILCRUX</u>	MC 1648-1678 (CRO/DX/128/1/32); Enclosure Agreement 1754 (CRO/D/Ben); Eden c1754 ¹⁶ (Eden 1797: 76)

¹⁵ Though contiguous with Caldbeck village, Friar Hall is in Sebergham manor and parish.

¹⁶ Eden noted that the common fields had been enclosed "within the last 50 years". Presumably this refers to the 1754 Agreement.

- 18 1 GLASSONBY Dacre Survey 1567
(PRO/LR/2/213/32-33); Dacre
Survey 1604 (PRO/SC/11/986/12-
13); MC 1773 (CRO/D/Mus)
- 91 3 GREAT BROUGHTON MC 1525 (CRO/D/Lec/299);
Agreements 1702
(CRO/D/Lec/123); Agreement to
Exchange 1737
(CRO/D/Ben/458\d); Enclosure
Agreement 1758
(CRO/D/Ben/457\d); Draft Bond
of Indemnity late 18th century
(CRO/D/Ben/1691\1); Power of
Attorney late 18th century
(CRO/D/Ben/1652\1); Indenture
1777 (CRO/D/Ben/1123\2);
Admittances 1684-1838
(CRO/D/Lec); Map, Kirkmire
Dales 1842 (CRO/D/Lec)
- 57 3 GREAT ORTON Glebe Terrier 1704 (Ferguson
1877: 165-167)
- 13 1 GREAT SALKELD Penrith and Inglewood Survey
1619 (CRO/D/MH/68-70); Glebe
Terrier 1704 (Ferguson 1877:
183); MC 1590-1757 (CRO/Devon;
PRO/SC/2/165/20-21)
- 92 4 GREYSOUTHEN Percy Survey 1578
(CRO/D/Lec/301/197)
- 4 4 GREYSTOKE Greystoke Survey 1589
(PRO/LR/2/212/255); Glebe
Terrier 1704 (Ferguson 1877:
220-221)
- 34 5 HALTCLIFF BRIDGE Caldbeck Admittances 1656,
1737 (CRO/D/Lec)
- 125 1 HAVERIGG Kirksanton MC 1544-1663
(CRO/D/Lons); Enclosure
Agreement 1800 (CRO/DX/104/1)
- 42 3 HAWKSDALE Dalston MC 1535-1685
(CRO/DRC/2/65-84)
- 119 5 HAZEL HEAD nr Ulpha Ulpha MC 1669 (CRO/D/Lons)

- 34 3 HESKET NEWMARKET Caldbeck Admittances 1685-1760
(CRO/D/Lec)
- 28 3 HIGH HESKET Hesketh MC 1686 (CRO/Devon);
Court under the Thorn 1686,
1716 (CRO/Devon)
- 7 3 HUTTON-IN-THE-FOREST Glebe Terrier 1704
(Ferguson 1877: 174);
Hutchinson 1794-I: 511)
- 121 3 HYTON Millom MC 1589 (CRO/D/Lons);
Bootle MC 1607, 1615, 1664
(CRO/D/Lons); Plan, Hyton
Estate 1773 (CRO/D/Lons)
- 51 4 IRTHINGTON Enclosure Award 1781
(CRO/SPC/46/1)
- 5 2 JOHNBAY Enclosure Award 1795
(CRO/QRE/1/2)
- 55 1 KIRKANDREWS UPON EDEN Burgh Survey 1597
(PRO/E/164/42/11); Burgh MC
1706, 1707, 1708 (CRO/D/Lons)
- 58 3 KIRKBAMPTON Burgh Survey 1589
(CRO/D/Lons/Burgh 45-46);
Correspondence 1743
(CRO/D/Lons/L); Hutchinson
1794-II: 513)
- 67 3 KIRKBRIDE MC 1712, 1719 (CRO/D/Lons)
- 15 3 KIRKLAND nr Blencarn Glebe Terrier 1704
(Ferguson 1877: 179)
- 70 3 KIRKLAND nr Wigton Percy Survey 1578
(CRO/D/Lec/301/48-50); Wigton
Admittances 1638, 1660, 1661
(CRO/D/Lec/311-314); Wigton MC
1703 (CRO/D/Lec/324)
- 20 1 KIRKOSWALD Dacre Survey 1567
(PRO/LR/2/213/29-30); Dacre
Survey 1604 (PRO/SC/11/986/2-
4)
- 123 1 KIRKSANTON MC 1541-1690 (CRO/D/Lons)

12	1	<u>LANGWATHBY</u>	MC 1615-1764 (CRO/Devon; PRO/SC/2/165/20, 21)
19	1	<u>LAZONBY</u>	Dacre Survey 1567 (PRO/LR/2/213/34-35); Dacre Survey 1604 (PRO/SC/11/986/8- 11); MC 1608-1757 (CRO/Devon; PRO/SC/2/165/18)
72	4	LESSONHALL ¹⁷	Percy Survey 1578 (CRO/D/Lec/301/45)
77	2	LINEDRAW	Percy Survey 1578 (CRO/D/Lec/301/215)
48	1	<u>LINSTOCK</u>	MC 1641-1739 (CRO/DRC/2/118- 128)
60	3	LITTLE BAMPTON	Burgh Survey 1638 (CRO/D/Lons/Burgh 45)
91	3	<u>LITTLE BROUGHTON</u>	MC 1525 (CRO/D/Lec/299); Enclosure Agreement 1702 (CRO/D/Lec/64); Admittances 1652-1749 (CRO/D/Lec); Case for Opinion 1767 (CRO/D/Ben/305\2); Trust Deed 1772 (CRO/D/Ben/466\ a)
14	1	<u>LITTLE SALKELD</u>	Glebe Terrier 1704 (Ferguson 1877: 170-171); MC 1687-1719 (Ch/Dean)
56	3	Longburgh	Burgh Survey 1638 (CRO/D/Lons/Burgh 9-14)
66	4	Longcroft	Burgh Survey 1638 (CRO/D/Lons/Whitrigg 17-21)
97	2	LORTON ¹⁸	Percy Survey 1578 (CRO/D/Lec/301/164-167)

¹⁷ Referred to in the Percy Survey as Waverton Low Town
(see Armstrong et al 1950).

¹⁸ May be High or Low Lorton.

31	3	<u>LOW BRAITHWAITE</u>	Aikbank MC 1673, 1724 (CRO/Devon); Heskett MC 1773 (CRO/Devon)
28	4	LOW HESKET	Heskett MC 1665 (PRO/SC/2/165/10-11)
124	5	LOW SCALES	Millom MC 1663 (CRO/D/Lons)
16	1	<u>MELMERBY</u>	Glebe Terrier 1704 (Ferguson 1877: 179-180); Hutchinson 1794-I: 220)
70	3	MICKLETHWAITE	Cardew Survey 1610 (CRO/D/Lons)
92	1	MOCKERKIN	Percy Survey 1578 (CRO/D/Lec/301/168-169); Derwentfells MC 1594 (CRO/D/Lec/299)
56	3	<u>MOORHOUSE</u> nr Burgh	Burgh Survey 1638 (CRO/D/Lons/Burgh 40-44); Enclosure Agreement 1707 (CRO/DX/326/4)
70	5	<u>MOORTHWAITE</u> nr Wigton	Correspondence 1818 (CRO/D/Ben/316\1)
104	3	<u>MORESBY and DISTINGTON</u> ¹⁹	MC 1703, 1704 (CRO/D/Lons)
30	3	<u>MORTON</u> nr Calthwaite	Penrith and Inglewood Survey 1650 (CRO/Devon); Aikbank MC 1737, 1741 (CRO/Devon)
1	1	<u>MOTHERBY</u>	Matterdale MC 1659, 1760 (CRO/D/HG/4, 6); Hutton Enclosure Award 1817 (CRO/QRE/1/66)
42	3	NEALHOUSE	Cardew Survey 1610 (CRO/D/Lons)
20	4	NETHER HARESCEUGH	Stafffield MC 1638 (CRO/D/Mus)

¹⁹ The fields may have been in Moresby or in Distington, one in each, or common to both.

- 36 2 NETHER ROW Complaint 1782
(CRO/D/Ben/1645); Map 1799
(CRO/D/Lec); Caldbeck
Admittances 1771, 1812, 1825;
Enclosure Agreement 1839
(CRO/QRE/1/94)
- 110 2 NETHER WASDALE²⁰ Percy Survey 1578
(CRO/D/Lec/301/123-129);
Admittance 1649
(CRO/D/Lec/311-314); MC 1682,
1695, 1721 (CRO/D/Lec/94)
- 23 1 NEWBIGGIN nr Croglin Croglin Admittance 1661
(CRO/D/Lec); Croglin Enclosure
Plan 1815²¹; (CRO/D/Lec)
- 3 1 NEWBIGGIN nr Penrith MC 1640, 1668, 1676
(CRO/D/HG/4, 5); Newbiggin,
Stainton and Blencow Enclosure
Award 1775 (CRO/QRE/1/38)
- 51 1 NEWBY EAST nr Irthington Irthington Enclosure
Award 1781 (CRO/SPC/46/1)
- 77 4 NEWLANDS nr Ireby Bolton MC 1708 (CRO/D/Lec/90)
- 79 2 NEWLANDS ROW nr Mealsgate Percy Survey 1578
(CRO/D/Lec/301/72-73);
Aspatria Admittance
1675(CRO/D/Lec/311-314);
Bolton MC 1726 (CRO/D/Lec/90)
- 68 5 NEWTON ARLOSH Holme Cultram MC 1674
(PRO/LR/11/81/924)
- 9 1 NEWTON REIGNY MC 1738-1756 (CRO/D/Lons)
- 84 1 OUGHTERSIDE Map 1776²² (CRO/D/Lec)

²⁰ The precise settlement is not known. Strands seems most likely.

²¹ See note 11.

²² This map is undated and entitled simply "Oughterside Outfield". It is clearly a map to accompany the 1776
(continued...)

70	5	OULTON	MC 1696 (CRO/D/Lons)
93	1	<u>PAPCASTLE</u>	MC 1503-1695 (CRO/D/Lec/299; CRO/DX/128/1/48); Enclosure Agreement 1699 (CRO/D/Lec/300); Tithe Award 1838 (CRO/DRC/8/149)
92	3	<u>PARDSHAW</u>	Admittance 1643 (CRO/D/Ben/115\g); Enclosure Agreement 1719 (CRO/D/BH); Admittance 1733 (CRO/D/Ben/305\2); Dean Admittances 1733-1831 (CRO/D/Lec)
50	5	PARKBROOM	Linstock MC 1672 (CRO/DRC/2/119)
70	3	PARTON nr Wigton	Cardew Survey 1610 (CRO/D/Lons); Burgh Survey 1638 (CRO/D/Lons/Thursby 21- 25)
11	1	<u>PENRITH</u>	Penrith and Inglewood Survey 1650 (CRO/Devon); Map, Bridge Lane Estate, 18th century (CRO/D/Lons/L); MC 1577-1737 (CRO/Devon; PRO/SC/2/165/20, 21)
1	1	<u>PENRUDDOCK</u>	Hutton John MC 1575, 1576, 1602 (Hudleston 1969); Hutton Enclosure Award 1817 (CRO/QRE/1/66)
10	5	<u>PLUMPTON HEAD</u>	Plumpton MC 1703, 1706, 1738 (CRO/D/Lons); Enclosure Award 1871 (CRO/QRE/1/130)
36	5	POTTS GILL	Caldbeck Admittance 1693 (CRO/D/Lec)
73	3	RABY	Monastic Survey, Holme Cultram 1537 (PRO/E/315/399/43)

²²(...continued)
Agreement to enclose Oughterside Townfield (CRO/D/Law).

42	3	<u>RAUGHTON</u>	Dalston MC 1536, 1694, 1701 (CRO/DRC/2/65, 90)
115	3	<u>RAVENGLASS</u>	Percy Survey 1578 (CRO/D/Lec/301/109); Muncaster MC 1679-1720 (CRO/D/Pen/184); Browne's Survey 1758 (CRO/D/Lec/300); Baynes' Valuation 1776 (CRO/D/Lec/300); Nicolson and Burn 1777:21
38	2	<u>REATHWAITE</u>	Percy Survey 1578 (CRO/D/Lec/301/5-6)
21	1	<u>RENWICK</u>	MC 1573, 1595, 1599 (QCO/5a/1a-d); Hutchinson 1794-I: 212); Enclosure Award 1818 (CRO/QRE/1/53)
90	5	<u>RIBTON</u>	Great Broughton Admittance 1736 (CRO/D/Lec)
54	2	<u>ROCKCLIFFE</u>	Burgh MC 1581 (CRO/D/HG/1); Rockcliffe and Westlinton Survey 1762-63 (CRO/QRE/1/81); Map c1800 (CRO/D/Lons); Hodgson 1891-92
70	3	<u>ROSEWAIN</u>	Percy Survey 1578 (CRO/D/Lec/301/51-52); Correspondence 1818 (CRO/D/Ben/316\1)
39	1	<u>ROSLEY</u>	Hall and Homberston's Survey 1569 (PRO/E/164/37/78); Percy Survey 1578 (CRO/D/Lec/301/16- 17); Westward Admittance 1649 (CRO/D/Lec/311-314); Westward MC 1710-1731 (CRO/D/Lec/144); Correspondence 1789 (CRO/D/Lec/171); Enclosure Agreement 1789 (CRO/D/Lec/119)
107	5	<u>ROTHERSYKE</u>	Percy Survey 1578 (CRO/D/Lec/301/105)

25	3	RUCKCROFT	Monastic Survey, Armathwaite 1537 (PRO/E/315/399/56); Dacre Survey 1568 (PRO/LR/2/213/36- 37)
105	3	<u>ST BEES</u>	MC 1666-1719 (CRO/D/Lons); Indenture 1735 (CRO/D/Lons/W); Plan, Stone House Estate c1800 ²³ (CRO/D/Lons/W); Sale Description 1856 (CRO/D/Ben/391\a)
100	5	ST JOHN'S IN THE VALE ²⁴	Castlerigg MC 1615 (PRO/Adm/74/301)
114	5	SALTCOATS	Percy Survey 1578 (CRO/D/Lec/301/110)
77	4	<u>SANDALE</u>	Bolton MC 1708 (CRO/D/Lec/90)
22	5	SCARROWMANWICK	Dacre Survey 1604 (PRO/SC/11/986/7); Stafffield MC 1624-1667 (CRO/D/Mus; PRO/SC/2/165/22)
49	1	<u>SCOTBY</u>	Court under the Thorn 1690 (CRO/Devon); MC 1617-1745 (CRO/Devon; PRO/LR/3/16/6); Enclosure Agreement 1777 (CRO/MBS/I/32); Enclosure Agreement 1788 (CRO/MBS/I/33)
112	5	<u>SEASCALE</u>	Enclosure Agreement 1764 (CRO/SPC/8/1)
120	5	SEATON nr Bootle	Millom MC 1562 (CRO/D/Lons)

²³ Volume I of these plans, which includes that of Stone House Estate, was not dated. However, Volume II dated from 1804, the others from 1809 and 1810, so around 1800 seems a plausible date for the first Volume.

²⁴ The precise settlement is not known.

89	2	<u>SEATON</u> nr Workington	MC 1703, 1719, 1769 (CRO/D/Lons); Estate Plan 1815 (CRO/D/Lons); Map 1822 (CRO/D/Lons); Enclosure Award 1826 (CRO/QRE/1/60)
33	3	SEBERGHAM	MC 1674 (Ch/Dean)
95	1	SETMURTHY ²⁵	Percy Survey 1578 (CRO/D/Lec/301/159-162)
28	5	SEWELL HOUSE	Court under the Thorn 1686 (CRO/Devon)
75	1	SILLOTH	Monastic Survey, Holme Cultram 1537 (PRO/E/315/399/33-35)
6	3	<u>SKELTON</u>	Lease 1558 (CRO/D/Van); Glebe Terrier 1704 (Ferguson 1877: 184-185); Exchange Award 1787 (CRO/QRE/1/73)
32	3	SOWERBY ROW	Castle Sowerby MC 1622, 1667 (CRO/Devon; PRO/SC/2/207/105)
70	4	SPITAL	Percy Survey 1578 (CRO/D/Lec/301/39)
24	3	STAFFIELD	Dacre Survey 1604 (PRO/SC/11/986/5-7); MC 1638 (CRO/D/Mus)
89	3	<u>STAINBURN</u>	Enclosure Agreement 1794 (CRO/D/Ben)
3	1	<u>STAINTON</u> nr Penrith	MC 1591-1744 (PRO/LR/11/1 and CRO/D/HG/4-6); Newbiggin, Stainton and Blencow Enclosure Award 1775 (CRO/QRE/1/38)
47	1	<u>STANWIX</u>	Socage of Carlisle MC 1712- 1730 (CRO/Devon)
41	3	STOCKDALEWATH	Castle Sowerby MC 1642-1671 (CRO/Devon; PRO/SC/2/165/6)

²⁵ The field can be located from internal evidence as near Setmurthy church.

48 1 TARRABY MC 1573-1635 (CRO/DX/128/7/1)

1 3 THACKTHWAITE nr Watermillock Watermillock MC 1663
(CRO/D/HG/4)

69 5 THORNBY Burgh MC 1683 (CRO/D/Lons)

37 5 THORNTHWAITE nr Boltongate Bolton MC 1681
(CRO/D/Lec/90); Bolton
Admittances 1637-1780
(CRO/D/Lec/207,311-314)

99 2 THRELKELD MC 1666, 1733 (CRO/D/Lons);
Enclosure Award 1842
(CRO/QRE/1/93)

70 4 TIFFINTHWAITE Percy Survey 1578
(CRO/D/Lec/301/12)

80 5 TORPENHOW Glebe Terrier 1704 (Ferguson
1877: 208)

78 3 ULDALE MC 1503-1534 (CRO/D/Lec/299);
Exchange of Lands 1580
(CRO/D/Lec/126)

42 3 UNTHANK nr Dalston Dalston MC 1668 (CRO/DRC/2/81)

81 5 UPMANBY Bolton Admittances 1688-1833²⁶
(CRO/D/Lec/311-314)

47 3 UPPERBY Carlisle Survey 1608
(PRO/LR/2/212/142-143);
Carlisle Survey 1609
(PRO/SP/14/50/93); Socage of
Carlisle MC 1713-1750
(CRO/Devon)

35 5 UPTON Caldbeck Admittances 1685,
1690 (CRO/D/Lec)

52 1 WALBY Linstock MC 1698-1772
(CRO/DRC/2/123-128)

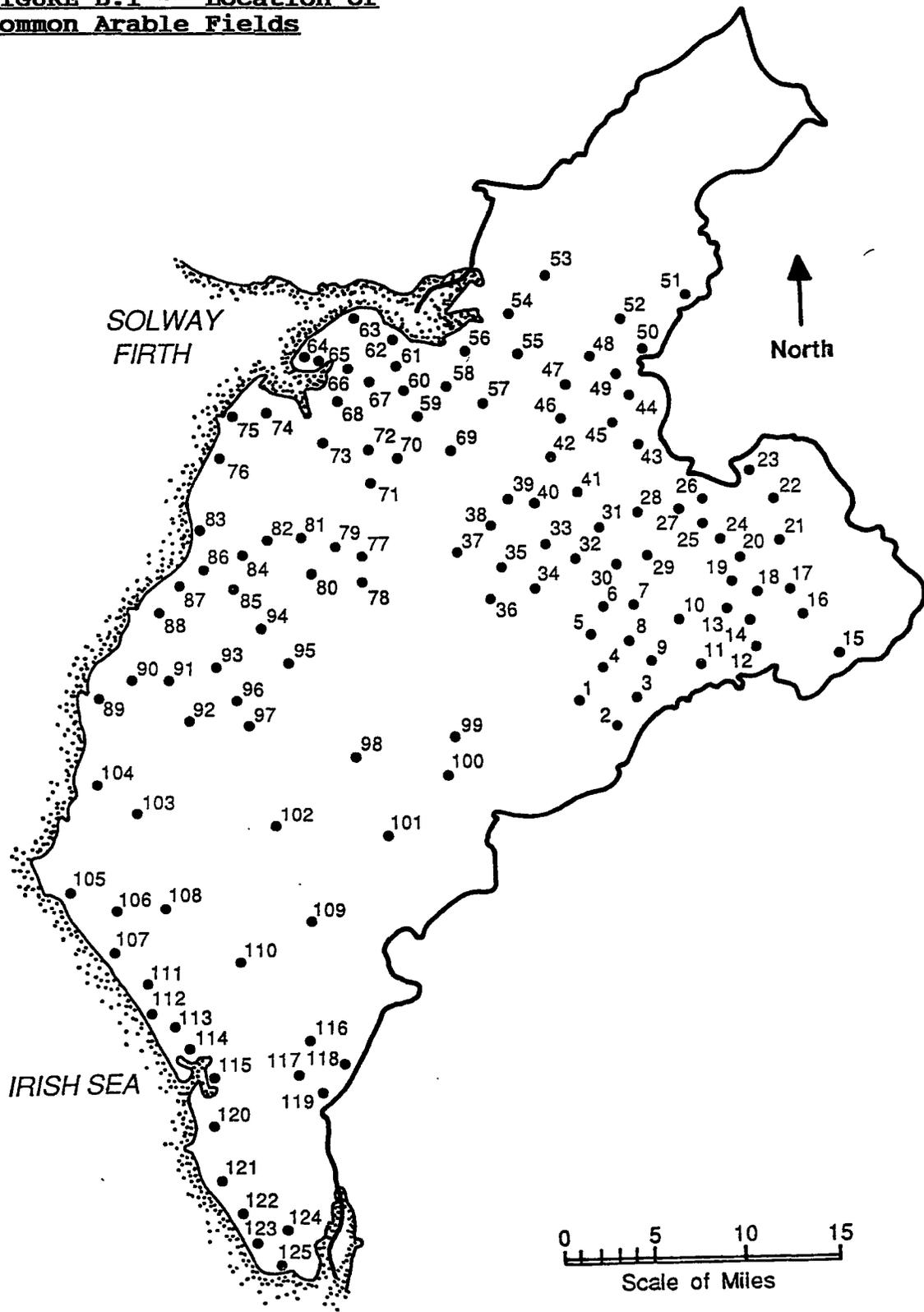
²⁶ The field mentioned in the Bolton Admittances seems to have been distinct from Upmanby Lees; a stinted pasture subject to a private Enclosure Agreement in 1633 (CRO/D/HGB)

118	5	WALLOWBARROW	Ulpha MC 1610, 1699 (CRO/D/Lons)
33	5	WARNELL	Sebergham MC 1688 (CRO/Devon)
49	1	<u>WARWICK</u>	Glebe Terrier 1455 (Prescott 1897: 374); Court under the Thorn 1737 (CRO/Devon); Eden c1750 ²⁷ (Eden 1797: 92)
109	1	<u>WASDALE HEAD</u>	Percy Survey 1578 (CRO/D/Lec/301/137); Map 1795 (CRO/D/Lec); Title Deed 1799 (CRO/D/Ben/9\5)
71	3	WAVERTON	Percy Survey 1578 (CRO/D/Lec/301/41-44); Petition 1634 (CRO/D/Lec/265/123); Wigton Admittances 1648, 1657 (CRO/D/Lec/311-314); Wigton MC 1690 (CRO/D/Lec/324)
40	5	WELTON	Sebergham MC 1670, 1687, 1688 (CRO/Devon)
53	1	<u>WESTLINTON</u>	Burgh MC 1581 (CRO/D/HG/1); Burgh Survey 1638 (CRO/D/Lons/Westlinton); Rockcliffe and Westlinton Survey 1762-63 (CRO/QRE/1/81)
44	1	<u>WETHERAL</u>	MC 1674, 1714, 1726 (Ch/Dean); Rental 1732 (Ch/Dean)
122	1	<u>WHITBECK</u>	MC 1681, 1695, 1713 (CRO/D/Lons)
67	1	<u>WHITRIGG</u> nr Kirkbride	Burgh Survey 1638 (CRO/D/Lons/Whitrigg 1-16); Bowness Map 1763-70 (CRO/D/Lons/L)

²⁷ Eden noted that "almost the whole of the cultivated land has been enclosed within the last 50 years".

- 80 1 WHITRIGG nr Torpenhow Calendar 1648
(CRO/D/Law); MC 1656
(CRO/D/Law); Enclosure
Agreement 1776 (CRO/D/Law)
- 70 1 WIGTON Percy Survey 1578
(CRO/D/Lec/301/38-41); MC
1502-1726 (CRO/D/Lec/299, 323,
324); Title Deeds 1668, 1696,
1751 (CRO/D/Ben/276\5, 207\5,
278\5); Admittances 1633-1825
(CRO/D/Lec/311-314)
- 108 2 WILTON Percy Survey 1578
(CRO/D/Lec/301/107); Egremont
Lordship Admittance 1676
(CRO/D/Lec/311-314); Browne's
Survey 1758 (CRO/D/Lec/300);
Baynes' Valuation 1776
(CRO/D/Lec/300)
- 76 5 WOLSTY Holme Cultram MC 1696
(PRO/LR/11/59/850)
- 117 5 WOODEND nr Ulpha Ulpha MC 1610, 1710
(CRO/D/Lons)
- 34 5 WOOD HALL nr Caldbeck Caldbeck Admittance 1717
(CRO/D/Lec)
- 69 4 WOODSIDE nr Thursby Percy Survey 1578
(CRO/D/Lec/301/46-48)
- 89 3 WORKINGTON MC 1704-1731 (CRO/D/Lons;
CRO/D/Cu/2/9); Enclosure
Agreement 1732
(CRO/D/Cu/Deeds)

**FIGURE B.1 -- Location of
Common Arable Fields**



APPENDIX C

ENCLOSURE OF COMMON FIELDS

Dates are those of awards, where available, or of agreements where there was no formal award, or where the award does not survive.

Numbers in the first column refer to Figure C.1.

Locations are by civil parish or equivalent. Location is qualified when enclosure clearly relates to a settlement other than that of the parish name.

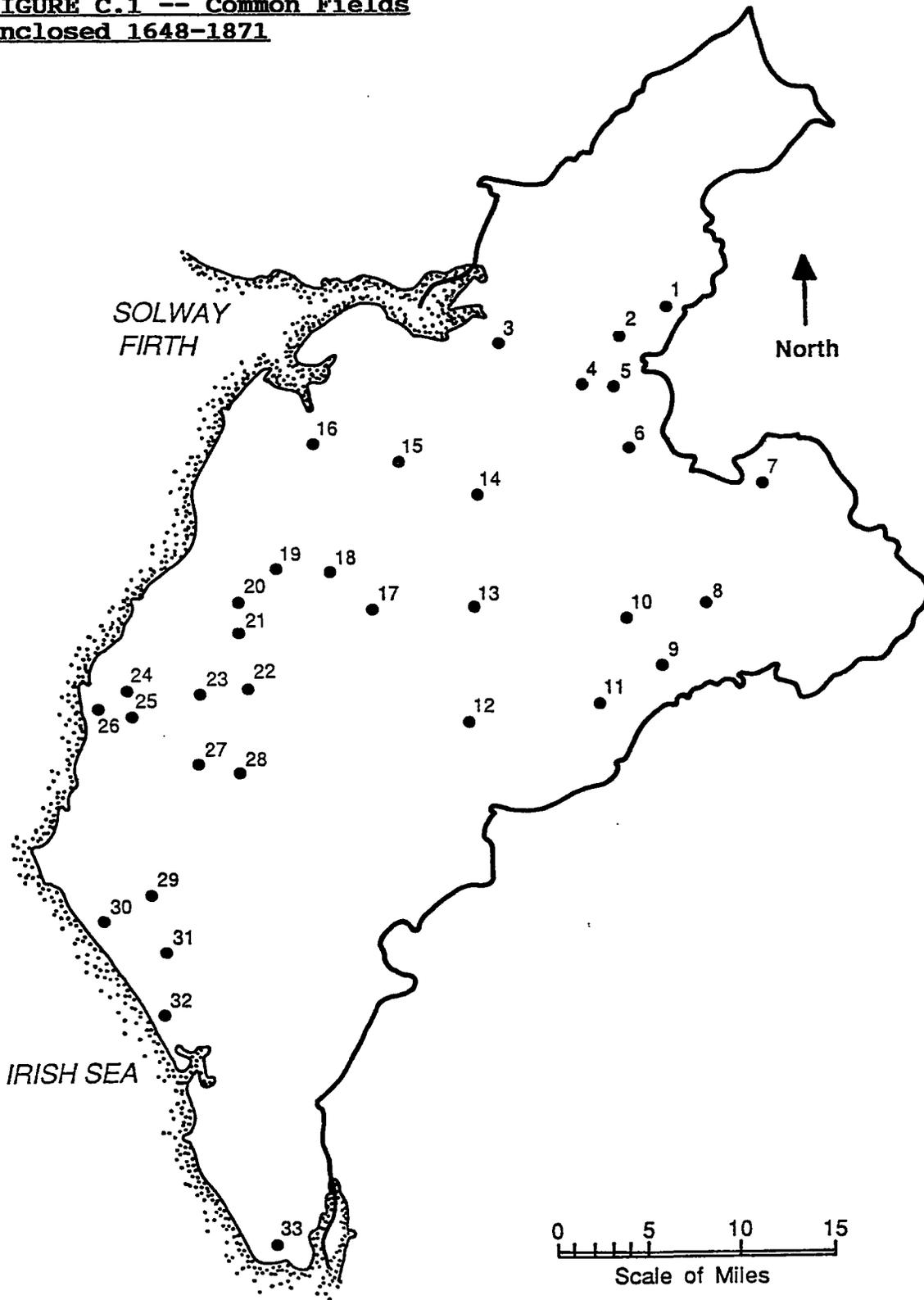
Type of enclosure: P.A. means private agreement; Act means Act of Parliament. Non-Parliamentary enclosures for which no formal agreement survives have been classed as private agreements.

Area is in statute acres. A superscript e means that the area is a best estimate.

Map #	Date	Location	Type of Enclosure	Area acres
21	1648	Gilcrux	P.A.	50 ^e
22	1699	Papcastle	P.A.	20 ^e
23	1702	Broughton: Little Broughton	P.A.	25 ^e
28	1719	Dean: Pardshaw	P.A.	25 ^e
26	1732	Workington	P.A.	10 ^e
27	1737	Dean	P.A.	25 ^e

21	1754	Gilcrux	P.A.	100°
31	1755	St Bridget Beckermet	P.A.	12°
15	1757	Wigton	P.A.	3
19	1758	Aspatria	P.A.	100°
19	1759	Aspatria	P.A.	100°
32	1764	Seascale	P.A.	25°
29	1765	St John Beckermet: Carleton	P.A.	20°
4	1766	Carlisle: Botcherby	P.A.	210
2	1772	Stanwix: Crosby	P.A.	252
9	1775	Dacre: Stainton, Newbiggin & Blencow	Act	250°
20	1776	Oughterside	P.A.	295
17	1776	Blennerhasset: Whitrigg	P.A.	20°
5	1777	Wetheral: Scotby	P.A.	159
1	1781	Irthington	Act	100°
3	1781	Beaumont	P.A.	20°
10	1787	Skelton	Act/P.A.	419
5	1788	Wetheral: Scotby	P.A.	37
14	1789	Westward: Rosley	P.A.	25°
18	1792	Blennerhasset	P.A.	50°
25	1794	Workington: Stainburn	P.A.	25°
30	1797	Lowside Quarter: Middle Coulderton	P.A.	113
33	1803	Millom: Haverigg	P.A.	33°
7	1815	Ainstable: Croglin & Newbiggin	Act	330
11	1817	Hutton: Penruddock & Motherby	Act	305
24	1826	Maryport: Seaton	Act	25°
13	1839	Caldbeck: Nether Row	P.A.	37
6	1840	Wetheral: Cotehill	P.A.	136
16	1841	Holme Abbey	Act	110
12	1842	Threlkeld	Act/P.A.	11
30	1859	Lowside Quarter: Snellings	Act	24°
8	1871	Penrith: Plumpton Head	Act	50

FIGURE C.1 -- Common Fields Enclosed 1648-1871



APPENDIX D

ENCLOSURE OF COMMON WASTES

and of non-arable common fields

The first column refers to the map, Figure D.1. Where two or more enclosures were located close together, they are shown on the map with a single symbol. This does not necessarily mean that they were all part of the same village or manor. The location given is that of the settlement named, unless the enclosure document specifies the area enclosed.

Dates are those of awards, where available, or of agreements where there was no formal award or where the award does not survive. A superscript e means that the date is a best estimate.

Locations are by civil parish or equivalent. Location is qualified when enclosure clearly relates to a settlement other than that of the parish name.

Type of enclosure: P.A. means private agreement; Act means Act of Parliament. Non-Parliamentary enclosures for which no formal agreement survives have been classed as private agreements.

Area is in statute acres. A superscript e means that the area is a best estimate.

List of enclosures

Map #	Date	Location	Type of Enclosure	Area acres
106	1600°	Dundraw	P.A.	48
101	1633°	Allhallows: Upmanby	P.A.	20°
73	1690	Nether Wasdale	P.A.	500°
97	1692	Blindcrake: Moota	P.A.	200°
20	1697	St Cuthbert Without: Blackwell	P.A.	100°
35	1698	Ainstable	P.A.	285
16	1700°	Burgh	P.A.	209
16	1700°	Burgh: Beaumont	P.A.	863
112	1700°	Burgh: Easton & Drumburgh	P.A.	368
110	1700°	Burgh: Fingland	P.A.	84
16	1700°	Burgh: Kirkandrews on Eden	P.A.	518
17	1700°	Burgh: Kirkbampton	P.A.	71
16	1700°	Burgh: Longburgh	P.A.	69
16	1700°	Burgh: Moorhouse	P.A.	298
14	1700°	Burgh: Westlinton	P.A.	297
16	1700°	Burgh: Wormanby	P.A.	36
38	1705°	Kirkoswald: How Moor, Viol Moor	P.A.	280
102	1711	Ireby	P.A.	25°
23	1711	Wetheral: Great Corby	P.A.	150°
21	1720°	Stanwix: Linstock & Crosby	P.A.	150°
97	1724	Blindcrake: Redmain	P.A.	118
101	1726	Bothel	P.A.	34
9	1735	Kirklington Middle: Hethersgill	P.A.	4264
11	1742	Walton	P.A.	1200
78	1743	Egremont: Moor Row	P.A.	88
85	1753	Deanscales	P.A.	25°

109	1755	Holme East Waver: Holme Cultram	P.A.	200°
75	1755	St Bridget Beckermest	P.A.	50°
8	1760	Solport	P.A.	570
6	1761	Nicholforest	P.A.	933
8	1761	Solport	P.A.	390
82	1761	Workington: Harrington & Lowca	P.A.	534
44	1762	Langwathby	P.A.	80
79	1763	Moresby	Act	529
44	1765	Langwathby	P.A.	450
28	1765	Sebergham	Act	2896
82	1768	Distington	Act	1137
79	1768	Whitehaven: Hensingham	Act	562
29	1769	Castle Sowerby	Act	5000
49	1769	Skelton	Act	5000
20	1770	Cummersdale	Act	1350
6	1770	Nicholforest	P.A.	10°
94	1771	Bassenthwaite	Act	3630
102	1774	Ireby: High Ireby	P.A.	10°
43	1775	Culgaith	Act	1587
53	1775	Dacre	Act	1200°
17	1775	Kirkbampton	P.A.	200
44	1777	Langwathby	P.A.	160
24	1778	St Cuthbert Without: Carleton, Brisco & Wreay	Act	1673
103	1781	Bolton	Act	5178
12	1781	Irthington	Act	3500°
77	1783	Egremont	Act	1234
50	1795	Greystoke: Johnby	Act	638
51	1796	Greystoke: Greystoke, Berrier & Hutton Roof	Act	3688
10	1800	Stapleton: Kirkcambeck	Act	1800
22	1800	Warwick: Warwick & Aglionby	P.A.	150°

67	1801	Bootle: Hycemoor	P.A.	460
64	1803	Millom: Haverigg	P.A.	500°
65	1804	Millom: Kirksanton	P.A.	556
70	1806	Waberthwaite	P.A.	267
25	1807	Dalston	Act	2500
19	1808	Beaumont: Grinsdale	P.A.	350
53	1808	Dacre: Dacre & Soulby	Act	1480
61	1808	Nether Wasdale: Wasdale Head	P.A.	10000°
75	1809	St John Beckermest	P.A.	50°
80	1809	Weddicar	P.A.	510
113	1810	Bowness	Act	1500
6	1810	Nicholforest	P.A.	1400
14	1810	Westlinton	P.A.	997
110	1811	Aikton: Whitrigglees	P.A.	196
101	1811	Blennerhasset: Bothel & Torpenhow	Act	2200
96	1811	Bridekirk: Tallentire	P.A.	100°
97	1813	Blindcrake: Moota, Sunderland & Isel	Act	1600
101	1813	Bothel	Act	500
72	1813	Irton	Act	1877
59	1814	Above Derwent: Swinside	P.A.	195
60	1814	Above Derwent: Thornthwaite	Act	1273
4	1814	Bewcastle: Bailey	Act	400
98	1814	Gilcrux	P.A.	100°
75	1814	Haile	Act	900
108	1814	Holme Cultram: Holme Cultram & Skinburness	Act	6000
88	1814	Workington: Stainburn	Act	900
36	1815	Ainstable: Croglin	Act	5570
3	1815	Bewcastle	Act	1500
85	1815	Dean	Act	2300
90	1815	Dean: Eaglesfield	Act	1000
74	1815	Gosforth	Act	3000
15	1815	Rockcliffe	P.A.	1777
58	1815	Underskiddaw: Brundholme	Act	3488
88	1815	Workington: Workington & Winscales	Act	1000

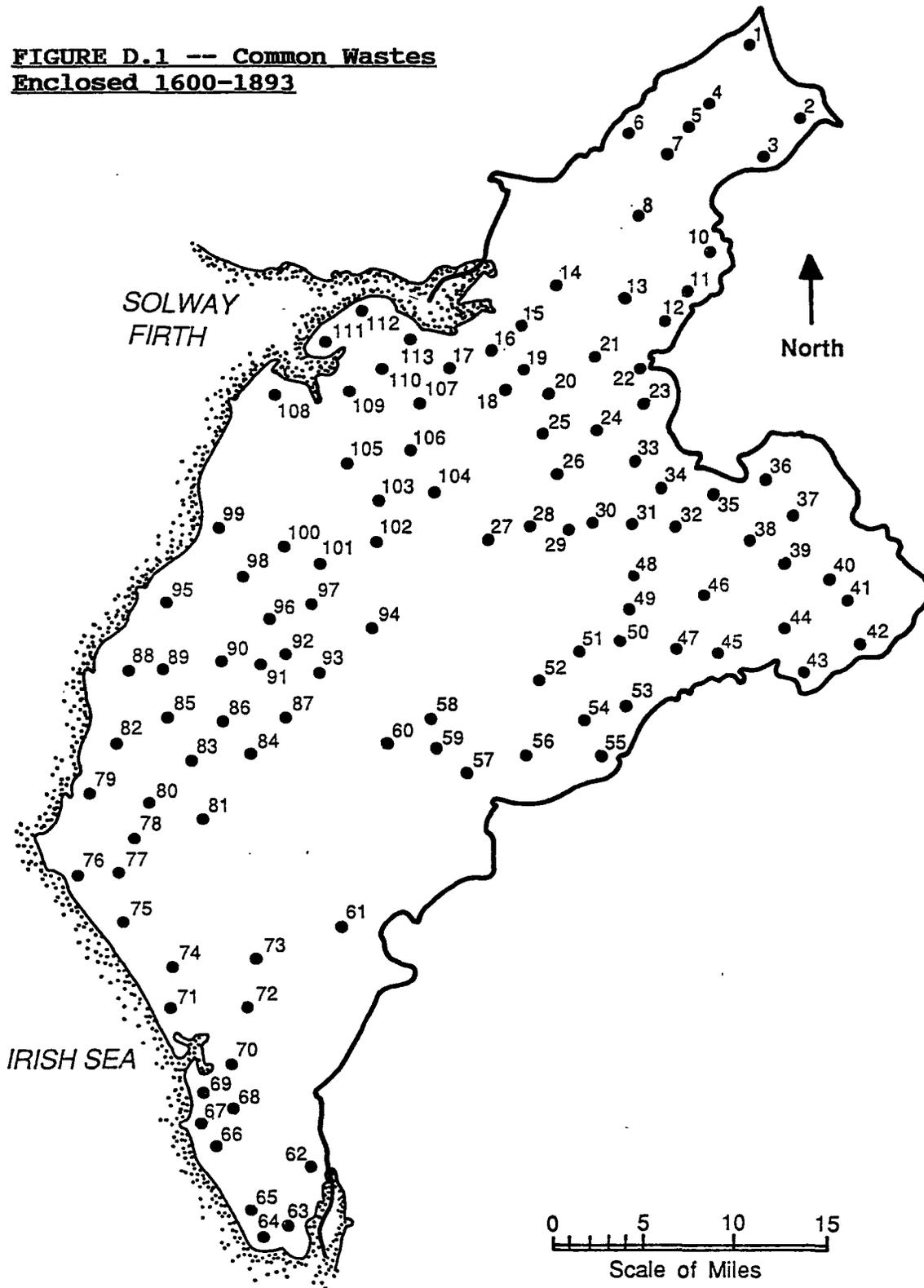
107	1816	Aikton	P.A.	500
112	1816	Bowness: Glasson	Act	400
98	1816	Gilcrux	P.A.	95
102	1816	Ireby: High Ireby	Act	1596
110	1816	Kirkbride	Act	600
38	1816	Kirkoswald	Act	5400
76	1816	St Bees	P.A.	320
75	1816	St John Beckermets: Carleton	Act/P.A.	188
89	1817	Clifton	Act	900
54	1817	Hutton	Act	3435
101	1817	Plumbland: Parsonby & Moota	P.A.	36
8	1817	Solport	P.A.	225
106	1817	Wigton: Wigton, Woodside & Waverton	Act	3205
37	1818	Kirkoswald: Renwick	Act	2500
68	1818	Waberthwaite: Corney	P.A.	77
90	1819	Brigham	Act	500
31	1819	Penrith: Calthwaite & Ivegill	Act	1504
33	1819	Penrith: Cotehill, Armathwaite & Low Hesketh	Act	4028
26	1819	Penrith: Gaitsgill & Raughton	Act	4377
46	1819	Penrith: Great Salkeld & Plumpton	Act	3379
38	1819	Penrith: Lazonby	Act	3749
30	1819	Penrith: Middlesceugh & Braithwaite	Act	339
34	1819	Penrith: Nunclose	Act	2509
45	1819	Penrith: Penrith east & Edenhall	Act	4074
47	1819	Penrith: Penrith west & Catterlen	Act	1078
32	1819	Penrith: Petteril Green	Act	618
48	1819	Penrith: Skelton & Morton	Act	709
23	1819	Penrith: Wetheral & Cumwhinton	Act	547
107	1819	Thursby: Parton & Micklethwaite	P.A.	75
99	1820	Allonby	Act	490
80	1820	Arlecdon: Frizington	Act	610
1	1820	Bewcastle: Blacklyne	Act	3500
35	1821	Ainstable	Act	2000
106	1822	Dundraw	Act	600
104	1822	Westward	Act	7246
83	1823	Arlecdon: Kelton, Arlecdon & Winder	Act	10000
92	1824	Embleton: Embleton & Setmurthy	Act	3150
63	1824	Millom	P.A.	254
62	1824	Millom: Arnaby	Act	1500

110	1825	Aikton: Laythes	P.A.	130
100	1825	Aspatria	Act	4300
78	1825	Cleator	Act	1000
86	1826	Blindbothel	Act	817
90	1826	Greysouthen	Act	500
88	1826	Maryport: Seaton & Flimby	Act	975 ^e
110	1827	Aikton: Wampool	P.A.	67
95	1827	Dearham	Act	480
71	1828	Drigg	Act	1500
90	1829	Broughton	Act	1070
59	1829	Crosthwaite	P.A.	118
88	1830	Camerton	Act	425
93	1830	Wythop	Act	1292
44	1831	Great Salkeld	P.A.	150
91	1832	Cockermouth	Act	1500
5	1835	Bewcastle: Arthur Seat	P.A.	400
96	1835	Bridekirk	P.A.	30
87	1835	Lorton	Act	3867
55	1835	Matterdale: Watermillock	Act	4591
106	1835	Woodside: Oulton	Act	1527
27	1839	Caldbeck	P.A.	73
111	1842	Bowness: Anthorn	Act	2000
96	1842	Bridekirk: Dovenby & Papcastle	Act	262
16	1842	Burgh: Moorhouse	P.A.	50
60	1843	Above Derwent	Act	53
60	1843	Above Derwent	Act	18
13	1843	Scaleby	Act	62
74	1845	Gosforth	P.A.	10 ^e
7	1845	Solport: Wakey Hill	P.A.	340
105	1848	Bromfield: Blencogo	P.A.	400
16	1848	Burgh	Act	1655
2	1849	Bewcastle: Greyfell	Act	3112
44	1849	Hunsonby: Little Salkeld	Act	1400
95	1849	Maryport: Ellenborough	Act	103
57	1849	St Johns Castlerigg	Act	7094

110	1850	Bowness: Whitrigg	Act	18
44	1850	Langwathby	Act	494
109	1851	Holme East Waver	Act	300
79	1851	Whitehaven: Harras Moor	Act	160
95	1853	Crosscanonby: Crosby & Birkby	Act	127
74	1853	Ponsonby	Act	96
13	1853	Scaleby	Act	200
20	1854	St Cuthbert Without: Wragmire	Act	104
74	1855	Ponsonby	Act	54
107	1856	Aikton: Gamelsby & Biglands	Act	166
16	1857	Beaumont: Kirkandrews on Eden	Act	140
66	1857	Bootle	Act	1113
42	1857	Culgaith: Kirkland	Act	264
41	1858	Culgaith: Skirwith	Act	691
40	1858	Ousby: Melmerby	Act	1336
75	1859	Lowside Quarter: Snellings	Act	25°
40	1860	Glassonby: Gamblesby	Act	1480
83	1862	Lamplugh	Act	1455
41	1863	Ousby	Act	1670
38	1864	Kirkoswald	Act	2525
84	1865	Loweswater	Act	5871
42	1866	Culgaith: Kirkland	Act	936
86	1867	Blindbothel: Mosser	Act	464
39	1867	Glassonby	Act	1480
40	1868	Glassonby: Gamblesby	Act	1720
69	1870	Bootle: Eskmeals	Act	955
81	1872	Ennerdale	Act	7637
106	1874	Waverton: Lessonhall	Act	267
37	1876	Kirkoswald: Haresceugh	Act	2470
18	1878	Orton: Little Orton	P.A.	10

56	1882	Matterdale	Act	5300
112	1890	Bowness: Drumburgh	Act	300
52	1893	Mungrisdale	Act	508

**FIGURE D.1 -- Common Wastes
Enclosed 1600-1893**



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