

ASPECTS OF PARLIAMENTARY ENCLOSURE IN NOTTINGHAMSHIRE

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by

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Margery Ellen Brown

Aspects of Parliamentary Enclosure in Nottinghamshire

This study of Nottinghamshire parliamentary enclosure is concerned chiefly with the practical administration of enclosure and its social consequences rather than with post-enclosure agrarian improvements. The considerable diversity to be found within the parliamentary process has been stressed, especially with regard to the regulation of the physical enclosure of land. All the acts and awards for Nottinghamshire rural parishes have been examined, and the majority of the awards analysed to illustrate the varied distribution of land. The chronology and density of parliamentary enclosure in this county have also been determined, but doubts are cast upon the feasibility of relating the dates of acts to contemporary economic developments.

A survey of opposition to local enclosure has been undertaken, and attention has been given to the possibility of enclosure-related employment and the probable condition of the landless labourer or small owner. In addition, the accounts of overseers' of the poor have been examined in an attempt to clarify the relationship between enclosure and increased expenditure upon the poor. Results from this investigation are inconclusive, but receipts from standard poor-rate levies have revealed both the increased value of property at enclosure and the fact that such enhanced valuation could be effective at an early stage of the process.

Finally, the costs of a sample of Nottinghamshire enclosures have been estimated, and although local evidence would appear to suggest that basic fencing materials were cheaper than has sometimes been supposed, it is concluded that general enclosure expenses have probably been underestimated. Attention has also been drawn to the large allotments which were awarded in many parishes as compensation for tithe. This diminution of the amount of land available for general allocation is regarded as a further expense of enclosure for those proprietors whose acreage was thereby reduced.

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Abbreviations

a.	acre
<i>Ag. Hist. Rev.</i>	<i>Agricultural History Review</i>
dr.	dram
<i>Ec. Hist. Rev.</i>	<i>Economic History Review</i>
N.A.O.	Nottinghamshire Archives Office
oz.	ounce
p.	perch
r.	rood
<i>Trans. Thor. Soc.</i>	<i>Transactions of the Thoroton Society of Nottinghamshire</i>
N.U.L.	University of Nottingham, Manuscripts Department

Chapter One

Introduction

The enclosure of land has probably always provoked contemporary comment since the day a fence was first erected around a primitive farmer's home close, until the planting of the last hedge under the auspices of a General Act in the early years of the twentieth century, or even later. That the topic sustains its attraction for modern scholars, especially enclosure authorised by parliamentary act, is evident from the number of dissertations upon the subject which continue to be produced.¹ Counties of the midland region have been particularly fortunate in the amount of attention given to this phase of their history. Nottinghamshire, however, has escaped such notice and the present study has been undertaken in an attempt to rectify this omission.

An examination of parliamentary enclosure in Nottinghamshire would seem to be overdue as the most comprehensive analysis of the subject was published by J.D.Chambers some sixty years ago.² Subsequent accounts have been confined to descriptions detailing the mechanics of

¹ Unpublished theses include H.G.Hunt, 'The parliamentary enclosure movement in Leicestershire' (University of London, 1956); B.Loughborough, 'Some geographical aspects of the enclosure of the Vale of Pickering in the eighteenth and nineteenth centuries' (University of Hull, 1960); J.M.Martin, 'Warwickshire and the parliamentary enclosure movement' (University of Birmingham, 1965); J.A.Yelling, 'Open field, enclosure and farm production in East Worcestershire 1540-1870 (University of Birmingham, 1966); M.E.Turner, 'Some social and economic considerations of parliamentary enclosure in Buckinghamshire 1738-1865' (University of Sheffield, 1973); J.M.Neeson, 'Common right and enclosure in eighteenth-century Northamptonshire' (University of Warwick, 1977); J.E.Crowther, 'Parliamentary enclosure in Eastern Yorkshire 1725-1860' (University of Hull, 1983). Abstracts from most of these have appeared in historical journals together with such related papers as D.R.Mills, 'Enclosure in Kesteven', *Ag. Hist. Rev.*, VIII (1959); M.A.Havinden, 'Agricultural progress in open-field Oxfordshire', *Ag. Hist. Rev.*, IX (1961); S.A.Johnson, 'Enclosure and changing agricultural landscapes in Lindsey', *Ag. Hist. Rev.*, XI (1963).

² J.D.Chambers, *Nottinghamshire in the Eighteenth Century* (1932).

enclosing individual parishes, or are part of more substantial studies which explore the rôle of enclosure as a feature in the management of large estates, or as concomitant to agricultural developments.¹ For two places the late survival of open fields, rather than their enclosure, has attracted special interest. Political and social issues associated with the delay in enclosing Nottingham's fields have long exercised urban historians, while the continuing existence of a residual open-field system at Laxton has ensured that this has become the most thoroughly investigated of all our parishes.²

Given this dearth of more recent enclosure studies covering the entire county, scholars are constrained to use J.D.Chambers' 1932 evaluation when examining Nottinghamshire within a national or regional context. One would not wish to imply that Chambers' conclusions were in any way unsound, but his investigations must have

¹ Perfunctory accounts of enclosure appear in numerous parish histories but more detailed examinations may be found in W.Smith, *The Enclosure of Norwell* (Retford, 1968); A.C.Pickersgill (ed.), *Carlton-in-Lindrick 1760-1914* (Nottingham, 1980); P.Priestland (ed.), *Radcliffe-on-Trent 1710-1837* (Nottingham, 1984); J.Wood, *Cotgrave, Aspects of Life in the Seventeenth and Eighteenth Centuries* (Nottingham, 1987); P.Lyth (ed.), *Farms and Fields of Southwell* (2nd. edn., Nottingham 1991). Examples of enclosure policy on local estates will be found in G.E.Mingay, *English landed Society in the Eighteenth Century* (1963); J.L.Purdum, 'Profitability and timing of parliamentary land enclosures', *Exploration in Economic History*, XV (1978); S.Aley, 'The Nottinghamshire landowners and their estates c.1660-1840' (unpublished Ph.D. thesis, University of Nottingham, 1985). The agrarian aspect of enclosure is addressed in D.V.Fowkes, 'The progress of agrarian change in Nottinghamshire c.1720-1830' (unpublished Ph.D. thesis, University of Liverpool, 1971), and A.C.Pickersgill, 'The agricultural revolution in Bassetlaw, Nottinghamshire' (unpublished Ph.D. thesis, University of Nottingham, 1979).

² J.D.Chambers, *Modern Nottingham in the Making* (1945); W.G.Hoskins, *The Making of the English Landscape* (1955); R.A.Church, *Economic and Social Change in a Midland Town, Victorian Nottingham 1815-1900* (1966); M.I.Thomis, 'The politics of Nottingham enclosure', *Trans. Thor. Soc.*, LXXI (1967), pp.90-96. Important studies of Laxton's fields include C.S.Orwin & C.S.Orwin, *The Open Fields* (Oxford, 1938); J.D.Chambers, *Laxton: The Last English Open-Field Village* (1964); and the latest and most substantial examination of the subject - J.V.Beckett, *A History of Laxton: England's Last Open-Field Village* (Oxford, 1989).

been circumscribed by the limited amount of material available in the 1920s and early-1930s. However, in this respect he did have one great advantage over his contemporaries. W.E. Tate had just completed a prolonged search for local enclosure records at the time, during which he had traced the whereabouts of nearly all the awards for the county. Tate compiled a parish-by-parish survey of Nottinghamshire enclosures which was probably almost unique for any county at that period, and which enabled Chambers to produce a much more thorough dissertation upon the subject than would otherwise have been possible. This calendar of enclosures was printed as an appendix to *Nottinghamshire in the Eighteenth Century* and a revised and expanded version published later by the Thoroton Society.¹ Even so, notwithstanding Tate's co-operation, Chambers would have been restricted in his research by the dispersed nature of the records, and by the amount of time which he could devote to a subject which formed only part of his exposition of eighteenth-century Nottinghamshire.

The establishment, or expansion, of county record repositories since the Second World War has enabled scholars to make detailed analyses of the impact of parliamentary enclosure upon individual counties, or smaller geographical units, in contrast to the broad summaries of the process produced by earlier historians.² Several important publications of the latter type appeared during the late nineteenth and early twentieth centuries, possibly in response to the agricultural depression of the period which may have revived

¹ W.E. Tate, *Parliamentary land enclosures in Nottinghamshire 1743-1863*, Thoroton Society Record Series, V (1935).

² Details have been published for every parish enclosed by parliamentary means in the old Lindsey division of Lincolnshire - E. & R.C. Russell, *Landscape Changes in South Humberside: The Enclosures of Thirty-seven Parishes* (Hull, 1982); *Making New Landscapes in Lincolnshire: The Enclosures of Thirty-four Parishes in Mid-Lindsey* (Lincoln, 1983); *Old and New Landscapes in the Horncastle Area* (Lincoln, 1985).

historians' interest in rural questions. Prominent amongst these were studies by T.E.Scrutton, who approached enclosure from the legal angle, and G.Slater, W.Hasbach, E.C.K.Gonner and W.H.R.Curtler, all of whom were concerned chiefly with its social implications.¹ However, the most influential account of the effects of parliamentary enclosure upon the poorer members of the rural community was undoubtedly that presented by J.L. and B.Hammond in *The Village Labourer*, which was first published in 1911 and is still surrounded by controversy.²

These authors drew upon local examples to some extent, but they tended to assume that enclosure would have been followed by similar consequences wherever it was carried out; an assumption which has been proved untenable by more recent historians. As we have noted, since the 1950s, the increased availability of comparable enclosure records for specific localities has enabled comprehensive examinations of separate counties and smaller districts to be undertaken. Naturally, as the subject can be approached from a variety of viewpoints - social, demographic, agrarian, political or legal - the special interests of each scholar is reflected in the prominence placed upon different aspects of enclosure in each study. Also, the survival rate of certain types of record is higher in some counties than in others; for instance, it will be found that Nottinghamshire is particularly deficient in accounts of expenses. Nevertheless, although the topical emphasis may vary, a similarity will usually be found in the types of

¹ T.E.Scrutton, *Commons and Common Fields* (Cambridge, 1887); G.Slater, *The English Peasantry and the Enclosure of the Common Fields* (1907); W.Hasbach, *The History of the English Agricultural Labourer* (1908); A.H.Johnson, *The Disappearance of the Small Landowner* (Oxford, 1909); E.C.K.Gonner, *Common Land and Enclosure* (1912); W.H.R.Curtler, *The Enclosure and Redistribution of Our Land* (Oxford, 1920).

² J.L. & B.Hammond, *The Village Labourer 1760-1832* (1911). The most recent review of enclosure sympathetic to the Hammonds' school of thought may be found in K.D.M.Snell, *Annals of the Labouring Poor* (Cambridge, 1985).

material investigated, and in a general uniformity of presentation of the findings. This compatibility of approach has resulted in a much clearer understanding than was previously possible of the diversity which could exist from place to place, both in the formal proceedings of enclosure and in its sequel.

It is appreciated that a county is, in some respects, unsatisfactory as a unit upon which to base a study of any agrarian topic. Many county boundaries were formed without reference to natural physical features, are usually irrelevant to agricultural land-use within a region, and often encompass a microcosm of farming practices allied to those of a much wider area. As early as the 1770s Arthur Young ignored such boundaries when investigating the state of farming in England and, a little later, William Marshall criticised members of the Board of Agriculture for adherence to the county as a basis for their series of *General Views of Agriculture*. He proceeded to abstract the Board's reports and to condense them into six volumes, divided in accordance with soil types and agricultural regions.¹ More recently, criticism of the county approach to agrarian studies has again been voiced by F.M.L.Thompson in a review article, and a plea has been made by M.E.Turner for the examination of enclosure to be conducted within soil-type regions, rather than counties.²

Even so, Turner accepted that it is only by the detailed examination of parliamentary enclosure in specific counties that enough essential information will be assembled to enable reliable

¹ W.Marshall, *Review and Abstract of the County Reports to the Board of Agriculture; Northern Department, Western Department, Midland Department, Eastern Department, Southern Department and Peninsular and Southwestern Department*, 6 Vols. (York, 1808-1817).

² F.M.L.Thompson, reviewing P.J.Perry, *British Farming in the Great Depression, 1870-1914* (Newton Abbot, 1974) in *Ag. Hist. Rev.* XXV (1977), p.67-68; M.E.Turner, *English Parliamentary Enclosure* (Folkestone, 1980), pp.20-22 & 172.

assessments to be made on a wider scale. The value of such local post-war studies may be judged from the number of comparative explorations of individual themes (itemised in subsequent chapters) which have resulted from the availability of similar data for different counties. More general accounts of enclosure have also benefited, notably those of W.E.Tate, J.E.Yelling and M.E.Turner, in which the results of the authors', and others', research have been incorporated.¹ However, the detailed investigation of parliamentary enclosure for the whole of England is far from complete, there is still room for further work at the local level and no excuse is proffered for yet another county study.

Here, the plan adopted and the topics investigated are similar to those of other researchers in the field, and the aim is to provide a general survey of the incidence and extent of parliamentary enclosure within Nottinghamshire comparable with those which have been completed for other counties. To this end, the process is examined in detail within a restricted area rather than related to broad themes covering the whole country. The geographical area under consideration is the historic county of Nottinghamshire: an area of some 540,000 acres of land of which almost 186,000 acres, rather more than thirty-four per cent, were enclosed as a result of one hundred and fifty-two parliamentary acts obtained between 1759 and 1868. The location of all places which received a mention in the county's enclosure acts has been plotted in Figure 1:2, and these are the enclosures with which we are chiefly concerned, although an attempt has been made to establish the dates of non-parliamentary enclosures.

¹ W.E.Tate, *The English Village Community and the Enclosure Movements* (1967); J.A.Yelling, *Common Field and Enclosure in England 1450-1850* (1977); M.E.Turner, *English Parliamentary Enclosure* (Folkestone, 1980).

Most research is, to a certain extent, source-driven, and the present work is no exception. However, acts and awards provide an unusually complete corpus of information which covers the whole parliamentary enclosure period and furnishes a basic framework to which the less comprehensive, or more ephemeral records, can be related. To this end, an examination has been made of all the Nottinghamshire enclosure acts and awards, together with commissioners' minute books, solicitors' papers, overseers of the poor accounts, Parliamentary Reports, issues of the County newspaper published between 1752 and 1820 and other relevant documents. The collection of estate records held by the University of Nottingham Manuscripts Department has also been consulted. Unfortunately, as these records seldom relate to a whole parish they are less valuable for a general study of this type than for the more specialised investigations into estate economics and management, or rents and tenure, for which they have been used extensively by such scholars as G.E.Mingay, D.V.Fowkes, J.L.Purdum, S.Aley and A.C.Pickersgill.

One major class of documents, the land tax, has not been used to any extent in this study, notwithstanding that a great deal of effort has been expended by scholars in relating these returns to the distribution of land and the numbers of small owners.¹ It is obvious from the ongoing land-tax debate (considered more fully below) that intrinsic difficulties in the interpretation of this source have yet to be resolved, and any cursory examination possible here would

¹ A.H.Johnson, *The Disappearance of the Small Landowner* (Oxford, 1909); H.L.Gray, 'Yeoman farming in Oxfordshire from the sixteenth century to the nineteenth', *Quarterly Journal of Economics*, XXIV (1910); E.Davies, 'The small landowner, 1780-1832, in the light of the land tax assessments', *Econ. Hist. Rev.*, 1 (1927); J.D.Chambers, 'Enclosure and the small landowner', *Econ. Hist. Rev.* X (1940); J.D.Chambers, 'Enclosure and labour supply in the Industrial Revolution', *Econ. Hist. Rev.*, V (1953); H.G.Hunt, 'Landownership and enclosure, 1750-1830', *Econ. Hist. Rev.*, XI (1957-59).

probably be of little value. These comments are not intended to negate the importance of studies in which analyses of land tax returns in conjunction with enclosure awards have been useful in providing evidence not so much of the disappearance of small holdings but of a general change in their ownership.¹ Yet, in the absence of detailed information about each person involved in such transactions and the use to which the land was put after enclosure, it is impossible to determine whether these remained genuine small holdings or had been acquired, possibly for building upon, by more substantial owners.

Returning to the area under review, Nottinghamshire, in common with most other counties, has been affected by boundary changes which have taken place from time to time, and which have resulted in the loss, or gain, of territory. In fact, M.E.Turner noted that Bartholomew's *Survey Atlas of England and Wales* (1903), gave three estimated areas for each county.² Fortunately, modifications appear to have been minor in this county during the period under investigation, and the parishes depicted on the late nineteenth-century map (Figure 1:1) are substantially those accepted as lying within Nottinghamshire in the eighteenth century. Some uncertainty existed in the northernmost tip of the county where Misson was described in its enclosure act as being in Nottinghamshire and/or Lincolnshire. Also, Finningley, which shared an act with two Yorkshire parishes, was thought to have been partly in that county, but for the purposes of the present study both Misson and Finningley have been regarded as lying entirely within Nottinghamshire.

¹ J.M.Martin, 'The small landowner and parliamentary enclosure in Warwickshire', *Econ. Hist. Rev.*, XXII (1971); M.E.Turner, 'Parliamentary enclosure and landownership change in Buckinghamshire', *Econ. Hist. Rev.*, XXVII (1975).

² M.E.Turner, *Parliamentary Enclosure in England* (Folkestone, 1980), p.29.

Figure 1:1

NOTTINGHAMSHIRE

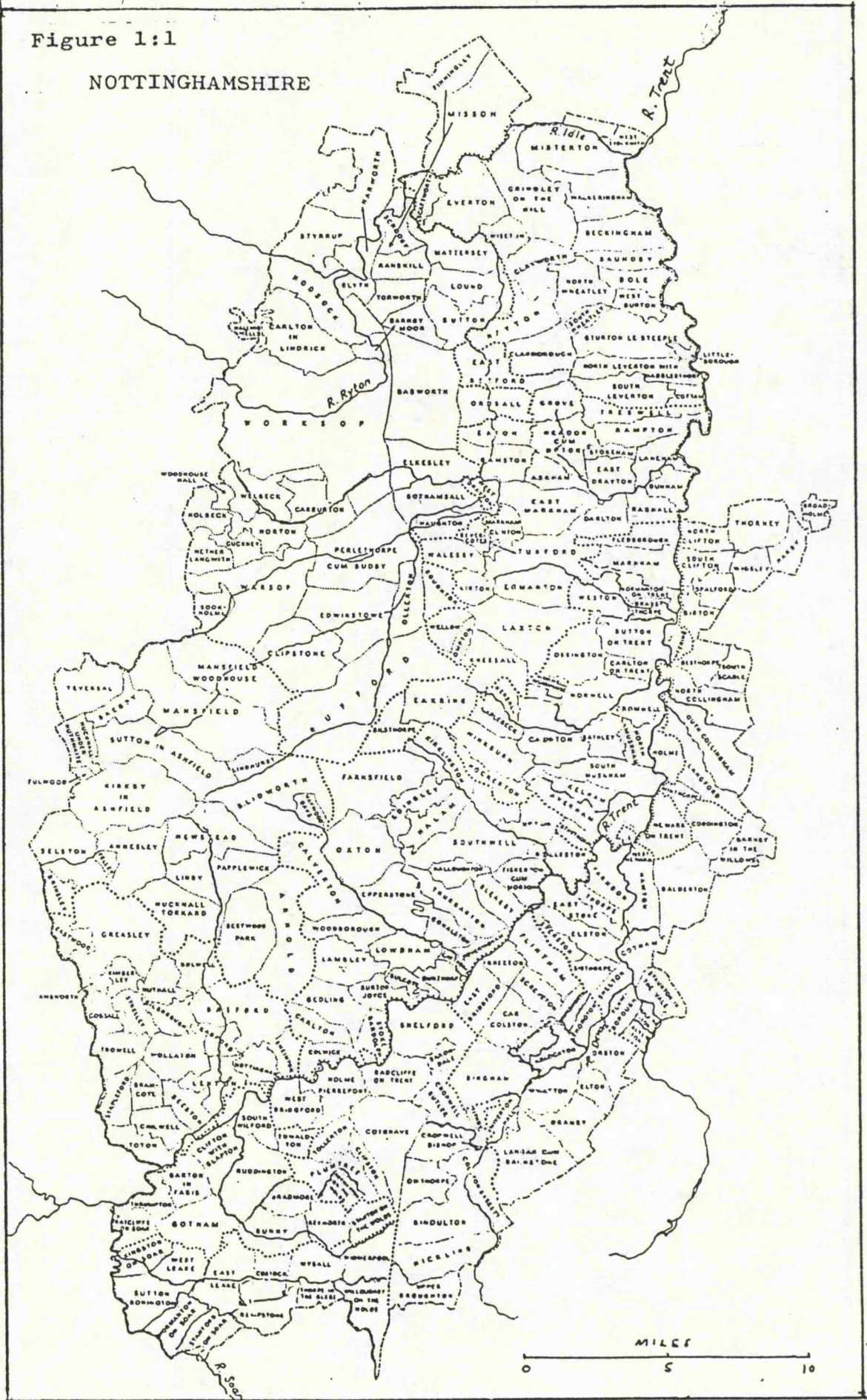
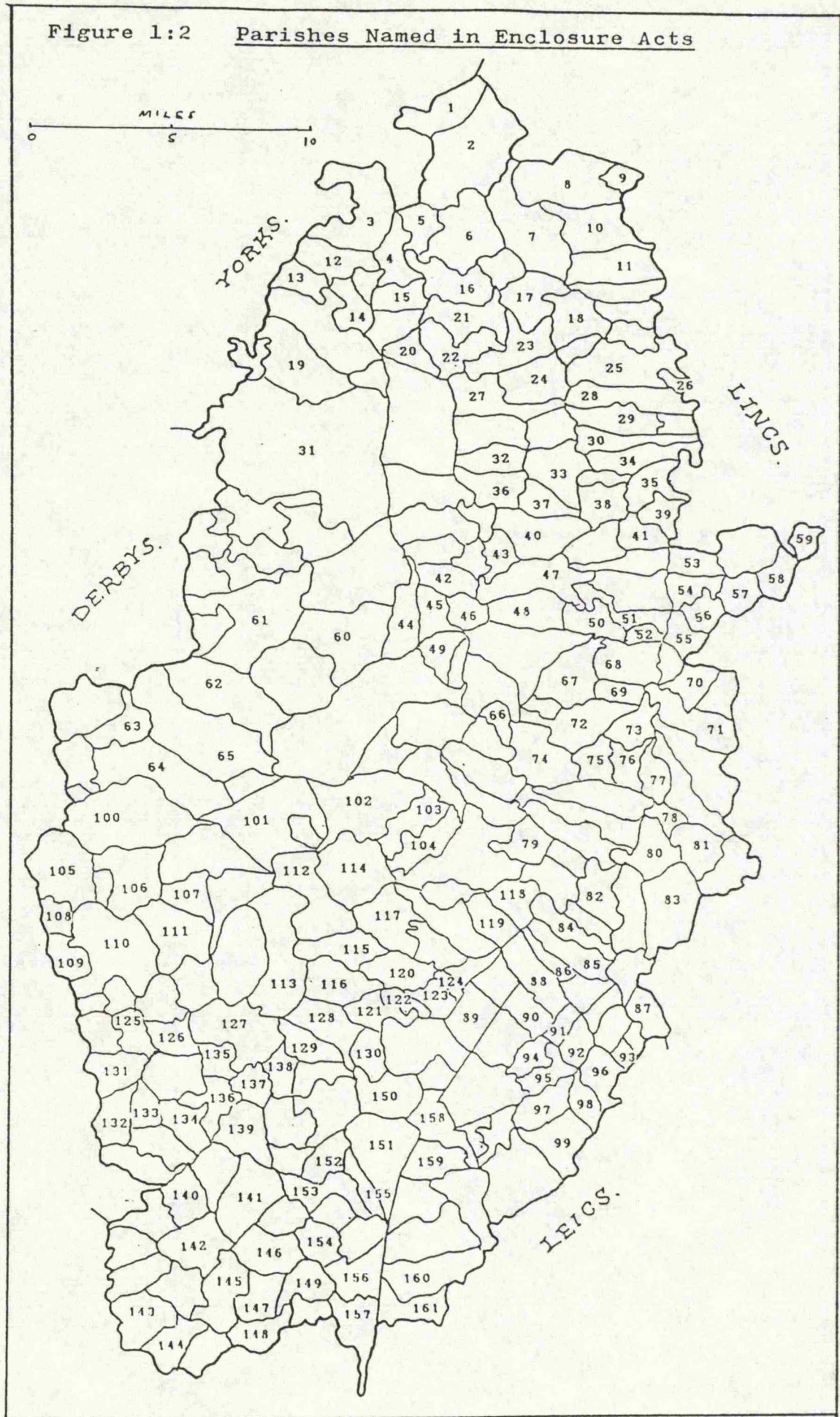


Figure 1:2 Key Parishes Named in Enclosure Acts

Parish	Map No.	Parish	Map No.	Parish	Map No.
ALVERTON	93	FARNSFIELD	102	OXTON	114
ANNESLEY	106	FINNINGLEY	1	PLUMTREE	153
ARNOLD	113	FISKERTON	118	RADCLIFFE-on-	150
ASKHAM	37	FLINTHAM	88	TRENT	
ASLOCKTON	95	GAMSTON	36	RADFORD	135
BALDERTON	83	GEDLING	128	RAGNALL	41
BARNBY MOOR	20	GIRTON	55	RAMPTON	34
BARTON-in-FABIS	140	GOTHAM	142	RANSKILL	15
BASFORD	127	GRANBY	99	REMPSTONE	148
BATHLEY	75	GRASSHORPE	52	RUDDINGTON	141
BECKINGHAM	11	GREASLEY	110	SCAFTWORTH	5
BEESTON	134	GRINGLEY-on-	7	SCARRINGTON	94
BESTHORPE	70	the-HILL		SCREVEYTON	90
BILBOROUGH	126	GUNTHORPE	123	SCROOBY	4
BLEASBY	119	HALAM	104	SELSTON	105
BLIDWORTH	101	HARBY	58	SKEGBY	63
BLYTH	14	HARWORTH	3	SNEINTON	138
BOUGHTON	45	HAWKSWORTH	91	SOUTH CLIFTON	54
BRAMCOTE	133	HAYTON	23	SOUTH LEVERTON	29
BRINSLEY	108	HEADON-cum-UPTON	33	SPALFORD	56
BROADHOLME	59	HICKLING	160	STAPLEFORD	132
BULCOTE	122	HOLME	77	STAUNTON	87
BUNNY	146	HUCKNALL TORKARD	111	STOKE BARDOLPH	130
BURTON JOYCE	121	KERSALL	66	STRELLEY	125
CALVERTON	112	KEYWORTH	154	STURTON-le-	25
CARLTON	129	KIRKBY-in-	100	STEEPLE	
CARLTON-in-	19	ASHFIELD		STYRRUP	12
LINDRICK		KIRTON	46	SUTTON-cum-LOUND	22
CARLTON-on-TRENT	69	LAMBLEY	116	SUTTON-BONINGTON	143
CAUNTON	74	LANEHAM	35	SUTTON-in-	64
CAYTHORPE	124	LENTON	136	ASHFIELD	
CLARBOROUGH	24	LINBY	107	SUTTON-on-TRENT	68
CLAYWORTH	17	LITTLEBOROUGH	26	SYERSTON	86
CLIPSTON	155	LOUND	21	THOROTON	92
CODDINGTON	81	LOWDHAM	120	TOLLERTON	152
COTGRAVE	151	MANSFIELD	65	TRESWELL	30
COSTOCK	147	MANSFIELD-	62	TROWELL	131
CROMWELL	73	WOODHOUSE		TUXFORD	47
CROPWELL BISHOP	159	MATTERSEY	16	UPPER BROUGHTON	161
CROPWELL BUTLER	158	MISSON	2	UPTON	79
DUNHAM	39	MISTERTON	8	WALESBY	42
EAST BRIDGFORD	89	NEWARK	80	WALKERINGHAM	10
EAST DRAYTON	38	NORMANTON-on-SOAR	144	WARSOP	61
EAST LEAKE	145	NORMANTON-on-	51	WELLOW	49
EAST MARKHAM	40	TRENT		WESTON	50
EAST RETFORD	27	NORTH CLIFTON	53	WEST MARKHAM	43
EAST STOKE	84	NORTH COLLINGHAM	71	WEST STOCKWITH	9
EASTWOOD	109	NORTH LEVERTON	28	WHATTON	97
EATON	32	NORTH MUSKHAM	76	WIDMERPOOL	156
EDINGLEY	103	NORTH WHEATLEY	18	WIGSLEY	57
EDWINSTOWE	60	NORWELL	72	WILFORD	139
EGMANTON	48	NOTTINGHAM	137	WILLOUGHBY-on-	157
ELSTON	85	OLDCOTES	13	the-WOLDS	
ELTON	98	OLLERTON	44	WINTHORPE	78
EPPERSTONE	117	ORSTON	96	WOODBOROUGH	115
EVERTON	6	OSSINGTON	67	WORKSOP	31
FARNDON	82			WYSALL	149

Figure 1:2 Parishes Named in Enclosure Acts



It should be noted that throughout this study the word 'parish' is used to denote any parish, township, hamlet, village, tithing, chapelry etc. for which discrete enclosure records exist. This follows the usage outlined and justified in the General Inclosure Act of 1836 (6 & 7 W.IV, c.115). Nevertheless, accurate definition of parish area presents a more serious problem than that of the county because total acreages stated in acts and awards are often no more than vague estimates. Indeed, until the Ordnance Survey Department instituted its surveys in the nineteenth century, there was no universal method for determining such acreages. For instance, some surveyors may have included areas of water in their calculations, others might only have measured land. A further difficulty arises when a boundary was vague - usually where an area of commonable wasteland was shared by two or more parishes. In such cases there would probably have been no necessity to define individual parish limits on this land until an enclosure scheme brought it into private ownership, and we shall find (Chapter 5) that parish boundaries were the cause of the majority of Nottinghamshire's recorded enclosure disputes. Also, many acts authorised enclosure commissioners to straighten and shorten parish boundaries in order to reduce the length of fencing required, and for convenience in dividing the land into viable allotments.

Under these circumstances the only uniform figures available are those supplied by the Ordnance Survey Department, and these are most readily accessible in the relevant volumes of the *Victoria County History*. Such acreages for Nottinghamshire parishes have been employed throughout the present study when calculating the proportion of parish land subject to enclosure. Obviously, this is not an entirely satisfactory solution to the problems outlined above; the Ordnance Survey figures are anachronistic for eighteenth and early nineteenth-century parishes, some of which, by the time of the survey, had been

amalgamated, or separated, under later local-government reorganisation. In the absence of other reliable sources these acreages must serve, but it follows that, although the actual areas of enclosure cited may be accepted as reasonably correct, detailed parish percentages in some places might be only a fair approximation. This problem diminishes when the concentration of enclosure is depicted in broad bands (Figure 4:5), where any minor differences which might exist between total acreages at the time of enclosure and those of the later survey would probably be absorbed.

Having accepted these limitations to the reliability of some of the statistics, let us turn to a consideration of the documents used in this study and their availability. Few difficulties are encountered in the location of enclosure acts because multiple copies of these were usually printed and it was common for them to be distributed to all the principal persons involved in an enclosure. Quite often, several copies of the same act will be found in the county record office, while local libraries sometimes have bound volumes of miscellaneous enclosure, turnpike and canal acts. These collections generally date from the same period and originate with solicitors who had acted as clerks to the commissioners of the various schemes. Preambles to awards can also be useful where an act is not readily available, as these sometimes contain a repetition of the act, or of its main clauses. Indeed, this was one of the practices criticised as contributing to the general cost of enclosure (Chapter 7).

The discovery of awards may pose more problems, although, since the publication of the *Domesday of English Enclosure Acts and Awards* the historian's task has been made much easier.¹ Indeed, it is ironic that, in 1978 (the year of publication of the *Domesday*) J.Chapman

¹ M.E.Turner (ed.), W.E.Tate, *A Domesday of English Enclosure Acts and Awards* (Reading, 1978).

could write 'Any attempt to produce a comprehensive picture of, for example, a county involves the initial practical problem of discovering the whereabouts of all the awards, for no unified system exists for their preservation.'¹ Perhaps Dr Chapman was unfortunate in the areas he chose to investigate (Monmouthshire and West Sussex) as W.E.Tate had published lists of acts and awards for twenty-seven counties, including Sussex, by 1951. If those which he prepared for the other twenty-six counties bore any resemblance to his catalogue for Nottinghamshire, few awards had not been traced by that date. The location of only sixteen of this county's awards was unknown in 1932, all of which had come to light in one form or another by the time the *Domesday* was compiled, and, from a glance through the pages of that publication, very few awards would appear to be unavailable in other counties.

Of course, some of those listed are copies, but, considering that the Local Government Act of 1894 (56 & 57 Vic. c.73) authorised parish councils to take custody of enclosure awards, it is remarkable that so many of the originals have survived. County councils were supposed to ensure that local records were properly preserved, yet their welfare often depended upon the degree of interest shown by the incumbent, churchwardens or parish clerk. Documents might be stored in the parish chest, in the vestry or belfry of the church or in the house of one of the parish officials, and, unless a county council took its responsibilities seriously, dilapidations or loss could occur. Because enclosure awards continue to provide legal evidence for the course of roads and rights of way, and for the ownership of boundary fences,

¹ J.Chapman, 'Some problems in the interpretation of enclosure awards', *Ag. Hist. Rev.*, XXVI (1978), p.108.

they were probably less likely to disappear than some other local records, but the state of their conservation has not always been of particular concern within the parish.

For students of enclosure in Nottinghamshire, therefore, it was providential that a pre-war Clerk of the Peace not only enquired into the safe-keeping of the awards, but offered each parish authority a large, bound, typewritten copy in exchange for the original. Many parish councils accepted this offer, probably because awards tended to be written on rolls of large sheets of parchment which were awkward to store and sometimes difficult to decipher. These originals were then deposited in the Clerk's office and eventually became the foundation of the Archives Office collection of enclosure records. Latterly, renewed concern with the preservation of historical documents has resulted in the majority of the typed parish copies also finding their way to the Archives Office. The location of only fifteen original Nottinghamshire awards is not stated in the *Domesday of English Enclosure Acts and Awards* and five of these were made under General Enclosure Acts from 1845 onwards. Most of the other original awards have been deposited in the County Archives Office as have the enrolled copies and the typed parish copies, so at least one award is available for all this county's enclosures and for many there are two or three, but Nottinghamshire may be particularly fortunate in this respect.

In contrast to the generally high level of preservation of acts and awards, the survival of other enclosure records is much more arbitrary as there was no obligation for commissioners or solicitors to preserve their working papers after the award had been enrolled. However, many more commissioners' minute books exist than was previously thought and there is no reason to suppose that further examples of these and other relevant documents will not be found.

Only two local minute books were discovered by W.E.Tate in the 1930s but the Nottinghamshire Archives Office now has about twenty, and, according to a list recently compiled by M.E.Turner and T.Wray, two more are held in repositories outside the county.¹ This latter survey lists only six minute books in the keeping of the Nottinghamshire Archives Office, but the two books recorded as being in Nottingham City Library and the one at Reading University Library have been transferred to this office, and, as noted above, several more have also been discovered.

In fact, commissioners' minute books are not always of great interest if they merely record the dates of meetings, give the names of commissioners attending and state that they 'proceeded further with the execution of the act'. The correspondence and notes of commissioners' clerks are usually more rewarding because the clerk was frequently involved throughout an enclosure, from before the first public meeting was held until after the award was signed. These records are particularly useful where they reveal disputes or manoeuvres behind the scenes which were never registered in the official enclosure minutes. Private papers are often equally valuable in this respect, especially if a landowner was negotiating some kind of concession in exchange for his consent to the enclosure bill. Private maps or surveys can also provide a clue to the date at which a principal landowner was contemplating enclosure. Unfortunately, such records tend to be submerged in miscellaneous collections emanating from the same person or family, and the complete examination of an

¹ W.E.Tate, 'A Nottinghamshire enclosure commissioner's minute book', *Trans. Thor. Soc.* XLI (1937), p.83. M.E.Turner & T.Wray, 'A survey of sources for parliamentary enclosure: the *House of Commons Journal* and commissioners' working papers', *Archives*, XIX (1991), p.278.

archive is often too time-consuming to be embarked upon for a general study of this type, but, nevertheless, a certain amount of relevant material has been found.

A search of newspaper files is also time-consuming, but the effort is generally worthwhile because one can be reasonably sure that they will contain some information with regard to enclosure, particularly after the mid-1770s. This complements other enclosure records, and the whole formal progress of an enclosure can often be charted in the local newspaper, from the advertisement of the first public meeting to the final notice of the reading and signing of the award. Not that enclosure meetings were inevitably followed by application for an act. Many parishes were only enclosed several years after a petition had been considered, and newspaper notices may provide the only clue to the earlier date at which a scheme had been contemplated (Chapter 4).

In addition to enclosure notices, newspapers sometimes contain contemporary comments on the benefits or disadvantages of the process, and these can be enlightening, although one must always remember that the writers of editorials or letters in the eighteenth or nineteenth centuries could be as biased in their views as their modern counterparts. The following, rather rueful, comment on the improvements to livestock (often cited as a desirable product of enclosure) was published in the *Nottingham Journal*, 28 November 1801: 'It is a serious question whether agricultural societies and noble graziers, notwithstanding their patriotic intentions, have conferred any benefit on the country? If they have improved the breed of our cattle it is evident that high-born mutton is high-priced in proportion; and if our wool is improved in quality and quantity, a blanket and a coat are becoming dearer in proportion. A few years ago,

when we devoured plebeian beef, a man as ill-born as itself might get a steak of it; but now that every sirloin has its pedigree the vulgar have not courage enough to sit down before it.'

The county newspaper has also provided details of local market prices of wheat and the statutory weight of the penny loaf for part of the enclosure period (Appendices C & D). These statistics are not complete and have not been integrated into the present discussion, but they are useful, especially the Bread Assize figures, as illustrative of the extent to which poor harvests and war-time inflation could affect local prices and, hence, the welfare of poorer members of the community. This leads to another, often unsatisfactory, source - the records of overseers of the poor. It will be found that these are not easy to use because there are many variables both in the amount of detail given and in the items which were considered to have been the overseer's responsibility. Accounts survive for many Nottinghamshire parishes but few cover a long enough consecutive period to be of great value, and even fewer relate to the years of an enclosure. However, in a limited number of cases where overseers' records do coincide with an enclosure they have proved particularly enlightening, not so much by providing evidence of increased expenditure but by illustrating the enhanced value of enclosed land. Proprietors frequently took possession of their allotments long before the relevant award was signed (Table 4:3), and, from details of the sums of money raised by a standard poor-rate levy, before and after enclosure, it would seem that such land was revalued from around the date at which it was allotted rather than upon completion of the enclosure process

Another group of documents which have been sampled rather than comprehensively analysed, are glebe terriers. These records can sometimes provide a rough dating for enclosures which were

accomplished without an act. Such enclosures do not really fall within the bounds of this enquiry, but are of particular interest if they were taking place concurrently with those authorised by Parliament; especially as it has been suggested that the limit of enclosure by agreement had been reached by c.1760.¹ Glebe terriers were resorted to because while W.E.Tate provided dates for the majority of non-parliamentary enclosures in an appendix to J.D.Chambers' *Nottinghamshire in the Eighteenth Century*, he did not reveal the source of his information and some of it is unreliable.

Although a selection of glebe terriers spanning a period from the late-seventeenth century to the early nineteenth is available for the majority of local ecclesiastical parishes, it is not always possible to date the period of an enclosure with any degree of accuracy. In the first place, ecclesiastical and civil parish boundaries do not always coincide, so no terriers will be found for some places. Furthermore, a number of livings had no glebe land attached to them, and several parishes were enclosed before the date of their first extant terrier, also, the numbers for individual places vary and they are of little use if they cover a very short period, or if the time-span between them is long.

It is important to find as wide a range of terriers as possible for a parish because they were often copied verbatim for many years, so it becomes crucial to find the earliest date at which any information first appeared. Glebe land described as 'lately enclosed', or 'awarded at the late enclosure of the fields,' could have been so

¹ J.R.Wordie, 'The chronology of English enclosure, 1500-1914', *Econ. Hist. Rev.*, XXVI (1983), p.487; J.V.Beckett, *The Aristocracy in England 1660-1914* (1988), p.173.

described in terriers for the previous fifty years or more. For instance, at Bilsthorpe the rector was entitled to 'gates' in the Town's Meadow before it was enclosed and these were duly noted in the terrier for 1764. By 1770 the rector's gates had been converted to closes and a terrier of that date recorded 'the Town's Meadow now enclosed'. From another source we know that the lord of the manor and the rector agreed to enclose the common in 1776.¹ When the next terrier was produced in 1777 all the glebe land was described as closes, yet, as late as 1817 we still find the words 'the Town's Meadow now enclosed'. The first mention of the enclosure of land is likely to be a reasonable guide because the difference in value of open and enclosed glebe land usually led to a revision of its description in the first terrier produced after an enclosure. This does not mean that the actual year of enclosure can be pinpointed, but it can be deduced as lying within the period between the last terrier in which the location of lands in the open fields was described and the first in which the enclosure was noted.

The sample of terriers examined, together with relevant surveys and plans, would appear to confirm that parishes which retained open land until 1700 could have it enclosed at various dates throughout the eighteenth century, or even during the early decades of the nineteenth, whether they obtained an act or not. At Bole one open arable field would appear still to have been in existence in 1864, as a glebe terrier of that date describes one acre of arable land attached to the office of town clerk as 'lying in the unenclosed Stubbing Field'.² Where the period or date of a non-parliamentary

¹ N.A.O. DD.B0. 2-4.

² N.A.O. DR.1/3/2/1 Bole.

enclosure has been established with a degree of accuracy it appears in Table 6:1b, but the chronology of this type of enclosure in Nottinghamshire obviously requires further investigation.

Returning to the general plan of the present study; as indicated above, this follows the majority of other county enclosure histories although the emphasis placed on various aspects may differ. In Chapter Two the soil regions of the area are defined and an attempt has been made to distinguish improvements in land use which could be clearly linked to enclosure. This is often difficult to determine because the open fields were not always as static as might be imagined, especially by the eighteenth century, and enclosure constituted only a small segment of a parish's agrarian history. Multiple fields existed in several places at the date of enclosure, and in a few cases there is evidence of land being reorganised to produce extra fields, but the process could work the opposite way, with the number of fields becoming reduced. For example, Orston had five arable fields in 1650 but only three remained in 1793, and Cotgrave's nine arable fields of 1740 had been reduced to five by 1790.¹ Even where a regular three- or four-field system was usual, land could be taken out of the fields temporarily to enable special crops to be grown, generally seeds or turnips. Also, in many places, piecemeal enclosure had been taking place over a long period and the acreage of land remaining to be enclosed by act was sometimes not very significant.

Chapter Three has been devoted to an enquiry into the process of obtaining an enclosure act, the practical issues which had to be resolved at enclosure, and the way in which the provisions of the acts

¹ D.V.Fowkes, 'The progress of agrarian change in Nottinghamshire c.1720-1830' (unpublished Ph.D. thesis, University of Liverpool, 1971), p.373.

were carried into execution. Not surprisingly, given the eighteenth-century conception of patronage and noblesse oblige, it will be found that Members of Parliament who presented enclosure bills often had connections with a chief landowner involved. In some cases, too, despite the convention debarring persons from acting in the execution of an enclosure in which they had a personal interest, commissioners had either family or professional relationships with principal proprietors. Also, from a detailed examination of Nottinghamshire acts and awards it has become evident that directives contained in the former could be circumvented. The statutory clauses most commonly ignored were the ones which required an award to be executed within a certain period, and those which made provision for the enclosure accounts to be deposited with the award.

One other feature which emerges from an examination of the commissioners, is that, after the initial enclosures by act, which were generally executed by local farmers and landowners (similarly to earlier agreements), there was a period in which professional commissioners from counties more advanced in the parliamentary process were often named. These were usually teamed with one or more local commissioners in the 1760s and 1770s, but, by the 1790s, commissions consisted almost exclusively of those from Nottinghamshire, the exceptions being for enclosures in which a landowner from another county was interested and who appointed his own representative

However, perhaps the most noticeable aspect of the practical side of enclosure is the speed with which allotments were usually staked out and allotted - sometimes only months after an act had been obtained, and years before the award was signed. This is a fact which must be remembered when considering the amount of agricultural dislocation which was likely to have occurred during an enclosure. It has been suggested that where a long period elapsed between the date

of an enclosure act and that of the award common-right owners could have been kept waiting many years before they knew the outcome of their claims.¹ No evidence of such delay has been found locally. Claims were usually decided at an early meeting of the commissioners and lists of those to be allowed or disallowed made available immediately. At this stage, an acreage may not have been mentioned unless it had been specified in the act but a claimant would have been aware whether his claim had been approved or not and could have sold it if he wished. Another feature which is not always taken into account is the length of time which might be allowed for constructing fences, this could be as much as eighteen months after the execution of the award, and sometimes years after the allotments had been entered.

Chapter Four is concerned with the chronology of acts and awards; probably the only aspect of parliamentary enclosure for which an unproblematic factual account can be given. For Nottinghamshire all except four of the dates provided by W.E.Tate in the *Domesday of English Acts and Awards* are correct; the exceptions being the four awards which should read Lambley 1797, Caunton 1799, West Markham 1812 and Kirkby-in-Ashfield 1803. With regard to enclosures which were authorised under retrospective General Acts from 1836 onwards, however, the date of the original meeting of proprietors to sign the agreement has been accepted in this study as the operative date in each case, rather than that of the General Act under which enclosure was being effected.

Between 1759 and 1826, one hundred and twenty-nine enclosure acts were passed for Nottinghamshire, and from 1836 to 1868 a further twenty-three enclosures were sanctioned in association with General

¹ A.J.Peacock, *Bread or Blood* (1965), p.17.

Inclosure Acts. As mentioned above, the total area of land enclosed by means of these acts was around one hundred and eighty-six thousand acres; more than thirty-four per cent of the county acreage. The annual incidence of all the acts has been plotted (Figure 4:1) and the employment of yearly figures, rather than the more usual quinquennial, has enabled the main phases of parliamentary enclosure within the county to be clearly defined. This has also exposed individual years of intensive enclosure activity, or lack of activity, which are masked if a longer time-span is used. For instance, although a record number of enclosure acts were passed for the country as a whole in 1801, not one was solicited for Nottinghamshire in that year, but this fact is completely obliterated if the acts are represented on a five-year basis. The acreages enclosed have also been tabulated with respect both to the annual incidence of acts and to the five main phases of Nottinghamshire enclosure.

Enclosures within each phase have been examined in an attempt to isolate a common factor which would account for acts being solicited for any group of parishes at a particular period. On the whole, little similarity can be seen with regard to soil-type, density of ownership or the percentage of land remaining open. Nor do Nottinghamshire parliamentary enclosures appear to have spread in any particular pattern, either as a result of propinquity to earlier enclosed parishes or in relation to major highways. A general characteristic which may be noted is that parishes in the Vale of Belvoir and upon the Nottinghamshire Wolds were all enclosed by 1810, but that process was taking place for almost fifty years. Otherwise, a few prominent owners, or lords of manors, would appear to have decided to enclose all the parishes in which they had a principal interest, and several instances of this are cited in Chapter Four.

In Chapter Five we try to assess the strength and extent of local opposition to parliamentary enclosure, which, judging from the evidence of official figures which registered the degree of approval for this county's enclosure bills, would appear to have been weak. Although many bills did not attract unanimous approval, few of their promoters had any difficulty in obtaining the required legal proportion of consent, nor is it easy to find evidence of physical resistance to the enclosure process. Nevertheless, the number of enclosure schemes which were projected but only reached fruition years later (Table 4:3), or bills which were abandoned after a first reading in the House of Commons, may be an indication of a more powerful and extensive underlying resistance to the process. Such opposition need not have originated from ordinary proprietors as, no doubt, the rapacity of tithe-owners or lords of manors could have been responsible for the delay of some projects if their claims for compensation in lieu of tithes or rights were unreasonable.

Chapter Six is devoted to an enquiry into the social effects of parliamentary enclosure, which will be found not easy to distinguish from other causes of local unemployment and impoverishment. Early enclosure has often been equated with the conversion of arable land to pasture and a consequent increase in livestock population at the expense of the human. Whether later enclosures, especially those of the parliamentary era, were equally conducive to rural depopulation and distress has yet to be determined, despite the considerable interest which this question has aroused during the past few decades. Records of how newly-enclosed land was utilised after it passed into private ownership are rare, but in some parts of this county no variations were introduced in either crops or rotations after enclosure. At all events, by the second half of the eighteenth century, any local wholesale change to pastoral farming would appear

to have been unlikely except in areas close to towns where an increased demand would have ensured a market for dairy products and meat. Indeed, in 1767 a correspondent to the local newspaper attributed the dearness of provisions to the encouragement of corn exports; complaining that although cattle were fed near towns, few were being reared on the more remote farms because it was more profitable to turn the land to corn production for export.¹

Loss of common-right was the other aspect of enclosure which has been regarded as damaging to the welfare of the poorer members of a community. The ownership of common-right and the way in which this was compensation is discussed in Chapter Six, where the numbers of small allotments awarded in enclosures which were initiated before 1814 are juxtaposed with the proportions of parish poor in 1815. No clear link is revealed between the two and although Nottinghamshire was certainly as subject to unemployment and high poor rates at various times as many other parts of the country, it has proved impossible to relate these problems unequivocally to enclosure. A comparison of contemporaneous overseers' accounts has revealed that similar trends in expenditure upon the poor were often present in enclosing parishes and in those places unaffected by the enclosure process at the time. However, the number of parishes for which suitable accounts have been found is very small, and they are neither representative of the whole county nor of all the phases of parliamentary enclosure. Also a great deal more information is required about the landowners, the persons receiving poor-relief, and the degree of industrialisation in a parish before a firm conclusion can be reached.

¹ *Nottingham Journal*, 7.11.1767.

Another factor of enclosure which has been regarded as detrimental to the small owner is the expense, and a great deal of speculation about the cost of fencing has been entered into. In Chapter Seven the few extant accounts of local enclosure expenditure have been investigated to try to determine the costs of the various constituents of enclosure, and from this it appears likely that the fencing of allotments was the least of the expences associated with the process. Average acreage costs for individual parishes and for the whole county have been compared with similar ones elsewhere. Land allotted in compensation for tithe has also been considered as a factor in the cost of enclosure. This seems reasonable because tithe allotments often constituted a considerable proportion of the acreage awarded (Table 7:5) and, apart from being ring-fenced at the expense of the other proprietors, diminished the amount of land available for general distribution.

Finally, it has proved possible to present an analysis of a substantial number of Nottinghamshire enclosure awards in the form of Appendices A & B. These representations have revealed interesting landholding patterns, but it will become apparent in ensuing chapters that, given the complexity of ownership in some places, it would be unwise to accept them as a definitive illustration of the social structure of landownership in every parish.

CHAPTER TWO
Geological Structure, Soils and Traditional Farming

We have already commented upon the artificiality of county boundaries and, from the size, shape and geological composition of Nottinghamshire, it will be apparent that this county's agriculture cannot be isolated from that of its neighbours. Nottinghamshire is roughly oval in form, about fifty-three miles long and twenty-three miles at its greatest width. It is surrounded by Yorkshire on the north-west, Leicestershire in the south, Derbyshire to the west and Lincolnshire to the east and north-east, and, in common with most other counties, contains soils of considerable variety. This diversity is largely determined by the underlying geological structure of the land which here consists of a relatively simple arrangement of strata with parallel, quite distinct, bands of rock running roughly from north to south, the more easterly zones curving towards the south-west (Figure 2:1).¹ Soils associated with these rocks range from light sand to strong clay and generally lie where they were formed, their distribution corresponding broadly with the boundaries of geological districts. That these geological divisions were appreciated in the eighteenth century may be seen from a comparison of Robert Lowe's map of soil districts (Figure 2:2) with the simplified version of the modern geological map (Figure 2:1).

Exceptions to the broad distribution of soils occur chiefly in alluvial river valleys and in small tracts of marsh, but further local modifications are also found, especially at the foot of escarpments where an accumulation of material is deposited by the action of

¹ L.Dudley Stamp (ed.), *The Land of Britain: Report of the land Utilisation Survey*, part 60, K.C.Edwards, Nottinghamshire, (1944), p. 420.

surface drainage on steep slopes. Two areas may be mentioned in this context: a narrow strip of transitional land in the centre of the county where loam is stiffened by an admixture of Keuper Clay, and the eastern fringe of the coal measures, where native clay is overlain by a topsoil of sand from the Bunter formation. Another atypical area is found on the east bank of the Trent, in a tongue of land consisting of Lower Lias Clay intermixed with river sand and gravel, and almost submerged under blown sand. Also, because the strata shelve towards the east the depth of different types of soil varies as each band of rock is succeeded by the next. This is best illustrated by the coalfield which is near the surface on the Derbyshire border but gradually becomes more deeply concealed eastwards across the county. Nevertheless, the simplified geological map (Figure 2:1) may be taken as a guide to the location of principal soil-types.

Reference to this map will show that although Nottinghamshire can be divided into several well-defined geological districts, two, those of the Keuper Marl and the Bunter Sandstone (now often named Sherwood Forest Sandstone), are the most extensive. These formations give rise to soil-types of marked contrast which provide the bases for the major agrarian regions; one fertile, the other, in its unimproved state, semi-fertile or infertile. An imaginary line drawn from Retford to Nottingham roughly delineates the boundary between the regions, the naturally fertile land lying to the east and south, the semi-fertile to the west.¹ In general this division provides an adequate guide to the fundamental difference in the county's agriculture, but farming innovations, or economic pressure, might modify the area under cultivation at any time.

¹ R.W.Corringham, 'The agriculture of Nottinghamshire', *Journal of the Royal Agricultural Society*, VI (1845), p.1.

Figure 2:1

The Solid Geology of Nottinghamshire

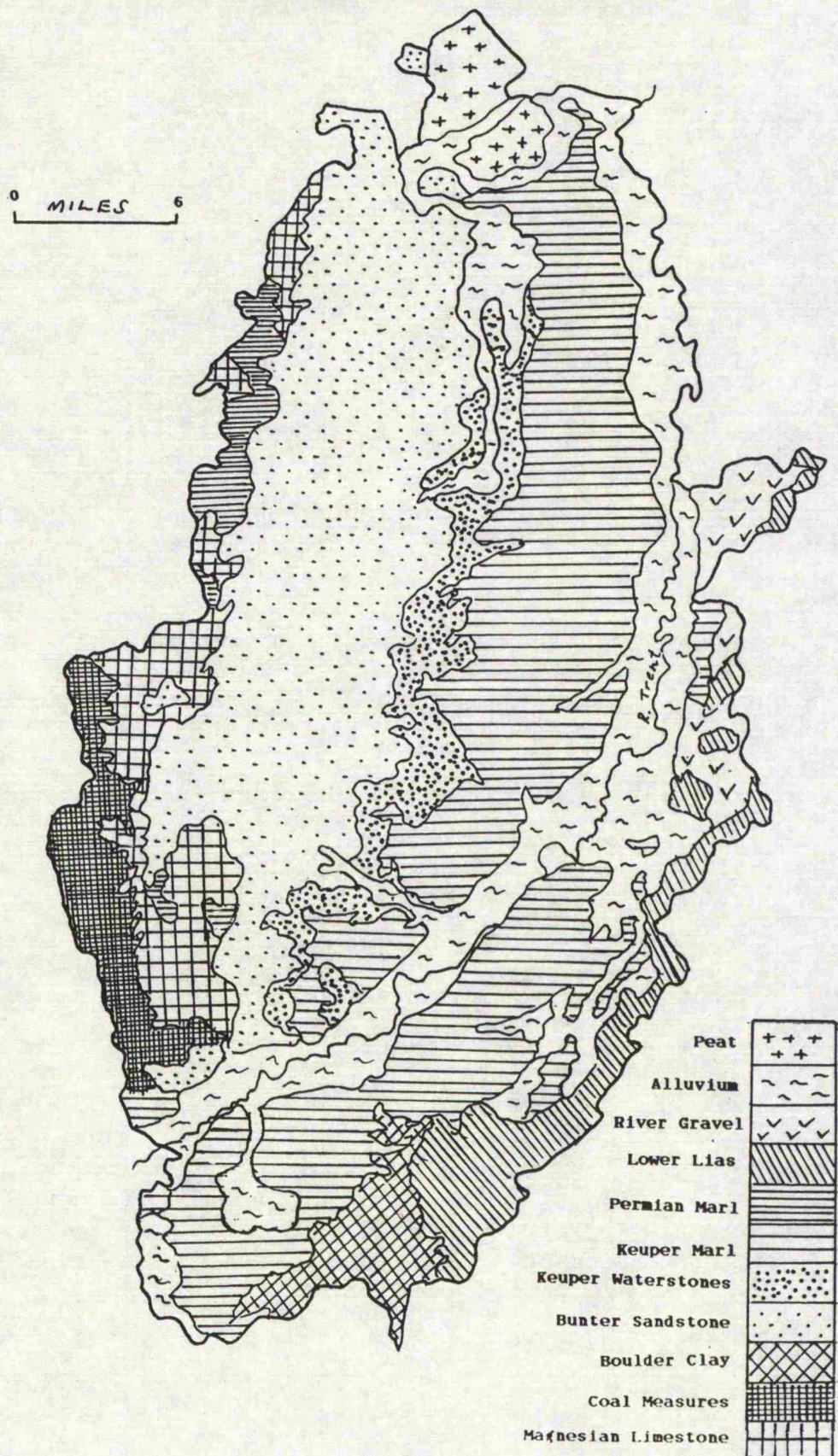
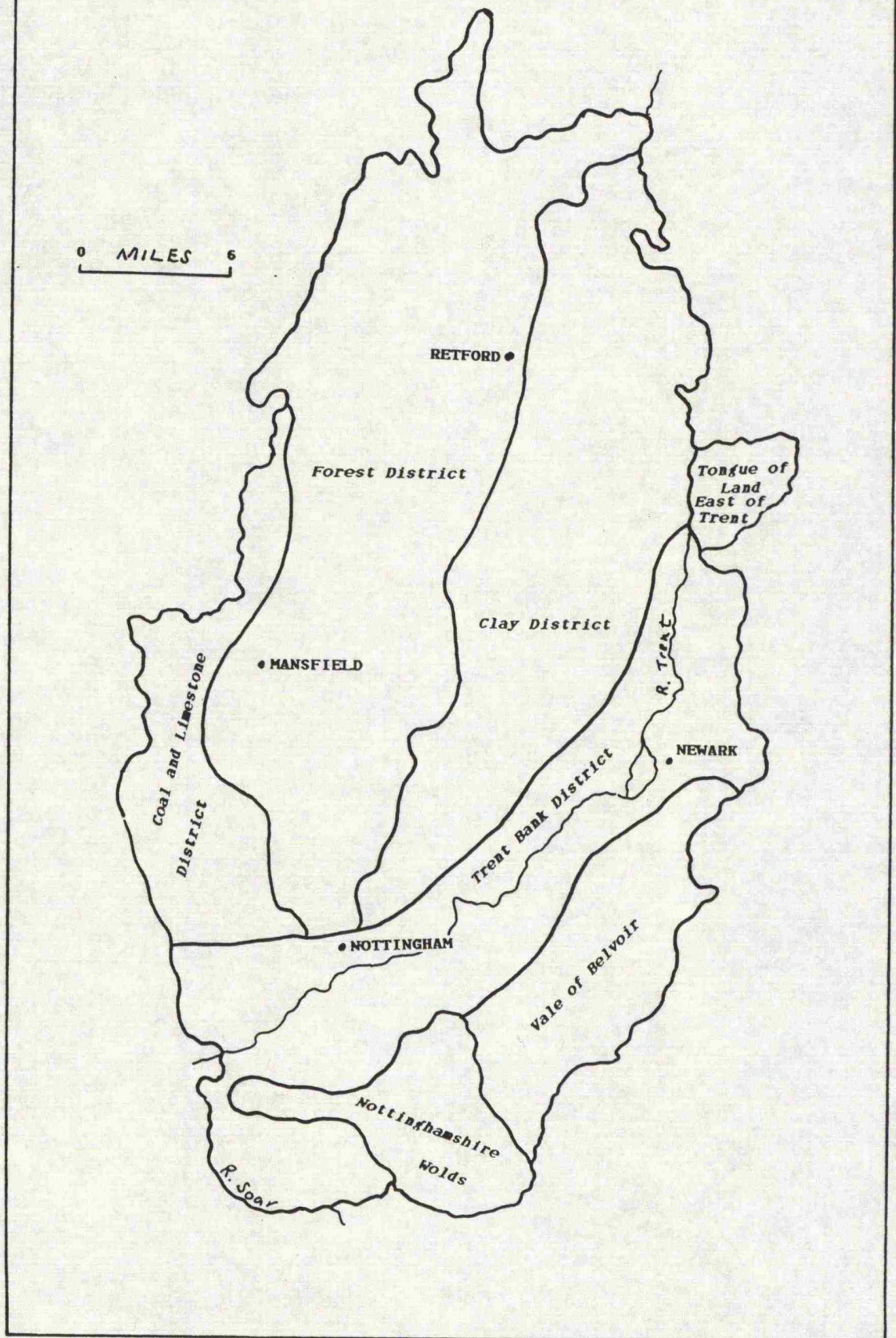


Figure 2:2

The Soil Districts of Nottinghamshire
after Robert Lowe 1798



A further result of this geological conformation was that, until relatively recently, the spur of Bunter Sandstone formed a semi-sterile barrier stretching about three-quarters of the length of the county, from just north of Nottingham to beyond the Yorkshire border. This district remained largely unexploited until the development of mining techniques and boring equipment capable of tapping both the coalfield and the reservoir of water which lay under the sands. Consequently, no settlement of any magnitude was established in the central area of the county and the market towns were situated towards its extremities; Nottingham in the south, Mansfield near the Derbyshire border in the west, Retford on the north-eastern edge of the sands and Newark a few miles from the boundary with Lincolnshire. These towns served their localities in Nottinghamshire but three of them were also important market centres for growers and buyers from further afield. Nottingham drew traders from a wide area, and the new cattle market, founded in the 1760s, attracted buyers from Derbyshire and Lancashire.¹ Mansfield served as a centre for parts of Derbyshire, while farmers from west of the Lincolnshire Heath used Newark as their local market.

On the other hand, the elongated shape of Nottinghamshire, the location of Nottingham in the south-western section, and the dispersed situation of the other chief market towns resulted in some communities associating themselves with centres in neighbouring counties. Inhabitants of parishes in the southern part of this county were nearer Loughborough than Nottingham and those in the north-west of Nottinghamshire traded, and often looked for employment, in the Yorkshire towns of Sheffield or Doncaster. Also, although situated on the Lincolnshire bank of the Trent, Gainsborough would have been more

¹ *Nottingham Journal*, 22.7.1762.

easily accessible than Retford for farmers from north-eastern Nottinghamshire, especially where they were able to use the river for transport. Indeed, if local newspaper coverage can be accepted as evidence of the importance of a place to that paper's catchment area, Gainsborough ought to be included in the list of Nottinghamshire market towns. Prices for grain at Gainsborough market were given equal prominence in the *Nottingham Journal* with those of Newark, and greater prominence than those of Nottingham, Mansfield or Retford.

Apart from its importance as an agricultural market centre, Gainsborough was also the inland port at which foreign timber, building materials such as Westmorland slate, and luxury goods from London were transferred from coasters to lighter vessels for transport up the Trent to Newark, Nottingham and beyond. This was a two-way traffic with merchandise from Nottinghamshire, Derbyshire and Staffordshire being transhipped round the coast from Gainsborough to London. The importance of water transport is highlighted by descriptions of the notoriously bad state of roads in the eighteenth century, and later. Locally, in 1787, the road from the new Gainsborough Bridge to Retford was reported, to be 'ruinous and subject to great floods', and as late as the mid-nineteenth century it was said of the road between Newark and Gainsborough that 'twenty-five miles of such road cannot be found in all England'.¹

It is sometimes suggested that improved roads helped to advance enclosure during the eighteenth century but this theory has not been fully investigated. From a brief examination of the progress of turnpikes and enclosure in Nottinghamshire no particular relationship between the two processes is revealed, but this is not surprising when one considers that turnpikes were seldom new roads but generally

¹ I. Beckwith, *The History of Transport and Travel in Gainsborough* (Gainsborough, 1971), pp. 7 & 9.

followed existing roads or tracks. Also, like the enclosure acts themselves, turnpike roads were not the result of an organised system introduced by central government, but were piecemeal improvements of stretches of highway entered into as a commercial venture by groups of, usually, local persons.

Turnpike acts were solicited for parts of Nottinghamshire roads during the century 1725-1826, many of which were for very short mileages within this county (only two being for lengths of twenty miles or more), and the greater number were obtained before 1765. These earlier acts were mostly for roads upon the clays, where both the construction and upkeep were particularly difficult, and the later acts for the more easily maintained roads across the sands. However, considerable lengths of important road could escape the Turnpike Trustees completely, for example, the Fosse Way from near Bingham to the Leicestershire boundary and from Newark to the boundary with Lincolnshire was never turnpiked. Moreover, the turnpiking of a section of road did not automatically ensure that it would become of high quality very quickly; many intermediate renewal acts had to be solicited and progress was often slow. About half a century after the Nottingham to Loughborough road had been turnpiked William Marshall wrote that the part of it between Trent Bridge (Nottingham) and the top of Bunny Hill 'may, without prejudice, be deemed one of the worst kept roads in the kingdom'.¹

This question of the importance of roads to the spread of enclosure needs further research, and it may be that close links between the two can be shown in some parts of country although there is no evidence of enclosure following the main highways in this

¹ W. Marshall, *Rural Economy of the Midland Counties* (1790), I, p.67.

county. Here, the geographical situation of market centres which served Nottinghamshire farmers would have given them the opportunity of discussing techniques with contemporaries from a fairly wide area and, probably, of observing the quality of improved strains of livestock and crops. However, the adoption of agricultural innovations did not depend solely upon an awareness of farming developments, and we shall find that parts of this county remained virtually unaffected by agricultural improvements until the 1830s. The nature of landownership and tenure were contributory factors in the pace of agrarian change but difficulties of cultivation inherent in some soils should not be forgotten. In fact, before any assessment of agricultural progress during the parliamentary enclosure period can be attempted, a further description of the chief soil types available in the county is necessary.

It has been noted that Nottinghamshire's soils fall into two distinct groups according to their natural fertility. Those of the larger, fertile, region are derived from the expanse of Keuper Marl (almost forty per cent of the county area), alluvium of the river valleys, and Lias and Boulder Clays of the Vale of Belvoir and Nottinghamshire Wolds respectively. To these is added a small area of marsh, situated at the extreme northern tip of the county, where peat resting upon a foundation of clay produces rich soils comparable to those of the fens. In other parts of the marsh the peat is underlain with a bedrock of porous sandstone which results in a poor dry soil devoid of moisture and nutrients. The whole of the fertile region accounts for about sixty-five per cent of the county's surface area and may be subdivided to differentiate between traditional pastoral and arable farming districts; such distinction, however, becomes blurred in the light of changes in land use to accommodate agrarian reforms and market trends.

Soils of the semi-fertile part of the county include inhospitable cold clays related to the coal measures along the Derbyshire border, and sand so fine that in a dry season it may be blown across the surface of the earth, taking small seeds with it, or scything off the tops of growing crops. An area of Magnesian Limestone along the western edge of the county is also often included in the semi-fertile region, although where an adequate depth of topsoil occurs this land is reasonably fertile and will produce fairly good yields of grain. The region is characterised, however, by some two hundred and forty square miles of Bunter Sandstone, to the west of the Keuper Marl, which produces soils composed of sand or pebbles, and was designated by J.D.Chambers as 'natural waste'. Much of this land is dry, permeable and sterile but its fertility varies according to the amount of coarse material present. Where the sand is fine-grained, e.g. between Worksop and Bawtry, it is slightly more moisture retentive and, although still subject to drought, is considered superior to that of the rest of the Bunter district. Aerial photographs of crop marks indicate that this area of the sands had been cultivated at an early date, possibly Roman or pre-Roman, but it is conjectured that much of the land later reverted to forest.¹

The greater part of the district consists of very porous coarse sandstone, averaging five-hundred feet in thickness, which acts as a filter and sponge for water. Because this sandstone rests upon a bed of impermeable clay a vast underground reservoir of water is formed which seeps out around the sides of hills but leaves the supply of available moisture above the water table extremely limited. As the water in the heart of the sands is also at too great a depth to be tapped by means of conventional wells, it is not surprising that

¹ D.N.Riley, *Early Landscapes from the Air* (Sheffield, 1980), pp.2 & 71.

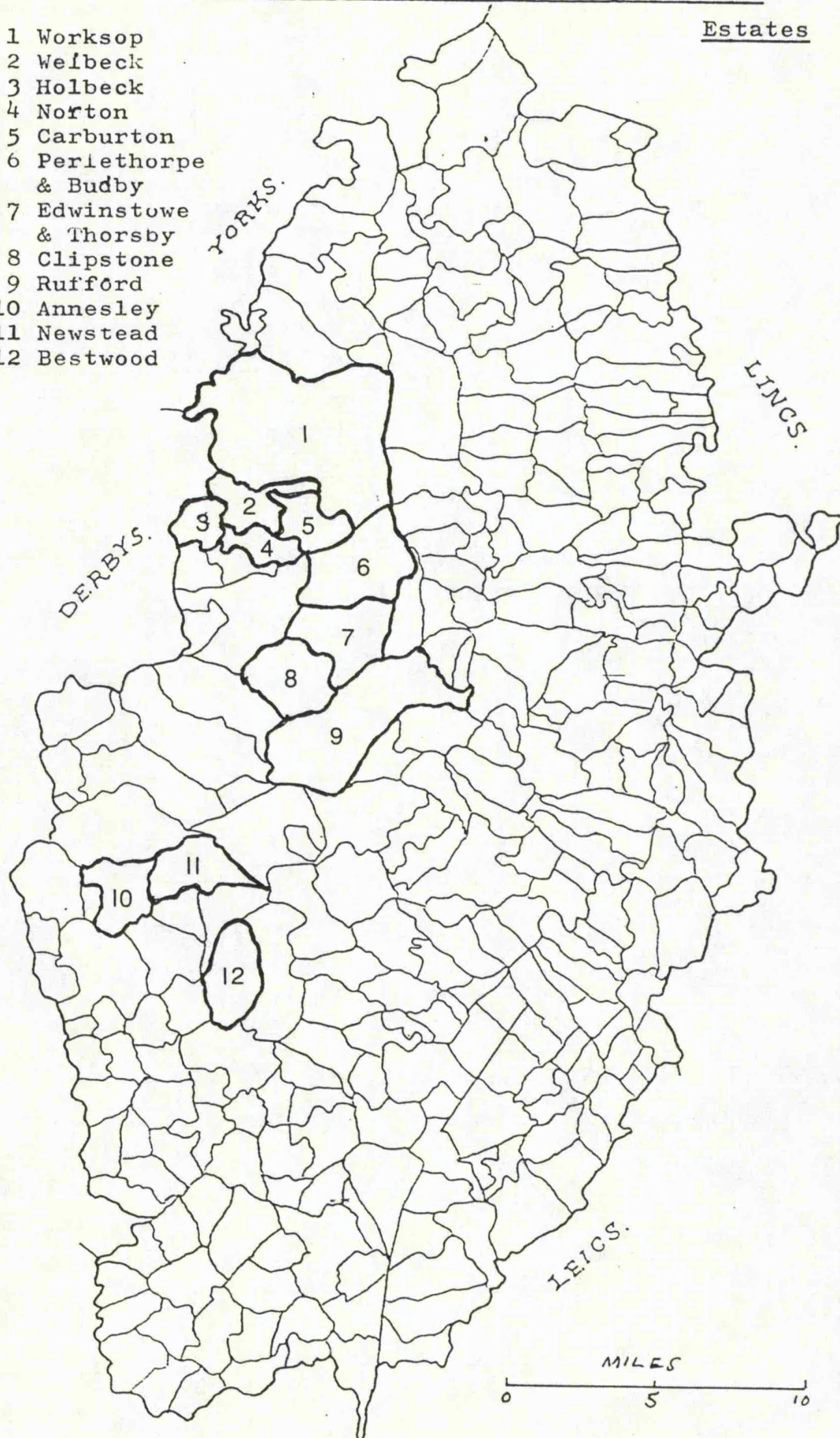
settlements here were small and widely spaced. This does not mean that parish areas were small; even on the simple parish map (Figure 1:1) the location of the sands and, indeed, the semi-fertile region in general, may be deduced from the preponderance of large parishes in the western part of the county. By contrast, relatively small parishes predominate in the fertile south and east, especially in the river valleys where villages are in close proximity.

Given this dichotomy in natural soil fertility, it is not surprising to find that customary farming practice, and the pace and extent of agrarian innovation, differed between the regions designated as fertile and semi-fertile. What is remarkable is that the semi-fertile forest sand district should have been the one which was subject to the most revolutionary developments, while advances upon much of the more fertile land were often slow. This distinction in agricultural progress was to a great extent a reflection of the history of the two regions and their type of landownership in the eighteenth century. The forest district had long been divided into large units, either monastic estates or royal hunting parks, and by 1720 practically the whole of these had been acquired by members of the nobility or gentry; a fact which led to a great deal of the area becoming widely known as 'The Dukeries' (Figure 2:3). These landowners held land in other parts of the country and also had widespread family connections upon whose agrarian experience they could draw. Furthermore, some had been in exile abroad during Civil War, and the Duke of Portland was a descendant of an aristocratic Dutch family, so many of the prominent Nottinghamshire landowners would probably have been conversant with up-to-date agricultural developments on the continent.

Figure 2:3

'Dukeries' and other Principal ForestEstates

- 1 Worksop
- 2 Welbeck
- 3 Holbeck
- 4 Norton
- 5 Carburton
- 6 Perlethorpe & Budby
- 7 Edwinstowe & Thorsby
- 8 Clipstone
- 9 Rufford
- 10 Annesley
- 11 Newstead
- 12 Bestwood



Under such circumstances, and given that they would have had access to capital for the financing of their undertakings, the owners of the great estates were in a good position to become leaders in agrarian innovation. These proprietors also had the advantage of being in complete control of their property and could introduce sweeping changes at will. For example, by 1732 Thorsby contained only the seat of the owner (the Duke of Kingston) together with the houses of estate workers, and accounts belonging to that year record that the 'vill' had been eliminated.¹ The fertile region, on the other hand, tended to be more thickly populated, and, notwithstanding that most parishes were dominated by one or two prominent owners, a variety of rights and interests often had to be reconciled before any major agricultural reorganisation could take place. Of course, such reorganisation in much of the county was synonymous with enclosure, and, before trying to assess the degree to which the parliamentary process assisted the introduction of new crops and rotations, a brief survey of pre-parliamentary enclosure within the county will be useful.

In common with the rest of the midlands, Nottinghamshire was affected by the general trend away from arable husbandry during various periods when animal products had become more profitable than grain. The most often cited example is the favourable late-medieval market for wool which encouraged landowners to enclose previously tilled land and to turn it over to the production of grass. Such a dislocation of the accustomed systems of cultivation is regarded as a main cause of the desertion of villages in many places, although

¹ N.U.L. Manvers Ma.4367.

J.A.Yelling pointed out that large-scale production of wool in Norfolk was achieved by a fold-course system of sheep and corn which did not require enclosure.¹ Nevertheless, the desire of graziers to expand their sheep flocks was usually advanced by contemporary complainants as the reason for illegal enclosure and loss of tillage. However, this county seems to have escaped the most severe effects of early pastoral enclosure, probably because much of that conducted locally was by the religious houses in the sparsely populated forest district, or in their manors along the forest fringe. Here, the usual complaint was of loss of common rather than loss of tillage, and physical opposition from wronged commoners sometimes resulted.

By the closing years of the fifteenth century, the conversion of arable land to pasture had become so wholesale in parts of the country that concern about its effects upon the rural population led to the institution of commissions to enquire into the extent of depopulating enclosure. Again, the scale of fifteenth and early-sixteenth century enclosure within Nottinghamshire appears to have been more modest than in most of the other counties for which returns are available. In 1517 the amount of illegal enclosure reported from this county totalled rather less than 2,500 acres, thirty per cent of which had been for the establishment of parks used for the preservation and hunting of game.² These emparkments involved considerable amounts of land, in contrast to most of the enclosures which were designed to increase the area of pasture. Even so, six pastoral enclosures of substantial acreages were also presented to the Commission; Thorpe-in-the-Glebe, Costock and Kingston-on-Soar in the natural pasture area bordering

¹ J.A.Yelling, *Common Field and Enclosure in England 1450-1850* (1977), p.182.

² I.S.Leadham, *The Domesday of Inclosures for Nottinghamshire*, Thoroton Society Record Series, II (1904), p.2.

Leicestershire, Wiverton and Whatton further north in the Vale of Belvoir, and Holme Pierrepont in the Trent Valley.

Thorpe-in-the-Glebe and Wiverton became classic deserted medieval village sites but the others survived. The enclosures of Kingston-on-Soar and Holme Pierrepont were completed without recourse to Parliament, while Costock and Whatton retained forty-one per cent and eighty-nine per cent respectively of their parish areas to be enclosed by act (Appendix A). All the other reported pastoral enclosures of the period were of less than thirty acres, the majority of less than ten acres, and, as might be expected, were situated either in the natural pasture district, or where soils were equally suitable for tillage or grass.¹ Of course, there were other villages which disappeared but did not come under official scrutiny, especially if they had decayed so far that any displacement of population was negligible. One such was Newbold, on the border of the Wolds and the Vale of Belvoir between Colston Bassett and Kinoulton, both of which were enclosed in the sixteenth or early seventeenth centuries and had tilled land converted to grass. From records of a reassessment of tithes of Newbold in the early-seventeenth century it would appear that this village been reduced to two houses and two churches by 1610.² However, the site would appear to have been partially repopulated to become part of Kinoulton village, where both Thoroton, in the 1670s, and Throsby, at the end of the eighteenth century, found one church called 'Newbold Chapel' in the village and another church isolated upon the Wolds outside Kinoulton.³

¹ *Ibid.*, pp. 58-69.

² N.A.O. DD.TB. 3/2/1-18.

³ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield, 1972), I, p.156.

It is not known how many other enclosures went unrecorded but a large number, legal or otherwise, must have been carried out before this county's first enclosure act was solicited in 1759, and others were accomplished during the parliamentary period without official sanction. Between thirty-four and thirty-five per cent of Nottinghamshire was enclosed under the auspices of Parliament (Chapter 4), and, even allowing for areas of water and for land which has remained open, it is possible that about sixty per cent of the total county area was enclosed by other means. The great parks on the forest sands would fall into this category, with the major part of enclosure there taking place during the eighteenth century, either as an extension of that already established or by royal assent. One example of the latter was the agreement in 1708 between the Duke of Newcastle and Queen Anne for the enclosure and planting of four thousand acres of forest at Clumber. This estate was to remain the property of the Queen during her lifetime, the Duke to be paid for his stewardship, and then revert entirely to the Duke after her death.¹

Another result of the development of the parks could be the removal of a village, as noted above at Thorsby. This would appear also to have happened at Budby in the 1740s when twenty-one farms were consolidated into eight as part of the expansion of the Thorsby estate,² but Budby was later rebuilt as a model village by Earl Manvers in 1807. At Carburton, too, a plan of 1615 depicts a village of twenty-one houses with the usual cultivated 'infield' of forest parishes and large areas of breckland and outlying woodland. By the 1790s, according to Thorsby, the settlement contained some three

¹ J.D.Chambers, *Nottinghamshire in the Eighteenth Century* (1932), p.163.

² N.U.L. Manvers Ma.S.21-2.

farmhouses, and an aerial photograph of Carburton taken in 1969 shows only the church and churchyard and five other buildings which look as though they may form a single farmstead.¹

Such parishes, or rather townships or chapelies, associated with the forest estates remained sparsely populated until the owners of these estates allowed mining companies to exploit the hidden coalfield in the twentieth century. Just how restricted settlement was upon the estates and in their satellite villages may be seen from the census returns for 1901. Thorsby seems not to have been enumerated separately but Welbeck, with an acreage of nearly two thousand eight hundred acres of land, had a population of ninety-seven. Over two thousand acres at Budby was populated by one hundred and twenty persons; Carburton with slightly more land had a population of one hundred and forty-eight; Clipston contained more than four thousand acres populated by two hundred and seventy-three persons; Rufford, with almost ten thousand acres of land returned a population of three hundred and forty-three and about eighteen hundred acres at Perlethorpe was populated by one hundred and fifty-eight persons.

It is unlikely that many people were displaced by forest enclosures during the eighteenth century, because it would seem that the villages had never been large and the estates maintained a considerable workforce of agricultural workers and craftsmen. The greatest change would most likely have been in the status of workers who were partially independent before the forest was improved and became completely subservient to the landlord after enclosure. This may have happened with the engrossment of farms at Budby, mentioned

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Thorsby's edition, Nottingham, 1790-96, reprinted Wakefield, 1972), III, p.346; M.W.Beresford & J.K.S.St Joseph, *Medieval England, An Aerial Survey*, (second edition, Cambridge, 1979) pp.46-47.

above, where the original twenty-one small farms had been partly freehold and partly copyhold but the eight large farms which resulted from the amalgamation were held under lease.

A great deal of the other non-parliamentary enclosure in Nottinghamshire is believed to have taken place in the seventeenth century and would appear to have consisted of quite small individual acreages, in contrast to contemporary Leicestershire enclosures where whole parishes were usually involved.¹ Consequently, notwithstanding Robert Thoroton's view that enclosure inevitably resulted in serious depopulation and decay of tillage (Chapter 6), the complete loss of Nottinghamshire villages was comparatively rare. Many contracted in size, or, like Kingston-on-Soar and Holme-Pierrepont, where enclosure appears to have been completed in the sixteenth century, remained small. Other villages migrated from the site of the original settlement, but the majority survived and some were regenerated at a later date. Nor was every enclosure which extended the area of grassland forced upon local communities. We shall find several instances of such schemes which involved the agreement of the proprietors and which were carried out in a similar way to those authorised by Parliament (Chapter 4).

While the enclosure process may not be considered to have been an agricultural improvement in itself, it could provide an opportunity for the introduction of different crops or for the more efficient management of land. Yet, on returning to the parliamentary enclosure period in Nottinghamshire, although by far the greater number of acts were obtained for parishes in the fertile region, the most spectacular

¹ E.M. Leonard, 'The inclosure of common fields in the seventeenth century', *Transactions of the Royal Historical Society*, XIX (1905), p.122.

contemporary innovations were centred upon the forest sands where enclosure was generally undertaken privately by individual large landowners. Not that all eighteenth and early nineteenth-century farming in this district was equally revolutionary; examples of both the most advanced and, possibly, the most primitive types of cultivation could be found. Nevertheless, despite wide interest in the county's farming which resulted in the reading of several papers before the Royal Agricultural Society of England in the mid-nineteenth century, the forest sands is the only part of Nottinghamshire which receives mention in general histories of agriculture. It is perhaps fitting therefore, that developments here should be examined before any attempt is made to gauge the influence of enclosure upon farming practice in other districts.

We have noted that the major part of the semi-fertile region consists of soils of the Bunter Sandstone - a district which originally formed part of the royal forest of Sherwood. Conventional large open arable fields were rare on the forest sands partly because the land was too poor to support normal rotations, and partly because the forest laws and customs had long been concerned with the preservation of game and hunting rights. Parishes here usually contained a small village and an area of permanently cultivated land used for arable, meadow and pasture, sometimes supplemented by an insignificant amount of meadow alongside a stream - at Edwinstowe this was so limited that access with a cart was difficult.¹ The occupied land was surrounded by an extensive area of unenclosed forest sheepwalk and farmers relied upon a system of temporary enclosures

¹ N.U.L. Manvers 4367.

from this waste to provide supplementary tillage. These 'brecks' were cultivated continuously for a few years until the soil became exhausted, whereupon fresh enclosures would be taken in and the old ones left to turf down and return to sheepwalk. This style of farming was suitable for a district which contained abundant waste, but Arthur Young, visiting the area in the 1770s, was very critical of such an uneconomic method of land-use, believing the Nottinghamshire forest sands to be as capable of permanent improvement as poor soils in other parts of the country.¹

Young's strictures upon the general lack of initiative exhibited by smaller farmers in the district were probably well founded, but they may not have had either the means or the inclination for change, and might have been content to follow the traditional breck system of cultivation while the sheepwalks remained unenclosed. In contrast, large owners in the area were increasingly engaged in developing their land in accordance with the most advanced methods. Widespread felling of trees had taken place during the Civil War, and renunciation of most of the Crown's forest rights by the early decades of the eighteenth century left the way clear for owners of forest estates to embark upon a programme of improvements. The numbers of deer were reduced and sheepwalks ploughed, waste land was enclosed and cultivated, breeds of sheep and cattle were improved by the purchase of champion rams and bulls from other parts of the country and high quality farmhouses and agricultural buildings were erected. Extensive areas of the estates were also replanted with trees throughout the eighteenth century, both for ornamental purposes in the

¹ A. Young, *A Farmer's Tour Through the East of England* (1771), II, p.427.

formal parks and as a commercial venture, and timber became of increasing economic importance when, in the mid-nineteenth century, large quantities were needed for pit-props and railway sleepers.¹

This is not the place to explore agrarian developments on the forest sands in detail, that has been done by agriculturalists and agricultural historians throughout the last two hundred years, several of whom have already been cited. Root-crops and clover were probably the key ingredients for reforming farming on the sands and the problem of producing sufficient manure in the absence of little permanent pasture was overcome on the home farms of the large estates by the adoption of a form of convertible husbandry, linked with the intensive winter feeding of cattle. This system was so successful that, some two hundred years later, at least one prosperous farmer was still managing his sand-land farm in the same way.²

In short, the introduction of roots and seeds, together with improved breeds of sheep and cattle, resulted in a higher density of livestock being accommodated and an increase in grain production. By the 1770s the traditional crops of rye with occasional barley and oats had been replaced by a three course rotation of turnips, barley and seeds, and this in turn was superseded in the early nineteenth century by a basic four-course rotation of wheat, barley, turnips and seeds. The presence of wheat in regular rotations was a reflection of improvements in both cultivation and fertilisation (chiefly lime and, later, bonemeal), although the average yields were never as high as

¹ D.V.Fowkes, 'Nottinghamshire parks in the eighteenth and nineteenth centuries', *Trans. Thor. Soc.*, LXXI (1967), pp.74-5.

² C.D.Edgar, 'Joseph Camm M.B.E., 1883-1959', *Aspects of Nottinghamshire Agricultural History* (Ely, 1989), pp.46-48.

in the more fertile part of the county. At the same time, large areas were devoted to temporary grasses which offset the lack of good permanent natural meadow and pasture.

Dairying in the forest district remained generally a purely subsistence activity with only one or two cows being kept even on large farms. The home farm at Welbeck was the exception with its dairy herd and substantial sales of milk and butter. Sheep and fat cattle returned the most consistent profit upon the home farms from mid-eighteenth century until around 1830, but grain, especially barley, was also marketed. One specialised crop, introduced successfully at Rufford in the 1730s, was hops, and this developed into a very important cash crop on that estate towards the end of the eighteenth century despite the high cost of production.

Turnips were referred to at Rufford in 1712, and detailed accounts from the Welbeck estate office reveal that they had been cultivated there in the 1720s.¹ However, neither turnips nor seeds were completely unknown crops in Nottinghamshire when introduced on these estates. A compounded tithe of three shillings and fourpence had been levied on turnips by the rector of Clayworth as early as 1676, and in 1691 the Rector himself sowed turnips in a close. Rape was tithed in the same parish in 1686 and clover in 1700, while tithes of turnips were recorded at Bulwell in 1714, Epperstone in 1725 and Arnold in 1726.²

¹ N.A.O. DD.FO. 1/16

² E.Gill & E.L.Guildford (eds.), *The Rector's Book of Clayworth Nottinghamshire, 1672-1701* (Nottingham, 1910), pp.28 & 97. N.A.O. DR. 1/3/2/1 (Bulwell); N.A.O. PR.6382; N.A.O. DR. 1/3/2/1 (Arnold).

Nevertheless, it was the sweeping changes on the forest sands rather than more modest experiments carried out elsewhere which caught the imagination of observers, although the improvements took time to achieve and not all estates were evolving at the same rate. For instance, the programme at Welbeck was well advanced by 1725 but the Duke of Norfolk's adjoining Worksop Manor Park was described as 'a great compass of ground covered with furze and broom'.¹ Also, the enclosure in 1708 of scrub woodland and heather to form Clumber Park (mentioned above) did not result in any notable change in its use as a hunting park until the Duke of Newcastle came into residence around 1760. During the next few years a new mansion was built, lakes formed, plantations laid out and about two thousand acres of land put into a continuous state of husbandry while maintaining between three and four thousand sheep.² Around the same time, some two thousand acres of land at Welbeck had been converted into tillage and plantations, and there had been a gradual increase in the acreages of the home farms at Worksop, Rufford and Thorsby.

Earlier visitors to this district had been critical of the destruction of the ancient forest; in the 1670s Robert Thoroton found 'the pleasant and glorious condition of the forest wonderfully declined', and Daniel Defoe, writing some fifty years later, still described the area as 'given up to waste'.³ By the 1790s the wholesale

¹ Historic Manuscripts Commission, *Portland Manuscripts*, VI, p.83.

² R.Lowe, *A General View of the Agriculture of Nottinghamshire* (1798), pp.9-10.

³ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield, 1972), II, p.161; Daniel Defoe, *A Tour Through the Whole Island of Britain* (1724-6, Harmondsworth, 1971), p.455.

development of the forest was well advanced but John Throsby was ambivalent in his attitude towards the changes which had taken place; while commending the new farmhouses and crops of corn, he regretted the loss of 'the grand and majestic scenes of nature' and their replacement by a landscape 'divided by stumpy fences and hedgerows'.¹ Other visitors, with a less romantic attitude towards the forest, and a more professional interest in agrarian matters, displayed nothing but admiration for the way in which such poor land had been brought into cultivation. Only the extent and timing of the major improvements were disputed, and Robert Lowe, writing towards the end of the eighteenth century, thought these had been achieved since mid-century. He was enthusiastic about the recent great changes which had been wrought by gentlemen and substantial farmers, and was optimistic that their example would spread to the 'inferior orders'.² However, R.W.Corryingham, author of a survey in the 1840s, was sceptical and believed the whole forest district to have remained a vast sterile waste until the beginning of the nineteenth century, after which he considered that no county or district in England had undergone a greater change for the better.³ This latter sentiment was endorsed by J.Caird when he described the Duke of Portland's water meadows at Clipstone as 'the most gigantic improvement of its kind in England'.⁴

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield, 1972), II, p.157.

² R.Lowe, *A General View of the Agriculture of Nottinghamshire* (1798), pp.9 & 144.

³ R.W.Corryingham, 'The agriculture of Nottinghamshire', *Journal of the Royal Agricultural Society*, VI (1845).

⁴ J.Caird, *English Agriculture 1850-51* (1852), p.205.

These meadows had been created between 1817 and 1837 as part of a scheme to convert a tract of more than fifteen hundred acres of rabbit warren, scrub, boggy waste and sheepwalk into a model farm.¹

Given the natural disadvantages of the forest sands, it is understandable that the successful long-term developments within the Dukeries estates should have impressed agriculturalists to such an extent. Even so, while the great estates became the show-places of the county, farming in this district was still precarious for those of more slender assets, especially in years of low rainfall. Around the same time that Robert Lowe was extolling the agrarian advances made in the area, John Throsby reported that a dry summer could result in the quantity of corn harvested scarcely equalling the amount sown.² This situation was not to change; rainfall, or irrigation, was so intrinsic to the cultivation of sand-land farms that during the drought of 1935 conditions were almost identical to those described in the eighteenth century.³

The Dukeries were not the only large estates on the forest sands; Newstead was owned by Lord Byron, Annesley by the Charworth family and Bestwood by the Duke of St.Albans. These estates differed from those of the Dukeries in that their owners appear not to have initiated any sweeping agricultural reforms, and piecemeal enclosure seems to have been carried out away from the principal seats and their adjoining parkland from, at least, the late-seventeenth century. Robert Thoroton

¹ D.V.Fowkes, 'Nottinghamshire parks in the eighteenth century', *Trans. Thor. Soc.*, LXXI (1967), p.85.

² R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield 1972), II, p.158.

³ L.Dudley Stamp (ed.), *The Land of Britain: Report of the land Utilisation Survey*, part 60, K.C.Edwards, Nottinghamshire, (1944), p.538; quoting S.M.Makings, *Farming Forest Sands* (Sutton Bonington, 1936).

found part of Bestwood parcelled into little closes and much of the park ploughed since the Civil War, while some hundred and twenty years later John Throsby wrote that the whole park had been thrown into farms.¹ The latter statement was an exaggeration as a considerable area of Bestwood remained parkland into the twentieth century, probably because much of the soil was the poorest kind of forest sand. In fact, an organised effort had been made to cultivate a large part of this estate, when, in the 1770s, the lessee of the Duke of St.Albans introduced his own labourers from Norfolk to work the land under their usual four-course rotation. However, by 1825 wheat had been largely dropped from rotations and the usual crops here were barley, seeds and turnips.²

Farmers in parishes upon the forest margins enjoyed more varied soils and were able to combine conventional open-field and breck systems of cultivation, but several places along the western fringe seem never to have had regular open fields. One exception was Warsop, where seven open arable fields would appear to have existed in 1722.³ Nevertheless, considerable piecemeal enclosure must have taken place before an act was obtained for this parish in 1818, by which time only three hundred and forty acres of field-land remained to be enclosed. Open fields were more usual in parishes on the eastern edge of the forest, although in many places these had been enclosed by agreement before 1760 so any acts obtained were generally for the

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield 1972), II, pp.279-80.

² N.A.O. DD.E. 31/1.

³ N.A.O. DD.FW. 118.

enclosure of common or waste, as at Ollerton. The neighbouring parish of Walesby, while containing areas of 'breckland', was more like a normal open-field parish in that it had six fields (three sand and three clay) and retained between five and six hundred acres of open arable, along with some three hundred acres of other open land, until enclosed by an act of 1821 (Chapter 4).

Most of the open arable fields along the southern extremity of the forest border had also been enclosed before the era of parliamentary enclosure, but agriculture here had to face competition for land from industry and housing. Parishes such as Basford, Lenton and Radford were undergoing rapid industrialisation in the eighteenth century and their proximity to Nottingham, where the opportunity for expansion was limited, ensured that land became increasingly valuable for building (Chapter 6). This was true of the other two principal semi-fertile areas, the lime and coal districts to the west of the forest. Soils of the Magnesian Limestone were capable of a degree of successful arable cultivation but the limestone quarried in this district was important both for building purposes and, in its prepared state, as the most popular fertiliser. The stiff clay of the coal measures, on the other hand, was difficult to drain and the traditional rotation there was oats, bare fallow and wheat.¹ A certain amount of dairying was developed to take advantage of the needs of the expanding population, but farms in this district were generally very small and many farmers probably combined this occupation with work in the cotton or coal industries; as was still common in the 1930s at Brinsley, Eastwood and Selston, where many farms were miners' part-time holdings.²

¹ N.A.O. M.483.

² L.Dudley Stamp (ed.), *The Land of Britain: Report of the land Utilisation Survey*, part 60, K.C.Edwards, Nottinghamshire, (1944).

Indeed, the marginal value of the soils throughout much of the semi-fertile region was such that it would probably have been necessary for the generality of small farmers to find supplementary part-time or seasonal employment. In the forest district the development of the large estates must have provided opportunities for casual labour, especially when projects were in hand for clearing the scrub, or for landscaping and planting. As noted above, the population of the estate villages was very small and, presumably, was kept very small intentionally, so it would seem inevitable that outside help would have been required. Certainly, the estates of Clumber, Thoresby, Rufford and Welbeck were major employers of outside labour in the mid-nineteenth century (Chapter 6). Also, even when the improvement of the forest was at its most advanced, certain areas were not worth cultivating or planting and the natural underwood from these would have furnished material for such articles as hurdles, crates and besoms.

On reverting to the fertile region, the most prominent district will be seen to be the Keuper Marl (Figure 2:1). The soil of this district is usually described as clay, but is actually composed of sand particles so minute that they produce a fairly heavy red clay-loam, lighter in texture than the Lias and Boulder Clays but possessing some of their physical properties. Considerable variation in the strength of the Keuper soils occurs, some areas having free-working loams, and others having stiff land with the characteristics of true clay. Difficulties in tillage can result if the heavier soil becomes wet and sticky in winter or hard and sun-cracked in summer, but it is fertile and, given adequate drainage, is capable of highly successful cultivation. Similar problems are not encountered on the

edge of the Keuper district where the soil arises from the 'waterstones', or Keuper Sandstone. This medium-light, friable, readily-drained land has been described as some of the best arable land in the county, but it can also be adapted to pasture, or for growing market garden produce and fruit.

In its unimproved state the heavier soil is unsuitable for the cultivation of turnips and sainfoin but was considered to be good wheat and bean land. It would also support mixed farming, although sheep were in danger of contracting liver fluke where drainage was poor. In fact, drainage was considered to be the most significant improvement which could be made to this land, and Robert Lowe noted that enclosure bills in the 1790s often ordered the commissioners to set out drains and to make provision for their future upkeep.¹ Nevertheless, although turnips were being grown successfully on well-drained Keuper soils by the 1850s,² farming advances in this district certainly do not support J.D.Chambers' assertion that 'In the eighteenth century most of the county's agriculture was of a revolutionary kind and affected the majority of the inhabitants'.³

In his study of agrarian change in Nottinghamshire, D.V.Fowkes found that, before the 1830s, farming on the Keuper Clay was characterised by slow, imperceptible changes rather than by any revolutionary innovations. The traditional clayland rotation of wheat-beans-fallow remained widespread, especially in the more northerly part of the district, until well into the nineteenth century.

¹ R.Lowe, *A General View of the Agriculture of Nottinghamshire* (1798).

² J.Caird, *English Agriculture 1850-51* (1852), p.208.

³ J.D.Chambers, *Nottinghamshire in the Eighteenth Century* (1932), p.137.

Furthermore, farmers in this area did not always take advantage of freedom of cropping after enclosure, but continued with the open-field rotations in their closes. D.V.Fowkes concluded that this could have been because the soil was fertile enough to keep producing reasonable crops of corn with a minimum outlay of capital.¹ However, cropping was not stereotyped across the whole district and Lowe noted that the cultivation of enclosed fields was sometimes extended to a five-course rotation of fallow, beans, barley, clover and wheat. The one special crop grown was hops, which were cultivated in many parishes between Retford and Southwell until well into the nineteenth century. These North Clay hops were stronger than the Kentish variety and were produced and used within a very confined area, being marketed at Retford, Tuxford, Ollerton and Southwell and utilised by the Newark breweries. Robert Lowe estimated that hops occupied a total of more than a thousand acres, although individual acreages were small.

A lack of initiative on the part of farmers in this district may not have been due entirely to indifference, but rather to their inability, or unwillingness, to finance improvements. Capital investment in drainage would probably have been the chief obstacle to progress for small proprietors and tenants on the heavier land, and one reason for the persistence of traditional rotations there. William Calvert, writing in 1794, observed no general wish for improvement in his neighbourhood (Darlton), and attributed this attitude of the farmers partly to the prevalence of yearly tenure in the area. He regarded bad husbandry, illustrated by neglect of hedges, ditches,

¹ D.V.Fowkes, 'The progress of agrarian change in Nottinghamshire c.1720-1830 (Unpublished Ph.D. thesis, University of Liverpool, 1971).

weeding and fallowing, as both a cause and a consequence of annual leases. These, he believed, allowed landowners to increase rents if they suspected a tenant of making a profit, and encouraged tenants to impoverish land while in short-term occupation. William Calvert also deprecated the cultivation of hops on the grounds that the large quantities of manure required for this crop could have been better used in general improvement of the fertility of the land.¹

Neither Calvert's contemporary, Robert Lowe, nor most of the more recent commentators have shared his pessimistic view of the effect of annual leases upon farming practice. In fact, by the later eighteenth century tenancy by annual agreement was common throughout the East Midlands; probably because it enabled adjustments in rent to be made almost concurrently with changes in agricultural costs and profits. On the clays, moreover, such tenure was thought to have been particularly secure because the unsuitability of the soil for convertible husbandry made it unattractive to more enterprising farmers.² Even so, where landowners were not prepared to invest in improvements, tenants holding their farms from year to year could have been reluctant to embark upon projects from which they might never benefit.

Farming on the Keuper soils did catch up with that of the rest of the county in the mid-nineteenth century, probably partly as a result of the removal of tax from drainage tiles after 1826, but even in the eighteenth century there were differences in the way land was managed. Some parishes in this district had been enclosed by agreement, some retained a considerable acreage of open-field arable land to be

¹ Letter from William Calvert in R.Lowe, *A General View of the Agriculture of Nottinghamshire* (1797), p.159.

² G.E.Mingay in J.Thirsk (ed.) *The Agrarian History of England and Wales*, V (Cambridge, 1984), p.117.

enclosed by act, and others had experienced a substantial amount of piecemeal enclosure over a long period. On the whole, acts for the more southerly parishes of the Keuper Marl were procured earlier than for parishes further north, and practically all those south of Newark had been enclosed by 1800. One reason for this difference in timing may have been that the more northerly parishes, except those in the vicinity of Newark, were largely uninfluenced by the growing urban population, whereas parishes further south came within the orbit of Nottingham. Another factor was the more varied soils which were present in some of the south clay parishes where they were situated partly upon the Keuper Marl and partly upon lighter, sandier soil which allowed more flexibility in cropping than in parishes wholly upon the clay. In fact little experimentation appears to have been introduced into the open fields in this area but after enclosure mixed farming similar to that of the Trent Valley became usual.

On turning to the alluvial valleys of the rivers Trent and Soar and their tributaries, the physical characteristics of top-soils depend to a large extent upon the provenance of the water-borne material of which they are composed. Gravel is also distributed widely throughout the district and, while this ensures free drainage and ease of working, it can result in impoverishment of the soil. Much of the river-valley land is naturally rich and will support both permanent grass and arable cultivation but, where the loam contains a high proportion of gravel it does not retain moisture and regular applications of manure are necessary to provide bulk, and to offset the effects of leaching. Many parishes in the Trent Valley, especially below Newark, are of an elongated shape to take advantage of the different types of land available. This included meadow and pasture on the low ground bordering the river, the site of the settlement and

arable fields on slightly higher ground (the fields sometimes named according to the relative strength of the soil as 'sand' or 'clay'), and a tract of rough grazing, or common.

The situation of land and its susceptibility to inundation, or water-logging, would have been of vital importance for land-use before the erection of flood-banks and the introduction of modern dredging equipment. Periodic serious floods occurred in the Trent Valley throughout the eighteenth century, the most notable probably being those of 1770, when the Fossdyke embankment on the Lincolnshire side of the river was breached, and 1795, when the Valley was described in the *Nottingham Journal* as presenting 'a scene of desolation'. Despite several drainage and embanking schemes carried out during the late-eighteenth and early-nineteenth centuries, thousands of acres of hay and corn were again under water on the Nottinghamshire side of the river in 1837, and the problem had yet to be solved in the lower reaches of the river as late as 1910.¹

A certain degree of flooding, at the right time of year, was beneficial to meadowland and produced very rich grass, but it could be disastrous for arable crops and hay. Also, river-valley soils were generally adaptable and could accommodate the new crops which were becoming more widely available during the second half of the eighteenth century. Robert Lowe, writing in the 1790s, attributed the improvement of previously low-value, light Trent-bank land to the effective introduction of turnips and clover into rotations during the previous thirty years.² As in the sand district, with improved rotations and better fertilisation of the land, the cultivation of rye

¹ H. Chadwick, *The History of Dunham-on-Trent with Ragnall, Darlton, Wimpton and Kingshaugh* (Cambridge, Massachusetts, 1924), p.97.

² R. Lowe, *A General View of the Agriculture of Nottinghamshire* (1798), pp.28-9.

was discontinued. A certain amount of wheat was grown but parts of the Trent Valley became known particularly for fine crops of barley.

Mixed farming was probably still the most usual type of husbandry in the greater part of the river valleys, often incorporating a considerable amount of fattening of livestock, and some places became noted for horse-breeding. However, the soils were capable of varied types of land-use, particularly along the Trent, and the increase in urban population towards the end of the eighteenth century provided an incentive for farmers within reach of towns to specialise in market gardening or dairying (Chapters 4 & 6). Some sheep-farming similar to that of Leicestershire was also to be found along the Soar, in the far south of Nottinghamshire. Several parishes in this area were in the hands of one, or two, proprietors, some of whom also held estates in Leicestershire, and Throsby noted the presence of a number of 'capital ram breeders'.¹

The other district of any size in the fertile region comprises the genuine clay of the Vale of Belvoir and the Nottinghamshire Wolds - stiff soil, difficult to work and naturally predisposed to pastoral farming. The Lias Clay of the Vale of Belvoir was the basis for the celebrated grazing district on the Leicestershire side of the county boundary and early enclosure in the Nottinghamshire portion of the Vale also appears to have been followed by conversion to pasture. Nevertheless, parishes in the Vale and on the Wolds which escaped pre-parliamentary enclosure were not greatly affected by piecemeal enclosure (Figure 4:5). Portions of land were abstracted from the open arable fields in several places (e.g. Hickling, Thoroton, Ruddington) to form a new pasture field (Chapter 4), but these fields remained

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield 1972), I, Rushcliffe Hundred.

part of the agricultural system of the parish and were divided and allotted along with the rest of the open land at enclosure.

Also, in contrast to the seventeenth and early-eighteenth century enclosures, by the second half of the eighteenth century, when the majority of parliamentary acts were obtained for Vale parishes, enclosure seems to have resulted in the creation of mixed farms. Perhaps the disadvantages of high costs of ploughing the heavy land, and the necessity for a bare fallow, were made worthwhile by favourable grain prices during this period. Certainly, grain production would appear to have been well established by the 1770s and 1780s, when the *Nottingham Journal* usually cited the state of harvest in the Vale of Belvoir as an indication of the yields which might be expected in the rest of the county. Lowe also remarked that a mixture of arable and pasture was almost universal on enclosed farms here in the 1790s, and a slightly later writer described the Vale as presenting 'a scene of cultivation perhaps equal to any other in the kingdom'.¹

The Boulder Clay of the Wolds was even more difficult to plough than the Lias land and much of it was left under permanent grass. Here, the pastures were inferior to those of the Vale of Belvoir and of little use for fattening stock although suitable for rearing lambs and other young livestock. The traditional method of farming the Wolds was for the high ground to be used as stunted pasture while the lower levels, where the presence of sand or gravel in the clay renders it less intractable, were cultivated. Variations to this style of

¹ F.C.Laird, *Beauties of England and Wales; Nottinghamshire* (1812), p.22.

land-use could be found in some parts of the district, notably at Cotgrave and Clipston where a system similar to that of the forest brecks was employed in cultivating part of the rough grazing land.¹ Areas would be taken in and tilled under a seven-year rotation, with a bare fallow replacing the turnip course which was usual in the sands. As in the other areas of heavy land, efficient drainage remained the most pressing requirement, but progress here was slower than on the Keuper clay because the prospective returns were not so favourable. Even in the mid-nineteenth century much of the Wolds remained undrained and, in the early 1850s, Caird foresaw little prospect of change unless corn prices improved.²

The remainder of the fertile region consists of a small area of marsh, or Carrland, situated at the northern tip of the county and comprising about twenty-five square miles of a much larger area of flat low-lying land which stretches into Yorkshire and Lincolnshire, and to which its history is inevitably linked. As mentioned above, the value of the marsh depends to a certain extent upon the type of rock underlying the peat, but drainage is also of vital importance. In common with the Lincolnshire and Cambridgeshire fens much of this district was potentially rich farmland if properly drained. Several reclamation schemes were introduced over a long period, the most famous of which was that designed by Cornelius Vermuyden in 1629. This ambitious project to drain the whole of Hatfield Chase and the surrounding area met with staunch opposition from the local inhabitants, was only partially successful, and was abandoned.

¹ D.V.Fowkes, 'The breck system of Sherwood Forest', *Trans. Thor. Soc.*, LXXXI (1977), p.59.

² J.Caird, *English Agriculture 1850-51* (1852), p.20.

Subsequent schemes dealt with more limited areas and numerous pumping engines survive as witness to the piecemeal nature of the undertakings which completed the work.

Nearly all the Nottinghamshire section of the marsh was enclosed before 1780 and became a district of small farms. However, the proximity of expanding industrial centres in north-west Nottinghamshire and adjoining parts of Yorkshire ensured that farmers' fortunes were not dependent upon traditional crops of grain. Many were able to concentrate upon the production of potatoes, carrots and other readily marketable vegetables for which the land is well adapted. By the end of the eighteenth century the area had become subject to intensive cultivation, but the high fertility of this soil resulted in over-enthusiastic drainage and cropping which caused the peat to dry out and shrink until, by the 1920s, much of the land had again become derelict.¹

As indicated above, notwithstanding that enclosure activity can be found in the fertile region throughout the greater part of the parliamentary period it would appear that post-enclosure agrarian improvements were slow to be introduced upon the heavier land. Nor, where enclosure was delayed, is it clear how influential the Act of 1773 (13 Geo.III, c.81) would have been in encouraging the introduction of more adventurous rotations in open fields. This Act was introduced 'for the better cultivation, improvement and regulation, of the common arable fields, wastes and commons of pasture.' It enabled open fields to be 'ordered, fenced, cultivated and improved' with the consent of the tithe-owners and three-fourths of the proprietors, and this act is sometimes thought to have allowed

¹ H.G.Robinson, 'Features of Nottinghamshire Agriculture', *Journal of the Royal Agricultural Society*, 88 (1927), p.9.

the introduction of sufficiently versatile crops and rotations to have made enclosure unnecessary. J.D.Chambers believed this to have been the case in some local parishes, but his conclusions were based largely upon an unsubstantiated statement in a County Directory of 1844 that much of the clay district was still being farmed in large common fields cultivated under the Act of 1773.¹

Where these 'large common fields' were to be found is not clear as only a handful of places retained significant amounts of open arable land to be enclosed from 1836 onwards (Chapter 4). If one allows for parishes where late enclosure by agreement might have taken place it is still difficult to envisage many substantial areas of field-land remaining open until 1844. Nor can Chambers' single example of the efficacy of the 1773 Act in delaying enclosure be considered to have been particularly apt, as he cites Robert Lowe on the agreement at Oxtou for the division of the three fields to provide a fourth for the cultivation of clover.² Admittedly, the enclosure of Oxtou was not completed until 1852 under an act of 1849, but by this time less than a third of the parish remained unenclosed, about ninety per cent of which consisted of moorland, warren and woods (Chapter 4). Moreover, by this date the open arable land had reverted to three fields.

Even so, although the 1773 Act may not have been applied to any great extent locally, and open-field cultivation seems often to have continued virtually unchanged, it must be remembered that substantial areas of land had already been taken out of the open-field system in

¹ J.D.Chambers, *Nottinghamshire in the Eighteenth Century* (1932), p.174; *White's Directory of Nottinghamshire* (1844), p.38.

² R.Lowe, *A General View of the Agriculture of Nottinghamshire* (1798), p.37.

many places by this period. Also, while farmers in the open fields may have been restricted to traditional rotations, owners of closes had the opportunity to grow different crops. Apart from the hop plantations along the forest fringe and on the Keuper clay, apple and pear orchards were well established over a wide area by the second-half of the eighteenth century. These were especially numerous in the vicinity of Southwell from which fruit was sent to Mansfield market for sale to buyers from the Peak District of Derbyshire. Flax was also grown in parts of the fertile region during the 1780s and 1790s (presumably in closes), at which time a bounty of fourpence per stone was payable. Local claims averaged about 2000 stone a year but reached a peak of 5,283 stone in 1788.¹

Further incentives for experimentation with crops and improved husbandry techniques were provided in the form of premiums offered by a local agricultural society. This, 'The Society for Encouraging Improvements in Agriculture' (West Riding and Nottinghamshire), was active from the mid-1760s and numbered several of this county's more important landowners amongst its officers. Notices of the meetings and deliberations of the Society were published regularly in the *Nottingham Journal*, together with details of the premiums offered and the rules which governed their award. In addition to providing an opportunity for members to discuss deficiencies in the management of land in their neighbourhoods, the Society held competitions for the finest livestock, the highest yields of various crops, and the best examples of various farming techniques. Crops for which premiums were offered included carrots, cabbages, lucerne, sainfoin, potatoes and

¹ K. Tweedale-Meaby, *Extracts from the Nottinghamshire County Records of the Eighteenth Century* (Nottingham, 1947), pp.189-192.

turnips, grown in different types of soil. Techniques covered drainage, the cleanest fallows, enclosure and breaking up for tillage of pasture or meadow, and enclosure from waste, and farmers were also encouraged to enter their farms in a competition for the neatest fences, watercourses, banks, roads, gates and stiles.

Several Nottinghamshire proprietors won prizes for their agricultural skills and where this occurred it was regarded as an inducement for other farmers in the area to improve their methods. For example, when a Winthorpe man received the Society's gold medal for the best cleaning of a fallow the *Nottingham Journal* reported; 'The success of this intelligent farmer has raised such a spirit of emulation in the neighbourhood that it is thought the number of candidates for premiums to be given this year will not be inconsiderable'.¹

Nevertheless, from this review of Nottinghamshire soils and their cultivation it will be clear that general agrarian reform did not depend solely upon the good example of progressive farmers but upon several prerequisites. While the forest sands were the scene of the most revolutionary developments this was only made possible by the presence of proprietors who were in control of large units of land and who possessed specialised knowledge and the resources to carry out their plans. Some agricultural improvements took several years to become profitable and an awareness of these would have been of little use to farmers who could not afford to adopt them and wait for them to mature. Drainage often required the co-operation of numerous landowners, including those of neighbouring parishes, and changes in land-use or methods of cultivation may not have been possible if this were not forthcoming.

¹ *Nottingham Journal* (20.2.1773).

Enclosure was obviously of importance, especially where there was a wish to introduce specialised crops or to improve stock, but it is difficult to estimate the degree to which parliamentary enclosures contributed to general agricultural improvement in Nottinghamshire. A change in husbandry did not automatically follow enclosure; yet, higher yields would probably have resulted from the process, if only because the control of weeds would have been easier, and protection from birds, straying livestock and rough winds more effective. Robert Lowe reported an increase of around seventy per cent in the yield of wheat grown in closes, and tenants were believed to have been willing to pay higher rents for enclosed land even where the rotations employed remained identical with those in the open fields.¹ Whether these enhanced returns would have been sufficient to warrant the cost of enclosure would have depended upon the time at which it occurred, the type of land being enclosed and the level of formal expenses, and these considerations will be addressed in subsequent chapters.

¹ R.Lowe, *A General View of the Agriculture of Nottinghamshire* (1798), p.46; J.D.Chambers & G.E.Mingay, *The Agricultural Revolution, 1750-1880* (1966), p.79.

CHAPTER THREE

The Practical Handling of Enclosure

Everyone interested in parliamentary enclosure will be familiar with enclosure acts and awards, but it may not always be appreciated that these documents marked only a section of an undertaking which usually had its origins much earlier than the date of the act, and its completion after the award had been signed (Table 4:3). No sudden revolutionary change was produced whereby the open lands of a system of communal farming were transformed into an ordered landscape of privately owned hedged fields. In fact, it will become apparent that the inhabitants of enclosing parishes were usually given a longer period in which to adjust to the idea of enclosure, and, in many cases, more time to fence their allotments, than is sometimes supposed. So, before discussing the incidence of enclosure, and any regional soil variations which might have affected its timing in this county, it may be useful to examine the practical issues which were involved.

Obviously, the amount of information available for individual enclosures varies according to the survival of relevant material, although, at the very least, the act and award together with the date of the petition to Parliament, should usually be obtainable for enclosures authorised before 1836. Dates of petitions may be found in the *House of Common's Journals*; those for Nottinghamshire being abstracted and published by W.E.Tate.¹ After 1836, enclosures were usually authorised under the provisions of General Inclosure Acts and affirmations of consent were cited instead of petitions. Enclosure acts, awards and petitions are very valuable records, but it must be

¹ W.E.Tate, 'Parliamentary Land Enclosures in Nottinghamshire 1743-1868', *Thoroton Society Record Series*, V (1935).

remembered that a great deal of negotiation for any scheme would have taken place a considerable time before a petition had been produced. However, as the earliest discussions of the terms of an enclosure were generally held in private, records of such transactions are not easy to trace unless a solicitor was present and his papers, or those of interested private individuals, are available. Indeed, until the revision of the Standing Orders in relation to enclosure and canal bills, in the mid-1770s, there would appear to have been no compulsion for the promoters of an enclosure to advertise their intentions outside the parish concerned. In some cases this resulted in owners who lived at a distance from their property not being informed about schemes to enclose their land until it was too late for them to influence the project (Chapter 4).

As a result of the parliamentary committee's review of the Standing Orders (1774), new clauses were introduced which were designed to ensure that projected enclosure and canal schemes were more widely publicised, and that all interested parties were consulted. In addition to notices displayed within the parish, intended enclosures, and all subsequent meetings, were required to be advertised in relevant newspapers; the signatures of all the proprietors were to be obtained, and the names of any commissioners who had already been appointed were to be disclosed. In practice, it seems that many enclosure bills already incorporated some of these provisions long before 1774.¹ This is true for the majority of Nottinghamshire parliamentary enclosures which pre-date the revised legislation, although newspaper advertisements were less numerous before 1770 than they became later.

¹ S.Lambert, *Bills and Acts: Legislative Procedure in Eighteenth Century England* (1971), p.134.

The value of notices in newspapers will become apparent when it is realised that these sometimes provide the only surviving details of the progress of an enclosure. Also, such notices of meetings to consider enclosure are often the only evidence available of projects which were discussed several years before consent for an act could be obtained (Chapter 4), or of cases where an act had been contemplated although the enclosure in question was subsequently accomplished without recourse to Parliament. Locally, the *Nottingham Journal*, in its various incarnations, was the newspaper most commonly used for enclosure notices, but the location of parishes on the periphery of the county, or the residence of important landowners outside Nottinghamshire, could result in enclosures being advertised elsewhere. Inhabitants of Nottinghamshire parishes which bordered upon Yorkshire or Leicestershire sometimes regarded a publication from one of those counties as their local newspaper. Occasionally, too, directions were given for enclosures to be advertised more widely; for example, the notices for Everton and Harwell were published in the *Whitehall Evening Post*, and news of the projected enclosure of several other Nottinghamshire parishes was announced in the *Stamford Mercury*.

Even given a reasonable number of public notices, an understanding of most enclosures will still be hampered by a shortage of information about the problems which had to be overcome before a scheme could be announced. However, an indication of difficulties encountered may sometimes be deduced by extrapolation from specific clauses inserted into acts. For instance, our first enclosure act, for Staunton, makes provision for the small area of land owned by the Duke of Portland in that parish 'to remain as though the enclosure had not taken place'.¹

¹ N.A.O. DD.S. 47/3.

From this proviso it would appear that the Duke, while not opposing the plan, was not prepared to subscribe to the enclosure. Elsewhere, we shall find (Chapter 5) that influential persons (usually tithe-owners) sometimes expected concessions to be made in return for their signatures on petitions or bills.

Details of preliminary negotiations have been found for very few local projects, and none from the earlier phases of the county's parliamentary enclosure history. The ones for which we have information date from the late-eighteenth and nineteenth centuries and may not be strictly comparable with those of previous decades. For instance, the surprising lack of self-confidence exhibited by some local solicitors could have been the result of a more stringent enforcement of the rules regulating enclosure applications to Parliament towards the end of the eighteenth century. The enclosure petition and draft bill were usually prepared locally, often by the solicitor who was subsequently to act as commissioners' clerk, but their submission to Parliament would be made by a London attorney acting as parliamentary agent. Most of the legal business of this county's enclosures was transacted by a few well-established local firms whose members might have become cautious if bills were being rejected on the grounds of technical inadequacy (Chapter 4). Even so, one would have expected that experienced attorneys would have kept abreast of any new legislation, and would have been competent to have overseen the production of an enclosure petition. Yet it was members of firms which had long been associated with enclosure who were taking instruction from their London counterparts, not over complicated points of law, but over the drafting of enclosure petitions and bills.

The most detailed records originate from the enclosure of Normanton-on-Trent and consist partly of a series of letters between

Edward Smith Godfrey (member of a well-known Newark partnership who was later appointed Clerk of the Peace for the county) and John (or Jonathan) White, a London attorney and parliamentary agent.¹ Advice was sought by Godfrey at practically every stage of the formal procedure for this enclosure, until the act was obtained in 1800 and much of the responsibility for the project passed to the commissioners. From the informal tone of the letters, the number of questions asked and the care with which they were answered, it would appear that Godfrey and White were more than mere professional colleagues.

Questions covered such topics as the way in which meetings were to be advertised, the wording of the enclosure petition, the drafting of the bill and whether the Land Tax assessment (which Godfrey said was not correct) could be used to indicate the value of property owned. In his reply to this latter query White indicated that the correctness of the assessment was of no consequence unless the enclosure met with opposition. In such case, any other parish rate or the quantity of each person's property might be used instead of the Land Tax. Godfrey also asked if every proprietor in the Kingdom must be applied to for their consent 'be their property ever so small and their place of abode ever so distant?' He appears to have been reluctant to travel far to obtain signatures and was chided by White about this, while being informed that application should be made to all proprietors personally, although, in cases where this would lead to great expense, other means of obtaining their consent might be considered.

The expense of obtaining agreement for bills was one of the complaints often levelled against parliamentary enclosure and substantial costs could result if many journeys had to be made both

¹ N.A.O. DD.T. 23/1.

before and after the bill had been drafted (Chapter 7). This point was emphasised in the notice of the reading of the draft enclosure petition and bill for Kirkby-in-Ashfield, where the solicitor responsible made the point that the personal attendance of the proprietors would be a considerable saving to them.¹ In the case, of Normanton-on-Trent, it was agreed that a journey to Glasgow, to obtain the signature of a landowner who was stationed there with his regiment, need not be undertaken, although White pointed out that, even under these circumstances, consent in writing was not strictly legal. A further question dealt with the need, or otherwise, to read or explain parts of the draft bill to the persons from whom signatures were being solicited. The answer was that this was not necessary unless requested, in which case it must be done, and, if anyone asked to read the bill themselves it must be left with them. White also explained that it was expedient to take down the answers of everyone who refused to sign the bill, as these had to be put before the parliamentary committee.

This correspondence has been mentioned at some length because it gives an idea of the caution with which one experienced solicitor approached the complexities of preparing an enclosure bill. Two others were equally circumspect; William Tallents, entrusted with the local negotiations for the ill-fated Marnham project in 1821 (Chapter 5), was careful to ask for instruction upon the initial stages of that enclosure.² And, in 1830, George Barrow (member of a long-established Southwell firm of solicitors), in correspondence with a parliamentary agent, appeared very unsure of how to conduct the preparations for the enclosure of Askham.

¹ *Nottingham Journal*, 20.12.94.

² N.A.O. DD.T. 123/2.

Advice was sought as to the feasibility of using a General Inclosure Act, upon the cost of presenting a bill to Parliament, the necessity of having more than one commissioner, the way in which he should be appointed and paid, the degree of consent required and how notice of the enclosure should be given. In answer, the agent sent Barrow a copy of a contemporary act illustrating the modern regulations and giving full instructions upon notices. To make doubly sure that the requirements were understood the London solicitor asked to see a copy of the notice of application before Barrow inserted it in the newspaper.¹

These may not have been typical of local solicitors in general, and it is particularly surprising to find a member of the Tallents family seeking advice on enclosure business. Apart from their activities in Nottinghamshire, the firm of Tallents and Co. of Newark acted as chief agent for the Earl of Yarborough's large estate and for several other landowners in Lincolnshire, and one would have expected all the partners to have been conversant with enclosure procedure. Nevertheless, it is interesting to see the aspects of the enclosure process upon which it was felt that guidance was necessary.

No hint of similar uncertainties were exhibited by the two solicitors who were active in the East Leake enclosure. However, as abortive bills had been presented from that parish in 1781 and 1786, it is probable that great care had been exercised in drafting the successful application of 1798. It is not known at what date, nor by whom, these solicitors were appointed, but their itemised accounts

¹ N.A.O. DD.M. 2/32.

provide details of the amount of work which preceded an application to Parliament, and how this could increase the costs of enclosure (Chapter 7).¹ Consultations were taking place as early as February 1797, about a year before the petition was submitted, and many journeys were undertaken in order to acquaint important persons, such as the patron of the rectory (the Earl of Moira), with the fact that an enclosure was being considered. By June 1797 enough progress had been made for a public meeting to be convened in order to canvass the views of proprietors.

At this point the rector refused to attend the initial meeting on the grounds that it was to be held in the adjoining parish of Bunny, and the venue had to be changed to East Leake. The rector was not opposed to the enclosure, so it is not clear why he should have objected to a meeting at Bunny unless he was not on particularly good terms with the lord of the manor of East Leake, Sir Thomas Parkyns, who owned Bunny and had his principal residence there. This would appear to be a possibility judging from a notice published by the rector after a meeting had been announced for the purpose of considering a petition to Parliament. The rector warned the owners of estates within the parish that he would not sign the enclosure bill until certain agreements between himself and Sir Thomas Parkyns had been ratified, and the promised manuring of the fallow by the other proprietors had been carried out.²

Presumably the rector's conditions for his signature were fulfilled as no formal opposition to the enclosure was encountered and the petition and bill were prepared by early January 1798. Whereupon, the solicitors, or their clerks, visited proprietors to obtain

¹ N.A.O. DD.SD. 1/2.

² *Nottingham Journal*, 23.9.1797.

signatures irrespective of the size of their holdings - one quite small owner living at Irchester (Northamptonshire) being amongst those solicited in person. The petition was presented in February 1798, the act was passed a month later and this enclosure continued to progress very quickly. Allotments were ready to be entered in December 1798 and the award was signed six months later, only fifteen months elapsing between the date of the act and that of the award, although, as will be found in many other instances, the period during which the parish was affected by its enclosure extended far beyond that spanned by these dates. Public notice of the project had been given almost eight months before the petition was submitted and, although the award had been signed in June 1799, the commissioners continued to hold meetings after this date. At one, held in December 1799, they found that a further £200 would be required to complete the roads because the high price of labour and unsuitable weather in 1797 had increased costs.

This was not the end of the road expenses; a year later the commissioners met again to settle the accounts to that date and to make a further levy (Chapter 7). Even then the enclosure business was not finished as, in July 1801, the solicitors had to write to ten proprietors to ask for payment of this last road rate.¹ So, although the ostensible time taken for the completion of the East Leake enclosure was fifteen months, in fact, the period between the preliminary negotiations and the final demands for payment towards the new roads extended over four and a half years.

An examination of the genuine time-span of several other enclosures, as opposed to the period suggested by the dates of the acts and awards, will show that East Leake was not exceptional in this respect (Table 4:3). Roads and drains were often the most costly part

¹ N.A.O. DD.SD. 1/1.

of a project (Chapter 7) and their completion frequently dated long after the execution of an award; one example of extreme delay occurring at East Bridgford where three minor roads were still unfinished forty-three years after they had been set out in the enclosure award.¹ Before considering further the aspect of the time required to complete enclosure, however, perhaps a résumé of the formal procedure required for procuring a parliamentary act would not be out of place.

As indicated above, the first public intimation of a projected enclosure usually took the form of a notice to the effect that a meeting of interested parties was to be held to consider the propriety of applying to Parliament for an act. Of course, public discussion would have been unnecessary where the whole of the land and rights in a parish were owned by one or two proprietors. Consequently, in such cases, little detail of the progress of the scheme is usually available, in fact, parliamentary enclosures of this type appear to have been almost indistinguishable from private enclosure agreements, and possible reasons for the need to obtain parliamentary sanction are suggested below (Chapter 5). Also, in places where only a few proprietors owned the bulk of the land (particularly if these included the chief tithe-owner) public meetings to discuss an enclosure application would probably have been little more than a formality. In such instances questions of the compensation acceptable in lieu of tithes, or for any manorial claims, would normally have been resolved, and the consent of the more influential owners obtained, before the first meeting had been convened. The rest of the proprietors would have been presented with an agreed enclosure scheme upon which their

¹ A. Du Boulay Hill, *East Bridgford, Nottinghamshire* (Oxford, 1932), P.159.

approbation, or otherwise, could have exercised little influence. Few preliminary meetings were usually necessary for enclosures of this type and a draft bill would have been produced and signed within a short time of the notice of proposed enclosure. Under these circumstances it is questionable how far the actual degree of approbation was reflected in the statement that 'unanimous approval' had been obtained for an enclosure (Chapter 5).

More information was often generated from meetings held to consider a projected enclosure which had originated amongst a number of proprietors in parishes where the ownership of land was fragmented. In such cases, although a majority of the landowners may have been in favour of enclosure, the requisite consent of the lord of the manor, or a tithe owner, might not have been forthcoming - especially if these lived at a distance from the parish and evinced little interest in its welfare. Agreement upon compensation for rights or tithe could have been difficult to attain, and, where tithes were retained unchanged by an act, or were only subjected to partial commutation, this may have been a compromise solution. However, compromise was not always possible and where none could be reached the idea of enclosure sometimes had to be abandoned. This happened at Willoughby-on-the-Wolds when, in 1780, an act could not be solicited because the Duke of Portland would not accept the compensation offered for his inappropriate tithes in the parish. Owners here were, understandably, unwilling to assent to the Duke's agent's proposal that tithe compensation should be entrusted to the enclosure commissioners. The solicitor involved in the projected enclosure at Willoughby wrote to the agent saying that the proprietors had instructed him to inform the Duke that 'it was a matter of so much consequence that they thought it should not be left to the commissioners'. The proprietors believed that they were making a fair offer of compensation with which they expected the Duke would

have been satisfied. The solicitor continues; 'You well know that nothing of consequence should be left to commissioners on an enclosure that can possibly be prevented, because, be they ever so well disposed, it is not in their power to give contentment to all parties'.¹ In consequence, the enclosure act for Willoughby-on-the-Wolds was not obtained until 1793, by which time the Duke's trustee was willing to accept the scale of tithe compensation which had originally been suggested.

Landowners of Dunham and Ragnall also experienced problems with the lessee of the great tithes. On being offered two-elevenths of the arable land in lieu of his entitlements, Lord Newark declined accepting less than his original proposal of one-fifth of this land.² Compliance with his ultimatum was at first refused, but, after about two months of stalemate, and with no other means of breaking the deadlock, the proprietors agreed to the impropiator's claim and a bill was prepared. As meetings to discuss enclosure generally took place after harvest, and petitions and bills for private acts were usually only accepted by Parliament before the end of February, this only left a relatively short time in which to reach agreement amongst the various persons concerned. The time allowed for the consideration of private acts varied from period to period. By the parliamentary enclosure era, petitions had to be presented within a certain number of days from the beginning of a parliamentary session.³ If a tithe-owner or lord of the manor proved stubborn, the rest of the

¹ N.A.O. DD.2P. 25/16.

² N.A.O. DD.T. 7/8.

³ S.Lambert, *Bills and Acts: Legislative Procedure in Eighteenth Century England* (1971), p.54.

proprietors probably had little alternative (as at Dunham and Ragnall) but to accede to his demands fairly quickly, rather than risk having to delay their application until the following year.

Nevertheless, it was not only lords of manors or tithe-owners who were able to delay an enclosure attempt; on occasion the commoners could also present enough opposition to prevent a scheme of which they did not approve. That this was possible even where a large landowner desired the enclosure, and was probably willing to resort to a little coercion, is shown by an example from Gringley-on-the-Hill. Here, in 1775, the Duke of Devonshire wished to enclose part of the common, but, from a letter addressed to the Duke's agent by the solicitor engaged to act in the enclosure, it is obvious that the plan was not universally popular. To overcome possible opposition the solicitor suggested that a letter should be sent to each common-right owner who was also a tenant of the Duke (a draft of which was provided), informing them that a meeting was to be held to receive their consent to the scheme and pointing out that: 'The Duke being very anxious that this measure should be executed, as the only chance left of making any benefit from the commons; he wishes it to be understood by you, and every other of his tenants, that he hopes, and expects, that every tenant of his (who wishes to continue so) will oblige him by their attendance at this meeting, and there giving their consents to the proposed measure'.¹ The Duke of Devonshire was unsuccessful in enforcing his wishes and the act for Gringley-on-the-Hill was not passed until 1796.

After terms had been agreed with tithe-owners and lord(s) of the manor(s), the process of acquiring an enclosure act followed an established pattern similar to that used in gaining authorisation for

¹ N.A.O. DD.2P. 25/2.

turnpike roads and canals. Parliament would be petitioned for leave to bring in a bill to facilitate one of these schemes, and evidence would be given that the approval of certain interests had been secured. In the case of enclosures, apart from that of the lord of the manor and the tithe-owners, the approbation of the patron of the living and of proprietors owning a major part of the acreage, was necessary. Patrons of Nottinghamshire livings usually presented no obstacle to enclosure as they were often lords of the manors concerned and prominent in promoting the project. Otherwise, the principal patrons in the county were the Archbishop of York (who was also lord of several manors), the Dean & Chapter of Lincoln, masters and fellows of Oxford or Cambridge colleges or the Chapter of Southwell Minster.

With regard to the other owners of land or rights, no specific quantum of consent was mentioned in the Standing Orders of the House but it is generally understood that the sanction of four-fifths, or two-thirds, by value of the interests concerned, would have been required. Indeed, in 1799 the London agent for the enclosure of Normanton-on-Trent advised the local solicitor that it would not be sufficient to state that the majority of the proprietors in number and value had given their consent to the bill, but that the Lords would expect evidence to be submitted of the approbation of owners of four-fifths of the value of the land.¹

Members of Parliament representing the county, or adjoining counties, usually presented the bill and reported upon it, and the question of the propriety of this personal involvement has been debated both by contemporary observers and by more recent commentators. As early as the 1670s, long before our first enclosure act was obtained, Robert Thoroton remarked that it was unlikely that

¹ N.A.O. DD.T. 23/1.

legislation would be introduced to curb enclosure because members of both Houses of Parliament were the chief authors of, and gainers by, 'this false-named improvement of their lands'.¹ More recent historians are divided over the issue, some believing that Members habitually used their influence to push enclosure bills through Parliament for the benefit of themselves and their families, others seeming convinced that the rules which governed the parliamentary proceedings would have obviated any patronage exercised by interested parties. As might be expected, in the early years of this century J.L. & B. Hammond, W. Hasbach and P. Mantoux were among the writers who considered a personal relationship between Members of Parliament and principal promoters of enclosures to have been inimical to the interests of smaller landowners.² Support is afforded to this view by the findings of an examination of the personalities concerned in the acquisition of Warwickshire enclosure acts; a link being proved between the chief landowner and a Member of Parliament in more than fifty per cent of the seventy-one enclosure bills from that county which came before the House during the years 1730-79.³

On the other hand, some modern historians are not convinced that undue nepotism would have been usual, or even possible, given the supervision exercised over private acts. Among such scholars is S. Lambert, an expert on eighteenth-century legislation, who thinks that the care with which enclosure bills were scrutinised during their passage through Parliament would have provided reasonable protection

¹ R. Thoroton, *The Antiquities of Nottinghamshire*, (1677, J. Throsby's edition, Nottingham, 1790-96, reprinted Wakefield 1972), I, p. xvii.

² J.L. & B. Hammond, *The Village Labourer, 1760-1832* (2nd. edition 1913), pp. 45-47. W. Hasbach, *History of the English Agricultural Labourer* (1908), p. 62. P. Mantoux, *The Industrial Revolution in the Eighteenth Century* (1961 edition), pp. 166-7.

³ J.M. Martin, 'Members of Parliament and enclosure; a reconsideration', *Ag. Hist. Rev.*, XXVII (1979), p. 109.

against serious miscarriage of justice. J.V.Beckett is also of the opinion that, although, 'on occasion, landowners used their parliamentary position to expedite enclosure legislation which might otherwise have been opposed by their lesser neighbours, in general the safeguards would have been sufficient to ensure that the landowners would usually have acted reasonably'.¹

It is unlikely that this question will be resolved until more detailed studies similar to the one for Warwickshire have been undertaken. W.E.Tate remarked upon the relationships which existed between Nottinghamshire landowners and M.Ps. presenting local bills, and suggested that this aspect of the process had been overlooked by some historians who were preoccupied with investigations into the alleged connections between enclosure commissioners and landowners.² Naturally, Members of Parliament involved in local enclosures often owned property in this county, and, in most cases, were likely to have been related to, or acquainted with, a principal petitioner. In fact, from a fairly perfunctory examination of the more prominent personalities concerned, it appears likely that a closer study of parliamentary representatives and interested parties might reveal even stronger links in Nottinghamshire than were found in Warwickshire. Although few bills from this county were presented in Parliament by the persons who were primarily engaged in a particular enclosure, many instances can be found of M.Ps. promoting those where a close family connection existed. One example is the Earl of Lincoln who presented several bills during the 1770s for enclosures in which his father, the Duke of Newcastle, was either a petitioner or a principal

¹ S.Lambert, *Bills and Acts: Legislative Procedure in Eighteenth Century England* (1971), pp.129-149; J.V.Beckett, *The Aristocracy in England 1660-1914* (1988), p.171.

² W.E.Tate, 'Parliamentary land enclosures in Nottinghamshire 1743-1868', *Thoroton Society Record Series*, V (1935), p.137.

owner. However, as family ties are not always easy to recognise, especially when heirs change their names upon inheriting estates or adopt short-lived titles, a great deal of demographic research will be required before the true extent of the relationships between promoters of local enclosures and Members of Parliament can be demonstrated.

Leading families throughout the country often intermarried, and their members who owned property in Nottinghamshire were no exception. Daughters and younger sons of the nobility also made alliances within the county gentry and these resulted in many prominent local landowners being connected to some degree. In fact, during the eighteenth and nineteenth centuries, it is possible that the majority of principal proprietors within Nottinghamshire were related to one another, if only tenuously. Under these circumstances, it is not surprising that promoters of enclosure should have enlisted the support of their relations in Parliament when making applications for acts.

Of the one hundred and eighteen M.Ps who presented or reported enclosure bills from Nottinghamshire seventy-three acted only once. The majority of these Members belonged to the group of eighty-seven who represented constituencies outside this county, but about a dozen from Nottinghamshire also appeared for a single bill. At the other extreme, six local M.Ps. were involved in the introduction of two hundred and ten bills. Charles Pierrepont (under his various titles of Charles Mefaldows, Charles Pierrepont and Lord Newark) was the most active, lending his support to no fewer than eighty-five bills between 1779 and 1815. Two members of the Bentinck family were also prominent; Lord Edward Charles Cavendish Bentinck being associated with forty-four applications between 1775 and 1796, and Lord William Henry Cavendish Bentinck sponsoring eighteen in the years 1802 to 1826. Two of the other three major promoters, John Hewett and Thomas Willoughby,

operated during the earlier phases of enclosure activity in this county, presenting twenty-six and nineteen bills respectively between 1759 and 1775, while a further eighteen were introduced by Anthony Eyre from 1803 to 1810.

As mentioned above, most of the parliamentary representatives from outside the county were concerned with only one Nottinghamshire enclosure bill, and nearly all the remaining M.Ps. in this category were involved with no more than two or three. The exception was Sir George Savile (a Member of Parliament for Yorkshire) who presented ten Nottinghamshire bills. However, as he was lord of the manor and principal proprietor of both Ollerton and Rufford, and a leader in agricultural improvements, his connections with other local landowners were strong. Although not personally concerned with parliamentary enclosure to any great extent within his Nottinghamshire estates (about 600 acres of common and waste land at Ollerton was enclosed by act - Chapter 4) it appears from a letter written in 1770 to Jonathan Acklom, lord of the manor of Mattersey, that Sir George was in favour of the system. In this letter he wrote : 'I presented the Mattersey petition mostly by chance as not within my department. I shall, however, with great pleasure help it forward if it should meet with any rubs, which I do not hear of'.¹

While the ramifications of family relationships amongst leading Nottinghamshire landowners are too complex to enter into here, a brief examination of some of the more obvious connections between principal owners in enclosing parishes and our more active Members of Parliament will provide an indication of how family interests were furthered.

¹ N.A.O. DD. 277/4.

As we have seen, the foremost M.P. concerned with the presentation of local enclosure bills was Charles Pierrepont. He was followed by two representatives of the Bentinck family, with whom he was often associated; Lord Edward Charles Cavendish Bentinck and Lord William Henry Cavendish Bentinck. Charles Pierrepont was born Charles Me[aldows] and served in Parliament under this name from 1778 until 1788 when he adopted his mother's family name of Pierrepont, later, in 1807, assuming the title of Lord Viscount Newark. A further complication within the Pierrepont family was the bigamous marriage of the Countess of Bristol to the Duke of Kingston - Charles Medowes' uncle. The Kingston title became extinct in 1773, upon the death of this duke, but his 'widow', despite being convicted of bigamy in 1776, seems to have held his estates until her death in 1788. She appears as Duchess of Kingston in the enclosure act for Scarrington and Aslockton (1779) and as Countess of Bristol in that for Radcliffe-on-Trent (1787). Charles Medowes presented successful bills for both these enclosures, and for Cropwell Butler (1787) where the lordship of one of the manors was attributed to the 'late Duke of Kingston'. Around two hundred and fifty-six acres of land was awarded to the 'late Duke' in this enclosure, but it is not clear who actually inherited the estate although the rest of the Kingston property, presumably, reverted to the legitimate Pierrepont heirs upon the death of the Countess of Bristol. ^{one son was the legitimate heir of the duke but not of the title} Certainly, the lordship, inappropriate tithes and a major part of the land at Radcliffe-on-Trent were allocated to Charles Pierrepont in the enclosure award of that parish (1790), and in the mid-1790s he was named as lord of the manor and a principal proprietor in Scarrington.¹

¹ R.Thoroton, *The Antiquities of Nottinghamshire*, (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield 1972), I, p.231.

Lord Edward Cavendish Bentinck was the co-presenter of all three bills for the above enclosures and we shall find further instances of collaboration in Parliament between the Pierrepont and Bentinck families. For instance, Lord Edward introduced bills for four of the five enclosing parishes of which Charles Pierrepont was lord of the manor. On the other hand, Charles Pierrepont supported nine of the thirteen bills from parishes where the Duke of Portland was either lord of the manor or a principal proprietor, being assisted in four of these by members of the duke's immediate family, i.e. either Lord Edward, or Lord William, Cavendish Bentinck. Similar promotion of a close family interest may be seen in the presentation by Charles Pierrepont (before his assumption of the title of Lord Newark) of bills from the four parishes where the Lord Newark of the time was lord of the manor or held considerable property, these bills again being supported by Lord William Cavendish Bentinck. Other instances of the Pierrepont/Bentinck family alliance include the introduction of bills from the two parishes where the Duke of Devonshire was lord of the manor or impropiator of the great tithe, and those for the three enclosures in which the Duke of Rutland had a principal interest.

On numerous other occasions the Pierrepont and Bentinck representatives collaborated in the joint presentation of a bill, but even when not acting together, they were often engaged in forwarding projects which were likely to be of advantage to the same person, usually a family connection. For instance at least one of these three M.Ps. was involved with thirteen of the nineteen bills from parishes where the Duke of Newcastle held estates. Similarly, bills for the six parishes in which Henry Cavendish owned the great tithe (land in lieu of which totalled 1268 acres at enclosure), and for three of the four

other enclosures in which he had a major interest, were presented by Charles Pierrepont, supported in four cases by either Lord William, or Lord Edward, Cavendish Bentinck.

However, such promotion of family interests was unlikely to have been confined to our more active M.Ps.. For instance, Lord George Cavendish (a Member for Derbyshire) presented only one Nottinghamshire bill, but this was for the enclosure of Clarborough and Welham, where Lord Charles Cavendish was impropiator of the great tithe and the Duke of Devonshire (William Cavendish) was patron of the vicarage. Another example may be found in the enclosure of three of the parishes in which Sir Thomas Parkyns was lord of the manor and a principal owner; all three bills being presented by Lord Rancliffe (member for Leicester) whose name was Thomas Boothby Parkyns. A less obvious connection is that of Lord Belasyse (M.P. for Peterborough) who presented the bill for North Muskham, but this is soon explained when it is realised that the family name of Earl Fauconberg, the largest proprietor in this parish, was Belasyse. In fact, even where a Member presenting a bill appears to have had no association with the county one suspects that, in the majority of cases, he will be found to have had connections with one of the chief landowners interested in the enclosure. We shall find landowners similarly safeguarding their interests in their choice of enclosure commissioners but first let us consider the acts.

It has been asserted that the introduction of an enclosure bill, or the passage of an act, was often delayed for many years inside and outside Parliament.¹ This claim of excessive parliamentary delay is not substantiated by an examination of the bills originating in

¹ D.N.McCloskey, 'The economics of enclosure: A market analysis', in W.N.Parker & E.Jones, *European Peasants and their Markets: Essays in Agrarian Economic History* (Princeton, New Jersey, 1975), p.150.

Nottinghamshire, which, provided they were not aborted at an early stage, generally became acts within a few weeks. As noted above, the period during which private bills could be considered was limited, and this ensured that the formalities were usually completed within a reasonable time. The whole process, from the delivery of a petition to the obtaining of consent from the Lords, and, where necessary, the royal assent, generally took no more than three or four months. The fact that one finds the Lords giving their approbation to several acts on the same day, although these originated at different times, suggests that pressure of business may have accounted for minor variations in the time taken for processing acts during periods of intensive national enclosure activity.

With the conclusion of the parliamentary proceedings the control of an enclosure passed into the hands of commissioners who were responsible for overseeing the practical requirements of the act and for the publication of the results in their award. Awards are, of course, immensely useful documents because they deal with the distribution of land, but the importance of the acts should not be overlooked, although even W.E.Tate dismissed them as a source of interest on the grounds that individual clauses differed only in detail.¹ Yet we shall find that it is precisely in this variant detail that the value of enclosure acts lies because nearly all enclosures encompassed much more than the division and allotment of land. Legal sanction was often given for changes which could affect the physical appearance of a parish far beyond the enclosing of open land; even the shape could be affected where the straightening of boundaries was allowed, and the making of new roads, and stopping-up of old ones, might move the focus of trade from one part of a village to another.

¹ W.E.Tate, *The English Village Community and the Enclosure Movements* (1967), p.105.

Nevertheless, given the legal phraseology required by Parliament, it was inevitable that some of the clauses were bound to be practically identical in all acts. For instance, reasons advanced for soliciting an enclosure were usually couched in similar terms - land in the unenclosed fields was 'inconveniently situated and incapable of much improvement'; and where common or waste was to be enclosed it was usually described as 'of little, or no, value in its present state'. It should be noted, however, that the mention of 'open fields' in an act cannot be taken as proof of the presence of significant amounts of open arable land. We shall find several Nottinghamshire parishes which retained only very small areas of this type of land although this was not obvious from the act (Chapter 4). Most likely the formal wording of 'open fields, meadow, pasture, common and waste land' was adopted in order to ensure that no dispute should arise over the description of any of the land designated to be enclosed.

Following the preamble, formal clauses usually cover items common to all acts, but, it would be unwise to regard the acts as mere stereotyped documents, practically indistinguishable except in the names of the parish, the chief landowners and the commissioners. As might be assumed, the major part of an act was concerned with determining the way in which land was to be divided, allotted, fenced and held, but practically any local issue could be resolved. One example is afforded by the act for Farnsfield in which it was ordered that all the rabbits in the warren, and in the rest of the parish, were to be destroyed by a certain date set by the commissioners. Even so, the enclosure and distribution of land was of prime importance in any enclosure act, although there was room for variation even in the way in which these important matters were resolved.

It is impossible to list all the special clauses which appeared in Nottinghamshire acts but the following examples will give an idea of their diversity. Where soils in a parish varied, restrictions might be placed upon the type of land to be allotted to each proprietor. At Balderton, for example, landowners were to be allowed plots upon the clay and sand respectively according to the proportion of each type of soil which they had held in the open fields. In some acts, land which was not to be affected by the enclosure would be defined. This could range from the three roods at Staunton belonging to the Duke of Portland, to more than two thousand three hundred acres of common and waste excluded from the Blidworth act of 1769. Acts could even provide alternatives to the complete enclosure of a parish by absolving proprietors of allotments of certain land from the obligation of fencing their plots. The owners of common meadow, or pasture, at Sutton-on-Trent were allowed to retain their land unenclosed indefinitely and some remains open to the present day (Chapter 4). At Misson, too, proprietors were given complete freedom to enclose their allotments in the open fields, field-meadows and pastures, or to leave them open at will (Chapter 4).

Sometimes, an act would order that a specific acreage should be awarded in lieu of common right and, quite often, directions would be given for new allotments to be located as conveniently as possible to an owners' existing property. In several places the recipients of small allotments were given the option of having them laid together in one piece. A clause to this effect was contained in the General Inclosure Act of 1801, but it had appeared in earlier acts for this county, and is a particularly interesting concession because critics of enclosure are usually of the opinion that one of its greatest evils lay in the allocation of small, uneconomic plots of land in lieu of

common rights. The payment of enclosure expenses by some members of the community could also be waived. This became an optional clause in the later General Inclosure Acts but was already included in the act for North and South Clifton as early as 1760. In a few parishes, too, the expenses of enclosure were partly, or entirely, defrayed by the sale of part of the land.

However, open land was not the only kind which would be affected by enclosure; the allocation of temporary closes and the definition of 'ancient enclosure' had to be decided in the acts. Encroachments upon the common and waste, or closes taken from the fields, were often classed as 'ancient enclosure' if they had been in existence for twenty years, but this limit could be reduced to one year in one parish or extended to sixty years in another. Provision was also usually made for the exchange of both old enclosure and other property. Indeed, from the amount of space devoted to exchanges in some awards it would appear that these could have had almost as great an impact upon the inhabitants of a parish as the enclosure itself.

After the method of re-organising land had been defined, the question of tithe often had to be addressed. Again, there was no uniformity in the way this problem was solved and a great deal probably depended upon the personality of individual tithe-owners, especially those who owned the great tithe. We have mentioned that the tithe-owners' consent to enclosure was essential to the success of a petition to Parliament, and this could provide a strong bargaining point when negotiations regarding compensation for tithe were taking place. Of course, commutation of tithe was not universal at enclosure. The inhabitants of some parishes retained their tithe commitments unchanged, while in several cases only partial commutation occurred; usually the newly enclosed land being absolved from payment while

tithe continued to be levied upon old enclosures. At Blidworth the tithes were not affected by the act of 1769, but, because sheep were not generally allowed in new enclosures for seven years after the hedges had been planted, it was decided to give the vicar pecuniary compensation for loss of tithes of wool and lamb from these enclosures.

The above examples, together with the knowledge that complete drainage systems and new roads could be authorised by the acts, should serve to illustrate how valuable these documents can be, not only in giving an indication of the pattern of landownership within a parish, but also in helping to explain its later topography. Moreover, acts were not concerned solely with allotments to private owners and for public roads and gravel pits; those for Carlton-in-Lindrick (1767) and Cromwell (1773) made provision for land to be set aside upon which houses for the poor were to be built, and at Rempstone one acre of land was allotted for the use of the inhabitants as the site of a church and graveyard.

A variety of solutions was also provided in clauses which featured the adjustment of leases and rents. Some required that certain leases should become void as soon as the land had been allotted, again, as with the tithes, often making a distinction between the way in which those for old and new enclosure were to be treated. Rents were generally expected to double at enclosure, and provision in enclosure acts for the extinguishment and re-negotiation of leases would have enabled increases to be put into effect quickly. In other acts, provision was made for rents to be increased by a certain percentage (usually five per cent) over a set period if the landlord bore the expense of enclosure. Alternatively, rents could be left unchanged for a certain number of years on condition that the tenants bore a share

of the enclosure costs. At Hickling the lessees of the prebendary of Southwell were to pay their share of the enclosure, but no increased rent was to be charged for leases, or the renewal of leases, for fourteen years. Copyhold estates would seem to have been the ones most likely to have been affected in this way, and restrictions could be extended to prevent the owners of such land levying higher entry fines when new tenants were admitted. It will be obvious from the above examples that an enclosure act could encompass a variety of local issues. Aspects such as tithe-commutation and rent will be considered in more detail in Chapter 7, but, for now, let us return to an examination of the way the physical enclosure of land was organised.

Once an enclosure bill had been steered through Parliament and emerged as an approved act, the commissioners were responsible for carrying out the division and allotment of the land concerned in accordance with the directions contained in the clauses. Commissions tended to be large during the earlier phase of local parliamentary enclosure, possibly as a continuation of the numbers considered to have been necessary for carrying out earlier enclosure agreements. Nine commissioners appear to have been thought necessary for the few seventeenth and early-eighteenth century Nottinghamshire agreements for which we have details, but only two local acts (Barton-in-Fabis and Coddington) named so many, both dating from the first phase of the county's parliamentary enclosure. Other acts from the same period named either seven or five commissioners, and three became by far the most popular number to employ in this county after 1765 until the second decade of the nineteenth century when two became the norm. From 1836 the General Inclosure Act (6 & 7 W.IV, c.115) authorised enclosures to take place without the intervention of a commissioner, provided that seven-eighths in value and number of the proprietors had

given their consent, and, during the final phase of parliamentary enclosure, a 'valuer' would be engaged to act under the directions of the General Inclosure Commissioners.

Seemingly, three commissioners would have been the most logical number to employ if this provided a representative for each of the main interests in a parish, i.e. the lord of the manor (or most substantial owner), the tithe owner(s) and the residue of proprietors. Such apportionment of responsibility for electing commissioners was common but not statutory, and variations can be found. The lord of the manor might not have had a separate choice (as at Normanton-on-Trent where he only owned the right of soil, valued at just under two acres), the surviving commissioners might have been required to appoint a colleague's successor, or the rest of the proprietors may not have taken part in the nominations.

Also, the apparent fairness of having three commissioners may have been less democratic than it would appear if the majority in value of the rest of the proprietors consisted of very few persons. At Gedling, for instance, apart from the two lords of manors and the tithe-owner, only three proprietors received more than fifty acres of land (Appendix B). One of these, John Musters, was a principal owner in the adjoining parish of Sneinton, and it was probably no coincidence that Samuel Wyatt, of Burton-on-Trent (Staffordshire), a commissioner for only two Nottinghamshire enclosures, should have been elected by the majority in value of proprietors at Gedling and as John Musters' representative at Sneinton. Moreover, where three commissioners were employed the act usually ordained that it was legal for any two of them to make decisions, and this, again, could allow certain interests to be disregarded if the commissioner representing them was absent or disagreed with his colleagues. Even the award did not require the

approval of all three to make it legal. When one of the commissioners had signed the Halam and Edingley award and the second refused, a junior from the commissioners' clerk's office was despatched to get the signature of the third commissioner, who was ill and confined to his house.¹

A reduction in the number of commissioners employed upon individual enclosures did not reflect a simplification of the general process, but may rather be attributed to the growth of a body of 'professionals'. Unlike commissioners named in earlier acts, many of whom appear to have been landowners from neighbouring parishes, those employed upon later enclosures were usually experienced land agents, surveyors or solicitors; a number of them acting in the dual capacities of commissioner and surveyor or commissioner and clerk. As a result we shall find a relatively small group of commissioners being entrusted with the practical administration of the majority of local enclosures in a similar way to which a few Members of Parliament were responsible for introducing the greater number of the bills.

One hundred and sixty-one commissioners were engaged upon Nottinghamshire enclosures but seventy-four of these acted only once (many of them in the earlier phases of the process), and a further twenty-three only twice. At the other extreme, three commissioners were particularly active; Thos. Oldknow, appeared twenty-seven times between 1759 and 1781, Jonas Bettison, twenty-five times between 1789 and 1814 and William Fillingham, twenty-three times between 1774 and 1795. Another six commissioners worked upon at least ten enclosures, and seventeen were involved with between five and nine acts, the remainder being responsible for three or four each. Eighty-four of the commissioners who worked upon local enclosures were from

¹ R. Hardstaff & P. Lyth, *Georgian Southwell* (Nottingham, no date), p. 72.

Nottinghamshire, sixty from adjoining counties (many from places very close to the county boundary), the place of residence of seven is unknown and the remaining ten were appointed from farther afield.

Seven of the nine commissioners who were responsible for ten or more local enclosures lived within Nottinghamshire throughout their careers. The exceptions being John Renshaw, who was living at Bakewell (Derbyshire) in 1775 when first named in a Nottinghamshire act, but had moved to this county by the time of his second enclosure in 1787, and Henson Kirkby, whose place of residence is unknown. This did not mean that experienced commissioners and surveyors confined their activities to one county. Several of those most prominent in Nottinghamshire, such as William Fillingham, George Kelk, Jonas Bettison and Thomas Oldknow will also be found as members of commissions across a wide area of midland counties. Conversely, commissioners who appeared only briefly in Nottinghamshire, were often well-known elsewhere. Two, George Maxwell and Edward Hare, were both extremely active in Northamptonshire, Rutland, Huntingdonshire, Cambridgeshire and South Lincolnshire. Indeed, George Maxwell told a House of Commons Committee that he had been a commissioner more than a hundred times between 1773 and 1800.¹ Also, it was possible for an enclosure to be completed entirely by commissioners from outside the county, as at Spalford and Wigsley, where the principal proprietors and tithe-owners were all connected with Lincolnshire and they duly appointed three commissioners from that county.

One advantage of employing local commissioners was that their expenses would have been less than for those who had farther to travel. However, this consideration might have been set aside if there were reasons for appointing someone who had no connection with the

¹ M.W.Beresford, 'Commissioners of enclosure', in W.E.Minchington (ed.), *Essays in Agrarian History*, II (Newton Abbott, 1968), p.93.

locality, or one who had acted elsewhere either for a principal landowner or with the other members of a commission. While there is no evidence of local commissioners operating as a set team a number of them worked together quite frequently, and it is probable that they exercised preferences when allowed to choose a surveyor or a substitute for one of their colleagues. They may also have made recommendations when members of a commission were being considered. For example, when Thomas Oldknow was engaged for a Yorkshire enclosure and empowered to appoint two other commissioners, he chose John Ayre and John Stone, from Leicestershire, with both of whom he worked in several Nottinghamshire parishes.

Moreover, even without such opportunity of appointing their associates, the fact that a limited number of expert commissioners were available meant that a certain amount of duplication was inevitable during phases of high enclosure activity such as the 1770s, the 1790s and early years of the nineteenth century. The names of a few contemporary commissioners occur again and again in such periods and most of them worked upon several enclosures simultaneously. This situation was not confined to Nottinghamshire but was common in other enclosing counties; the proprietors from some complaining that commissioners' multiple engagements prolonged the enclosure process and increased the costs.

Unlike some commissioners in Oxfordshire, those most prominent in Nottinghamshire did not work exclusively for a particular interest, such as the clergy or manorial lords.¹ Jonas Bettison, one of our most experienced commissioners with twenty-five local enclosures to his credit, is a case in point. He was appointed eight times each by lords of manors, tithe-owners and the majority of proprietors, and once by

¹ W.E. Tate, 'Oxfordshire enclosure commissioners, 1737-1856', *Journal of Modern History*, XXIII (1951).

fellow commissioners. Nevertheless, the interest represented may often have been of little significance, especially where parishes shared important proprietors. It was possible for a substantial landowner to be lord of the manor of one parish, impropiator of the tithes in another and a principal landowner in a third, and he might, theoretically, elect the same commissioner to act for him in each of these capacities.

This brings us to a feature of parliamentary enclosure which has probably raised more criticism than any other - the relationship between persons appointed to carry out enclosure and those who were likely to benefit most from the process. Considerable power was vested in the commissioners and, having noted the close links between some promoters of enclosure bills and the M.Ps. presenting them in Parliament, it will not be surprising to find influential landowners nominating persons to commissions who would be sympathetic to their concerns. In fact, a principal proprietor's agent would have been a logical choice in many cases, because not only would he have had a thorough knowledge of the local soils and their value but would have known enough about his tenants to be able to advise his employer upon possible post-enclosure reorganisation of farms. This latter consideration was important on account of the opportunity for the termination of leases which an enclosure act often provided. Solicitors who specialised in estate management and had experience with leases, copyhold agreements and covenants, would also have been invaluable for disentangling the legal aspects of ownership and rights. Also, where commissioners doubled as surveyors for an enclosure, or acted as surveyor in one enclosure and commissioner in another, owing their election either to the promoters or to their

fellow commissioners, it was possible for a powerful landowner to have the advantage not only of his own man as a commissioner, but also of a surveyor who understood his interests.

It is possible, too, that there may have been cases where a landowner nominated his agent as a commissioner chiefly to put the opportunity of collecting a fee in his way. One such may have been John Sandars of Mackworth, Derbyshire, who worked only once in Nottinghamshire. He found his way onto the Normanton-on-Trent commission because when Robert Holden, who owned a small estate in that parish and to whom Sandars was agent, was approached for his consent to the enclosure, Sandars suggested that Holden should propose naming a commissioner.¹ This suggestion was accepted and Holden nominated Sandars, who is described in the act as one of two commissioners elected by the majority of proprietors.

Of course, commissioners were supposed to have had no personal interest in any enclosure for which they were engaged but such restrictions were not always enforced very strictly. One of the commissioners for the Cotgrave enclosure owned property there, and at Worksop another bought part of the land sold to defray enclosure expenses.² Furthermore, a commissioner's formal oath ought to have precluded him from giving preferential treatment or favour to anyone. Yet it is difficult to believe that a patron would not have reaped some advantage from his connection with his nominee, and, given the closely-knit relationship which existed amongst the landowning class across county boundaries, it would probably have been difficult to find truly impartial commissioners who were also expert in local conditions. Nevertheless, because local evidence of objections to

¹ N.A.O. DD.T. 23/1.

² N.A.O. CP. 5/6/3.

commissioners, or to their method of apportioning land, is very rare, it is impossible to quantify the benefits which accrued to landowners by virtue of such relationships. All that can be done is to examine the links between a sample of our more important proprietors and certain commissioners and surveyors. It should be remembered, though, that commissioners were chosen at quite an early stage of the enclosure proceedings, before the application for an act was made, and it is possible that the first commissioner approached might have recommended the others. If that were the case the connections between commissioners could have been almost as important as those with landowners.

In any event, as we are seldom told specifically who appointed a commissioner it is not always possible to discover his relationship with an interested party, especially in the earlier phases of parliamentary enclosure. A clue may sometimes be found in a shared place of residence, for instance, Thomas Crane of Melton Mowbray almost certainly owed his place on the commission at Staunton to Lord Besborough - a principal proprietor in that parish whose family seat in England was near Melton Mowbray. Another example is provided by William Jepson of Lincoln who served on commissions only in parishes where the Dean and Chapter of Lincoln siderable interests.

In later acts it became more usual for the person responsible for the provision of a commissioner's replacement to be named, and it may usually be deduced that this was the person who had made the original appointment. Even so, some acts merely state that the surviving members of a commission were to appoint successors for their colleagues who died or were otherwise unable to continue with the enclosure, in which case we do not know who made the first nomination. This did not occur very frequently and we are fortunate that the names of patrons were generally included in Nottinghamshire acts from 1775

onwards, whereas in some counties they are only available at a much later date - enclosure acts for East Yorkshire not providing similar details until 1790.¹ Information of this type not only provides evidence of direct patronage but also enables the identification of links between substantial landowners and commissioners who appeared ostensibly as the nominees of a majority of proprietors, but who could have been elected by very few persons. The Gedling enclosure has provided an example of the latter, and it is possible that close scrutiny of proprietors in other enclosing parishes would reveal more.

With regard to the more obvious cases of patronage, where commissioners were appointed exclusively by their employers, perhaps self-interest is illustrated at its simplest by Sir Thomas Parkyns. Not content with having a member of his family present enclosure bills from some parishes where he was lord of the manor, Sir Thomas engaged his brother-in-law, Joseph Boulton, to be a commissioner for three of them. William Sanday, another agent, was appointed as a commissioner solely in parishes where his employer, Charles Pierrepont, or a member of the Pierrepont family, was lord of a manor. He was also elected surveyor of the highways at Gedling (where Charles Pierrepont was lord of one of the two manors) but appears not to have acquitted himself very well in that rôle as the commissioners concerned found his accounts so complicated that they returned them to him 'in order to be brought before us in a more clear and correct state'.²

One of the Gedling commissioners, William Calvert, a surveyor by profession, seems also to have been something of a protégé of the Pierrepont family. William Calvert produced numerous plans of parishes

¹ J.E.Crowther, 'Parliamentary enclosure in Eastern Yorkshire 1725-1860' (Unpublished Ph.D. thesis, University of Hull, 1983), p.256.

² N.A.O. DD.MI. 99.

and estates within this county from 1780 onwards and must have been a man of some substance as he became lord of the manor of Darlton in 1793 upon purchasing the estate of which he had been steward. He engineered the enclosure of the remainder of this parish around 1796 without a parliamentary act, and farmed two hundred acres of land - taking enough interest in agricultural matters to report to Robert Lowe upon the state of farming in his area (Chapter 2). Calvert's association with the Pierreponts probably dated from around 1788, at which time he surveyed the parish of Beighton (Derbyshire) for Lord Newark and subsequently acted as a commissioner there. During 1789 and 1790 he was employed by Lord Newark to provide pre- and post-enclosure plans of Cotgrave, and made his first appearance as a commissioner in Nottinghamshire at Gedling in 1792; the first of four enclosures to which he was appointed by Charles Pierrepont as lord of a manor.

Although Calvert is named as a commissioner in only six Nottinghamshire acts, and doubled as surveyor in three of them, it is probably a measure of his competence that he was engaged to work at Gedling. This enclosure presented more complications than many others, and even the notice of a general meeting to discuss the project was convened by two firms of solicitors from Lincoln's Inn.¹ The ensuing act confirmed that there 'had long been constant jealousies and disputes' in the parish between the lord and tenants of the Pierrepont manor and the lord and tenants of the Earl of Chesterfield's manor. Agreement was reached whereby the manorial rights and all timber growing upon the waste were to be divided

¹ *Nottingham Journal*, 14.1.1792.

equally between the two lords. The parish acreage was also to be evenly divided by as straight a line as possible, the tenants on one side to be bound by the rules of the Earl of Chesterfield's manor and those on the other side to conform to Charles Pierrepont's manor.

Clearly, a certain amount of expertise and tact would have been required to put these resolutions into effect. Four commissioners were appointed; elected respectively by the two lords of manors, the tithe-owner and the rest of the proprietors. In fact, William Calvert and John Renshaw (the tithe-owner's nominee) accomplished the greater part of the work on this enclosure together with the surveyor, John Bailey. The first commissioner appointed by the Earl of Chesterfield (William Pearce of Westminster) failed to act, his successor (Samuel Deverill, a farmer from Newton Oldwork) disappeared from the records early in the enclosure proceedings, and Samuel Wyatt, the proprietors' choice mentioned above, was irregular in his attendance. This situation might appear to have left the Earl of Chesterfield's interests unrepresented, but the Earl had employed John Renshaw previously for the enclosure of Whatton and he may have had enough confidence in Renshaw's probity to consider the appointment of a fourth commissioner unnecessary.

Another surveyor who was employed almost exclusively by one patron in Nottinghamshire, in this case the Master and Fellows of Trinity College, Cambridge, was Jonathan Teal of Leeds. We do not know who appointed him the many enclosures in which he was involved either as commissioner or surveyor in Yorkshire but of the five commissions upon which Jonathan Teal served in Nottinghamshire he was nominated by Trinity College as tithe-owners. In addition, he made nine plans for the College of estates or parishes in which they either owned property

or were entitled to tithes, and the Cambridge connection was again in evidence at his sole appearance as a commissioner in Lincolnshire where he acted for Clare Hall.¹

One other person, George Hodgkinson of Southwell, should be mentioned before we return to a consideration of the more prominent local commissioners. Hodgkinson was a lawyer, Steward for the Archbishop of York's Nottinghamshire estates (the Archbishop was lord of the manor in sixteen enclosing parishes), and Receiver General (i.e. Treasurer) and Registrar for the Dean and Chapter of Southwell Minster. Furthermore, he was agent for the other principal landowners in the area, which included Sir George Sutton's extensive Lincolnshire estates, professional adviser to lesser property owners amongst the local clerics and gentry, and closely concerned with land transactions. These activities ensured that George Hodgkinson was well-placed to corner a great deal of legal business attendant upon enclosure, and enabled him to amass a modest fortune, part of which he invested in farms which he let to tenants. His acquisition of the greater part of Radley Common is described in more detail in Chapter 6.

In fact, Hodgkinson was associated with numerous enclosure schemes in this county and elsewhere from the mid-1760s to the end of the eighteenth century, and during the years 1770-1771 alone his Journal reveals his involvement with ten.² Although he acted as a commissioner only three times in Nottinghamshire, he frequently served either as commissioners' clerk or was engaged during the earlier stages of obtaining an act. We have no details of who elected him to

¹ R.C.Russell, *The Enclosures of Market Rasen, 1779-1781 and of Wrawby cum Brigg, 1800-1805* (Market Rasen, 1969), p.16.

² R.Hardstaff & P.Lyth, *Georgian Southwell* (Nottingham, no date), p.71.

the three enclosures in which he was a commissioner; the acts for Carlton-on-Trent and North Muskham were obtained before it became usual to name the persons responsible, and that for Caunton allowed the majority in value of proprietors to replace any of the commissioners. However, the links with Southwell Minster or the Archbishop of York are clear in all three parishes. The Prebendary of North Muskham (a Canon of Southwell Minster) was a principal beneficiary in that enclosure and owner of glebe land and tithe in Caunton, while the Prebendary of Norwell and the Archbishop of York shared the great tithe at Carlton-on-Trent.

On returning to the nine commissioners who were engaged most frequently for Nottinghamshire enclosures two can be dismissed very briefly. We know nothing except the names of the thirteen parishes where Henson Kirkby was employed during the early stages of the process, between 1760 and 1777, and that he was engaged upon four enclosures at the time of his death, a successor in each case being chosen by the surviving commissioners. John Parkinson, on the other hand, was active in the later stages of the county's parliamentary enclosure. He was noted for his progressive farming at Rufford and was involved in ten enclosures between 1810 and 1840. Several of these enclosures were of quite small areas, eight concerned land other than open arable and were accomplished by means of General Inclosure Acts, and for the remaining two he was elected by a majority of proprietors.

The rest of the commissioners who formed the nucleus of persons engaged for ten or more Nottinghamshire enclosures fall into three groups chronologically, although their careers overlapped to a certain extent. Thomas Oldknow and George Kelk, began their enclosure careers in 1759 and 1767 respectively and concluded them with their joint completion of the award for Scarrington and Aslockton in 1781; at the

beginning of the pause in the soliciting of Nottinghamshire acts which lasted until 1787 (Figure 4:1). Both Thomas Oldknow and George Kelk were surveyors, although the former seems not to have acted in that capacity after 1771 when he completed the enclosure map for Normanton-on-Soar. George Kelk, on the other hand, produced plans of several parishes or estates, including that of the Duke of Norfolk at Worksop, which were not subject to parliamentary enclosure, and was elected surveyor for five formal enclosures.

Thomas Oldknow was responsible for twenty-seven local enclosures and George Kelk for fifteen, but both men were employed as commissioners in other counties and Kelk was engaged simultaneously upon four Lincolnshire and ten Nottinghamshire enclosures between 1774 and 1779.¹ These two commissioners worked together upon only four enclosures, all towards the end of their careers, and all in parishes situated towards the centre of the county. Thomas Oldknow's earlier engagements were for enclosures in the southern part of the county where the other commissioners came mainly from outside Nottinghamshire - chiefly from Leicestershire, such as John Ayre and John Stone, mentioned above. By contrast, hand George Kelk, who lived near Carlton in Lindrick, was employed in the north of the county where his fellow commissioners were frequently from either Lincolnshire or Yorkshire, although he worked upon seven enclosures with Henson Kirkby for whom no place of residence has been found.

Neither Thomas Oldknow nor George Kelk appears to have been associated with a particular proprietor but they were working to a certain extent at a period before it became usual for patrons to be named in acts. As a result we have no details of who elected them to many of the enclosures for which they were engaged, but the

¹ R.C.Russell, *The Enclosures of Market Rasen, 1779-1781 and of Wrawby cum Brigg, 1800-1805* (Market Rasen, 1969), P.34.

proprietors in several parishes where Oldknow was employed included Nottingham business-men such as Abel Smith, the banker. If Thomas Oldknow the commissioner and the Thomas Oldknow who became Sheriff of Nottingham in 1768 were the same person, then he would have been well-known to the town's leading inhabitants, and could have been the obvious choice for those who owned land in enclosing parishes. He was nominated ten times by the majority in value of proprietors and his replacement was left to the other commissioners in two enclosures, while George Kelk was appointed once each by the Duke of Portland and Sir George Savile, twice by the majority of proprietors and could be replaced in four enclosures by fellow commissioners.

Our next two commissioners, William Fillingham and John Renshaw, began work in the mid-1770s and resumed their enclosure activities at the revival of interest in parliamentary enclosure in 1787. In fact John Renshaw was appointed only once during the earlier period (Hickling, 1775-6), but was associated with William Fillingham in this and five later enclosures, and was his successor in a sixth. Little is known of his career although he appears to have been the only professional solicitor engaged as a commissioner for a significant number of Nottinghamshire enclosures. Apart from Jonas Bettison, who was employed solely as a commissioner, all the others were surveyors, who, even if they didn't combine the posts in particular instances, nevertheless were employed formally as surveyors for other enclosures. While other solicitors, such as George Hodgkinson, were involved numerous times as clerks, John Renshaw seems to have limited his local activities in that field to five of the sixteen enclosures for which he acted as a commissioner. No evidence of a special allegiance to any proprietor or interest has been found, although, by virtue of his solicitor's practice in Nottingham, John Renshaw would doubtless have

been acquainted with many of the county's important landowners. He was elected four times by the lord of a manor and four by tithe-owners, six times by the majority of proprietors, once by fellow commissioners and for one we have no details.

John Renshaw's contemporary, William Fillingham, is probably the Nottinghamshire commissioner about whom most is known. He was a farmer and land surveyor, and had been appointed as steward or land agent to the Duke of Rutland before he embarked upon his career as an enclosure commissioner in 1774. During the next twenty-one years he was engaged upon twenty-three Nottinghamshire enclosures as commissioner, surveyor for three others, and is known to have been employed upon at least twelve enclosures in Lincolnshire, seven in Leicestershire and one each in Derbyshire and Rutland.

Although William Fillingham was agent for the Duke of Rutland's estates throughout the greater part of his life, he had little opportunity to forward his employer's interests in Nottinghamshire enclosures. The Duke held substantial amounts of land in only two enclosing parishes in this county (Granby and Gringley-on-the-Hill) and William Fillingham died while engaged upon the first of these and before the act could be obtained for the second. However, he acted as a commissioner in at least seven Leicestershire enclosures and one each in Lincolnshire, Derbyshire and Rutland where the Duke of Rutland was either lord of the manor or a principal landowner.¹ For local acts William Fillingham was appointed by a lord of manor twice, tithe-owners three times, proprietors thirteen times, fellow commissioners twice and for three enclosures his nominators are unknown. On examination, the residue of proprietors who elected him were not as

¹ K.S.S.Train, 'The Fillingham's of Syerston Hall', *Trans. Thor. Soc.*, LXXIV (1970), p.23.

varied as one might suppose. The Duke of Newcastle, who engaged William Fillingham to oversee the Elkesley enclosure, is named in four of the parishes where the proprietors were authorised to appoint a commissioner, while Lord Middleton was a landowner in four parishes and the Earl of Chesterfield in five.

At the time of his sudden death, in 1795, William Fillingham was engaged upon five enclosures in Nottinghamshire. By this time he had built up a comfortable fortune, although he did not become as wealthy as some other commissioners, such as John Burcham of Coningsby (Lincolnshire) whose personal fortune was estimated as more than £600,000.¹ Nevertheless, William Fillingham had progressed from being a tenant farmer to lord of the manor and owner of the greater part of the parish of Syerston. He also owned valuable property in Newark and held shares in canals and turnpike roads, but perhaps the most obvious symbol of his success is Syerston Hall, the minor manor house which he built and which remained in possession of the Fillingham family until recently.

The final group, Jonas Bettison, William Kelk and James Dowland began working as commissioners during the last decade of the eighteenth century. As mentioned above, nothing has been found to indicate Jonas Bettison's qualification for becoming a commissioner as, unlike all his colleagues, he did not act either as a clerk or surveyor. Yet he was our second most active commissioner with twenty-five local enclosures to his credit between 1789 and 1814, was widely-known outside this county, and must have been a person of some substance as he was elected Sheriff of Nottingham in 1794. We have noted that he was employed equally by lords of manors, tithe-owners and other proprietors, but, although he lived at Holme Pierrepont,

¹ T.W. Beastall, *The Agricultural Revolution in Lincolnshire* (Lincoln, 1978).

presumably as a tenant of Charles Pierrepont who owned the whole of the parish, he was engaged as a commissioner only once by a member of that family. This may have been the result of professional integrity, or caution, because Jonas Bettison was a proprietor at Radcliffe-on-Trent, another Pierrepont manor, where he was named as one of the petitioners for that enclosure and received around seventy-three acres of land in the award. Even so, a Pierrepont was lord of the manor in three of the parishes where Bettison was elected by a tithe-owner, and lessee of the great tithe in a fourth parish where he was appointed by the lord of the manor. The patron he represented most frequently was Nathaniel Haines, one of the Oxton prebendaries, who elected him to three commissions and was a principal landowner in another parish where the nomination of a commissioner was in the hands of the major part in value of proprietors. focus

William Kelk was named as a commissioner in eleven acts and engaged to carry out the two enclosure agreements at Torworth. He was chosen by the majority in value of proprietors in all except one act for which we have no details, and one where the surviving commissioners were empowered to re-elect. Although William Kelk was first engaged as a commissioner in 1790 it is interesting that he had been appointed surveyor during the 1770s for eight enclosures in which George Kelk acted as a commissioner, and this may have been a father-son relationship in which William gained his enclosure experience by working with George at the earlier period. Both George and William Kelk were engaged to produce plans of enclosing and non-enclosing parishes and estates, but neither made a habit of acting as surveyor in parishes where they were engaged as commissioners, although William doubled in these capacities at Torworth, where he was solely

responsible for accomplishing the two enclosures by agreement. No striking pattern of ownership emerges in the enclosures for which William Kelk was appointed as commissioner by the majority in value. However, the lords of manors in parishes where either he or George Kelk worked were predominantly the Archbishop of York, Dukes of Devonshire, Newcastle, Norfolk and Portland, or Viscount Galway, and it is possible that they influenced the choice of commissioner.

James Dowland, with whom William Kelk worked several times, was in a rather special position in relation to important landowners. He was surveyor for the Duke of Portland's estates, a position in which he received a retainer of £30 per year, plus board wages and expenses for his services.¹ James Dowland was engaged as a commissioner for fifteen enclosures between 1795 and 1823, being appointed an equal number of times by lords of manors, tithe-owners and proprietors. Although not elected as a commissioner by the Duke of Portland, nevertheless, remembering the close family ties which existed within the nobility, it will not be surprising to find him representing the Dukes of Devonshire, Newcastle and Norfolk, together with Viscount Galway and Lord Newark, as lords of manors. He was the surveyor in three enclosing parishes where the Duke of Portland was lord of the manor, was nominated as commissioner by the Duke of Newcastle in one parish where he held the impropriate tithes, and chosen by the proprietors in two more where the Duke was a principal landowner. In fact, of the fifteen parishes where James Dowland was employed as a commissioner only three have been found to have had no connection with at least one of the above patrons. As these patrons also owned

¹ N.A.O. DD.5P. 4/1.

property in other counties it would not be surprising to find James Dowland working for them elsewhere, and one example was at Hathersage (Derbyshire) where the Duke of Devonshire was responsible for Dowland's appointment as a commissioner.¹

One other surveyor should be mentioned before we conclude this rather superficial account of leading Nottinghamshire commissioners. John Bailey was a commissioner only five times but, during a period of almost forty years, from 1771, produced surveys for twenty-three enclosing parishes, mainly in the southern half of this county. Little is known about him except that he lived in Nottingham, and in the course of his long career worked with several well-known commissioners - his association with Jonas Bettison for ten enclosures probably providing an indication of his efficiency. Unlike the majority of local surveyors who were prominent in the field of enclosure, John Bailey seems not to have been employed to produce plans of private estates, or of parishes which were not subject to parliamentary enclosure. However, his professional connections with local commissioners who worked in several other counties would probably have resulted in his employment elsewhere.

We have noted that the majority of our better-known commissioners accepted engagements for simultaneous enclosures both in this county and elsewhere and that this widespread practice led to complaints in some parts of the country of the lengthening time taken to produce awards. Certainly, a calculation of the average period between Nottinghamshire acts and the execution of their awards reveals a marked increase after the 1770s. The dates of this county's enclosure acts fall roughly into five phases (Chapter 4); during the first of which, 1759-1760, the average time between the date of the act and

¹ M.W.Beresford, 'Commissioners of enclosure', in W.E.Minchington (ed.), *Essays in Agrarian History*, II (Newton Abbott, 1968), p.95.

that of the award was one year five months, and in the second phase, 1765-1780, one year eleven months. From 1787 to 1810, this had increased to four years eleven months, between 1813 and 1826 it was five years and during the final phase, 1836-1868, four years three months.

It must be stressed, though, that these are average figures and that there could be wide variations from parish to parish within the same period. For instance, the production of awards for Barton-in-Fabis and Everton and Harwell, both with acts obtained in 1759, required six months in one case and two years five months in the other, while the average time was one year five months. Even during the 1790s and early 1800s, when the average time for completing an award was four years eleven months, that for East Leake was accomplished in one year three months while more than nineteen years was required at Strelley and Bilborough (Table 4:3). As will also be seen in Table 4:3, the dates of acts and their associated awards often bear little relationship to the actual time needed to complete an enclosure.

Some historians appear to assume that the entry into allotments and the signing of an award occurred simultaneously. D.N.McCloskey also considers that the management of the open land would have been neglected during the years between the passing of an act and the execution of an award because of uncertainty about its eventual ownership.¹ No evidence has been found to support this assumption. The date of an award seldom gives any indication of the date at which the open land had been staked-out and allotted and, in the Nottinghamshire

¹ D.N.McCloskey, 'The economics of enclosure: A market analysis, in W.N.Parker & E.Jones, *European Peasants and Their Markets; Essays in Agrarian Economic History*, (Princeton, New Jersey, 1975), p.141.

enclosures for which we have the relevant information, we shall see that the allocation of land could precede the execution of the award by several years (Table 4:3).

In Chapter 7 we suggest that the generally lengthening time required to produce awards was partly a result of the number of commissioners not keeping pace with a rise in the number of acts being passed, but, in this county, the length of time taken may also have been exasperated by a movement towards the use of mainly local commissioners. It has been noted that during the earlier periods of parliamentary enclosure in Nottinghamshire not only did commissions tend to be larger than they became later, but it was quite usual for commissioners from outside this county to be employed. By the last decade of the eighteenth century this appears to have become less common. The difference may be illustrated by a comparison of the colleagues of our two most active commissioners, Thomas Oldknow and Jonas Bettison. Thomas Oldknow, during the 1760s and 1770s, was teamed entirely with commissioners from Nottinghamshire for only three of his twenty-seven local enclosures, and was the only commissioner from this county in another ten, while for the remaining fourteen enclosures the commissions consisted of a mixture of persons from Nottinghamshire and elsewhere. By contrast, Jonas Bettison's colleagues in the 1790s and early 1800s were all from this county in eighteen of his twenty-five local enclosures. Moreover, for his other seven enclosures, with the exception of that at Alverton where only two commissioners were employed and Jonas Bettison's partner was from Lincolnshire, a commissioner from elsewhere was always teamed with at least two from Nottinghamshire.

Why there should have been such a decline in the appointment of commissioners from other counties is not known. Possibly, it merely reflects a growth in the number of competent local commissioners.

Promoters of enclosure during the earlier stages of the process in Nottinghamshire may have preferred to engage those who had worked in counties where the progress of parliamentary enclosure was more advanced. Or proprietors who had been involved with enclosure outside this county might have wished to employ the same commissioner when an act was obtained for his Nottinghamshire land. These considerations may not have applied some thirty years later when a substantial number of this county's enclosures had been completed and local surveyors and land agents would have had the opportunity to gain experience by working with commissioners from elsewhere. However, a great deal more research will be required before it can be established whether this trend towards the use of Nottinghamshire commissioners for local enclosures was fortuitous, or whether it was usual for commissioners from earlier-enclosed areas to be employed in the initial stages of most counties' parliamentary enclosure.

Returning from the personalities concerned to a continuation of a revue of the more general function of enclosure commissioners, it should be emphasised that they were not empowered to settle questions of title to property, but their decisions were otherwise binding unless challenged at law. Only one instance of a Nottinghamshire commissioner being sued has been found, and this occurred at Askham, in 1839, when the owner of an area of old enclosure alleged that he had not been compensated for land taken from a close to facilitate the widening of a road.¹ Certainly, we have nothing as dramatic as the case which resulted when the Derbyshire Justices at Quarter Session refused to hear an appeal against an expenses bill of £11,000 levied

¹ N.A.O. DD.M. 2/32.

by commissioners for enclosing 1,500 acres of land. Whereupon, the proprietors concerned responded by obtaining a writ in the Court of King's Bench against the whole of the J.Ps. for the county.¹

Nevertheless, from the latter part of the eighteenth century, provisions in some acts seem to have been aimed at limiting the commissioners' autonomy. Specific clauses intended to control costs became more common; limits were set upon the amount of expenses which might be claimed by commissioners for travelling to attend meetings, and, in cases where two solicitors were appointed to act as commissioners' clerks the acts sometimes stipulated that these should only be paid as one. The payment of the surveyor likewise came under scrutiny by the proprietors concerned in two enclosures, Dunham & Ragnall and Harby and Broadholme. In both cases it was decided that he should be paid for the acreage surveyed, plus an allowance from the commissioners, instead of receiving a set sum (usually the same as the commissioners) for each day spent upon the enclosure. The stipulation which appeared in many acts, that the award should be signed within a certain period after the land had been divided and allotted, was probably also inserted in an attempt, not only to encourage completion of the whole process within a reasonable time, but to restrict the number of commissioners' meetings.

However, the fact that a clause appeared in an act did not automatically ensure that it would be carried out to the letter. Payments could probably be controlled, especially if accounts were audited annually, but, it is questionable how far the requirements for executing the award could be enforced. Of thirteen Nottinghamshire enclosures in which a specific period was allowed for the signing of

¹ *Nottingham Journal*, 19.11.1791.

the award, and for which we have related data, only one, that for Birkland and Bilhaugh (Edwinstowe) was completed on time. The efficiency with which this enclosure was completed may have been due to the fact that the Crown claimed a large proportion of the land and rights, and a commissioner from Westminster was appointed to look after these interests. In none of the others was the award signed within the period allowed by the act. For example, at Scrooby the award was directed to be executed by July 1776 but was signed in September 1777; Harworth's award was supposed to have been completed within one year of the allotments being made, but almost four years elapsed before this was done; and, although the act for North Leverton stipulated that the award should be signed within six months of the allocation of land, the proprietors received their allotments in September 1796 but the award was not executed until November 1801.

On the whole, land was apportioned quite quickly after the survey had been made and claims decided (Table 4:1). The staking-out of allotments was probably hindered more often by parish boundary disputes and objections to common-right claims than by anything else, but these were not allowed to delay the enclosure unreasonably as a time-limit would be set for their resolution. If the definition of the boundaries required only minor adjustments the commissioners were usually authorised to make a decision; where the problems were more serious the responsibility for solving them was given to arbitrators. Surveying would then continue in parts of the parish unaffected by the boundaries and the commissioners could devote their time to the claims and objections.

Entitlement to right of common was the most frequent issue upon which commissioners were called upon to arbitrate, and one has the impression that ownership of such rights had often become ill-defined

by the time an enclosure was contemplated. In parishes which contained a large amount of unstinted common land it is possible that the right of some persons to use this would have gone unchallenged until the prospect of an enclosure introduced the probability of the conversion of the privilege into tangible plots of land. A great deal of argument also resulted when common land had been stocked by the inhabitants of two, or more, parishes, or where more than one community had traditionally included the same piece of land in boundary perambulations (Chapter 5).

As soon as these problems had been resolved the open land would be divided and apportioned and a public meeting held at which proprietors could inspect a plan of the allotments, after which individual schedules would be produced defining the bounds of each person's property. Delays in allocating allotments could occur if important owners were tardy in the submission of their claims, although more humble claimants were warned that they could lose their rights if details were not received by the appointed date. One instance of such delay occurred at Mattersey, where the act was passed in May 1770 but it was August 1772 before the commissioners could report that they had received the claims of the Crown.¹

Evidence from twenty-nine parishes suggests that the physical staking-out of land was carried through with alacrity as soon as the various entitlements had been decided. The allotments in fifteen of these enclosures were ready for occupation within one year or less of the acts being agreed by the Lords, and the proprietors in only three of our sample of parishes had to wait more than two years (Table 4:3).

¹ *Nottingham Journal*, 8.8.1772.

At both Sutton-cum-Lound and Blidworth two years and five months elapsed before the allotments were ready for occupation, and the longest period between an act and the allocation of land (three years and one month) would appear to have occurred in the joint enclosure of Misterton and West Stockwith. In fact, the actual time taken to complete the allotments in these parishes must have been less than two years, as, although the commissioners held their first meeting in June 1771 they were not ready to receive claims until July 1772.

Differences in the time required for the staking-out of allotments would obviously have been partly conditional upon the number of claimants to land, but the type of land to be enclosed would also have influenced the speed with which a survey could be completed. A fair amount of open-field arable existed in the twenty-six parishes in which the proprietors received their allotments within a maximum period of two years from the passing of the act. And, although provision was made for commissioners to direct the course of husbandry in parishes where the fields had not been divided and apportioned before the start of the farming year, an effort may have been made to allot this type of land as quickly as possible. Where an enclosure was concerned with extensive areas of common or waste any hindrance to the allocation of this land may have been less disruptive of the agricultural programme than it would have been in the case of the division of open arable. Moreover, claims to common and waste land were likely to have been more numerous and less easily authenticated than those which concerned open arable. In Appendix A it may be seen that there was a considerable number of recipients of small plots in all three of the enclosures in which entry to allotments are known to have taken place more than two years after an act had been obtained. At Misterton and West Stockwith other factors might have delayed the

acceptance of claims and parcelling out of allotments. Here, a large area of land was inter-commoned with the adjoining parish of Gringley-on-the-Hill, right of soil was claimed for no less than three manors, and an extensive drainage programme was projected which required the co-operation of landowners in other parishes.

Not that the allocation of land meant that its physical enclosure always had to be undertaken immediately. Commissioners could appoint a date for the completion of an enclosure at the time the allotments were made, or the period to be allowed could be stated in the act. In the latter case, from six to eighteen months after the execution of the award were normally granted, but a nominal allowance of only six months from the date of the award could represent a substantial period if the land had been entered a considerable time earlier. At Walkeringham where the act allowed six months for fencing new enclosures after the award had been signed, allotments had been accepted three years and two months before the completion of the award, so the total time available for enclosing these was three years and eight months. Where the date of fencing was determined by the date of enrolment, rather than the execution of an award, the period available would generally have been extended by some six months. Unfortunately, only fourteen Nottinghamshire enclosures have yielded both the dates of entry into allotments and the date by which they were supposed to have been fenced. Nevertheless, even this small sample illustrates the great diversity in the time allowed for carrying out enclosure (Table 3:1).

Table 3:1 Actual time allowed for fencing allotments

Parish	years	months
EVERTON & HARWELL	1	8
MISTERTON & WEST STOCKWITH	2	5
SUTTON-CUM-LOUND	0	6
BECKINGHAM	0	6
CLARBOROUGH & WELHAM	0	6
FARNSFIELD	1	10
BLEASBY	2	4
CLAYWORTH	2	2
NORTH LEVERTON	0	5
SOUTH LEVERTON	0	5
LENTON & RADFORD	2	1
GRINGLEY-ON-THE-HILL	0	7
	& 0	3
EAST LEAKE	0	4
WALKERINGHAM	3	8

Obviously, as ditches had to be dug before the hedges could be planted, and quicksets were usually planted during winter or early spring, it was only logical to allow a reasonable time for proprietors to complete their enclosures without disrupting the seasonal agricultural work. This consideration did not apply to land allocated in lieu of tithe, which was usually fenced under contract and generally the first to be enclosed in order that tithe could be extinguished as soon as possible. Of course, there is no certainty that the dates stipulated for the completion of fencing would have been adhered to more strictly than those for the signing of awards, which, as we have noted, were seldom produced on time. Provision was sometimes made for the commissioners to fence the land of proprietors who had refused, or neglected, to enclose their allotments within the time-limit. The cost of such enforced enclosure would then be recovered either by levying a charge upon the owner, or by renting the

land to a third party for a period sufficient to produce the required sum. Parishes in which the commissioners are known to have exercised this power were Gringley-on-the-Hill and East Leake - the two places in which fencing was ordered to be carried out most speedily. The cost of fences and hedges is examined below (Chapter 7), where it will be found that this expense was probably the least of those associated with enclosure; however, in conclusion, it may be interesting to try to discover where these enclosure materials were being produced.

From advertisements of sales in the county newspaper it is clear that thousands of trees were being felled in Nottinghamshire during the second half of the eighteenth century, chiefly in parishes which were located on the fringe of the old Sherwood Forest. Naturally, not all the trees were destined to become posts and rails and the timber was recommended for various purposes. Nevertheless, posts, rails, gates and hurdles were offered for sale in many of these parishes throughout the main period of enclosure from 1760 to the second decade of the nineteenth century. In addition to local sources, it is possible that a certain amount of fencing material was being imported from elsewhere, even from abroad. The large quantity of posts and rails for sale on the Trent-side at Newark (1789) could have been brought up the river from Hull, where the arrival of cargoes of American oak and ash timber was reported in the shipping news. Fencing materials which were available from the Nottingham wharfs may also have originated outside the county, and more were offered for distribution from Loughborough and Ockbrook. Whatever their source, the number of posts and rails obtainable would appear to have been adequate as no evidence of shortage has been found. Even so, when the trustees of the Newark Charity estates advertised the sale of between

three and four hundred trees in North Muskham, they stipulated that the purchaser must contract for the fencing of all the allotments which the trustees expected to receive in the forthcoming award.¹

When we consider the availability of hedging plants the sources are not so obvious; the number of quicksets needed for any enclosure would have been much greater than that of the posts (nine quicksets per yard were allowed for hedging at Oxton, Chapter 7), yet the commercial suppliers were far fewer. Three nurseries at Newark, and one at Mansfield, advertised regularly. Otherwise only occasional supplies of plants were offered for sale, mostly from within the county, although quicksets could also be ordered at Lenton for supply from Breedon (Leicestershire), and four hundred thousand were offered from Melbourne (Derbyshire). It appears unlikely though that the numbers available from these sources would have been sufficient to satisfy demand, and where hawthorn was growing wild the plants would probably have been transplanted. This happened at Everton where, in 1761, the accounts of the Magnus Charity Estate listed payments for carrying the thorn from various parts of the parish and cleaning and planting.² Also, it would appear that the large landowners may have contracted with growers for supplies. The Duke of Portland's steward recorded regular payments for many thousands of quicksets from three persons who are named but whose place of residence is not given.³ These plants were needed for the private enclosures which the Duke was establishing on his estates during the 1770s, and it is possible that he would have used the same source when land came into his hands through the parliamentary process.

¹ *Nottingham Journal*, 28.12.1771.

² N.A.O. DD.MG. 10/11-25.

³ N.A.O. DD.2P.

One can only assume, given this scarcity of commercial growers, that many landowners would have raised their own plants from seed; whitethorn is easily germinated, and there would have been ample time during the course of the majority of enclosures for two year old quicksets to have been produced. A report that c.25,000 quicksets had been stolen from the garden of Carlton-in-Lindrick Hall lends support to this theory that landowners may have grown their own hedging plants.¹

From the preceding pages it will be clear that, despite the fact that details of the practical handling of enclosure are difficult to trace, parliamentary enclosure was not carried out under a blueprint which was applied to every application. Nor can it be assumed that either the work on, or the payments for, an enclosure would have been finished as soon as the award had been signed. Many acts allowed the commissioners a year after the execution of an award for the completion of their accounts, and we have seen that the construction of roads might extend far beyond the time allowed. It will also become increasingly obvious that the impact of enclosure would have varied from parish to parish - the ease with which it was accomplished would have depended upon many factors, but nowhere is it likely to have been quite as abrupt or cataclysmic as might have been expected.

¹ *Nottingham Journal*, 1.2.1772.

CHAPTER FOUR

The Chronology of Parliamentary Enclosure in Nottinghamshire

As noted in Chapter 1, almost 186,000 acres of land in Nottinghamshire (between thirty-four and thirty-five per cent of the total county area) was enclosed under the auspices of one hundred and fifty-two acts sanctioned by Parliament between 1759 and 1868.¹ These enclosures were not distributed regularly throughout the period and, as was usual elsewhere, local interest manifested itself more strongly in some years than in others (Figure 4:1 & Table 4:1). Nevertheless, calculations based upon all the enclosure acts for England show that, although there were differences in the timing of the parliamentary process from county to county, the majority of acts were obtained during two main periods, 1760-1779 and 1790-1820.² Nottinghamshire's enclosures conform to this pattern to the extent that over seventy-six per cent of the county's acts date from these two periods and they account for slightly more than seventy-eight per cent of the total area enclosed by parliamentary means (Figure 4:1 & Table 4:2). In fact, notwithstanding that parliamentary enclosure was taking place in this county for more than a century, around seventy-three per cent of the acts, and nearly eighty per cent of the land affected, date from the forty-six years between 1765 and 1810, despite the very marked reduction in enclosure activity during the 1780s, discussed below.

¹ Two earlier acts (of 1743 and 1755) for West Leake were considered by W.E.Tate to be estate acts rather than genuine enclosure acts, although both authorised the lord of the manor to enclose land.

² M.Turner, *English Parliamentary Enclosure* (Folkestone 1980), p.70.

Annual Incidence of Nottinghamshire Enclosure Acts

Figure 4:1

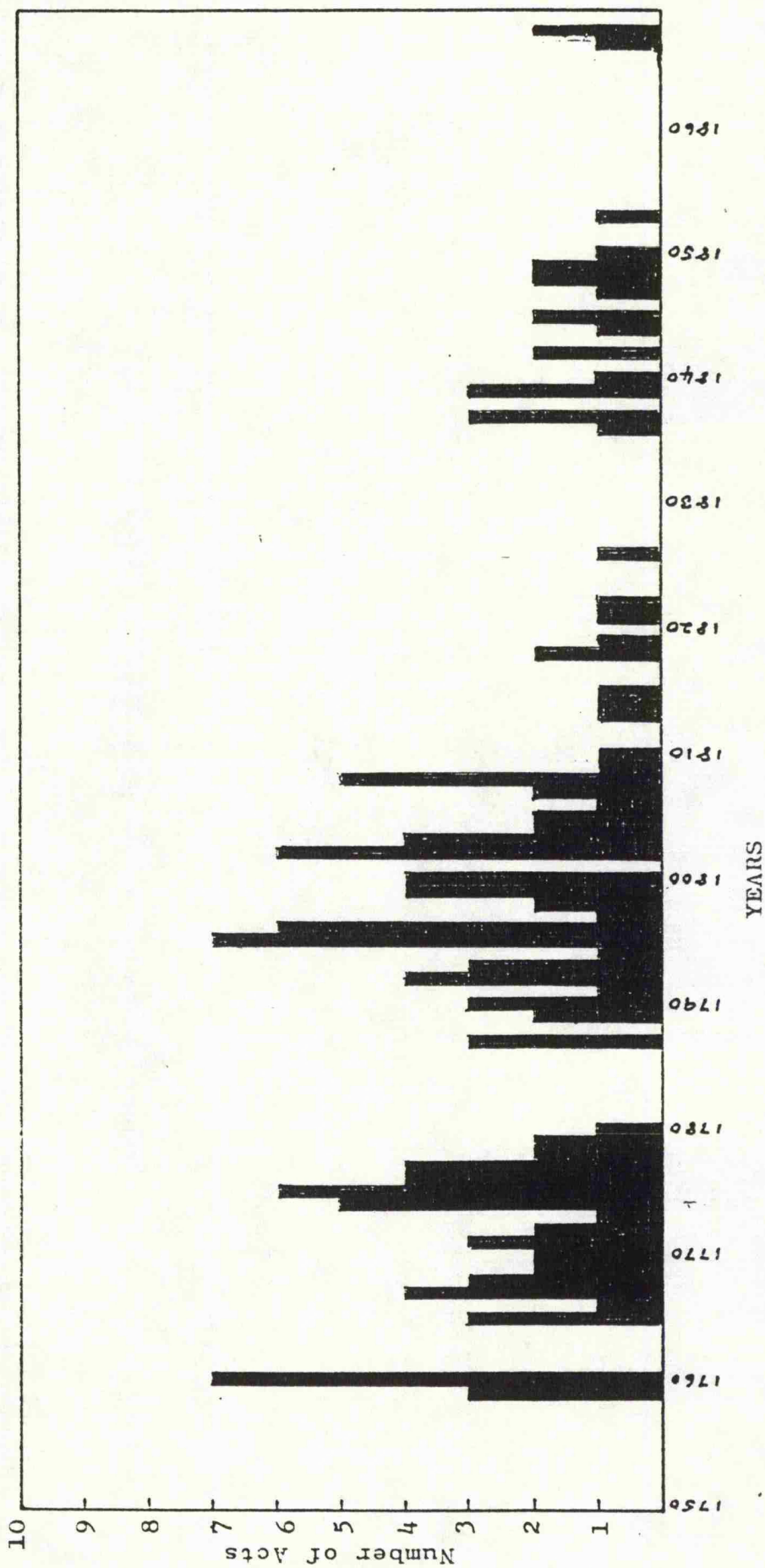


Table 4:1

Annual acreage of land enclosed by Act of Parliament					
Year	Acreage enclosed	Year	Acreage enclosed	Year	Acreage enclosed
1759	5,030	1787	4,278	1813	1,195
1760	11,589			1814	113
		1789	4,182	1815	770
1765	4,489	1790	4,874		
1766	2,997	1791	299	1818	4,854
1767	8,099	1792	5,980	1819	874
1768	3,430	1793	5,856		
1769	2,520	1794	3,076	1821	1,263
1770	2,856	1795	10,818	1822	2,152
1771	5,927	1796	6,801		
1772	1,426	1797	1,403	1826	1,236
1773	983	1798	3,686		
1774	3,319	1799	3,322	1836	1,228
1775	9,739	1800	2,705	1837	1,273
1776	3,749				
1777	4,814	1802	8,492	1839	172
1778	982	1803	4,203	1840	274
1779	3,097	1804	2,681		
1780	1,951	1805	4,282	1842	1,465
		1806	824		
		1807	1,924	1845	1,340
		1808	2,407		
		1809	745	1847	41
		1810	1,637	1848	506
				1849	2,213
				1850	2,460
				1853	142
				1867	129
				1868	759

Table 4:2
Acreages of land enclosed during the five phases of
Nottinghamshire Parliamentary Enclosure

Period	Acreage	Period	Acreage
1759-1760	16,619	1813-1826	12,457
1765-1780	60,378	1836-1868	12,002
1787-1810	84,475		

Total acreage enclosed 185,931

Yet, despite the general conformity of this county's enclosures to the national pattern during the periods of greatest activity (1760-1779 and 1790-1820), no Nottinghamshire acts were obtained in the four years between 1760 and 1765 and were sparse in the second decade of the nineteenth century. Under these circumstances it would appear that the progress of local parliamentary enclosure will prove to be more satisfactorily examined within shorter time-spans, and these are suggested by the five principal stages within which the acts occurred; 1759-1760, 1765-1780, 1787-1810, 1813-1826 and 1836-1868 (Figure 4:1).

Before an analysis of the timing of enclosures, is attempted, however, it is necessary to consider the explanations which have been advanced to account for the intensity of parliamentary enclosure activity on a national scale at the two key periods, 1760-1779 and 1790-1820. It is generally accepted that an increased demand for agricultural products, allied to a growing population and its urbanisation as a result of industrial expansion, would most likely have resulted in the concentration of enclosure during the 1760s and 1770s. A resurgence of interest in the process towards the end of the eighteenth century has been seen as a response to high war-time prices which would have made the enclosure of poor soils and waste land economically viable. For many years it was also assumed that the difficulty of introducing agricultural innovations into an open-field system would have provided progressive farmers with further incentive for enclosing land. No doubt this was true in some places, but the long-held view that open-field cultivation was bound by rigidly stereotyped rotations has been challenged, and it is now recognised

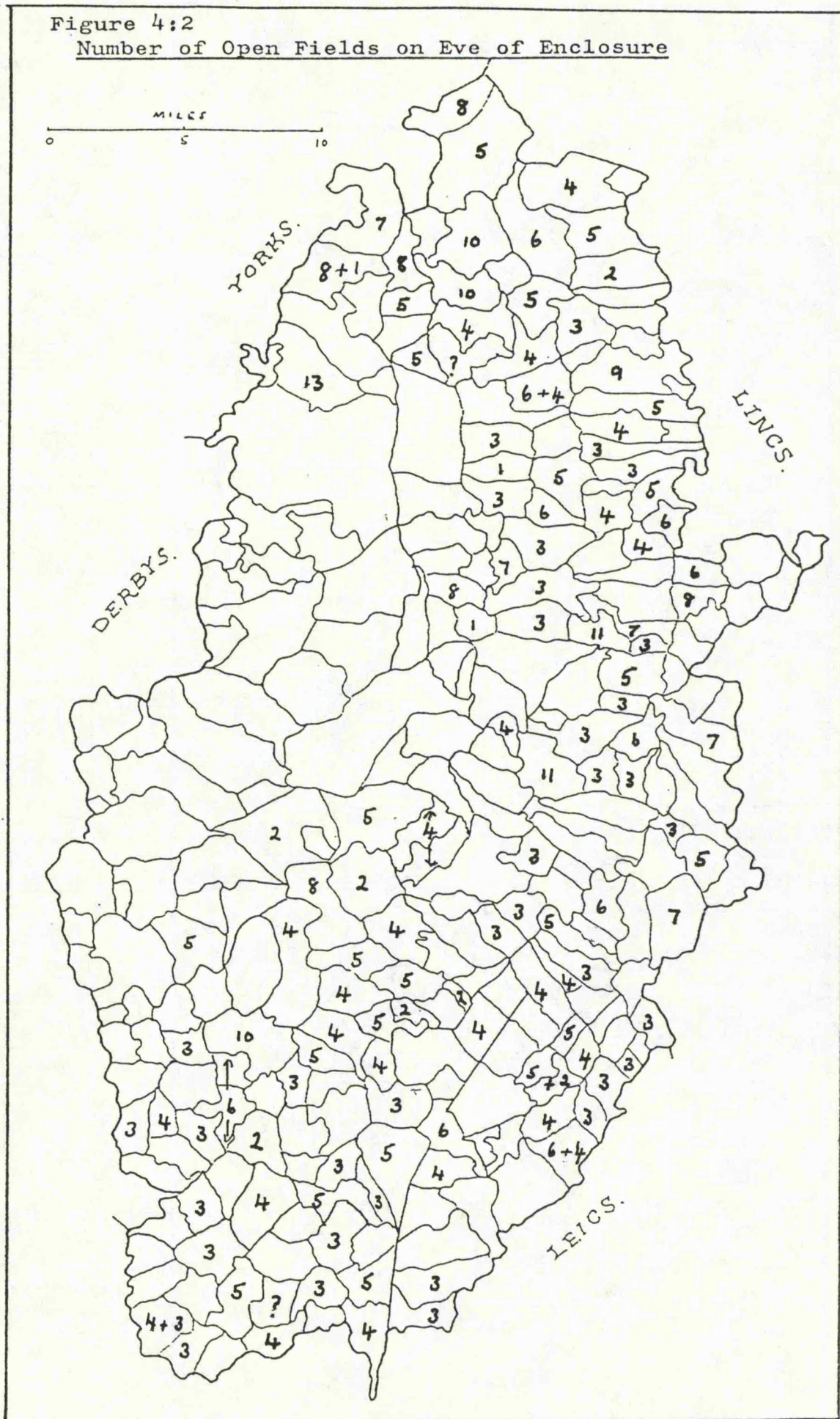
that the management of open land could be more flexible than was formerly believed. By the early eighteenth century open fields in Oxfordshire were being subdivided to accommodate new crops and improved rotations, one parish having twelve fields in 1732.¹ This development was not confined to Oxfordshire and multiple fields can be found in a number of Nottinghamshire parishes on the eve of their enclosure (Figure 4:2).

A sharp decline in the number of acts passed in the 1780s has not yet been fully explained although it is sometimes attributed to the high interest rates of that decade. Contemporary support for this conjecture may be found in the views of a Nottinghamshire petitioner against a proposed enclosure bill, who, in 1781, considered that any advantages to be obtained from the process would be more than offset by the high cost of borrowing money, together with the low prices obtainable for agricultural produce (Chapter 5). Further evidence of the unpropitious climate for agricultural investment at this time may also be found in local newspaper accounts of farmers' difficulties. Early in 1780 a report published in the *Nottingham Journal* stated that grain prices were so low that many farmers were 'greatly distressed'. A little later, in April of the same year, sales were held at Boston (Lincs.) of the effects of twenty-two farmers and graziers who had been 'reduced to a state of poverty owing to the low price of corn and stock, and the exorbitant rents of their farms'.²

¹ M.Havinden, 'Agricultural progress in open-field Oxfordshire', *Ag. Hist. Rev.*, IX (1961).

² *Nottingham Journal*, 5.2.1780 & 29.4.1780.

Figure 4:2
Number of Open Fields on Eve of Enclosure



When conditions were favourable for enclosure the prospect of increased rents must have provided a major incentive for landlords in the majority of open-field parishes. D.V.Fowkes stated that 'one certain result of enclosure was an immediate increase in rents', and he goes on to say that this increase was particularly marked where a large proportion of the parish remained to be enclosed.¹ On the whole, historians accept that rents would generally have doubled,² but even higher returns would seem to have been possible in some parts of the country. For instance, in 1777, a correspondent to the *Nottingham Journal* stated 'The benefits of inclosure have been found so great in Leicestershire that in one lordship which was inclosed about six years ago the rents are raised from £1,100 per year to £6,600; which has been effected by laying the arable open fields from tillage to rich grazing land'.³

This would appear to have been an exceptional case, and to have depended upon a wholesale conversion to pasture; a development which will be found to have been less usual in Nottinghamshire than in Leicestershire. A more realistic estimate of local profits would probably have been in line with those outlined in a letter of 1794 from William Calvert, a Nottinghamshire landowner, surveyor and enclosure commissioner. He stated that 'the improvements are as various as the circumstances under which we find the lordship to be inclosed; the difference proceeds from the disproportion of their

¹ D.V.Fowkes, 'The Progress of Agrarian Change in Nottinghamshire, c.1730-1850' (Unpublished Ph.D. thesis, University of Liverpool, 1971), p.512.

² D.N.McCloskey, 'The economics of enclosure: a market analysis', in E.L.Jones & W.N.Parker (eds.), *European Peasants and Their Markets: Essays in Agrarian Economic History* (Princeton, New Jersey, 1975), pp.155-158. J.V.Beckett, *The Aristocracy in England 1660-1914* (Oxford, 1986), p.174.

³ *Nottingham Journal*, 26.4.1777.

soil, quantity of commons, goodness of, or impracticability of making good roads without an enormous expence, contiguity of markets, etc.'. Calvert defined the varied potential of different types of parish, saying that 'a lordship which consisted chiefly of good land with extensive commons would be the most valuable, one with clay land and a great quantity of common the next, and a parish on the clay with scarcely any open common the least valuable'. He expected that the worst land would increase about one-fourth in value after the deduction of enclosure expenses, while the best would double in value after a few years.¹

Nevertheless, the prospect of a quite modest increment is likely to have made enclosure attractive to landowners in parishes where a large proportion of the farmers were tenants; especially as, unlike returns from the increased production of crops or expansion of livestock, higher rents might have been obtainable relatively quickly. Land appears to have been revalued immediately after its division and allotment (Chapter 7). This could take place quite early in the enclosure process (Table 4:3), and, if new leases were able to be negotiated at the same time, it was possible for an increase in a landlord's income to be effected several years before the execution of the enclosure award.

Yet, because improved returns from more efficient farming took time to accomplish, it might not always have been advisable to increase the rent of good tenants before their newly enclosed land could reasonably be expected to provide the means of paying it. Moreover, the introduction of agricultural improvements did not always result in a sustained growth in profits; for instance, a significant

¹ R.Lowe, *A General View of the Agriculture of Nottinghamshire* (1798), p.166.

fall in market prices could offset the returns from increased production. This would appear to have occurred around 1780; at the end of one of the periods of most intensive parliamentary enclosure nationally, and at the beginning of a decade during which there was a significant reduction in the number of enclosure acts being solicited countrywide. Nottinghamshire was no exception to this trend. An act at the beginning of 1780 concluded sixteen years of enclosure activity which had resulted in 60,378 acres of land being enclosed by means of forty-five acts, while the rest of the 1780s produced only five acts with associated enclosures of 8,460 acres (Figure 4:1 & Table 4:1).

As mentioned above, explanations have been propounded for the concentration of English parliamentary enclosures into two key periods (1760-1779 & 1790-1820) and, undoubtedly, combinations of favourable conditions must have coalesced to provide incentives for an upsurge of enclosure activity at these times. Even so, conditions varied from parish to parish, especially with regard to types of soil, the use to which land was put and the structure of landownership. It is not surprising, therefore, that studies of the progress of enclosure in restricted geographical regions have served to emphasise the complexity of the process when modified by local conditions. Indeed, H.G.Hunt, after making a detailed analysis of the subject in Leicestershire, concluded that 'enclosure was the result of a conjunction of factors whose importance varied according to the particular case'.¹ This is equally true for Nottinghamshire, where it will be found that parishes with ostensibly similar characteristics were often enclosed at widely different periods.

¹ H.G.Hunt, 'The chronology of parliamentary enclosure in Leicestershire', *Econ. Hist. Rev.*, X (1957), p.272.

Figure 4:3. Chronology of Parliamentary Enclosure Acts

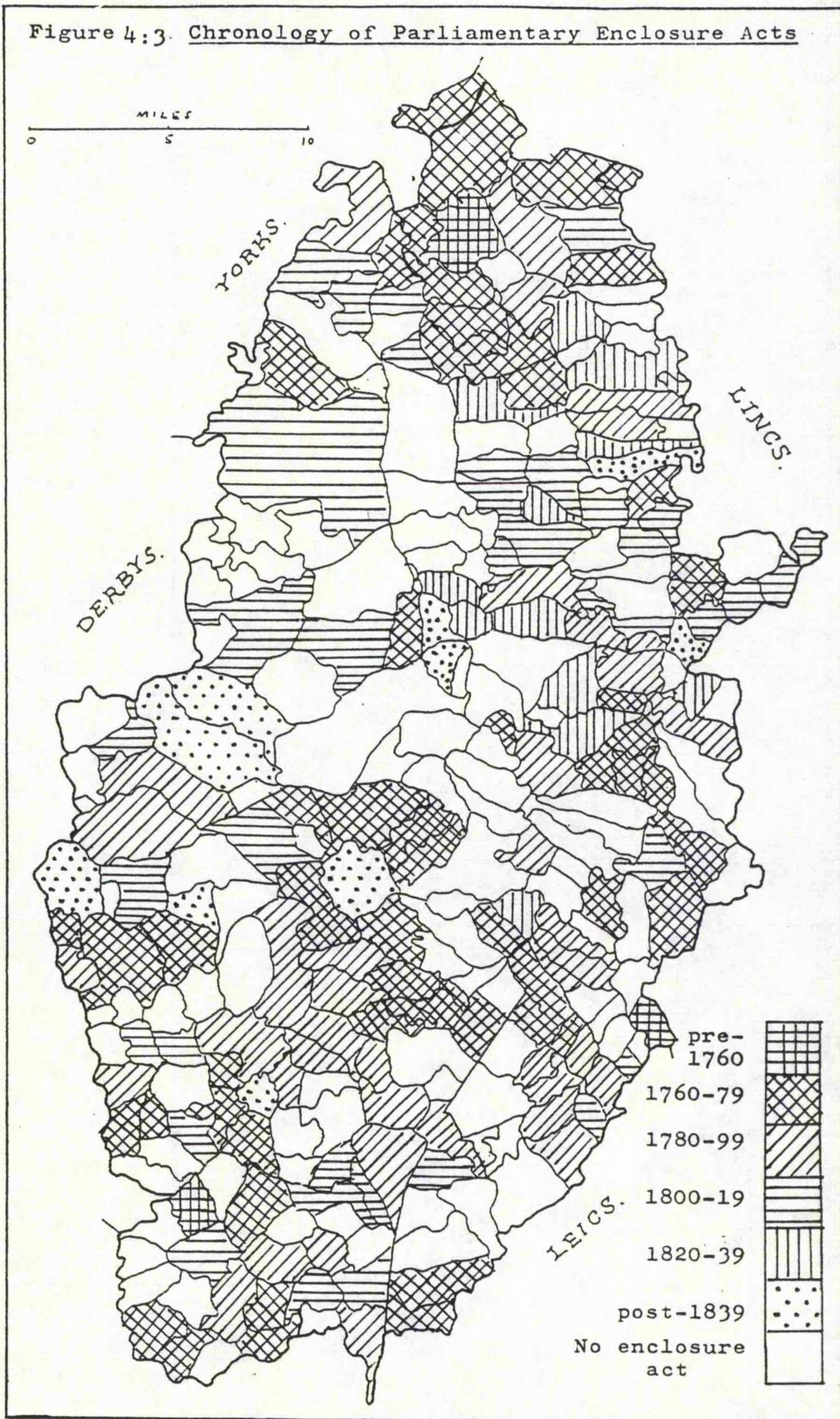
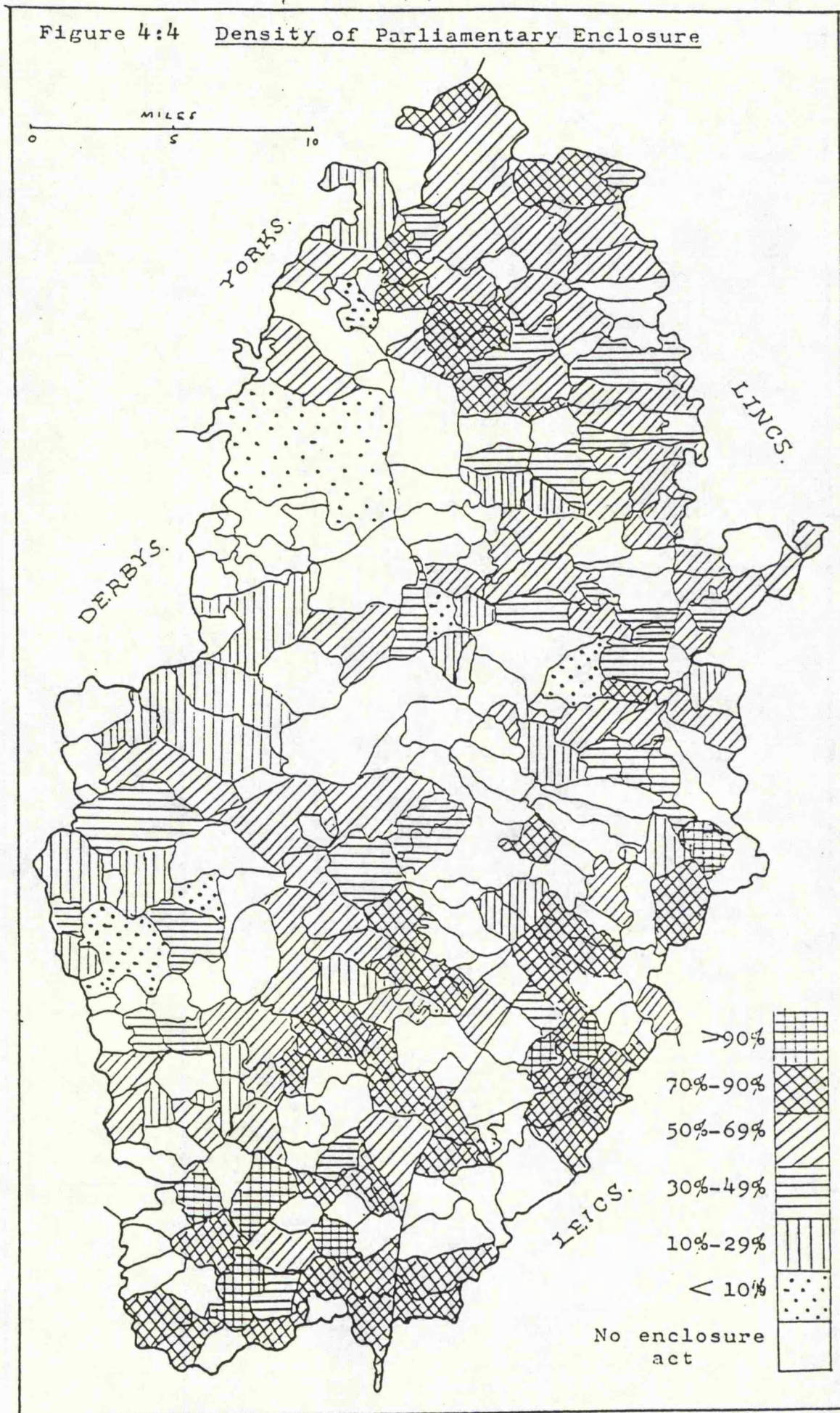


Figure 4:4 Density of Parliamentary Enclosure



On returning to a consideration of the five phases of local parliamentary enclosure outlined above, it will be seen that after an initial burst of activity in 1759 and 1760, which resulted in the enclosure of 16,619 acres of land, the majority of this county's acts occurred during two distinct periods. Between 1765 and 1780 forty-five acts were passed which led to the enclosure of 60,378 acres of land, while the period from 1787 to 1810 saw the authorisation of a further sixty-five acts which affected 84,475 acres (Figure 4:1 & Table 4:2). As was common in other enclosing counties, the 1780s marked a lull in the number of Nottinghamshire acts. That for Scarrington and Aslockton, passed during the first few days of 1780, signalled the end of the first principal period of enclosure, and almost seven and a half years elapsed before the next two acts were obtained (in May 1787) which heralded the onset of a high level of enclosure activity in the 1790s.

While Nottinghamshire would seem to typify the model of an enclosing midland county responding to the general economic climate, we shall find some quite distinct deviations from the broad pattern of the country's parliamentary enclosure. For instance, no acts were solicited for this county in either 1801 or 1811 although both years mark high peaks for the numbers passed in England as a whole. Why local enclosure activity should differ from the general trend in these years is not clear, but, on the other hand no conclusive explanation has been found for the high number of acts passed elsewhere, although the General Inclosure Act (41 Geo.III, c.109) is sometimes believed to have stimulated interest in enclosure in 1801.

In fact, this Act is unlikely to have had much, if any, effect upon that session's enclosure business as it is dated the second of July 1801. As was seen in Chapter 3, the time set aside for the consideration of private bills varied from period to period, but the

House of Commons usually restricted the acceptance of petitions to the early months of a session. Under these circumstances the provisions of the 1801 General Act would have been incorporated into private acts which resulted from petitions submitted at the end of that year and the beginning of 1802. The following timely reminder of the restrictions governing the application for acts appeared in the county newspaper in 1808: 'It may be of some importance to solicitors of inclosure and other local bills to know that the House of Commons will not receive any petitions for private bills after 26 February, nor any private bills after 28 March, nor any report of such bill after 16 May next'.¹ Seventy-eight per cent of Nottinghamshire petitions were submitted during the months of January and February, with a further twelve per cent in November and December. The resulting acts usually date from the following March to May, depending upon the efficiency with which the petition and bill had been prepared, the degree of formal opposition encountered and the amount of business before the parliamentary committee.

It is possible that the imminence of the passing of a General Act may have discouraged landowners from embarking upon enclosure, as one of the chief objects of this 1801 Act was to reduce administrative costs by providing a set of clauses which could be cited in individual enclosure acts instead of being written out in full. In Chapter Seven we shall try to determine how far this aim was successful. In any case, important local landowners would have been aware of the progress of this statute through Parliament, and any of them contemplating enclosure at the time may have thought it expedient to delay their

¹ *Nottingham Journal*, 2.2.1808.

presentation of a bill until after the General Act had been passed, in the hope of saving on legal expenses. Admittedly, this consideration would have applied to proprietors elsewhere, but it is difficult to find other reasons for the absence of Nottinghamshire acts in 1801. Land affected by the twenty-four enclosures sanctioned between 1802 and 1810 was distributed throughout various soil regions and seems not to have differed particularly from that enclosed in the 1790s, while 1802 marked a high peak of local enclosure activity, equalling that of 1796 (Figure 4:1 & Table 4:1). Nor can the absence of acts in 1801 be related to any slackening of prices at the time; indeed, local grain prices, which were rising from mid-1799 and remained high throughout 1800 (Appendix C) might be expected to have made enclosure an attractive proposition in 1801.

Of course, market prices were only one of the factors to be taken into account when contemplating an enclosure, and it is not always easy to relate grain prices to the incidence of acts. Certainly, the record number of local enclosures embarked upon in 1795 cannot be linked to dramatic price increases in the previous year, although a tentative parallel may be drawn between rising grain prices in 1795 and the level of enclosure activity in 1796. Also, although prices continued high in the early months of 1796 they fell sharply by the autumn (wheat at Newark market reached one hundred and twenty shillings per quarter in January of that year, but the best quality was selling at just fifty-nine shillings by December), and it is noticeable that this decline was followed by only one Nottinghamshire act in 1797 - for Bunny, a parish of very concentrated ownership.

Local lack of interest in parliamentary enclosure in 1811 may be more easily understood. Seventy-nine per cent of the county's acts had authorised the enclosure of some eighty-nine percent of the relevant land by the end of 1810 and it is likely that enclosure had already been effected by this date in parishes where no obstacle existed. Only nine acts appeared between 1813 and 1826, to be followed by a gap of ten years after which the twenty-three acts associated with various General Inclosure Acts constituted the final phase of the county's parliamentary enclosure. However, while the dates of all the Nottinghamshire acts and awards are known, great care must be exercised when trying to relate any enclosure to a contemporary cause.

It is not always appreciated that the first proposal for an enclosure could pre-date the acquisition of an act by several years (Table 4:3). The earliest proposals found for the enclosure of Selston Common date from 1799, sixty-nine years before an act was obtained and eighty years before the award was signed.¹ Selston Common is an extreme case, but thirty-two Nottinghamshire parishes have been found where parliamentary sanction was received at least five years after an enclosure scheme had been first considered and in several parishes a delay of twenty years or longer occurred. This raises the question of how far the date at which an act was obtained can be explained by reference to contemporary general economic conditions, or other outside influences, when it is likely that the incentive for enclosing at the earlier period would have changed during the intervening years.

¹ *Nottingham Journal*, 12.1.1799.

Table 4:3

Progress of enclosure

Enclosing parish	First mention	Act	Allotments entered	Award	Final mention
STAUNTON	1725	Feb. 1759		Jan. 1760	
EVERTON & HARWELL	Feb. 1759	Apr. 1759	Apr. 1761	Sep. 1761	
BARTON-IN-FABIS	Feb. 1759	May 1759		Nov. 1759	
HAWKSWORTH	Jan. 1760	Mar. 1760	Mar. 1761	Apr. 1761	
HAYTON	Jan. 1760	Apr. 1760		Jan. 1762	
COSTOCK	Jan. 1760	May 1760		Feb. 1761	
UPPER BROUGHTON	Jan. 1760	May 1760		Sep. 1761	
CODDINGTON	Jan. 1760	May 1760		Jan. 1762	
NORTH & SOUTH CLIFTON	Jan. 1760	May 1760		Oct. 1761	
MISSON	Jan. 1760	May 1760		Feb. & Jun. 1762	
LOWDHAM	Jan. 1765	Mar. 1765		Jun. 1766	
WILFORD	Feb. 1765	Apr. 1765		May 1766	
CARLTON-ON-TRENT	Feb. 1765	Apr. 1765		May 1766	
BALDERTON	Jan. 1766	May 1766		Mar. 1768	
RUDDINGTON	Jan. 1767	Mar. 1767		Dec. 1767	
LENTON & RADFORD	Jan. 1767	Mar. 1767		Jan. 1768	
CARLTON-IN-LINDRICK	Jan. 1767	Mar. 1767		Oct. 1768	
FARNDON	Jan. 1767	May 1767		Feb. 1769	
REMPSTON	Jan. 1767	Feb. 1768		Jul. 1769	
EPPERSTONE	Jan. 1768	Mar. 1768		Feb. 1770	
BURTON JOYCE	Dec. 1767	Mar. 1768		Nov. 1769	
HUCKNALL TORKARD	Dec. 1768	Apr. 1769		Apr. 1771	
BLIDWORTH	Jan. 1769	May 1769		Apr. 1770	
NORMANTON-ON-SOAR	Feb. 1770	Apr. 1770		Feb. 1771	
MATTERSEY	Feb. 1770	May 1770		Mar. 1773	
STAPLEFORD & BRAMCOTE	Feb. 1771	Mar. 1771		Jan. 1772	
NORTH MUSKHAM	Dec. 1770	Mar. 1771		Oct. 1773	
MISTERTON & WEST STOCKWITH	Feb. 1770	Apr. 1771	May 1774	Oct. 1775	

Table 4:3 continued

Enclosing parish	First mention	Act	Allotments entered	Award	Final mention
SCAFTWORTH	Jan. 1771	Mar. 1772		Dec. 1773	
LANEHAM	Oct. 1767	May. 1772		Sep. 1774	
CROMWELL	Jan. 1773	Mar. 1773		Nov. 1773	
SUTTON BONINGTON (St. Anne)	Jan. 1774	Mar. 1774		Mar. 1775	
COTMORE & RADLEY	Nov. 1771	Mar. 1774		Dec. 1775	
GREASLEY	Feb. 1774	Mar. 1774		Jun. 1775	
FINNINGLEY	Feb. 1774	May 1774		Jan. 1778	
FLINTHAM	1737	Feb. 1775		May 1777	
SCROOBY	Feb. 1775	Mar. 1775		Sep. 1777	
HICKLING	c. 1750	Apr. 1775		May 1776	
SUTTON-CUM-LOUND	Oct. 1774	May 1775	Oct. 1777	Apr. 1779	
BRINSLEY	Feb. 1775	May 1775		1779	
BECKINGHAM	Jan. 1776	Mar. 1776	Nov. 1777	Jan. 1779	
SUTTON BONINGTON (St. Michael)	Oct. 1775	Mar. 1776		May 1777	
CLARBOROUGH & WELHAM	Aug. 1774	May 1776	Oct. 1777	Dec. 1778	
WINTHORPE	Oct. 1776	Mar. 1777		May. 1778	
FARNSFIELD	Oct. 1776	May 1777	Mar. 1779	Feb. 1780	Jul. 1780
HALAM & EDINGLEY	Jul. 1776	May 1777		Mar. 1781	May 1781
BLEASBY	Oct. 1776	May 1777	Apr. 1778	Feb. 1780	
KERSALL	Dec. 1765	Apr. 1778		Sep. 1779	
OLLERTON	Jan. 1778	Apr. 1778		Jul. 1779	
CALVERTON	Dec. 1773	May 1779		Jul. 1780	
SCARRINGTON & ASLOCKTON	Oct. 1777	Jan. 1780		Apr. 1781	Nov. 1781
RADCLIFFE-ON TRENT	Feb. 1786	May 1787		Jan. 1790	
CROPWELL BUTLER	Feb. 1786	May 1787		Aug. 1788	
WHATTON	Jul. 1788	May 1789		Nov. 1790	
ARNOLD	Dec. 1770	Jun. 1789	Feb. 1790	Jul. 1791	Sep. 1793
NORTH COLLINGHAM	Feb. 1772	Mar. 1790		Mar. 1798	
CLAYWORTH	Sep. 1789	May 1790	Feb. 1791	Oct. 1792	
EASTWOOD	Feb. 1791	Apr. 1791		Sep. 1793	

Table 4:3 continued

Enclosing parish	First mention	Act	Allotments entered	Award	Final mention
SYERSTON	Mar. 1792	May 1792		Jun. 1795	
LAMBLEY	Feb. 1792	May 1792		Mar. 1797	
GEDLING	Nov. 1791	May 1792	Mar. 1793	Mar. 1796	Feb. 1798
BASFORD	Nov. 1773	Jun. 1792		Jul. 1797	
GRANBY & SUTTON	Feb. 1793	Mar. 1793		Jul. 1799	
ORSTON & THOROTON	Dec. 1792	May 1793		Jul. 1797	Sep. 1801
WILLOUGHBY-ON-THE-WOLDS	Aug. 1780	May 1793		Jun. 1799	Feb. 1801
SUTTON-IN-ASHFIELD	Aug. 1793	May 1794	Nov. 1795	Mar. 1800	Aug. 1805
UPTON	Oct. 1794	Apr. 1795		Apr. 1798	
CAUNTON	Dec. 1765	Apr. 1795		Feb. 1799	
NORTH LEVERTON	Oct. 1791	May 1795	Oct. 1796	Nov. 1801	
SOUTH LEVERTON	Aug. 1790	May 1795	Oct. 1796	Nov. 1801	
WOODBOROUGH	Nov. 1791	May 1795		Feb. 1798	
KIRKBY-IN-ASHFIELD	Nov. 1794	May 1795		Sep. 1803	Aug. 1805
EAST STOKE & ELSTON	Feb. 1795	Jun. 1795		Nov. 1801	
GATEFORD & SHIREOAKS	Dec. 1795	Mar. 1796		Feb. 1797	
SNEINTON	Dec. 1795	Mar. 1796		Feb. 1798	
WESTON	Sep. 1793	Apr. 1796		Nov. 1803	Jan. 1813
LENTON & RADFORD	Sep. 1794	May 1796	May 1797	Apr. 1799	Aug. 1800
GRINGLEY-ON-THE-HILL	May. 1775	May 1796	Nov. 1797 & Mar. 1798	Apr. 1801	Sep. 1801
EAST BRIDGFORD	Jan. 1796	May 1796		Jun. 1801	
BUNNY	Mar. 1797	May 1797		Jan. 1798	
KEYWORTH	Jun. 1797	Mar. 1798		Apr. 1801	
EAST LEAKE	Jul. 1780	Mar. 1798	Dec. 1798	Jun. 1799	Jul. 1801
HARWORTH	1798	Jun. 1799	Nov. 1800	Sep. 1804	
GRASSTHORPE	Dec. 1798	Jun. 1799		Jun. 1801	
TUXFORD	Aug. 1791	Jun. 1799		Jan. 1804	
MOORGATE	Feb. 1799	Jun. 1799		Jan. 1806	

Table 4:3 continued

Enclosing parish	First mention	Act	Allotments entered	Award	Final mention
NORMANTON-ON-TRENT	Sep. 1799	Apr. 1800		Oct. 1808	Jun. 1811
WYSALL	Nov. 1799	Jun. 1800		Oct. 1801	Oct. 1802
ORDSALL	Apr. 1800	Jun. 1800		Mar. 1813	
CROPWELL BISHOP	Sep. 1797	Apr. 1802		Nov. 1804	
RANSKILL	Sep. 1800	May. 1802	Apr. 1803	Oct. 1805	
STYRRUP	Jul. 1797	May 1802		Nov. 1807	Mar. 1809
WALKERINGHAM	Oct. 1801	Jun. 1802	Mar. 1803	May 1806	
HARBY & BROADHOLME	Mar. 1802	Jun. 1802		Dec. 1804	
WIDMERPOOL	Nov. 1802	Dec. 1802		Apr. 1804	Jan. 1807
TOLLERTON	Feb. 1803	Apr. 1803	Mar. 1804	Apr. 1806	
DUNHAM & RAGNALL	Sep. 1802	May 1803	Mar. 1804	May 1815	
WORKSOP	Sep. 1781	May 1803		Aug. 1817	
SUTTON-ON-TRENT	Nov. 1801	Jun. 1803	Mar. 1804	Dec. 1808	
GOTHAM	Feb. 1804	Apr. 1804		Mar. 1806	
ALVERTON	Sep. 1803	Jun. 1804		Sep. 1810	
PLUMTREE	Feb. 1802	May 1805		Dec. 1807	
BLIDWORTH	Nov. 1779	May 1805	Oct. 1807	Jun. 1812	Jan. 1813
BEESTON	Dec. 1796	Jun. 1806		Nov. 1809	
ELTON	Jan. 1807	Jul. 1807	Apr. 1808	Apr. 1809	
BARNBY MOOR	Oct. 1797	Aug. 1807		Jun. 1809	
STRELLEY & BILBOROUGH	Feb. 1808	May 1808		Oct. 1827	
WEST MARKHAM	Sep. 1807	Jun. 1808		Mar. 1812	
GAMSTON	Sep. 1807	Jun. 1808		Dec. 1809	
ANNESLEY	Jan. 1808	Feb. 1808	Nov. 1808	Dec. 1809	
SKEGBY	Mar. 1808	Jun. 1808		Apr. 1823	
EATON	Feb. 1808	May 1809		Aug. 1814	
EAST MARKHAM	Sep. 1798	Apr. 1810		Jun. 1816	
SPALFORD & WIGSLEY	Dec. 1812	May 1813		Mar. 1817	
BLYTH	Sep. 1805	Jun. 1814		Nov. 1819	
HEADON-CUM-UPTON	Aug. 1814	Mar. 1815		May 1818	
WARSOP	Sep. 1811	Apr. 1818		May 1825	

Table 4:3 continued

Enclosing parish	First mention	Act	Allotments entered	Award	Final mention
BIRKLAND & BILHAUGH	Sep. 1817	Jun. 1818		Apr. 1821	
EAST DRAYTON	Jul. 1773	Apr. 1819	Apr. 1821	Apr. 1825	
WALESBY					
KIRTON	Mar. 1806	Apr. 1821	Dec. 1822	Jul. 1825	Jun. 1836
EGMANTON					
STURTON-LE- STEEPLE	Aug. 1812	May 1822		Mar. 1828	
NORWELL	Dec. 1796	Apr. 1826		Oct. 1832	Aug. 1834
NORTH WHEATLEY		Nov. 1836		Jun. 1840	
ASKHAM	Jun. 1830	Jan. 1837		Jul. 1841	
TRESWELL	Jan. 1837	Feb. 1837		Nov. 1842	
FISKERTON	Jul. 1800	Jun. 1837		Jan. 1842	
EASTHORPE	Jul. 1839	Oct. 1839		Feb. 1844	
WELLOW		Oct. 1840		Dec. 1842	
RAMPTON	Aug. 1806	Oct. 1842	Oct. 1843	Aug. 1845	
OSSINGTON	May. 1844	Jun. 1844		Aug. 1844	
BESTHORPE	1838	Aug. 1845		May 1846	
GIRTON		Jan. 1848		Apr. 1851	
OXTON	Jul. 1847	Jan. 1848		Jul. 1852	
MANSFIELD		Jan. 1849		Jun. 1854	
WOODHOUSE					
LINBY		Jan. 1852		Feb. 1855	
SELSTON	Jan. 1799	1868		May 1879	

In Northamptonshire J.M.Neeson found 'As many as a quarter of all parishes enclosed by act were so enclosed long after the optimum point of maximum economic profit',¹ and it is probable that a comparable proportion of Nottinghamshire acts were also obtained long after the date at which enclosure would have been most profitable. Also, from the dates of failed attempts to obtain acts for some East Yorkshire enclosures, J.M.Crowther concluded that the importance of soil-type and altitude to the timing of enclosure in that region had probably been overestimated.²

A number of the Nottinghamshire projects for which the promoters were unsuccessful in obtaining an act at the first attempt did not advance beyond exploratory meetings and correspondence to assess the degree of support for enclosure before application was made to Parliament. In some cases no subsequent act was ever obtained and enclosure was accomplished by private agreement. Elsewhere, nothing more might be heard of an intended enclosure until years later when the formal parliamentary process was embarked upon. Yet, even then, petitions and bills sometimes proved to be premature and were abandoned during the early stages of the parliamentary proceedings. W.E.Tate suspected that this occurred when proprietors realised that a high enough proportion of consent had not been secured, and that further expense could be avoided by aborting a scheme.³

¹ J.M.Neeson, 'Opponents of enclosure in eighteenth-century Northamptonshire', *Past and Present*, 105 (1984), p.127.

² J.E.Crowther, 'Parliamentary enclosure in Eastern Yorkshire, 1725-1860' (unpublished Ph.D. thesis, University of Hull, 1983), p.210.

³ W.E.Tate, *The English Village Community and the Enclosure Movements* (1967), p.100.

Frequently, no specific cause can be discovered to account for the failure, or postponement, of projected enclosures. Few counter-petitions were received from this county and, although a certain degree of local opposition was common, objectors usually had little effect upon the progress of a bill unless they included a tithe-owner, lord of manor or principal proprietor amongst their number. This was not always the case, however, and it would appear that opposition from common-right holders was responsible for delays in the enclosures of Basford and Gringley-on-the-Hill (Chapter 5). Had all the attempts to obtain an act been successful at the earliest dates for which we have evidence of a intention to enclose, the broad outline of parliamentary enclosure in Nottinghamshire would not have been greatly altered. The main difference would have been a contraction in the overall period in which the process was taking place. Not that an earlier onset of parliamentary enclosure would appear likely in this county, but there would have been an increase in the number of acts authorised during the period 1765-1779 and in the 1790s, while fewer would have been passed after 1811. The 1780s would have been little affected, with only the possibility of two more acts being passed at the beginning of the decade; similarly, 1801 might have gained one act but 1811 would have remained unchanged. Also, the number of parishes enclosed by act could have increased slightly, although this might have been offset by the loss of a few acts for places, such as at Staunton, where the principal owner had intended carrying out a private enclosure.¹

Of course, enclosure was no new phenomenon born of mid-eighteenth century agricultural requirements and, as elsewhere, a substantial amount had been accomplished in Nottinghamshire before the first enclosure act for this county appeared. J.D.Chambers thought it likely

¹ N.A.O. DD.S 31/13.

that one third of the county land area had been enclosed before 1700, while, more recently, J.V.Beckett estimated the figure as around forty-five per cent by 1759.¹ As noted in Chapter 2, the reported acreage of early enclosure in Nottinghamshire was relatively small in comparison with that of the more pastoral midland counties, and it is probable that much more would have been achieved by agreement during the seventeenth and early-eighteenth centuries. This process was to continue, running parallel with the parliamentary enclosure movement, throughout the second half of the eighteenth century and into the nineteenth.

Articles of agreement of 1799 and 1807 for the enclosure of Torworth are mentioned below and several, mainly small, parishes described as open-field when visited by John Throsby in the 1790s were recorded in the County Directories of some forty years later as enclosed. We have also seen that glebe terriers indicate quite late enclosures in a few parishes, and dated plans or maps of open fields and their prospective enclosure can sometimes be found for parishes which were not enclosed by act.

Many agreements would probably have been similar to that which led to the enclosure of the three fields at Harby in 1717. Here, in November 1716, twenty-one proprietors of land in the fields, including seven 'yeomen' and six 'husbandmen' of the parish, negotiated terms with the owner of the tithes, and the lords of the three manors, to enclose these fields by the following May. Clauses in the agreement followed a similar pattern to those of later parliamentary acts. Four men from neighbouring parishes (one 'gentleman' and three 'yeomen') were elected to divide and allot the fields according to each

¹ J.D.Chambers, *Nottinghamshire in the Eighteenth Century* (2nd. edn., 1966), p.vii; J.V.Beckett, *The East Midlands from A.D.1000* (1988), p.129.

proprietor's entitlement, and land allocated in compensation for tithes was to be fenced at the expense of the rest of the owners, except the lords of the manors. A final clause ensured that every cottager in Harby should have a two-and-a-half acre plot laid out in the fields as compensation for his land and right of common.¹ As the common land in Harby was intermixed with that of Saxilby (Lincolnshire) and Broadholme, and remained unenclosed until 1802 when an act relating to all three parishes provided for its enclosure, presumably the allotments awarded in 1717 were in lieu of the seasonal common rights which would have been enjoyed in the former open fields.

In later non-parliamentary enclosures a professional surveyor or commissioner was sometimes employed to value the land and oversee its allocation in a manner very similar to that of the single 'valuers' who were responsible for supervising enclosures under mid-nineteenth century General Inclosure Acts. This was the method adopted at Torworth in 1799 when agreement was reached for the enclosure of the open arable fields, and William Kelk, who also worked on several parliamentary enclosures (Chapter 3), was appointed again when the proprietors decided to enclose the common and moor in 1807.²

However, apart from formal agreements, there are indications that a certain amount of unsupervised piecemeal enclosure was also taking place during the seventeenth century. The greater part of this must have passed unrecorded but evidence of encroachments on commons and the taking-in of closes in the fields survives for two, widely separated, parishes. In 1662/3, witnesses giving evidence in a tithe dispute at Beeston which concerned land enclosed some fifty years

¹ N.A.O. M.1674.

² N.A.O. PR.3758b

previously, affirmed that the inhabitants were accustomed to take in enclosures of the commons and open fields without the consent of the lord, the tithe-owner or their neighbours.¹ A similar situation had arisen at Wiseton by 1699 when the Rector of Clayworth created a close there and commented that others were doing the same 'with no law to withstand them'.² One suspects that this type of enclosure would have continued throughout much of the eighteenth century too, judging from the number of acts which contain clauses dealing with closes taken in during a certain period previous to the date of the act.

In Nottinghamshire, as elsewhere, the main problem facing many farmers during the seventeenth and early-eighteenth centuries was a shortage of adequate supplies of pasture and winter fodder. This deficiency might be overcome by reorganising existing pasture (through stinting, or the improvement of waste land), by converting part of the arable land to grass, or by introducing new fodder crops. Turnips, clover and sainfoin, were already being cultivated in parts of this county in the 1730s, or even earlier (Chapter 2), but not all soils were suitable for such crops. In such cases, and if little, or no, waste ground remained, an increase in animal feed could only be achieved by decreasing the amount of arable land. At its simplest this entailed the sowing of strips of grass leys in the open fields, such as at Barton-in-Fabis where agreement was reached in 1739 for each farmer to lay down one acre of grass for every oxgang of land held in each of the three fields.³ Where a more radical solution was sought larger areas would be taken out of tillage, and several local

¹ A.Cossens, 'Early enclosures in Beeston', *Trans. Thor. Soc.*, LVII (1958), p.5.

² H.Gill and E.L.Guildford (eds.), *The Rector's Book of Clayworth, Nottinghamshire, 1672-1701* (Nottingham 1910), p. 127.

³ N.A.O. PR.424.

agreements of the period have been found which entailed the creation of a new pasture field by enclosing part of the open arable land. This occurred at Ruddington in 1698, Cotgrave (1717), Cropwell Butler (1725), Hickling (1734), Keyworth (1752) and the name 'Oldfield Pasture' at Elton may also point to conversion.¹ In 1724-5 the freeholders of Lamcote (a hamlet in the parish of Radcliffe-on-Trent) were also able to increase their pasture by agreeing to allow the Duke of Kingston to enclose Lamcote and to forfeit their right of common in return for permission to enclose and lay down one of the fields in Radcliffe-on-Trent as additional pasture for young cattle.² All these agreements relate to parishes located in the southern part of the county upon soils which are naturally more suited to grass than arable, but in none was the whole of the open land affected and all retained arable fields to be enclosed eventually by parliamentary act.

Not all pre-parliamentary enclosures resulted in a reduction of arable nor were they necessarily followed by the division of land in severalty, as may be seen from two enclosure agreements at Balderton, a parish upon the varied soils east of the Trent. Here, in 1692, it was agreed to enclose an estimated one hundred and sixty-four acres of common pasture. This land was described as being 'of little, or no, advantage or yearly value because of being open and uninclosed', also as lying near the cornfields where cattle straying 'do much and great damage ... so that daily controversies, disputes and quarrels do arise'.³ Nine 'plotters' assisted by three inhabitants of the parish were elected by the freeholders and copyholders of Balderton to

¹ N.A.O. PR. 5363

² N.U.L. Ma. S. 96a-b, Ma. B. 236.

³ N.A.O. DD.H 3/1

organise the enclosure. As a result, thirty-six persons received allotments in severalty under articles of agreement very similar in style and content to the usual clauses in later enclosure acts.¹ In 1727, however, when twenty-five proprietors decided to enclose the 'Stedfold', or 'Beastpasture', together with some headings from an adjoining field ('for the benefit and advantage of the inhabitants'), it was agreed that eighteen yards of good fence should be erected for every oxgang of land owned and that the resulting pasture should be stocked as before. The signatories to this agreement required no outside help to oversee the enclosure and were to be allowed to make such rules as they might think convenient for regulating the future management of the land.² Some forty years later, when the open land in Balderton was enclosed by parliamentary act, this pasture was divided and allotted together with the rest. In 1728 a similar agreement at Thoroton resulted in a new pasture being formed from old pasture, long and short leys and part of the arable land. This pasture was fenced but kept within the field system of the parish, while compensation in the form of cow-gates was given to the tithe owner and to proprietors of the converted arable land.³

In Chapter 3 it has been mentioned that such semi-enclosure was not confined to pre-parliamentary agreements, and that not all enclosure acts required allotted land to be enclosed. The Misson act of 1760 was unusual in that it made provision for proprietors to choose whether to fence any of their allotments in the fields and

¹ N.A.O. DD.A 1/58.

² N.A.O. PR.1049.

³ N.A.O. DD.S 53/5.

field-meadows or to leave them open. This kind of permissive enclosure was more customary in counties which contained a large amount of worthless moorland which might be divided and allotted but was often uneconomic to enclose.¹ More usually, Nottinghamshire acts allowed small allotments to be laid together to create an area of stinted pasture, or areas of meadow or pasture allotted in severalty were ordered to be left unfenced.

Most of the land in this county which was left open at enclosure has now been consolidated and enclosed, but a few parishes still contain pasture upon which a number of persons retain rights. Sutton-on-Trent provides, perhaps, the best example (other than Laxton) of this form of communal land-ownership. The enclosure act for this parish stipulated that the open meadows and the 'Holme' (riverside or marsh pasture) were to remain unenclosed. The meadows were to be apportioned amongst the owners, each person's land to be laid together and marked with land-marks but not fenced, while the Holme was to be allotted to all who were entitled to 'cattle-gaits' or common-right there, and stinted according to rules laid down by the commissioners. The allotments in the meadows have since been enclosed, but Sutton Holme remains open and continues to be allocated in 'gaits' which are regulated by an elected committee and paid overseer.²

As indicated above, the possibility of agricultural innovation in open-field parishes was greater than once thought. Fields could be divided, amalgamated, or taken out of the field-system, in order to accommodate new crops or different types of land management. Indeed, although it is usually possible to determine how many open fields

¹ J.Chapman, 'Parliamentary enclosure in the uplands: the case of the North Yorkshire moors', *Ag. Hist. Rev.*, XXIV (1976), p.2.

² N.Hatch, 'The Holmes of Sutton-on-Trent', *Nottinghamshire Historian*, 36 (1986), pp.4-8.

existed in a parish at the date of its enclosure, it cannot be assumed that this number had remained unchanged for any length of time. Instances of an extra field being created for the cultivation of turnips will be found below, but it was also possible for the number of fields to be reduced. For example, Cotgrave had four open fields in 1731, by 1740 these appear to have been rearranged into nine arable fields, yet five open fields are named in the enclosure act of 1790.¹ However, it is possible that one of the four arable fields had been converted to pasture during the 1730s, the remaining three being subdivided but probably farmed under a conventional three-field system.

The number of open fields in enclosing Nottinghamshire parishes varied from one to thirteen, although many places conformed to the traditional three or four (Figure 4:2). Nevertheless, not all the parishes which had multiple fields are obvious in Figure 4:2 because the boundaries delineated there date from the late nineteenth century, by which time some townships which had been part of a larger agricultural unit had become independent parishes. For instance, North Muskham and Bathley would seem to have had three fields each in 1773, but these were part of a single parish at that time and were farmed as three 'sand' and three 'clay' fields in a similar way to the six fields in neighbouring Cromwell.

In general, the type of soil available would have governed the extent to which new crops could be introduced, and parishes containing more than four open fields were situated principally in areas which contained mixed soils, especially in the north of the county. Everton, with a mixture of sand, clay and marsh, appears to have had ten fields in 1759, and two of the six fields in the adjoining parish of Harwell

¹ N.U.L. Ma.4945

(enclosed under the same act) were stated to be in two and four parts respectively. The act of 1767 for Carlton-in-Lindrick, where the land included limestone, marl and sand, named thirteen arable fields in 1767. These may have arisen from the adoption of the furlong as the basic unit of cultivation, or from modifications to the usual rotations similar to those introduced in near-by Sutton-cum-Lound. Here, in 1766, the inhabitants agreed to take in separate turnip fields in each of the four common fields every year for twenty years and to stint them according to each person's common right.¹ How successful this venture may have proved is not known; the agreement did not run its full term because it was overtaken by the enclosure of the parish under an act of 1775 and, unfortunately, no mention of turnip fields is made in the award. A similar agreement reached in the neighbouring parish of Barnby Moor in 1789 created a fifth field out of the existing four, one field in each year to be used for turnips and one for grasses.²

It is possible that agreements of this type might have been compromise solutions where obstacles to enclosure existed. For example, five persons claimed manorial rights at Sutton-cum-Lound and the division of land was further complicated by a system of inter-commoning shared with two other parishes which, at enclosure, resulted in a boundary dispute. At Barnby Moor, too, difficulties must have arisen as negotiations were started for the parliamentary enclosure of the parish in 1797 but a further ten years elapsed before the act was obtained (Table 4:3). In fact, enclosure might have been contemplated

¹ W.E. Tate, *The Parish Chest* (3rd. edition, Cambridge, 1969), p.263.

² N.A.O. PR.3009.

even earlier than 1797, because the Master and Fellows of Trinity College, Cambridge (owners of the great tithe) commissioned a survey of the open fields in 1776.¹ It may be significant that the award for Barnby Moor contains an allotment to the lord of the manor 'for right of soil and his consent to the enclosure', which could indicate that he had blocked previous attempts to enclose. John Throsby, visiting the area in the mid-1790s, commented that the soil at Barnby Moor 'appeared to be intolerably bad land',² so there is the possibility that the prospective benefits of enclosure might not have been considered sufficient to outweigh the cost. Of course, this would not have concerned the tithe-owners as their allotments would have been ring-fenced at the expense of the other proprietors.

Apart from the division of fields to allow a greater variety of crops to be grown, or to reduce the area lying fallow, small-scale communal experiments in cropping may also be indicated in parishes where enclosure acts and awards deal with closes containing the intermixed lands of more than one proprietor. Presumably, these closes consisted of a few strips, the property of a number of people, which had been fenced and were cultivated separately from the rest of the open field. This would allow a special crop to be grown, but only insofar as, unlike Lammas closes, these enclosures were absolved from being thrown open as common when the crops in the open field were harvested. Or, alternatively, the variety of crop grown would have had to have been one which could be gathered at the same time as that in the rest of the field.

¹ Trinity College Library, Cambridge, Box 1(6).

² R.Thoroton, *The Antiquities of Nottinghamshire* (J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield, 1972) III, p.434.

Before examining Nottinghamshire's five phases of parliamentary enclosure in more detail, two long-held theories about the conditions which would encourage enclosure should be examined in the light of this county's general enclosure experience. The first theory is that parishes in which the land was owned by few proprietors would be enclosed earlier than those where landownership was more dispersed. Although, in recent years, the counter-suggestion has been made that agreement upon the management of the open fields might more easily have been reached in parishes where few owners were involved, thus obviating the need for enclosure.¹ The second theory is that early parliamentary enclosure was most likely to have occurred where extensive enclosure had already taken place. We shall find that neither the degree of concentration of landownership nor the amount of previous enclosure seems to have been central to the dating of Nottinghamshire acts. Enclosing parishes containing few, or many, proprietors can be found during all phases of this county's parliamentary enclosure, as can parishes containing varying proportions of open land (Appendix A).

Our first group of parliamentary enclosures consists of twelve parishes enclosed under ten acts dating from 1759 or 1760 (Harwell was included in the Everton act and one act sufficed for the enclosure of both North and South Clifton), for all of which the awards had been completed by 1762. Five of these acts referred to parishes situated in the pastoral, southern portion of the county. Staunton and Hawksworth, in the Vale of Belvoir, Costock and Upper Broughton upon the Nottinghamshire Wolds, and Barton-in-Fabis, where a mixture of clay and riverside sandy loam provided the means of more flexible farming but where, as noted above, an extension of grassland was taking place

¹ J.E.Crowther, 'Parliamentary enclosure in Eastern Yorkshire, 1725-1860' (unpublished Ph.D. thesis, University of Hull, 1983).

to accommodate the increasing importance of local dairy farming. The remaining five acts of this period were for Coddington and North and South Clifton upon the mixed river sand, gravel and clay east of the Trent, and for Everton and Harwell, Hayton and Misson situated in the north east of the county at the extremities of the sand and Keuper Marl. Misson encompassed an extensive area of Carr land in the Nottinghamshire part of Hatfield Chase and Everton, on the fringe of the Carrs, also contained a large amount of undrained common.

With the exception of Upper Broughton, where forty-nine allottees were named in the award, the open land of all the 'pastoral' parishes in this phase of enclosure was in the hands of relatively few proprietors (Appendix A). Apart from the glebe and a small allotment to the churchwardens, the whole of Barton-in-Fabis was owned by Sir Robert Clifton, lord of the manor, who received eighty-six per cent of the land allotted. At Staunton, too, the lord of the manor owned the greater part of the land (seventy-one per cent of that awarded) and was due to inherit another four per cent. Hawsworth's rector, who was also lord of the manor, received forty-four per cent in his own right and a further twelve per cent in the right of his wife. At Costock, although the largest acreage awarded accounted for only twenty-eight per cent of the allotted land, five of the fourteen owners in the parish could muster a total of eighty-one per cent while seven proprietors received ten acres or less (Appendix B). The pattern of land distribution in Upper Broughton, however, was more like that of contemporary enclosing parishes upon lighter soils. The largest allotment there amounted to a mere fifteen per cent of the land awarded, and, at the other end of the scale, twenty-six proprietors received less than one per cent each.

We have seen that a continuing shortage of fodder was one of the problems facing farmers in the mid-eighteenth century, and, from the Leicestershire example quoted above, it is obvious that the conversion of arable land to pasture could be very profitable. It is not surprising, therefore, that the naturally pastoral southern section of Nottinghamshire should have been subject to a considerable amount of enclosure before the first parliamentary act for the county was obtained (Figure 4:3). Even so, parishes in this district which remained open until they were enclosed by parliamentary means were not affected by excessive piecemeal enclosure. The percentage of parish area enclosed at Barton-in-Fabis cannot be ascertained because some of the land in question may have been in Clifton, but the smallest proportion of total parish acreage enclosed by act at any period in the southern district was around forty-nine per cent at Costock (Figure 4:4).

It is probable that the area of pasture expanded at the expense of the arable acreage in most of this district during the second half of the eighteenth century, but no evidence has been found for the wholesale conversion of land following parliamentary enclosure of the parishes under consideration. Nevertheless, at Barton-in-Fabis, a further agreement for the increase of grass was entered into in 1765.¹ Non-ploughing covenants were also the most frequent restrictions in tenancy agreements in some parts of the county. Enclosure deeds of 1761 for land belonging to the rector of Hawksworth stipulated that

¹ N.A.O. PR.425.

only one third of the rented area was to be under arable cultivation, with a further £5 per acre rent chargeable on any extra land used for this purpose,¹ and a non-ploughing clause survived in leases at Staunton as late as 1985.

Farmers in the remaining parishes of our first phase of parliamentary enclosure would probably have been less concerned with the extension of pasture than their contemporaries in the south of the county. On the whole, these more northerly parishes were larger than those in the south and all consisted of varied soils which were more adaptable than the clays of the Vale of Belvoir and the Wolds. Turnips were being cultivated in Everton and Hayton before the acts for those parishes were authorised, and Misson and Everton, in particular, also contained extensive areas of common. That at Misson was estimated as around two thousand acres in the petition for the enclosure act, and the two lords of manors there received an allotment of fifty acres each in compensation for their right of soil (Table 7:8).

As in the southern parishes, varying proportions of piecemeal enclosure had taken place. Of course, the actual acreage was usually greater because the parishes tended to be larger, but Coddington was unusual in having ninety-three per cent of the land remaining open in 1760 (Appendix A). Moreover, from two maps produced for the Cavendish family it would appear that little, if any, change in the area of enclosure had taken place in this parish for almost a century and a half before the passing of the act in 1760. Nineteen closes totalling ninety acres were recorded in Coddington in 1611, and these had become twenty-three closes totalling eighty-eight acres on the map of 1758.²

¹ N.A.O. DD.12/11-12.

² H.Nichols, *Local Maps of Nottinghamshire to 1800* (Nottingham, 1987), pp.31-32.

These closes plus the acreage of parliamentary enclosure account for all the parish except an area of about fifty-seven acres, and this would probably have been occupied by the buildings of the village with their attendant crofts, gardens, orchards, etc..

On examining the distribution of land at enclosure in these more northerly parishes it will be found that only in the award for Everton and Harwell was there a single large allotment. This was to the trustees of the Newark Charity Estate, who received thirty-eight per cent of the land awarded. In the other parishes the highest individual allotment was for less than twenty per cent of the total area enclosed but, with the exception of Misson, a few proprietors received the major part of the allotted land (Appendix A). Even so, while percentages of the land awarded illustrate the concentration of landownership in a parish, this measurement can be misleading when considering the viability of the allotments received.

The difference between one per cent of three thousand, six hundred and twenty acres allotted at Misson and a similar percentage of six hundred and twenty-eight acres at Hawksworth is obvious. A clearer appreciation of the practical value of enclosure allotments may be found in Appendix B where the recipients are tabulated in eight categories according to acreage awarded. If these tables are examined in the light of J.V.Fowkes' figure of ten acres (including any common right) as the smallest area capable of providing full-time employment for a Nottinghamshire farmer of this period, one can estimate the number of owners who received less than eleven acres, and who may therefore not have been fully occupied upon their own land.¹

¹ D.V.Fowkes, 'The Progress of Agrarian Change in Nottinghamshire, c.1730-1850' (Unpublished Ph.D. thesis, University of Liverpool, 1971), p.13.

It is appreciated that the number of small acreages awarded does not necessarily reflect the number of small owners, and that the true structure of landownership within a parish can seldom be established by analysing the size of enclosure allotments. The picture becomes distorted where a large proportion of the parish area had already been enclosed by private agreement, or where some of the open land was to remain unaffected by the enclosure act. Also, persons who received very small allotments in the award might own a considerable amount of previously-enclosed land within the parish, or could be substantial landowners elsewhere. Yet, Appendix B does furnish us with the means of identifying parishes where extremely small areas of land were allotted, and enables comparisons (however imperfect) of these to be made with parishes where allotments were more generous (Chapter 6).

Returning to the acts obtained during the first phase of Nottinghamshire enclosure. These were composed chiefly of customary clauses, but, in addition to the fencing concessions mentioned above, that for Misson stipulated that two awards should be produced, one to deal with the commons, waste grounds and Town's Meadows, and the other with the open arable fields and the field meadows. Such a necessity may have resulted from confusion in the wording of the petition, presented in January 1760, when it was stated that the petitioners intended to execute an agreement in writing for the enclosure of c.2000 acres of common or waste, and they asked leave to bring in a bill 'to explain and enforce the articles of the agreement'. This was followed on the fourteenth of April by a statement that the open fields, meadows, and pastures had been omitted by mistake from the petition.¹

¹ *Journal of the House of Commons*, Vol.28.

The act for Hayton was also unconventional in that provision was made for the adjustment of the boundaries of three of the four fields to produce an equal acreage in each. Everyone eligible was then to have one-third of his land allotted in each field, except small proprietors who, for their convenience, could receive their whole allotment in one parcel. The fourth field, together with the meadow and pasture, was to be allocated in lieu of beastgates. This would seem to be a logical way of apportioning open land and the award was signed in January 1762, some twenty-one months after the signing of the act. Most of the owners of beastgates on the pasture exchanged them with one of the larger proprietors for land allotted to him on the common, but it appears that the completion of this enclosure may have been delayed. The Hayton enclosure map is dated 1764,¹ yet, some thirty years later, the parish was described as 'open field' by John Throsby.²

All the awards for this first phase of enclosure were produced with reasonable expedition, the time taken generally reflecting the number of landowners, type of soil or the acreage to be enclosed. The shortest period required was at Barton-in-Fabis, where the award was signed six months after the act had been obtained. At the other extreme, the awards for Everton and Misson each required almost two and a half years to complete, but both these parishes presented problems for their commissioners. The enclosure of Everton was complicated by the necessity to incorporate drainage improvements which included the installation of a pumping engine, building a house for the engine-keeper, construction of sluices and floodgates and provision for future repair of the river banks. At Misson, the length

¹ N.A.O. EA.56a.

² R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield, 1972), 111, p.287.

of time appears to have been occasioned chiefly by the need to provide two awards and by the complexity of ownership of rights on the meadows and commons. Opposition to enclosure is discussed in Chapter 5, but, as might be expected, given the concentration of ownership, resistance to the process was either absent or minimal in the southern parishes. More dissent was voiced against the more northerly five enclosures, none of which was universally popular, and two of this county's few counter-petitions were lodged against the Everton project (Table 5:1).

After almost five years, during which no Nottinghamshire acts were passed, local interest in parliamentary enclosure revived and more than sixty thousand acres of land was enclosed under forty-five acts procured between 1765 and 1780 (Figure 4:1 & Table 4:2). These enclosures were dispersed throughout the county (Figure 4:3) and the land enclosed was also of more varied character than that dealt with during the earlier period. In several instances the enclosures consisted entirely, or chiefly, of other than open field, but, on the other hand, the acts for Lenton and Radford (1767), Blidworth (1769), and Stapleford and Bramcote (1771) left common and waste ground in each parish to be enclosed under further acts of 1796, 1805 and 1849 respectively.

From Appendix A it will be seen that the number of recipients of allotments in each parish also varied widely. However, the ostensible pattern of landownership may be distorted in a few places where the commissioners had to accommodate a number of claims for rights (as opposed to land owned) belonging to persons living outside the enclosing parish. This situation existed mainly on the forest fringe, one example being provided at Blidworth where nineteen of the sixty-four persons mentioned in the award of 1769 received a total of one hundred and sixty-two acres (almost eleven per cent of the land allotted) in lieu of right of common attaching to property in Oxton.

Two acts, for Screveton (1776) and Elkesley (1779) must also be mentioned before the enclosures of this second phase are examined more closely. These belong to the small number of acts relating to this county which were obtained merely to confirm an agreed enclosure, and represent a category mid-way between the purely private agreement and the more usual parliamentary act and award. Although the land concerned at Screveton was an open field of three hundred and fifty acres while that at Elkesley consisted of almost one thousand three hundred and sixty acres of common forest and waste, the pattern of ownership in both parishes was very similar. Except for two half-acre holdings and three common rights, one person owned the whole of the Screveton field, together with the greater part of the old enclosure, while the Duke of Newcastle received almost seventy-three per cent of the new enclosure at Elkesley, the rest being divided among three other proprietors. In each parish the chief landowner paid the costs of obtaining the act and it seems likely that this expense was only entered into to ensure the formal registration of the enclosures; possibly to legalise the exoneration of tithes.

Apart from the Elkesley act, five others of this period also dealt exclusively with the enclosure of land other than open field arable - Scaftworth (1772), Greasley (1774), Brinsley (1775), Ollerton (1778) and West Stockwith (1771). Most of these parishes were situated in the more marginal agricultural districts of the county and were owned by very few persons. The exception was the riverside parish of West Stockwith, where common pasture was to be enclosed and where, after an allotment had been made to the tithe-owner, the rest of the land (about one hundred and ninety acres) was allocated in varying proportions to thirty proprietors.

The enclosure of waste land did not always result in agrarian expansion but this was probably the aim at Scaftworth, Elkesley and Ollerton, in each of which a considerable proportion of the total parish acreage was involved and the greater part was awarded to a proprietor with a history of agricultural innovation. The Scaftworth estate was owned by the Acklom family of Wiseton, and eventually passed to the third Earl Spencer - first president of the Royal Agricultural Society and famous for his stock-breeding improvements. At Elkesley the task of clearing the waste would probably have been a long-term project, but by the 1840s some two thousand acres of land there could be described as having been 'rescued from its wild forest state and brought into cultivation'.¹ Nor was the waste land at Ollerton likely to have remained uncultivated as nearly all (in excess of eighty-eight per cent) of the new enclosure was in the hands of Sir George Savile. In 1783 Sir George was elected president of the 'Society for Encouraging Improvements in Agriculture in the West Riding of Yorkshire and Nottinghamshire' and, as a Member of Parliament for Yorkshire, presented several Nottinghamshire enclosure bills.

The open fields at Ollerton had been enclosed by 1750 without application to Parliament,² and one wonders why, with such concentration of ownership, so few persons involved and no commutation of tithe, an act should have been necessary to enclose the rest of the land. A clue lies in the Ollerton act where provision was made for the appointment of three arbitrators to settle any boundary appeals. Such clauses were usually inserted where parish boundaries were likely to

¹ J. Curtis, *A Topographical History of Nottingham and Nottinghamshire* (Nottingham 1843).

² N.A.O. DD.SR.207/26

be disputed, or where land common to the proprietors of more than one parish was involved and a legal division needed to be settled when any part of it was to be enclosed. In this case, not only was the ownership of a piece of land claimed by the inhabitants of both Walesby and Ollerton (Chapter 5) but the possibility of the Duchy of Lancaster having a right of soil was also in question.¹

In contrast to the parishes mentioned above, the coal-yielding value of land to be enclosed at Greasley and Brinsley would have been more important than any potential agricultural improvement. This is made clear by a clause in the Greasley act which ensured that allotments awarded in lieu of manorial rights should be set out 'where there is the greatest probability of coal being got', while tithe allotments were to consist of land where the coal had already been taken or where it was unlikely to be found. Lord Melbourne, one of two lords of the manor, was impropiator of all the tithes, so this clause would seem to have been designed to ensure that the other manorial lord (the Earl of Stamford) should receive a fair share of the coal-bearing land. As usual in this district, any former open arable fields had disappeared by mid-eighteenth century; the act for Greasley concerned some three hundred and thirty-eight acres of Newthorpe Great Common and Begerley Common, while Brinsley's act was for around two hundred and fifty-seven acres of common and meadow land. These parishes were owned almost entirely by a few large landowners who also received nearly all the land affected by the acts and who would have been able to exploit any coal deposits.

Probably land at West Stockwith would also have been most valuable when used for non-agricultural purposes, although provision was made in the act for the inhabitants' allotments to be laid together as

¹ N.A.O. DD.SR.217/1.

stinted pasture. The presence of a boat building industry here during the first half of the eighteenth century had resulted in rents far higher than those in the surrounding district,¹ and further opportunity for expansion on the newly enclosed land must have arisen following the opening of the Chesterfield Canal in the mid-1770s. In fact, the compiler of White's *Nottinghamshire Directory* (1844) attributed West Stockwith's rise from the rank of a small hamlet to that of a large village to the construction of the Canal and improvements which made the the River Idle navigable as far as Bawtry.

During this second phase of the parliamentary process in Nottinghamshire both the percentage of parish land affected by enclosure, and its distribution amongst proprietors varied from place to place. Again, a concentration of ownership is found chiefly in the more pastoral areas, i.e. the Vale of Belvoir, the Wolds and the river valleys; also, as seen above, parishes on the coalfield were in the hands of very few owners. By contrast, enclosures along the forest fringe and in the northern Carrs tended to produce a large number of small allotments. However, it is unwise to generalise too rigidly. The social constitution of individual parishes differed widely and examples of concentrated and dispersed landownership can be found in most districts. For instance, Hickling, in the Vale of Belvoir, and the Trent Valley parish of Lowdham, both contained a considerable number of recipients of small allotments while at Finningley and Mattersey, in the far north of the county, the bulk of the land was awarded to few persons (Appendices A & B).

¹ D.V.Fowkes, 'The Progress of Agrarian Change in Nottinghamshire, c.1730-1850' (Unpublished Ph.D. thesis, University of Liverpool, 1971), p.190.

It is not possible to calculate the proportion of land enclosed at Greasley and Brinsley because, until the late-nineteenth century, Greasley was a very large parish of more than eight thousand acres comprising six hamlets, including Brinsley. Nor can the percentage of land enclosed by act at Farndon be estimated accurately as some of that allotted appears to have been in the neighbouring parish of Thorpe. Nevertheless, it would seem that around eighty-nine per cent of Farndon was involved. The rest of the acts of 1765-1780 dealt with acreages ranging from only twenty per cent of Lenton and Radford to ninety-two per cent of both Ruddington and Scarrington, but only fifteen enclosures were of less than fifty per cent of a parish (Figure 4:4 & Appendix A).

Nottinghamshire enclosures of this period generally followed a conventional pattern although the act for Hucknall Torkard contained less usual features. Here, the whole expense of enclosure, including mounds and fences, was met by the sale of one hundred and twenty acres of land (almost twelve per cent of the total awarded) on Hucknall Common. Ten plots of ten acres each were auctioned in the first instance, but the £1746 received for these was considered to be insufficient for defraying all the enclosure costs so a further two plots of ten acres were sold for £419, making a total of £2165. This sale of common land might be thought to have been prejudicial to the interests of the commoners when compared with the benefits likely to have accrued to the larger landowners from having their enclosure costs paid by this means. One such would have been Lord Byron, who, as impropiator, lord of the manor and a landowner in his own right, was the recipient of just over sixty-two per cent of the awarded land. Yet, an advertisement issued in 1759 by the Hucknall overseers of the poor, in which two hundred acres of turnips were offered for purchase

on this common, would seem to indicate that at least part of the land had already passed out of the control of the commoners ten years before the date of the Hucknall enclosure act.¹ Later acts will be found in which provision was made for the sale of land to finance part of an enclosure but only in one other, Selston, was the whole expense authorised to be defrayed in this manner.

As in the first series of enclosures, the time taken to carry out most of those undertaken between 1765 and 1780 was not excessive once an act had been obtained. In seven parishes the commissioners' proceedings took less than one year to complete, and for a further twenty enclosures the award was signed within two years of the act being approved. Even the award for Calverton was signed within about fourteen months although a substantial acreage of waste land was involved upon which a large number of inhabitants were entitled to common rights. Also, part of this parish was titheable to the prebendaries of Oxtun and some glebe land the property of Blidworth church.

The longest time required for the completion of an award during this period was four years and seven months at Misterton and West Stockwith. Moreover, the progress of enclosure here was even more protracted than would appear from the dates of the act and award. An abortive bill had been introduced a year before the successful application of 1771, and the commissioners were still meeting in November 1776 (more than a year after the signing of the award) to receive the balance of the assessment and to settle the accounts. Reasons for the length of time taken to complete the formalities of this enclosure can only be surmised, but from the fact that thirteen

¹ *Ayscough's Nottingham Courant*, 20.10.1759.

months elapsed before the commissioners were ready to receive claims it is probable that difficulties had arisen over the ownership of the common. The act provided for this to be divided equally between the parishes of Misterton and Gringley-on-the-Hill if no boundaries could be ascertained; a solution which was resorted to, each parish duly receiving one thousand, six hundred and twenty-four acres as its share.

A further complication in this enclosure would probably have been introduced by the fact that the manorial rights of Misterton and West Stockwith were vested in the lords of Elkesley, Gringley and Walkeringham. These manorial lords were entitled to almost two hundred and twenty-nine acres of land, in varying proportions, for their rights of soil in the commons and wastes, and a list of 'interfering' claims reveals that many properties in Misterton and West Stockwith were subject to all three manorial courts.¹

Of the other parishes under consideration it is noticeable that a protracted enclosure did not always occur where a large number of small allotments had to be awarded. Apart from delays which could result from inter-commoning and other boundary disputes, the type of land being enclosed was important, especially where drainage schemes or the extensive reorganisation of a road system had to be written into an award. In many parishes, too, an attempt was made to rationalise scattered parcels of old enclosure into more consolidated holdings by exchanging them amongst the proprietors concerned. At Halam and Edingley the commissioners were asked to value and exchange ancient enclosed land totalling almost four hundred acres which lay

¹ N.A.O. DD.2P.25/4.

dispersed in small parcels and detached from the owners' other property. The length of time taken to produce awards for this enclosure and for neighbouring Farnsfield (between three and four years in both cases) may have been partly attributable to this cause, and partly to the fact that many proprietors held both freehold and copyhold land. Copyhold tenure persisted in parts of the county, especially where prebendal estates existed, and the special conditions which applied to this land, together with occasional tithe and glebe disputes, could prolong enclosure proceedings. Not that the signing of an award always denoted the end of the commissioners' involvement in an enclosure (Table 4:3), meetings sometimes had to be held afterwards to press for payment of levies, or, rarely, to reimburse proprietors when the costs had been overestimated.

It is surprising that stronger resistance to enclosure was not encountered in the mid-1760s, a period during which the high price of provisions, and related unrest, was generally attributed to enclosure, the engrossing of farms and the export of corn. Letters and reports in the county newspaper of the time spoke of the scarcity and high price of food and of general distress and riots in all parts of the country. Locally, disturbances were centred chiefly on the Nottingham market, where food was impounded by the mob and farmers were prevented from selling their produce to merchants, but only three projected enclosures of the 1760s are known to have been postponed until a later date. Two, for Kersall and Caunton, were first considered in 1765, the acts not being passed until 1778 and 1795 respectively, and the third, for Laneham, was proposed in 1767 and the act deferred until 1772.

Of the forty-three enclosures with acts dating from 1765-1780 which fall within the scope of this study, nineteen were recorded as being unanimously approved by the proprietors (including the two which confirmed agreements at Screveton and Elkesley), and eighteen met with

some formal objection. However, the opposition encountered was minimal in the majority of parishes, and where more determined resistance occurred, as at Calverton where two petitions were lodged against the bill, a history of earlier attempts to obtain an act is often found. The remaining six parishes in this group contained proprietors who were neutral and who would neither sign the bill nor put any obstacle in the path of the enclosure.

This second phase of parliamentary enclosure in Nottinghamshire closed with an act for Scarrington and Aslockton which was approved by the Lords at the end of December 1779 and was regarded by W.E. Tate as being effective from the early days of 1780. The accompanying awards followed in April 1781 and no further local enclosure acts ensued until 1787, when three appeared. The first of these, for Trowell, is not included in Appendix A because the whole of this parish, apart from property attached to the two medieties of the rectory, was owned by Lord Middleton. He paid the entire expenses of the enclosure and no award was produced - the act being the legal confirmation of an agreement between Lord Middleton and his two rectors for the division and enclosure of land in the open fields and the consolidation of old enclosure. A clause in the act allowed the rectors to exchange their two parsonage houses (described as being very ancient and in a ruinous condition) for better and more convenient buildings belonging to Lord Middleton, and provision was made for the formation of a single ecclesiastical benefice as soon as one of the rectors died or left the parish.

The remaining two acts of 1787 (for Radcliffe-on-Trent and Cropwell Butler) conformed to a more usual model and ushered in a revival of interest in enclosure which, after a break of two years

(and the unexplained absence of acts in 1801) was to continue until 1810, producing a further sixty-two acts and constituting this county's most prolific period of parliamentary enclosure. Four of these enclosures, Worksop, Ordsall, Bunny and Newark, have been omitted from Appendix A. The awards for Worksop, Ordsall and Bunny present particular difficulties in their analysis and, as indicated above, the enclosure of Newark falls outside the scope of this study.

Worksop was a very large parish similar to Greasley in that it included a number of townships which have since become individual parishes, and much of the enclosure award was devoted to defining the amount of corn rent, in lieu of tithes, which was payable within these townships. Open land involved in the act consisted of two moors and South Common, for which no acreages were given in either the act or the award, but the area of the Cole Moor and the adjoining Wet Moor seems to have been quite small, while allotments on South Common amounted to around seven hundred acres. Moreover, practically all the recipients of small allotments in this award relinquished them to the Duke of Norfolk in exchange for other property. Some received closes, occasionally in neighbouring parishes, while others received plots of land with cottages or other buildings upon them.

Different problems arise with the Ordsall and Bunny awards. The land allocated in Ordsall totalled almost double the area calculated in the survey, and one can only assume that these allotments included old enclosure which was exchanged but not distinguished from open land in the award. For Bunny the copy of the award is incomplete, but as Sir Thomas Parkyns (lord of the manor, impropiator of the great tithe and sole owner of the whole parish) and his vicar were the only petitioners for this enclosure, no great problems were likely to have

been encountered. Each appointed a commissioner, the award was executed within eight months, and a copy of the enclosure map shows that Sir Thomas Parkyns was allotted one thousand and ninety-eight acres of land, the vicar ninety-eight acres and Bunny School three acres.¹

Enclosures resulting from the acts passed between 1787 and 1810 were dispersed upon a variety of soils throughout the county and accounted for between eighty-four and eighty-five thousand acres of land. All the remaining open-field parishes in the Vale of Belvoir and other traditionally pastoral districts were enclosed during this period, but, as might be expected given the wartime incentive to bring waste land into cultivation, some projects dealt solely with land other than open-field arable. Eight enclosures fall into this category; Eastwood, Sutton-in-Ashfield, Kirkby-in-Ashfield, Moorgate, Annesley and Annesley Woodhouse, Skegby, Radford and Lenton and Blidworth, the last two being parishes where earlier acts had been obtained to enclose the rest of the open land. In a few places too, such as Lambley and Basford, the remaining area of open-field was small although the wording of the acts usually gave no indication of this. Also, where an enclosure encompassed more than one parish the whole of the open arable land was sometimes located in one of the parishes and the bulk of the meadow, or the common and waste land, in the others.

The acreages of common and waste being enclosed at this period were of quite modest size except at Sutton-in-Ashfield, Kirkby-in-Ashfield and Blidworth. Also, in contrast to some earlier enclosures of similar land, where the whole of the area was divided between one

¹ N.A.O. EA. 37.

or two proprietors, a feature of these awards was the comparatively large number of small allotments. This is seen at its most extreme at Sutton-in-Ashfield, where, of one hundred and sixty-seven allottees named, fifty-two received pieces of land so minute (in some cases as little as one perch) that they totalled only two and three-quarter acres, or less than 0.1% of the area enclosed. In none of the other parishes were the recipients so numerous nor the allotments so small, but in nearly all the land was shared by a considerable number of persons, even the eighty-five acres at Moorgate being divided amongst twenty-two. The exception was Annesley and Annesley Woodhouse where, apart from just under twenty-six acres allotted to the Duke of Portland, the whole of the land was awarded to the lord of the manor.

The other acts belonging to this period were for parishes containing varying proportions of open land, but it is noticeable that those in the pasture districts were particularly unaffected by piecemeal enclosure and retained considerable acreages to be enclosed. In the Vale of Belvoir the smallest proportion of open land was in Orston and Cropwell Bishop where both had some seventy-six per cent of the parish area to be enclosed. This amounted to a reasonably large acreage in each case, with nearly thirteen hundred acres being awarded in Cropwell Bishop and almost fifteen hundred acres in Orston. The other Vale enclosures at this period comprised more than eighty per cent of total parish acreage in each although, admittedly, ninety per cent of Alverton amounted to less than four hundred acres.

Elton, another enclosing parish in the Vale, is interesting in that little change appears to have taken place there for at least one hundred and thirty years. Robert Thoroton believed that Elton had been

depopulated by the engrossment of farms, but he commented in the 1670s upon the little alteration in husbandry and small amount of enclosure which had resulted.¹ This situation would seem still to have persisted to a certain extent until 1809 when about ninety per cent of the parish acreage was awarded to four persons.

A pattern of enclosure similar to that of the Vale of Belvoir is found on the Wolds and along the river Soar and the southern part of the Trent valley. Again, the proportion of land remaining open was generally considerable, and of the eleven awards relating to these parts of the county (no award was produced for Cotgrave as the act defines the allotments and confirms an agreement entered into 'some time since') only one was for less than seventy per cent of a parish area. This was at Tollerton, where thirty-six per cent of the land was affected, but as the whole, except approximately three acres belonging to the churchwardens, was awarded to the lord of the manor and his kinsman, the rector, this enclosure cannot be regarded as typical. At the other extreme, the awards for East Leake and Keyworth both dealt with around ninety-three per cent of each parish.

Higher percentages of piecemeal enclosure had usually taken place upon the Keuper Clay and upon the more varied soils of the forest fringe and the sand and gravel terraces along the Trent. Nevertheless, at least fifty per cent of the land remained to be divided and allotted in the majority of enclosing parishes in these districts, even where earlier attempts at enclosure had been made. Even so, a gradual whittling away of the open acreage may have been condoned in

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield, 1972), I, pp.215 & 217.

some places, and it is noticeable that at Caunton, where an act had been considered thirty years previous to the successful application, only twenty-five per cent of the parish was left to be enclosed.

As in earlier periods, no conclusive link has been found between the degree of survival of unenclosed land in a parish and the number of proprietors who were eligible to receive allotments (Figure 4:4 & Appendix A). Even so, on the whole, the acreages enclosed during this third phase were fairly small in parishes which were in very concentrated ownership, and often constituted less than fifty per cent of the total area. Elton has been mentioned above and another exception is provided by Widmerpool, a parish upon the heavy Lias Clay described by Throsby as being 'comfortless in winter, in summer only tolerable'.¹ Almost eighteen hundred acres of land (about eighty-five per cent of the parish) was involved in this enclosure, practically all of which belonged to the lord of the manor before land was awarded in lieu of tithe, and the relatively late date of the act (1802) was probably due to the intractable nature of the soil. By contrast, as we have seen in the enclosures of this period which were of predominantly common or waste land, quite small acreages could be divided amongst a relatively large number of proprietors.

One rather unusual clause, designed to protect the principal water supply of the inhabitants, may be found in the Gotham act. This supply consisted of a well situated some five hundred yards from the village which was to have a wall or fence erected round it, a footpath made to it from the village, and was to be under the jurisdiction of the Surveyor of Highways. Otherwise, acts of this period usually followed a conventional pattern although specific instructions for the formation or funding of roads and drains might be included.

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield, 1972), I, p.79.

Surprisingly, in view of widespread criticism concerning the cost of private acts, those solicited locally after 1801 reflect little inclination by their proposers to take advantage of the opportunity to reduce their length by citing the General Inclosure Act of that year. The 1801 Act was usually mentioned but the relevant clauses contained in it were still written out in full and, occasionally, the whole of the General Act would be copied.

From the 1790s onwards the time taken to complete the formalities of enclosure generally increased, and whereas a period in excess of three years was quite unusual for the execution of earlier awards this became much more common towards the end of the eighteenth century (Table 4:3). Of course exceptions can be found, and twelve parishes, mostly in the more pastoral areas, received awards less than two years after obtaining their acts. Elsewhere, proceedings were often protracted; eighteen awards needed more than six years for their execution, some of them much longer, and the time required often appears disproportionate to the amount of land involved.

Possible reasons for an extension in the duration of the process in individual enclosures are suggested in Chapter 3, but no common factor has been found to link those where commissioners were slow in the execution of their duties. Where the amount of surviving common or waste ground was extensive, and the claimants numerous, the work would have been increased and, on the whole, parishes in this category experienced prolonged enclosures. Nevertheless, the seven years needed for the allocation of more than three thousand acres of such land at Sutton-in-Ashfield does not appear excessive when compared with almost fifteen years taken to complete the award for two hundred acres of common pasture and fifty-three acres of forest at Skegby.

Not that all parishes which experienced extended enclosure proceedings contained significant amounts of common land. The execution of an award could be affected by natural hazards such as floods, or bad weather, which delayed the staking-out of allotments, while, in some places, there was tardiness in the presentation of claims or accounts. At Bilborough (the act names Strelley and Bilborough but all the land to be enclosed was in the latter parish) the deaths of all the principal parties, including the commissioner, during the enclosure process, must have contributed to the length of time required. In fact, the Bilborough enclosure was the longest running of the period, taking just under twenty years to complete although it involved less than four hundred acres of land and there were only two recipients of allotments.

Nottinghamshire was not alone in experiencing a general increase in the length of time taken to complete enclosures towards the close of the eighteenth century. An extract from the *Morning Herald* of 15 May 1799, reprinted the following week in the *Nottingham Journal*, reported complaints that several thousand acres of spring corn were prevented from being sown, especially in Lincolnshire and Huntingdonshire, because of delays in completing awards. Why the corn could not be sown is not clear, as acts usually made provision for the continued cultivation of land during the enclosure process. The increasing delay in producing awards was attributed by the above correspondent to procrastination by commissioners who were involved in too many other concerns to devote their full attention to enclosures. He thought a remedy might be found by contracting to pay a set sum upon completion of an enclosure, rather than paying commissioners for the days they spent transacting their business or attending meetings which had to be adjourned if a quorum was not present. Such adjournments could prolong an enclosure and increase the costs when

commissioners had to be paid for their attendance even if too few were present to proceed with the work (Chapter 7). At Gedling, for instance, eight successive adjourned meetings were held between June and October 1793. On each occasion only one or two of the required three commissioners were present, sometimes accompanied by the surveyor, and, apart from viewing the roads, no enclosure business was able to be transacted.¹

As noted in Chapter 3, Standing Orders of the House of Commons had been introduced in 1774 and 1775 which included clauses designed to ensure that projected enclosure and canal schemes were more widely publicised, and that all interested parties were consulted. These resolutions eventually became incorporated into the General Inclosure Act of 1801 but how far the Standing Orders were adhered to before that date is not known. Certainly, from around the mid-1770s onwards, local newspapers increasingly carried notices of intended enclosures in Nottinghamshire, and the progress of negotiations can often be deduced from the number of meetings held and the speed with which a petition was produced. One result of this greater degree of publicity is that evidence may be found of projects which only gained approval years after they had first been proposed. For instance, more than twenty enclosure schemes for which acts were passed during the period 1787-1810 did not receive sufficient support when first considered. Delays varied from three or four years at Weston or Woodborough to thirty years at Caunton, although most fell somewhere between these two extremes (Table 4:3).

Whether enclosure projects were more likely to have been postponed as the parliamentary process gained momentum, or whether the apparent ease with which most of the earlier petitions were sanctioned can be

¹ N.A.O. DD.MI.99.

attributed to a lack of information, is not known. Very little detail has been found for the ten acts belonging to 1759-1760 beyond the dates of petitions, acts and awards, and even for enclosures of the early-1770s the mention of meetings previous to that for the signing of a petition is rare. It is possible that enclosure was welcomed by the majority of proprietors in the mid-1760s and early-1770s, and that little discussion was necessary. Alternatively, approval for some acts may have been as difficult to obtain as it was for a number of those of later periods, but, as there was no obligation to advertise the proceedings outside the parishes concerned, the first indication of enclosure being contemplated is often the submission of a petition.

It is questionable how far the recorded consent of proprietors can be taken as a true reflection of the degree of approval for an enclosure (Chapter 5), but of the sixty-five Nottinghamshire acts obtained between 1787 and 1810, thirty-eight were described as being unanimously approved by the proprietors. A residual resistance to enclosure would appear to have survived in many parishes where previous attempts to procure an act had failed, and only five of those for which complete approval was registered were ones which had experienced delay in the submission of a petition. The remainder of the acts all recorded a degree of opposition from proprietors but, as in the earlier series, this was generally insignificant when compared with the interests of those wishing to enclose and in no case was the resistance sufficient to hinder the enclosure process.

After 1810, although enclosure continued where the process had already been put in train, no more acts were initiated from Nottinghamshire until 1813. Nine acts were then obtained between 1813 and 1826 which produced twelve awards (one act encompassed Walesby, Kirton and Egmanon, and another was shared by Sturton-le-Steeple and Littleborough) and resulted in between twelve and thirteen thousand

acres of land being enclosed. All these enclosures were in the northern half of the county: Warsop and Edwinstowe upon the forest sands; Blyth at the north-westerly edge of the sands and Walesby upon their eastern margin; Kirton, Egmanton, East Drayton, Headon-cum-Upton and Norwell in the north central Keuper Marl; Spalford and Wigsley upon the tongue of land east of the Trent and Sturton-le-Steeple and Littleborough in the northern Trent Valley.

Eleven of the awards are analysed in Appendix A, that for Blyth being omitted. The open arable land in this parish had probably been enclosed during the second half of the eighteenth century when William Mellish, an exponent of agricultural improvements, was lord of the manor. By 1814 the parish had passed out of the hands of the Mellish family and one hundred and twenty acres of common and waste land remained to be enclosed, the greater part of which was awarded to the lord of the manor, who also purchased most of the small allotments.

It might be assumed that by this phase of the county's parliamentary enclosure all the open arable fields would have been enclosed in order to take advantage of high war-time prices for produce. In fact, apart from that for Blyth, only two other acts of the period (Edwinstowe and Spalford and Wigsley) dealt entirely with the enclosure of land other than open field. At Edwinstowe, a large parish of more than six thousand acres which contained extensive areas of forest and scrub land, two tracts of Sherwood Forest, Birkland and Bilhagh, were enclosed together with other forest land, under an act of 1818, the whole totalling more than three thousand acres. No open-field land was named in the award and W.E. Tate believed that this act was procured chiefly to facilitate disafforestation. The King and the Duke of Portland were awarded the greater part of the land; the King paying for the act, for setting out his allotments and for one copy of the award.

It is difficult to determine the date at which the regular open fields of Edwinstowe were enclosed, and there is a possibility that they were never very extensive as the usual practice in forest parishes was the cultivation of temporary brecks. Maps do not cover the whole parish, but an area surveyed in 1638 depicts open fields near the village and a map of another part of the parish, dated 1740, shows many closes in strip form, yet, in the 1790s John Throsby described Edwinstowe as a copyhold open-field village.¹ Directories of the 1830s also recorded agriculture as the main source of employment in the parish, but this probably included the work-force required to maintain the plantations, parkland and home-farms of the neighbouring large estates (Chapter 2).

A more accurate estimation of the date of enclosure of the open fields at Spalford and Wigsley can be essayed from a letter written to a principal tithe owner of these parishes in December 1812, which informed him that the proprietors wished to enclose the moors, meadow and waste land, and to confirm the 1767 enclosure.² No details of the former open fields have been found, but mention was made of the 1767 enclosure in the 1813 act, when it was calculated that there was one thousand acres of enclosed land in the parishes and a like amount of meadow, moor and wasteland remained open. In the event, around twelve hundred acres of land was awarded, chiefly to the lord of the manor and various tithe-owners.

¹ N.A.O. ED.2/1 S. & N.U.L. Ma.2P.34; R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield, 1972), III, p.344.

² N.A.O. DD.N.220/73.

Significant amounts of open-field land survived at East Drayton, Headon-cum-Upton, Walesby, Eganton, Sturton-le-Steeple, and Norwell. A rough estimate would seem to indicate that around forty per cent of the total land awarded in the period falls into this category; almost eight hundred acres at Sturton-le-Steeple, just under seven hundred acres at East Drayton, more than six hundred acres at Eganton and between five and six hundred acres at both Walesby and Headon-cum-Upton. A considerable acreage also survived in the three open fields at Norwell but the descriptions of allotments in that award create difficulties in differentiating clearly between the way various areas of land were being used.

Evidence of proposed enclosure at an earlier date has been found for all the above parishes except Headon-cum-Upton, that at East Drayton being considered as early as 1773 - forty-six years before an act was procured. Norwell's enclosure had been given serious thought some thirty years before it was authorised in 1826, and an abortive bill had been produced in 1797. The open land at Walesby and Eganton, enclosed under the same act in 1821, had also been the subject of a bill fifteen years previously, while at Sturton-le-Steeple an act was obtained in 1822 after two unsuccessful bills of 1812 and 1813.

In the absence of documentation for these negotiations one can only conjecture why the enclosure of such apparently suitable open-field parishes had not been accomplished earlier. The prospect of low returns may have been an important factor at East Drayton; a parish situated upon the clays and containing no common waste, which fulfilled the conditions for William Calvert's category of enclosures which were likely to produce the least profit (see above). At Sturton-le-Steeple it is possible that a sufficient body of consent for an enclosure might not have been attainable earlier as this parish

contained a substantial number of small owners in the eighteenth century. Forty small proprietors owned twenty-five per cent of the parish area in 1789,¹ and even upon completion of the enclosure award in 1828 twenty-three of the thirty-five recipients received allotments varying from less than one acre to ten acres (Appendix B). Small proprietors at Norwell may not have constituted a large enough proportion of ownership to block enclosure, but most of these proprietors leased land, including copyhold, from more than one large owner and delay might have been partly attributable to the complexity of manorial customs and of title entitlements.

None of these possible obstacles to enclosure would seem to have applied to Walesby, where almost nine hundred acres of land, more than half of it arable, remained open until 1821 (Chapter 2). The late enclosure of Walesby is even more surprising in view of the fact that the lord of the manor and chief owner (J.Lumley Savile) also owned Rufford Park, and was lord of neighbouring Ollerton where the fields had been enclosed by agreement in the middle of the eighteenth century and an act to enclose the common and waste had been obtained in 1778. Moreover, the difference in value between enclosed and unenclosed land in the area would have been appreciated, for example mean rents c.1760 were ten shillings per acre for enclosed land in Ollerton and four shillings for unenclosed Walesby land.²

Unlike many previously delayed enclosures against which a residual opposition still existed when they were finally sanctioned, four of the five acts mentioned above were unanimously approved. The only formal resistance, from owners of about eighteen per cent of the open

¹ D.V.Fowkes, 'The Progress of Agrarian Change in Nottinghamshire, c.1730-1850' (Unpublished Ph.D. thesis, University of Liverpool, 1971), p.198.

² D.V.Fowkes, *ibid.* p.60.

land, was registered at East Drayton. However, none of the enclosures enacted during the period 1813-1826 were concerned with particularly high proportions of parish acreages (Appendix A). Sixty per cent of the very small parish of Littleborough was the highest awarded, and just over fifteen per cent of Kirton the lowest. Of those parishes which retained a reasonable amount of open-field land, Headon-cum-Upton had witnessed the highest proportion of previous enclosure, about sixty-six per cent, and roughly half the parish acreages of the others had been enclosed.

As we have surmised (Chapter 3), the alacrity with which the division and apportionment of more than three thousand acres of land at Edwinstowe was accomplished most probably reflected the fact that about half the acreage in question belonged to the Crown, and was under the jurisdiction of His Majesty's Commissioners of Woods, Forests and Land Revenues. Slightly less than three years was required to produce the Edwinstowe award, whereas the allocation of around one thousand seven hundred acres of Warsop parish took more than seven years to complete. Warsop's enclosure may have been hindered by the need to replace two of the commissioners, but the large number of exchanges of old enclosures which had to be confirmed could also have extended the proceedings. Edwinstowe and Warsop represent the shortest and longest periods taken to produce an award during this phase of enclosure, those for all the other parishes being completed within varying lengths of time between these two extremes.

The date at which an act was obtained could also have been important in determining how long some awards were likely to take, especially if prices became depressed after an enclosure had been put in train and the commissioners had difficulty in collecting the assessed costs from farmers who were experiencing a reduction in

income. Economic conditions might have accounted for the six years and two months which elapsed before an award was produced at East Drayton for an act obtained in 1819. This may be inferred from the commissioners' minute book, which reveals that allotments of land put up to auction in 1821, did not reach the reserved price.¹ In fact, it is possible that this land was over-valued in 1821, as calculations based upon a shilling levy to the Poor Rate for the parish indicate that a steep increase in the rateable value of property had taken place by that year but had been followed by a sharp fall by 1823 (Figure 7:1).

The Norwell act of 1826 closed the fourth phase of parliamentary enclosure in Nottinghamshire, and ten years elapsed before the onset of the final phase when the process was resumed under the series of General Inclosure Acts introduced from 1836 onwards. Twenty-three enclosures were completed between the appearance of the act for North Wheatley at the end of 1836 and the 1879 award for Selston Common. Eleven of these awards are omitted from Appendix A, including three for Nottingham's open land and one each for the towns of Mansfield and East Retford. The others omitted either dealt with very small acreages, or were for parishes where the ownership of open land cannot be ascertained because this is not differentiated from old enclosures which were being exchanged. Even so, enclosures at this time were not entirely composed of small areas and a total of a little over twelve thousand acres of various sorts of open land was allotted.

As might be expected, the majority of the acts of this period sought to enclose remaining parcels of common or open pasture. Nevertheless, open arable fields were mentioned in nine of the awards and North Wheatley and Rampton appear to have survived as genuine

¹ N.A.O. DD.249/1.

open-field parishes until the 1830s and 1840s respectively. In both places more than fifty per cent of the total parish acreage was still unenclosed when their acts were introduced, and this included land described as open field amounting to almost one thousand two hundred acres at North Wheatley, and more than nine hundred acres at Rampton.

At Askham, Fiskerton-cum-Morton and Treswell, only between two and three hundred acres of open-field land was awarded but this generally constituted a significant proportion of the allotments in each parish. A similar area enclosed at Wellow in the early-1840s may also have been mainly open field as the common survived until partially enclosed under an act of 1867. In addition, around one hundred and twenty acres at Oxtun (about ten per cent of the total area awarded) seems to have been open-field land, but in the other two parishes where arable was mentioned the amounts must have been quite insignificant as the total of open arable, meadow and pasture at Ossington was only fifty-four acres, while the arable, pasture and waste at Moorhouse totalled about one-hundred and thirteen acres.

The late enclosure of the arable fields in two of the above parishes was only a culmination of attempts which had been made at earlier periods. At Rampton the intention to enclose was advertised in 1806 and again in 1810, and Fiskerton had a history of proposed enclosure dating from 1802. Possibly the 1836 General Act (6 & 7 W.IV, c.115), with its provision that the consent of only two-thirds of the interested parties should be legally necessary to effect enclosure, had overcome any remaining opposition in these parishes.

Of the other acts obtained in the period 1836-1868, all of which were for the enclosure of open commons, forest, meadow or moor, the one for Mansfield Woodhouse involved the largest acreage. Forest and waste amounting to just over one thousand acres was allotted here under an award of 1854, the Duke of Portland receiving four hundred

and seventy-four acres in compensation for his manorial rights of soil and minerals alone. Again, some waste land was sold to defray part of the enclosure costs, about eleven hundred pounds being raised by the sale of forty-three and a half acres, despite the land being described by members of the National Enclosure Commission as 'of scarcely any pecuniary value and as affording hardly any employment'. However, they predicted that after enclosure it would become useful for the cultivation of turnips and barley, and for sheep. Objections were raised to some of the claims in this enclosure but, as the Duke of Portland bought many of the allotments and the proprietors of part of the old enclosure agreed that it should be re-allocated, it is difficult to determine the post-enclosure pattern of ownership in this parish.

The other substantial acreage remaining to be enclosed at the time was the seven hundred and fifteen acres of Selston Common. This enclosure, which is examined at greater length in Chapter 5, marked the end of the parliamentary process in Nottinghamshire and was accompanied by a degree of opposition which was probably only equalled locally by that which had been engendered earlier by attempts to enclose the open land in Nottingham itself.

The rest of the county's mid-nineteenth century enclosure acts were concerned with more modest amounts of land and were accomplished without any recorded opposition. At Girton the open common extended to five hundred and ninety-two acres, and three awards relating to Easthorpe, Boughton and Besthorpe accounted for mainly pasture land amounting to some four hundred and forty-six acres. An act for enclosing forty-two acres of Bramcote Moor resulted in Lord Middleton receiving the whole of the land except one-and-a-quarter acres awarded to the lord of the manor for his right of soil. Finally, an act of 1868 authorised the enclosure of South Clifton Marsh, which had been

left open for the benefit of owners of common right at the enclosure of the rest of the parish in 1760. This resulted in the allocation of about forty-three acres of meadow, but by this date (1870) ownership of the forty-five cattle-gates was concentrated into the hands of seven persons, and only two of these, who shared about two and a half acres of land, were residents of South Clifton.¹

So, the era of Nottinghamshire parliamentary enclosure, which had begun quietly in 1759 in the purely agricultural parish of Staunton, ended in a blaze of publicity in the 1870s amidst the collieries and other industrial undertakings at Selston, on the opposite side of the county. As seen above, it is difficult to explain this progress of the county's parliamentary enclosures in the light of theories which relate the timing of enclosure to a concentration of landownership. The presence of numerous proprietors seems neither to have inhibited nor encouraged enclosure in many parishes. Yet, our calculations of the numbers of proprietors of land are, inevitably, based upon the allotment of land in awards, and it is probable that some parishes witnessed an important change in landownership structure during the course of enclosure. Land given in compensation for common rights could have increased the number of small owners in some places, while the purchase by larger proprietors of small parcels of land, or common rights, before the award was drawn up, would have resulted in fewer, but larger, holdings.

Parishes in similar soil regions were likewise enclosed at different periods, but those in the Vale of Belvoir and upon the Nottinghamshire Wolds had all obtained acts by the end of the first decade of the nineteenth century. Nevertheless, acts for these districts dated over almost half a century and neighbouring parishes

¹ N.A.O. EA.78.

could be enclosed at widely differing periods. One extreme example is provided by Wysall, where about eighty-seven per cent of the parish was divided and allotted in 1801 and the open fields had been retained some three hundred years longer than those of the adjoining parish of Thorpe-in-the-Glebe.

One shared factor which can sometimes be found between parishes which were being enclosed within a few years of each other is the lord of the manor, or principal proprietor. A rather tentative link may be seen from an examination of the dates of enclosure acts in relation to the chief owners of the parishes concerned, and several cases are revealed which suggest that some lords of manors made a decision to enclose the whole of their suitable open territory at a particular period. An illustration is provided by the five parishes of Cotgrave, Orston, Weston, Gedling, and Sneinton, in all of which Charles Pierrepont was lord of the manor, and for which the acts were passed between 1790 and 1796. Apart from Gedling and Sneinton these parishes were quite widely scattered topographically, but where a lord held property in a more restricted area the impact of his decision to embark upon enclosure is more noticeable as clusters of enclosures result. One such occurred in the far south of the county when Sir Thomas Parkyns, having opposed the enclosure of East Leake in 1781 (Chapter 5), promoted acts for that parish and for Bunny, Keyworth and Wysall between 1797 and 1800. Similarly, acts for three closely related parishes in the central Trent Valley (Grassthorpe, Normanton-on-Trent and Sutton-on-Trent) where John Denison was lord of the manors, were obtained between 1799 and 1803. An earlier example of a lord consolidating his enclosures in a restricted area may be found in the west of the county where Lord Melbourne was the principal

proprietor of the two privately enclosed parishes of Kimberley and Whatnall and the prime mover in obtaining the acts for neighbouring Greasley and Brinsley in 1774 and 1775.

However, remembering the number of failed attempts to promote enclosure, perhaps the date of an act was relatively unimportant in the agrarian history of most parishes, and resistance to earlier projects might have been the decisive factor in determining the year in which some enclosures were finally accomplished. Unfortunately, as we shall find in Chapter 5, few details of opposition to enclosure can usually be discovered and the determinants which governed the incidence of many Nottinghamshire acts will probably remain obscure.

CHAPTER FIVE

Opposition to Parliamentary Enclosure in Nottinghamshire

Enclosure would probably always have met with a certain amount of opposition from some section of the community and that authorised by parliamentary act is unlikely to have been an exception. Indeed, it has been suggested that 'at all periods enclosure was viewed by small owner-occupiers and tenants with apprehension'.¹ Yet, in contrast to earlier periods, when violent protest frequently resulted in well-documented law-suits, relatively few examples of organised resistance against parliamentary enclosure have been recorded. Much of the valuable early material has survived, but similar information concerning enclosures of the parliamentary period is more elusive. This is especially so for counties such as Nottinghamshire because contemporary records of the Midland Circuit Assizes appear to have been lost. A small number of cases (such as the long-running dispute over the enclosure of Otmoor Common, Oxfordshire) became notorious when troops were called in to quell violent protesters, but these are the exceptions.² More usually, indications of formal dissent are confined chiefly to the registration of refusals to sign enclosure bills, or, in rare cases, the presentation of a counter-petition to Parliament.

¹ J.M.Neeson, 'Parliamentary enclosure and the disappearance of the English peasantry, revisited', *Research in Economic History; Supplement 5* (1989), p.110.

² A detailed history of the Otmoor Common dispute, and a summary of other protests against parliamentary enclosure which aroused national interest, may be found in J.L. & B.Hammond, *The Village Labourer*.

The validity of the degree of consent to enclosure as represented by signatories to bills will be examined later. However, before any attempt is made to assess the extent of local opposition (legal or illegal), it will be useful to remember that a large proportion of this county's enclosure acts were obtained between 1760 and 1815; a turbulent period during which enclosure was only one of several disruptive influences. England was intermittently at war for thirty-one of these fifty-five years, and unpopular taxes levied to pay for the conflicts helped to create a general climate of unrest.

Occasional runs of bad harvests and outbreaks of cattle-plague or sheep-rot provoked food riots in markets across the country, and larceny and arson on some farms. Disturbances associated with the fortunes of the local framework-knitting industry were also common, and, while these tended to result in violence aimed at the property of factory owners, or in outbreaks of frame-breaking, fences, hedges and crops were sometimes damaged. Such incidents might coincide with phases of enclosure activity within the county but did not usually occur in the enclosing parishes, and, although we shall endeavour to determine the extent to which they were related to enclosure schemes it will become apparent that this is not always easy. Mention of numerous instances of damage to fences, hedges and trees appeared in the county newspaper during the 1770s, but, while this was a period of considerable local enclosure activity none of the reports originated from parishes which were in the process of being enclosed by means of parliamentary act. Nevertheless, objection to the process in Nottinghamshire may have been more widespread than might be inferred from the more obvious evidence. Meanwhile, let us see how the seemingly relatively peaceful acceptance of parliamentary enclosure as reflected in the official records has been interpreted by historians.

The majority of scholars are agreed that physical opposition to this type of enclosure was quite rare; one suggesting that the most common kind of enclosure protest took the form of 'passive grumbling'.¹ This scarcity of active hostility has been explained in different ways - most often according to the writers' concept of the benefits, or injuries, conferred by the process upon the rural community. Those who believed enclosure to have resulted in the loss of independence for the small farmer and cottager, and a reduction in the number of agricultural labourers, saw the absence of opposition as proof of the degree to which members of these classes had become demoralised. Conversely, those who held the opinion that enclosure was of advantage to all, in that they believed that it led to an increased body of small owners, and enhanced employment opportunities, regarded the lack of recorded resistance as a testament to its popularity and fairness.²

Foremost among scholars who treated enclosure opposition as a topic in its own right, rather than as an adjunct to the question of post-enclosure survival of small proprietors, were J.L. and B.Hammond. They were of the opinion that the paucity of recorded resistance was symptomatic of the poorer classes' helplessness, when caught up in the schemes of large landowners who had the ear of a Parliament in which they were either members, or were represented by persons they had elected. Confirmation for this belief was found in parliamentary transactions where, on occasion, petitions against enclosure originating from lesser owners could be ignored or overridden.

¹ J.Stevenson, *Popular Disturbances in England, 1700-1870* (1979), p.42.

² The debate concerning the survival or disappearance of the small proprietor is examined in greater detail in Chapter 6.

Moreover, when objectors were persistent enough to obtain permission to testify before a committee, their non-attendance might be ensured by changing the dates of hearings at short notice.¹

The Hammonds concluded that, under these circumstances, the comparative rarity of both counter-petitions and physical resistance to enclosure was understandable. Illegal opposition was regarded as doomed to failure because enclosing landowners could always call upon the wider forces of the law to quell this if local measures were insufficient. On the other hand, legal opposition would usually have been a waste of time and money unless supported by an influential proprietor. This view is supported by an estimate that the odds against the success of a counter-petition submitted solely by small Northamptonshire owners were ten to one, but where a more substantial proprietor lent his support the odds against were three or four to one.² Even then, the success of a counter-petition would always have been uncertain as it was possible for a substantial landowner's protest to have been disregarded if the chief petitioner for a bill had sufficient influence in Parliament. Indeed, in 1774, one counter-petitioner embarrassed the Government by arranging for the publication of an account of the way in which his objection to an enclosure had been suppressed, and this was indirectly responsible for the formulation of the Standing Orders designed later in 1774 to regulate private bill procedure (Chapter 3).³

This attribution of the passive acceptance of parliamentary enclosure to the vulnerability and subservience of small landowners

¹ J.L. & B.Hammond, *The Village Labourer*, 2nd. edition (1913), pp.43-45, 49-54, 78-9.

² J.M.Neeson, 'Opponents of enclosure in eighteenth-century Northamptonshire', *Past and Present*, 105 (1984), p.126.

³ Details of this case may be found in J.L. & B.Hammond, *The Village Labourer*, 2nd. edition (1913), pp.71-73.

and common-right holders has been endorsed by other historians. Those persons likely to suffer the greatest injury from enclosure were thought by P.Mantoux to have been least likely to object because they appreciated the futility of opposing their more powerful neighbours. A.J.Peacock, after studying the East Anglian riots of 1816, remarked that agricultural workers were always the last to be roused and that their participation in any revolt was an indication of the seriousness of the unrest of that time.¹ E.P.Thompson commented upon the fatalistic attitude of cottagers in the face of an ever-present comprehensive control exercised by substantial landowners, and R.A.E.Wells believed that eighteenth-century rural workers formed a large down-trodden proletariat unable to defend itself against injustice.² Also, as both E.P.Thompson and W.G.Hoskins suggested, the apparent apathy with which most enclosure bills were received could have been partly attributable to ignorance. These writers pointed out the impossibility of simple villagers understanding the convolutions of parliamentary procedure, and stressed the improbability of small owners being capable of composing and presenting a formal counter-petition by themselves.³

The concept of the countryman as long-suffering and slow to retaliate appears to have been justified, especially if official figures for counter-petitioning are accepted as the sole indication of opposition to enclosure. However, contrary explanations for the lack

¹ P.Mantoux, *The Industrial Revolution in the Eighteenth Century* (1961 edition), p.174; A.J.Peacock, *Bread or Blood* (1965), p.11.

² E.P.Thompson, *The Making of the English Working Class* (1968 edition), pp.240-1; R.A.E.Wells, 'The development of the English rural proletariat and social protest, 1700-1850', *Jnl. Peasant Studies*, VII (1979), pp.120, 115, 134. See also E.P.Thompson, *Customs in Common* (1991), and J.M.Neeson, *Commoners: Common Right, Enclosure and Social Change in England, 1700-1820* (Cambridge, 1993).

³ E.P.Thompson, *ibid.*; W.G.Hoskins, *The Midland Peasant* (1957), p.249.

of enclosure opposition were presented by equally eminent historians. Chief among early critics of the Hammonds was E.C.K.Gonner, who argued that the absence of resistance was proof that everyone concerned recognised the advantages to be gained from enclosure.¹ He challenged the thesis that the parliamentary process could have been manipulated in favour of substantial proprietors, and considered the benefits to have been fairly distributed.² A similar conclusion had already been reached by A.H.Johnson, a pioneer in the use of land tax assessments for demographic purposes, who was of the opinion that, changes in ownership after the mid-eighteenth century 'have not been nearly so radical as they have been generally supposed to be.'³ E.Davies also thought it natural that enclosure should have been accepted more quietly in the eighteenth than in previous centuries because his land-tax study had revealed that the numbers of owners in parishes enclosed by parliamentary act remained stable, or actually increased.⁴

W.E.Tate did not enter the argument about the survival of small owners but he supported the belief that all legal enclosure claims were conscientiously honoured.⁵ This may be true for irrefutable claims, but a great many pre-enclosure rights existed for which strictly legal proof could not be produced and the owners of these were not always compensated. Later scholars concerned with post-enclosure landownership patterns have usually side-stepped the question of opposition, but they have tended to agree with Davies that

¹ E.C.K.Gonner, *Common Land and Inclosure* (1912), p.83

² *ibid.*, pp.72-73, 82-83, 94-95.

³ A.H.Johnson, *The Disappearance of the Small Landowner* (1909), p.147.

⁴ E.Davies, 'The small landowner, 1780-1832, in the light of the Land Tax assessments', *Ec. Hist. Rev.*, I (1927), p.111.

⁵ W.E.Tate, 'Opposition to parliamentary enclosure in eighteenth-century England', *Agricultural History*, XIX (1948), pp.137, 141-2.

no dramatic decrease in the number of landowners occurred in the later eighteenth century as a result of enclosure. The seventeenth century and the first half of the eighteenth has been defined as the period which presented the greatest threat to the small farmer, while the second half of the eighteenth century has been regarded as a time favourable to his prosperity. Nevertheless, more detailed research has revealed that while the overall numbers of proprietors often remained fairly static after enclosure, the persons named were not usually those who had previously owned the land (Chapter 6). For the moment, however, we are concerned primarily with the evidence of local opposition to enclosure in Nottinghamshire rather than with its consequences.

One of the earlier historians who recognised that the date of any enclosure is probably irrelevant in the context of the resistance offered to it, was G.Slater. He identified the types of parliamentary enclosure which would have been likely to have provoked opposition as identical to those which had been responsible for most earlier cases of enclosure-related unrest, i.e. the taking-in of extensive commons, or the loss of a significant arable acreage. Slater also differed from many of his colleagues in believing that the enclosure of large commons or the conversion of arable land to grass could result in depopulation just as easily in the eighteenth as in previous centuries.¹

On focusing upon the local experience of such enclosures it will be found that problems associated with early pastoral conversion were not as acute in Nottinghamshire as in some other counties (Chapter 2), although, for Robert Thoroton, writing in the 1670s, enclosure was always synonymous with an increase of pasture at the expense of arable

¹ G.Slater, *The English Peasantry and the Enclosure of Common Fields* (1907), pp.93, 106-7, 112.

land. As a staunch opponent of enclosure he endorsed the sentiments expressed in the Elizabethan statute of 1597 (39 Eliz. c.2) that 'The strength and flourishing estate of this Kingdom hath been always, and is greatly upheld and advanced by the maintenance of the plough and tillage'.¹ Much of Thoroton's censure was directed towards the enclosures (mostly in the Vale of Belvoir) which had followed the transference of monastic estates to lay owners a century or so previously, rather than towards contemporary developments, but local protest at all times appears to have been associated mainly with the loss of commons. Even so, in 1517, complainants from fifty-six parishes presented evidence to the Inclosure Commissioners of illegal enclosures of tillage ranging in size from two to one hundred and forty acres. These enclosures totalled around sixteen hundred acres of which all but sixty acres had been turned to pasture.²

No doubt a certain amount of pastoral conversion, and the objections associated with it, would have continued throughout the seventeenth century, but as the eighteenth century progressed an increase of pasture at the expense of arable became less inevitable. Apart from the incentive of improved grain prices in the last decade of the eighteenth century, greater diversity in land use was made possible by the availability of a wider variety of fodder crops, and more flexibility could be introduced into the rôles played by permanent grassland and permanent arable. One result of these developments was that, just over a century after Thoroton's condemnation of the expansion of pasture farming there, much of the

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield 1972), I, pp. xvi-xvii.

² I.S.Leadham, *The Domesday of Inclosures for Nottinghamshire: from the Returns to the Inclosure Commissioners of 1517*, Thoroton Society Record Series, II (1904), pp.13-55.

grassland in the Vale of Belvoir had been re-ploughed and mixed farms were most common (Chapter 2).

Commons and waste land, on the other hand, would probably always have been under threat from covetous lords of manors wishing to enlarge their private estates. In the thirteenth century the two statutes of 20 Hen.III, c.4, & 13 Ed.I, c.14 which empowered lords of manors to enclose waste land which was not required by their tenants, might have been interpreted rather loosely on occasion. Later, agriculturalists advocated the enclosure of commons as a means of increasing food supplies, and there was also a belief that such areas harboured vagrants and encouraged idleness in those who had access to them. Indeed, towards the end of the eighteenth century, a general enclosure of commons and wastes was sometimes advocated as a means of curbing independence in the lower classes and introducing social discipline.¹

Several local pre-parliamentary disturbances were related to alleged loss of common. In his *Antiquities of Nottinghamshire* Robert Thoroton recorded instances of medieval manorial enclosures of common land or woods which resulted in physical resistance, and, centuries later, we shall find that our most publicised instance of opposition to a parliamentary enclosure (at Selston in the 1870s) also concerned common land. Determined opposition to the enclosure of this type of land is not surprising when it is remembered that many of the rights enjoyed upon it were only customary, or notional. Legal entitlement was often difficult to establish and enclosure was an irreversible process by which common land became private property. Also, various qualifications could be imposed when deciding the legitimacy of these

¹ E.P.Thompson, *The Making of the English Working Class* (1968 edition), pp.242-3.

marginal claims and the way in which they were compensated, or ignored, differed from parish to parish.

Leaving aside the more dramatic enclosure developments which were most likely to have resulted in resistance, let us try to determine the extent of opposition to the general run of local schemes during the parliamentary period. One scholar was convinced that enclosure acts were in themselves an indication of disagreement amongst proprietors, and that 'all the Acts of Enclosure on the Statute book, without exception, are evidence of so many cases where the unanimous consent of the landowners could not be secured'.¹ J.D.Chambers endorsed this statement to a great extent when he concluded that non-parliamentary enclosure in Nottinghamshire proceeded without resistance, but in nearly all cases where parliamentary sanction was sought it implied the existence of opposition.²

However, such generalisations are not really valid. There is no reason to suppose that a consensus of approval for every enclosure by agreement was reached without the exertion of similar pressure to that which could be applied to ensure the required majority of consent for a parliamentary act. On the other hand, the assumption that all acts concealed a degree of opposition fails to take into account those such as for Screveton and Cotgrave which were obtained for the purpose of confirming enclosures which had already been carried out under the terms of an agreement. Neither does it allow for enclosures where one person owned all the land except the glebe, and where an act was procured, presumably, as a precaution against any future dispute with the Church, or lay impropriator. J.D.Chambers noted the existence of

¹ Paul Mantoux, *The Industrial Revolution in the Eighteenth Century* (1961 edition), p.165.

² J.D.Chambers, *Nottinghamshire in the Eighteenth Century* (1932), p.202.

confirmatory acts but decided that these also indicated a degree of disagreement which could not be surmounted by other means. In fact, such acts were far more likely to have resulted from the need to establish legal evidence of ownership than as a means of suppressing recalcitrant proprietors.

Even so, a cursory examination of the most obvious evidence of protest - formal refusals to sign enclosure petitions or bills, and the occasional presentation of a counter-petition to Parliament - reveals that many local parliamentary enclosures were accompanied by a certain amount of, mainly passive, resistance. The proprietors involved with only sixty-one Nottinghamshire enclosure bills presented before 1836 (about forty-seven per cent) were described as 'unanimously in favour'. In a further five parishes the bills met with no objection but some proprietors declared themselves neutral and said they would neither help nor hinder the process. However, although many enclosures did not receive complete approval the opposition was negligible in many cases, sometimes only one elderly person who felt that he would gain nothing from the process, while in two parishes the sole opponent withdrew his objection upon being allowed to name a commissioner.

Nevertheless, it is unlikely that the degree of consent registered in the bills would have reflected the true climate of approval in every parish, and one cannot be certain that all the proprietors were in favour even where apparently unanimous approbation was recorded. Some might have found it expedient to agree to an enclosure scheme rather than to incur extra expense by resisting a process which they could foresee was inevitable. Where small proprietors were also tenants it is probable that these, whilst having reservations about the putative benefits of enclosure, would have signified their consent rather than risk antagonising a landlord. J.D.Chambers pointed out that opposition to enclosure by small owners and commoners did not

always stem from a fear of eviction or dispossession, but could indicate that their legal claims were strong enough to protect them from these. And, conversely, where consent would appear to have been unanimous the smaller owners might have been helpless to protest.¹ That the fear of offending a landlord did not always deter tenants from protesting is clear from the example of Gringley-on-the-Hill but this is a factor which must be taken into account when attempting to assess enclosure opposition.

Despite these reservations about the real level of support for some of the enclosures which would appear to have received unconditional approval, one might expect that the details of bills for which reservations were expressed would have provided a true picture of the degree of local opposition. Unfortunately, this is not so, and the impossibility of calculating the proportion of dissent as indicated by the official figures must be stressed. Problems arise because no consistent classification was used when registering persons who withheld their signatures. Owners could simply be enumerated, be described in terms of the open or enclosed land, or other property, which they held, the amount of land tax assessed to them, their entitlement to common-right, or a combination of two or more of these categories (Table 5:1). When a single opposing proprietor was named the ownership of any land mentioned can often be traced to him, but if objectors were more numerous these cannot usually be equated with opposition measured in terms of land, property, rights or taxes. And, where the acreage of land owned or proportion of Land Tax paid were used to indicate the scale of opposition in a parish, neither figure reflected the number of proprietors involved.

¹ J.D.Chambers, *Nottinghamshire in the Eighteenth Century* (1932), p.195.

TABLE 5:1

**Opposition To Nottinghamshire Parliamentary Enclosure
as indicated by refusal to sign enclosure bills**

Parish	Date of act	No. of persons	Property upon which the degree of opposition was assessed
STAUNTON	1759	1	1½ oxgangs of land, 1 cottage
EVERTON & HARWELL	1759	?	59 acres of land, 10 toftsteads
HAWKSWORTH	1760	1	£6 land tax
COSTOCK	1760	4	11 acres open land
HAYTON	1760	9	£89.10s annual value
UPPER BROUGHTON	1760	1	2½ oxgangs
CODDINGTON	1760	?	3 messuages, 2 cottages & 17 oxgangs of land
NORTH & SOUTH CLIFTON	1760	?	2½ oxgangs of land 10 common-right cottages
MISSON	1760	15	£128 annual value of property
LOWDHAM	1765	1	1 cottage
WILFORD	1765	1	40 acres of land
CARLTON ON TRENT	1765	?	£3.15s annual value of property
BALDERTON	1766	?	3½ oxgangs of land, 6 cottages, 21 beastgates & 135 sheepgates
REMPSTONE	1768	1	75 acres of land
MATTERSEY	1770	?	£8 annual land tax
STAPLEFORD & BRAMCOTE	1771	?	24 acres arable & meadow land 3 cow commons, 3½ horse commons 110 sheep commons
NORTH MUSKHAM, HOLME & BATHLEY	1771	?	8 cottages, 335 acres open land
MISTERTON & WEST STOCKWITH	1771	?	20 toftsteads, 150 acres of land entitled to right of common, 100 acres of arable land & 26 acres meadow
LANEHAM	1772	?	9 messuages & cottages, 83 acres of enclosed ground, 129 acres of open arable & meadow, 52 beastgates

Table 5:1 continued

Parish	Date of act	No. of persons	Property upon which the degree of opposition was assessed
FINNINGLEY	1774	?	£9.7.4½ land tax
COTTMORE & RADLEY	1774	?	2 messuages, cottages & toftsteads
HICKLING	1775	?	23 oxgangs of land
SUTTON CUM LOUND	1775	?	5 common-right houses
BECKINGHAM	1776	?	15/9d land tax per quarter
WINTHORPE	1777	?	c.5 acres open land
FARNSFIELD	1777	?	3 messuages, 23 acres open arable & meadow 56 acres of old enclosure
HALAM & EDINGLEY	1777	?	9 common-right messuages 39 acres of open land 164 acres old enclosure
CALVERTON	1779	?	3 cottages, 31 acres land entitled to common right
WHATTON	1789	?	48 acres of open land
ARNOLD	1789	?	12 acres of open land
CLAYWORTH	1790	?	15/- annual land tax
EASTWOOD	1791	?	3 acres possessed by persons having common right
BASFORD	1792	?	4 common rights & 68 acres of land
GRANBY & SUTTON	1793	?	10½ oxgangs
WILLOUGHBY ON THE WOLDS	1793	?	97 acres of open land
CAUNTON	1795	?	6 acres of open land
NORTH LEVERTON	1795	?	£2.8s land tax per quarter
SOUTH LEVERTON	1795	?	£15.3.7½d annual land tax
WOODBOROUGH	1795	?	£1.0.9d annual land tax
KIRKBY IN ASHFIELD	1795	?	221 acres of land
EAST STOKE & ELSTO	1795	?	8/3½d annual land tax
GRINGLEY ON THE HILL	1796	?	£20.11s annual land tax

Table 5:1 continued

Parish	Date of act	No. of persons	Property upon which the degree of opposition was assessed
MOORGATE	1799	?	£1.19s annual land tax
GRASSTHORPE	1799	?	£2.5.4d annual land tax
TUXFORD	1799	?	£3.0.11d land tax
NORMANTON ON TRENT	1800	?	£1.4.5½ land tax
ORDSALL	1800	1	£5.7.3½d
RANSKILL	1802	?	17 acres of land
STYRRUP & OLDCOTES	1802	?	£3.19.5½d annual land tax
WALKERINGHAM	1802	?	£7.1.11d annual land tax
BEESTON	1806	?	45a.0r.27p of area to be enclosed
EAST MARKHAM	1810	?	6/10d annual land tax
BLYTH	1814	?	£53.7.8½d annual land tax
WARSOP	1818	?	£28.14.11½d annual land tax
EAST DRAYTON	1819	?	264a.3r.23p of open land

Indeed, one hypothesis which has been advanced is that, in certain cases, opposition may have been deliberately calculated with regard to a particular category in order to maximise the apparent degree of consent which had been obtained.¹ For instance, W.G.Hoskins found that a majority of villagers at Wigston Magna were represented by the smallest amount of land, and it is possible that a similar situation would be revealed in several Nottinghamshire parishes if they were subjected to scrutiny.²

¹ J.L. & B.Hammond, *The Village Labourer*, 2nd edition, (1913) p.51.

² W.G.Hoskins, *The Midland Peasant* (1957) p.247.

At all events, nearly all the local enclosure bills which did not receive unanimous approval passed through Parliament without hindrance. With the exception of two of the schemes against which counter-petitions had been lodged, no serious obstacle to enclosure seems to have been encountered even where owners of a substantial percentage of interests in a parish were not in favour. It is possible, nevertheless, that proprietors who refused their signatures were not always ignored by the parliamentary committees. Some special provisions in acts could have been concessions designed to placate these persons to a certain extent, but this theory cannot be supported by any direct evidence although the cottagers' experience at North and South Clifton may be a case in point. Here, after objections were lodged against the enclosure by ten of the forty-two common-right cottage owners, together with proprietors of two and a quarter oxgangs of land, the cottage owners were not assessed for expenses on allotments awarded in compensation for their right of common, and the South Town Marsh remained open until 1868.

However, when the acts in which the commoners were given the option of having their allotments laid together in one piece are examined, no connection can be found with places where a number of persons refused their signatures. For example, the common-right owners at Beckingham, where negligible opposition was recorded, were offered similar concessions to those at Laneham, where a significant weight of opinion against enclosure could be found (Table 5:1). It may be significant that some two years previous to the Beckingham act the freeholders and cottagers had been presented before a court for destroying fences erected around the 'Teathering Ground' (described as a large piece of excellent pasture ground) by the lord of the manor.

The jury found in favour of the defendants, so the commoners at Beckingham may have been in a particularly strong position for exacting reasonable terms at the enclosure.¹

After 1836 enclosures were initiated under the General Inclosure Acts and details of formal objections to these are not usually recorded. All that was required for a scheme to be approved was the consent of a two-third majority of the interests involved, obtained at a public meeting held for the purpose. If this could be secured, and the regulations laid down in a specific General Act had been complied with, special application to Parliament was not always necessary. The General Act of 1836 also allowed owners of seven-eighths in value of the open fields, except for those within certain distances of large towns, to organise an enclosure without appointing a commissioner. This Act was designed solely for the enclosure of open arable land but may have been applied to wastes and common pastures in some cases.² So it was still possible for small proprietors with little enthusiasm for the project to be out-voted by a few large landowners, notwithstanding provisions in the later Acts designed to protect the smaller owner and commoner. Twenty-three Nottinghamshire enclosures were executed under the General Acts but, while no formal opposition was recorded, these did not all meet with unanimous approval and the final award for the county was accompanied by the most violent opposition.

On reverting to the earlier bills for which a degree of dissent was recorded, a comparison of Table 5:1 with Appendix B tends to support the assumption that enclosure would have been least welcome to small farmers and common-right owners. In general, parishes where a fair amount of formal opposition was recorded are also the ones where

¹ *Nottingham Journal*, 26.3.1774.

² W.E. Tate, *The English Village Community and the Enclosure Movements* (1967), pp. 133-134.

a considerable number of proprietors received small allotments under the award. Given the equivocal nature of the information provided, however, too much emphasis cannot be placed upon this comparison. For instance, twenty toftstead owners were reported to have opposed the Misterton and West Stockwith bill, and a counter-petition was submitted to Parliament, yet in the act it was stated that everyone was agreeable to the enclosure. Also, in some places where the percentage of opposition would appear to have been considerable, a refusal to sign may sometimes have been attributable to indifference, to incapacity owing to illness or to the failure of the promoters to find absentee owners. At Coddington the report on the bill would seem to indicate that the projected enclosure was unpopular with proprietors of a substantial part of the parish. On closer examination it will be found that the owner of a messuage, cottage and three oxgangs of land was too ill to sign, another refused on the grounds that he only held the property for the life of his wife, and a third believed that she was too old to reap any advantage from the project.

Probably, though, much of the most effective resistance to enclosure was never recorded, as the intention to enclose was usually made public only after private enquiries had ascertained that the support of the more influential interests could be relied upon. Evidence from Buckinghamshire and Northamptonshire suggests that a great deal of successful opposition may have been presented at the very early discussion stage of enclosure, long before a bill was drafted.¹ This would also appear to have been true for Nottinghamshire if the number of enclosure projects which were delayed or abandoned after preliminary meetings had been held is an indication of

¹ M.E.Turner, 'The cost of parliamentary enclosure in Buckinghamshire', *Ag. Hist. Rev.*, XXI (1973), p.36; J.M.Neeson, 'Opponents of enclosure in eighteenth-century Northamptonshire', *Past and Present*, 105 (1984), p.118.

successful resistance (Table 4:3). Moreover, apart from those for which evidence has been found, it is probable that other local schemes may also have met with significant delay, or projected parliamentary enclosures were never carried through, as at Darlton (1795), Bulwell (1797) and Marnham (1821).

Some schemes might have had to be abandoned where the lord of a manor or tithe owner, both of whom's consent was usually essential, were found to object. We have seen that lack of agreement upon compensation to be allowed to the impropiator of the great tithe at Willoughby-on-the-Wolds delayed the procurement of that act for almost fourteen years (Chapter 3). Nevertheless, it would appear that where tithes were to be exchanged for land few tithe-owners could have had just cause for complaint (Table 7:5). On the other hand, projected changes in land-use may have been unacceptable to tithe-owners whose tithes were to continue after enclosure. Where an increase in pasture at the expense of arable land was proposed, the value of the great corn tithe might have been reduced while the vicar's wool tithe could have increased; where the extension of arable production was envisaged, the reverse would have applied. A reduction in the value of tithes as a consequence of enclosure, and a possible loss of offerings through depopulation, had been the main arguments advanced by Robert Thoroton in 1655, when he wrote to the Archbishop of Canterbury asking His Grace to try to persuade the king to prohibit all enclosure.¹

By the later decades of the eighteenth century the question of the proportion of arable/pastoral would have become less important for tithe-owners. A greater variety of post-enclosure land-use would have been possible in many parishes, and if tithes were still to be levied after enclosure the owners of these would have been as likely as

¹ R.B.Schlatter, 'A letter from Robert Thoroton to Archbishop Sheldon', *Trans. Thor. Soc.*, XLII (1938) pp.63-69.

anyone else to have benefited from agricultural improvements. This is illustrated by the speed with which the vicar of Basford demanded his tithe of several acres of potatoes grown there in 1777, and threatened defaulters with legal proceedings.¹

Not that prospective changes in the use of land would have been a consideration with the majority of tithe-owners in the Nottinghamshire parishes which were being enclosed under parliamentary acts. About seventy per cent of the proprietors in these took the opportunity of completely exonerating their land and property from tithes. Also, it will be found that, even where a nineteenth-century tithe award exists for parishes which were enclosed by act, part of the property will usually have been freed from tithes at enclosure. In such cases the tithe payable from open land would often be exonerated by an allotment of land but closes, gardens and orchards would remain titheable. This compromise solution sometimes arose where the owners of old enclosure possessed no open land with which to compensate for tithes, but, in many places, the ownership of tithes had become complicated by the late-eighteenth century and each parish solved the problem of commutation in its own way.

The composition of the great and small tithe seems also to have undergone a change by this period. Traditional apportionments of corn, hay and wood as the great tithes, and those arising from other sources as the vicarial, or small, tithes, no longer held, and it is clear from enclosure acts that the great tithe could encompass almost any class of produce. At Halam the perpetual curate was left with nothing more than the tithe of eggs and pigs, in compensation for which he

¹ *Nottingham Journal*, 1.11.1777.

received just under one and a half acres of land while the owners of the great tithe, and a special category called the 'Minute' tithe, were awarded almost three hundred and seventy acres.

Allotments awarded in lieu of the great tithe usually constituted a substantial proportion of the allottable land in a parish (Table 7:5) and care was often taken to ensure that such allotments should be equal to the improved value of the exonerated land. It is surprising therefore that the failure of proposed General Inclosure Bills in 1794, 1796 & 1797 has been attributed to clerical opposition to tithe commutation. However, it would appear that this type of opposition was not levelled against enclosure *per se* but was a result of dissatisfaction with the proposed terms of compensation for tithe.¹

Certainly, instances have been found locally where tithe-owners, both lay and ecclesiastical, delayed the presentation of enclosure petitions. Again, these were not opposed to enclosure but were determined to wring the utmost advantage for themselves from the process. One such was the non-resident vicar of Marnham, where a projected enclosure was unsuccessful largely because he raised difficulties about tithe compensation. Then, after agreement had been reached between the vicar and the impropiator, the small freeholders concerned rejected the tithe solution. Despite support for this enclosure from Lord Brownlow, lord of the manor, and owners of an overwhelming proportion of the parish acreage, after three years of negotiation the scheme was shelved in 1824, and as late as 1840 part of the glebe consisted of leys in three fields.²

¹ W.E.Tate, 'Parliamentary counter petitions during the enclosures of the eighteenth and nineteenth centuries', *English Historical Review*, 59 (1944) p.385.

² N.A.O. DD.T. 123/2

Even where tithe-owners had no real objection to enclosure their consent was often conditional. Many insisted upon a specific situation for tithe allotments and the rector of Carlton-in-Lindrick gave his approval for that enclosure only in return for the location of his common-right allotments, and the conditions under which he was being compensated for other land, being written into the bill.¹

In fact, formal opposition to parliamentary enclosure probably formed only a small part of the corpus of genuine protest. If one accepts that the lapse of an excessive length of time between an initial enclosure meeting and the passing of the act is an indication of insufficient support for the plan, the extent of local resistance must have been far greater than the direct evidence suggests. Unless relevant solicitors' papers or private letters have survived, there is usually no way of discovering the reasons for these postponements, but it is conceivable that opposition to the process depended to a great extent upon purely local considerations. At Nottingham, for instance, enclosure became a political issue at all elections, local and parliamentary, between 1785 and 1835. In 1787, when one candidate for a council seat was unwise enough to propose improvement schemes for the town which entailed the enclosure of the fields, the suggestion was met with such hostility that his effigy and a plan of the proposed enclosure were taken to the polling booth and destroyed.² At the same time, a gardener surrounded by cabbages and carrots attached to poles was chaired through the streets and a flag was raised proclaiming 'No stoops and rails, no inclosure'. After this, all candidates for office were careful to swear their resistance to any plan for enclosing

¹ A.C.Pickersgill (ed.), *Carlton-in-Lindrick, 1760 -1914* (Carlton-in-Lindrick, 1980).

² *Nottingham Journal*, 1.9.1787.

Nottingham's fields, and a committee which included the mayor and other members the council was formed to oppose future attempts to bring in a bill. One theory regarding this implacable resistance to enclosure is that it may not have been entirely for the benefit of the burgesses and freeholders who owned the common-rights, but for the slum landlords within the Corporation who did not want cheap building land to become available on the outskirts of the chronically overcrowded town.¹

Where compensation for common right was generous, or recipients of the smallest allotments of land were to be absolved from payment of costs, an enclosure might have met with approval. Indeed, it could have been especially attractive to owners of common-right where the common was of little value or inconveniently situated, and a tangible, marketable, piece of land in lieu of such right may have been very acceptable. One modern agricultural historian is of the opinion that the rights on Radley Common (Chapter 6) were of far more value to their owners when, at enclosure, they were sold for £15-£20 each, than they had been when they consisted of the right to stock a piece of communal, undrained, scrubby land situated some distance from the owners' houses.² Of course, persons owning neither land nor legal claim to right of common must always have felt threatened by enclosure, but, as these had no authority to lodge formal objections they seldom leave a trace in the records.

On the whole, even undisputed owners of small landholdings or common-right were unlikely to have succeeded in averting a determined enclosure attempt although, again, local conditions would have been

¹ M.I.Thomis, 'The politics of Nottingham enclosure', *Trans. Thor. Soc.*, LXXI (1967), pp.90-92, 96.

² Personal communication from Philip Lyth.

important. In a few parishes, especially where extensive areas of common or waste land survived, the commoners seem to have exercised some influence. We have already cited the successful opposition to enclosure by the small proprietors at Gringley-on-the-Hill, and at Basford, too, it appears likely that the demands of cottage common-right owners were responsible for the postponement of the projected scheme there. As early as November 1773 a meeting had been held to decide on the terms of an enclosure, the county newspaper reporting that this had been attended by numerous landowners and cottagers who had expressed unanimous approval. Under this scheme the cottagers were to be given four acres of land in lieu of each common right although they had originally asked for five acres. However, some three weeks later, a letter appeared in the same newspaper strongly criticising enclosure in general, and the projected Basford one in particular. The writer pointed out that, even if the enclosure involved only one thousand acres of common, the sixty-eight cottagers eligible to receive four acres each would have given away the three hundred and ninety acres of land which would remain after manorial and tithe allotments had been deducted.¹ How far this letter contributed to the withdrawal of the petition is not known but the enclosure attempt was abandoned before the bill was introduced.

A few months later, in February 1774, a further bid to enclose Basford was made in conjunction with the adjoining parish of Arnold, and a joint bill was produced which failed to procure an act for either. The proprietors of Arnold had already been negotiating for the enclosure of that parish from as early as December 1770 and they continued to meet almost annually until they were successful in

¹ *Creswell's Nottingham and Newark Journal*, 6 & 27 November, 1773.

obtaining an act in 1789. The delay here probably stemmed, not from opposition to the project but from complications arising from a multiplicity of manorial rights. Originally, the copyholders at Arnold had purchased the manor from King James,¹ and in 1773 a list of considerations to be taken into account, in the event of an enclosure being agreed, included the claims of upwards of eighty lords of the manor entitled to unstinted rights on the forest common.²

For Basford the attempt to enclose resumed with meetings towards the end of 1791 which resulted in an act the following year. By 1792 only one-hundred-and-fifty acres of open field and meadow remained, compared with twelve-hundred acres of forest common and waste land, and a clause in the act provided for the allocation of five acres of 'average value' forest land to the proprietors of each common-right messuage or cottage. This would appear to have been a victory for the common-right owners who had originally asked for five acres, but where compensation was calculated on 'average value' of land it does not necessarily imply that allotments contained the stated amount. Land awarded in lieu of common right is not differentiated in the Basford award, each allotment being described as 'for lands and common right', but most of the small allotments there were of three to three-and-a-half acres. As only forty-five proprietors were named in the Basford award it is likely that many of the original common-right owners had taken advantage of the increasing industrialisation of the area and sold their rights before the enclosure reached completion (Chapter 6).

In general, while sometimes expressing their dissent by refusing to sign a bill, small owners would probably have been reluctant to enter into expensive legal opposition which was almost certain to

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield 1972), II, p.234.

² N.A.O. DD.SK. 172/2.

prove unsuccessful. Also, where an application failed and enclosure was delayed for a time the commissioners of any subsequent act could reimburse the presenters of the original petition for their expenses. In such cases a successful campaign against an enclosure might only postpone it while ensuring that the eventual costs would be increased by the addition of those arising from the abortive attempt. Given these considerations, it is understandable that counter-petitions presented against bills should have been so few. Only eleven counter-petitions were presented from nine Nottinghamshire parishes, and studies in other parts of the country confirm W.E.Tate's view that this was not the most popular mode of opposing enclosure.¹ Nevertheless, if the premise is accepted that not all owners were agreeable to the local enclosures carried out under the General Acts, it is possible, taking into account the earlier bills which were not unanimously approved, that as many as sixty per cent of this county's parliamentary enclosures were executed contrary to the wishes of some proprietors.

Not all promoters of counter-petitions, though, were primarily opponents of enclosure, and only one of the five initiated by influential local owners reflected specific opposition to the process. In this, presented against a projected enclosure at East Leake in 1781, Sir Thomas Parkyns (lord of the manors of the adjoining parishes of Bunny and Keyworth and a claimant to the manor of East Leake) was obviously the chief objector although several other

¹ M.E.Turner, 'The cost of parliamentary enclosure in Buckinghamshire', *Ag. Hist. Rev.*, XXI (1973), p.36; J.E.Crowther, 'Parliamentary enclosure in Eastern Yorkshire 1725-1860' (Unpublished Ph.D. thesis, University of Hull, 1983), p.237; J.M.Neeson, 'Opponents of enclosure in eighteenth-century Northamptonshire', *Past and Present*, 105 (1984), p.124; W.E.Tate, 'Parliamentary counter-petitions during the enclosures of the eighteenth and nineteenth centuries', *English Historical Review*, LIX (1944), p.403.

proprietors were named. Sir Thomas alleged that an attempt to enforce this enclosure was being made against the consent of himself and others, and that his title to right of soil on the commons and wastes, and to a warren, was being challenged. His other reasons advanced against the bill are worth quoting, coming as they do at the start of a period, the 1780s, in which the number of enclosure acts declined rapidly countrywide, and when none was obtained for Nottinghamshire during the first seven years of that decade. Sir Thomas was of the opinion - 'That whatever Countenance a Measure of this Kind might meet with at any other Time, it is not at present deserving of any Encouragement; as the Difficulty and expence of procuring Money for defraying the Expences of Inclosing and Improvements, attended with the low Price of the Produce of Land, might make such a Measure detrimental or burthensome to the Parties interested, instead of being productive of any solid Advantage.'¹ Such an unfavourable view of the advisability of embarking upon an enclosure at this time is in contrast to J.D.Chambers' belief that: 'After 1780 owing to the greatly increased price of grain and meat even the smallest owner could hold his own in spite of the expences connected with enclosure'.²

The East Leake counter-petition was one of only two (the other being that against the Fiskerton-cum-Morton bill of 1803) in which the presenters were successful in delaying enclosure for a significant length of time. Although further abortive attempts were made to enclose East Leake in 1784 and 1786 an act was not obtained until 1798, with the blessing of Sir Thomas Parkyns. Unanimous support was recorded for the final bill, but the signing of it had been hindered

¹ N.A.O. DD.3P. 4/1.

² J.D.Chambers, *Nottinghamshire in the Eighteenth Century* (1932), p.205.

by the rector's refusal to sign on the day appointed, as he alleged that neither Sir Thomas nor the proprietors had honoured their preliminary agreements (Chapter 3). As soon as this problem had been resolved the enclosure proceeded quickly, only about sixteen months were required to complete the East Leake award, the question of right of soil being solved by the verdict that there were three manors and two lords within the parish.

Apart from the petition against the Spalford and Wigsley enclosure, for which no details have been found, the objectors in the other counter-petitions emanating from substantial owners will be seen to have had considerations other than enclosure in mind. Perhaps the most strenuous formal opposition was that by the Nottingham 'gentlemen and others' against the Lenton and Radford bill of 1796. This was based not upon any fear of subsequent hardship linked to the loss of common rights (no common-right owners were recorded as opposed to the bill and only eight were neutral) but to the loss of their investments in the racecourse. In a petition presented to the House of Commons by the two Nottingham Members of Parliament it was argued that the racecourse could be preserved without damaging the interests of the lord of the manor. If the racecourse were to be lost, however, part of the land should be sold to compensate the 'several noblemen and gentlemen' who had built a stand and made the racecourse 'upon a reasonable presumption that this part of the forest would never be inclosed'.¹ These proposals were defeated in the House but, nevertheless, a clause inserted into the enclosure act stated that the Race Stand and land within at least one hundred yards of it should not be included in Lenton and Radford parishes but should be deemed to be in Nottingham. This enclosure only involved two hundred and sixty-one

¹ *Nottingham Journal*, 14.5.1796.

acres of land but took almost three years to complete, the award not being signed until April 1799.

Two other petitions against enclosure bills were related to compensation for rights. The Earl of Chesterfield opposed the Calverton bill because he considered that the proposed allowance of land in lieu of his rights as Hereditary Ranger of Thorneywood Chase was inadequate. Thomas Webb Edge, lord of the manor of Strelley, also raised the issue of compensation for rights in his petition against the Kirkby-in-Ashfield bill. He questioned the proportion of land (twenty-five per cent) proposed to be allotted to the Duke of Portland for manorial right of soil and minerals.¹ Thomas Webb Edge's entitlements in Kirkby were modest; out of almost two thousand acres of common and waste ground he received only thirty-six and a half acres for his rights plus an exchange of land. One can only suppose that he hoped that, if the Duke's allotment could be reduced, a larger share of this land would become available for himself. In the event the Duke's proportion was confirmed and he received his twenty-five per cent.

All the other counter-petitions were introduced by lesser owners and, as mentioned above, except for that from Fiskerton-cum-Morton, were dealt with quickly, a few months being sufficient to overcome, or reconcile, opposition, and to produce a bill supported by a legal proportion of consent. The petition from Misterton & West Stockwith was presented by 'owners of certain tithe-free lands' who were unhappy about a clause in the bill which would have allowed the enclosure commissioners to decide whether certain lands were tithe-free or not. This matter they considered to have been properly the concern of legal jurisdiction, and the objectors were probably justified in their

¹ N.A.O. DD.4P.79/42

claim. Most enclosure acts directed that commissioners should not be empowered to adjudicate in cases where the title to land or property was disputed, and tithe-entitlement, in this context, would most probably have been regarded as 'property'. It is not known if any amendment was made, but a significant proportion of the proprietors was recorded as being against the bill (Table 5:1) despite which it was stated in the act that everyone was agreeable to the enclosure.

In three of the remaining four counter-petitions (two were presented from Everton & Harwell) the enclosure of commons appears to have been the chief concern of the petitioners. At Everton both petitions related to Everton Common, the first representing forty persons, including a labourer, the second being lodged by the impropiator and freeholders. Although legal representation was made before the parliamentary committee, the objectors were unsuccessful in their attempt to halt this enclosure and the bill was approved within three months of the submission of the original petition. However, the act directed that, apart from an allotment to the vicar for tithe, only persons who already held common-right on Everton Common should receive an allotment there.

Prospective loss of common right also activated the second petition against the Calverton bill which was submitted by persons who described themselves as 'owners and proprietors of ancient houses having right of common'. This right would have been particularly important in Calverton as, although the enclosure act (1779) used the usual formula of 'several open fields, meadow, pasture, common, forest and waste land', only about fifty-two acres of open-field land actually survived. The remaining open land consisted of some one thousand, seven hundred and twenty-eight acres of forest and common land, and a warren which extended to almost five hundred and fifty-five acres. The counter-petitioners were given leave to plead their

cause by counsel and were represented before a parliamentary committee but they lost their case and the enclosure went ahead. Nevertheless, it was agreed that two extra commissioners might be added to the original three proposed in the bill. One of those elected was a local man and his inclusion may have helped to reconcile the commoners to the enclosure. Provision was also made in this act for sixteen owners of grazing rights to have their allotments in lieu of these set out adjoining any other property which they might possess.

At Mattersey, too, it is likely that the 'proprieters and owners of common right' who contested that bill were chiefly concerned with the enclosure of the common. No details of this counter-petition have been found but the act mentioned that disputes had arisen over the four impropiators' claims to right of common. Permission was given for any inhabitant of Mattersey to bring an action at law to try the impropiators' claim within a certain time, after which, if no action had been brought, it would be deemed that the impropiators had established their right. This clause may have been inserted as a result of the counter-petition but there is no indication that the inhabitants availed themselves of the opportunity to enter into a lawsuit. Perhaps they felt that enough money had already been expended in presenting the counter-petition to the parliamentary committee without embarking upon further legal expenses.

As noted above, the counter-petition from Fiskerton was more effective and the objectors were able to defer that enclosure for more than thirty years.¹ Preliminary meetings were advertised in the *Nottingham Journal*, in July 1800, although it was 1803 before a bill was produced. The bill was petitioned against by 'several owners and proprietors of grounds' and the usual claim was made that enclosure

¹ N.U.L. Not.1 P12.STA.

would prove very injurious to their interests. They were represented before a parliamentary committee, and although enough support would appear to have been gathered for the enclosure, including that of the lord of the manor and the various tithe-owners, it was not proceeded with. Notice of a meeting to take into consideration the propriety of enclosing Fiskerton was again given in the *Nottingham Journal* in September 1817 but nothing more was heard of this attempt and the award was eventually signed in 1842, under the authority of a General Act of 1837.

From this exposition of the Nottinghamshire counter-petitions it will have become plain that formal complaint against local parliamentary enclosures was generally ineffective. Further legal resistance to the enclosure process became impossible as soon as an act had been authorised by Parliament, but claims to open land or to common-right could be challenged, and objections might be lodged against roads and allotments. As the courses of roads were decided for the convenience of residents in the enclosing parish, the laying out of new ones and stopping-up of the old could be very inconvenient for persons in adjoining parishes. For instance, the inhabitants of Hucknall, Linby and Papplewick appealed against the projected road changes at the enclosure of Annesley, while the inhabitants of Newstead asked for a new road to be laid to their parish boundary.¹

Settlement of these differences seldom prolonged the progress of an enclosure for any great length of time, but parish boundary disputes, which might also be entered upon after the act had been passed, were a more serious matter. Many acts made provision for enclosure commissioners to decide the lines of parish boundaries where these were not clearly defined, and if their decisions were challenged

¹ N.A.O. CA.6293.

and arbitrators had to be appointed this could be an expensive undertaking. One such dispute arose at Ranskill, where the inhabitants disagreed with the boundary which had been delineated by the enclosure commissioners of Sutton-cum-Lound between the two parishes. Arbitrators were appointed but these upheld the commissioners' ruling, and the Ranskill inhabitants found themselves with a bill for £55.6s.

Commissioners' meetings which had to be devoted to the examination of witnesses in a boundary dispute between the parishes of Dunham and Darlton would also have increased the expenses of the Dunham enclosure. The problem here was aggravated by a certain amount of enmity between the lords of the two manors, and the partisanship of some of the persons giving evidence. William Calvert, lord of the manor of Darlton, who was active as an enclosure surveyor or commissioner several times, would have been well able to place obstacles in the path of the Dunham scheme. Indeed, Samuel Crawley, lord of Dunham, writing to his solicitor shortly after the enclosure act for Dunham and Ragnall had been obtained, said 'I am perfectly of your opinion that Mr Calvert will give us as much trouble as possible'.¹

The types of boundaries most often disputed in this county were those which separated the commons of two parishes, and those determined by enclosure commissioners when apportioning inter-commonable land - especially when the inhabitants of more than one parish claimed the same area. This state of affairs may not have been of great consequence while a common was open and stinted, but became important as soon as the inhabitants of one of the parishes decided upon an enclosure. Where no documentary evidence could be found and, as frequently happened, the perambulations of the disputed land had

¹ N.A.O. DD.T. 7/5.

been taking place beyond the period of living memory, the commissioners, or arbitrators appointed by the parishes concerned, were empowered to settle the question of parish ownership. Difficulties of this nature were encountered during the enclosure of Ollerton when it was found upon enquiry that the inhabitants of both Walesby and Ollerton had been in the habit of including a certain part of the joint common in their boundary perambulations. In this case the disputed land would appear to have been quite valuable as it was an alder holt which for many years had been a source of disagreement between the people of both parishes. When the men of Ollerton cut alders there the lord of Walesby sent his men to impound them, and when Walesby inhabitants cut the alders the lord of Ollerton claimed a money compensation.¹

Even where arbitration had been agreed, the resulting decisions were not always acceptable to the parties concerned, and two of our few recorded instances of fence-breaking occurred as a result of decisions made in parish boundary disputes. In the first, newly erected fences between Basford and Nottingham were destroyed after the commissioners had decided the case in favour of the former parish. Inhabitants of Nottingham were obviously responsible for this destruction as the Mayor and Town Clerk of Nottingham published a joint notice affirming that they were satisfied that the land in question was legally the property of proprietors in Basford.² The second incident also involved Nottingham inhabitants, this time in

¹ N.A.O. DD.SK. 217/1.

² *Nottingham Journal*, 25.5.1793.

dispute over the boundary with Lenton and Radford. Again the fences which had been erected, consequent to the two arbitrators' decision on the question, were either destroyed or thrown into the river.¹

All our other recorded cases of enclosure-related fence-breaking or trespass originated in parishes where a considerable area of common or waste ground was involved. At Sutton-in-Ashfield, where the presence of a large body of commoners and small owners together with extensive common land might have been expected to have provided a classic situation for resistance, the reported depredations were not very serious. Here, trespass on newly staked out allotments on the common seems to have arisen from former common-right holders taking advantage of the fact that the commissioners had neglected publishing the usual notice of a date for the extinguishment of common-right. On receiving complaints that the value of the allotments was being reduced by persons unlawfully entering the enclosures on the pretext of still having a right of common there, the commissioners responded by issuing a warning to the effect that future offenders would be prosecuted 'with the utmost severity of the law'.² The same warning was repeated in January 1799 after fences had been damaged by persons digging for clay and sand in the vicinity of enclosures.

In neighbouring Kirkby-in-Ashfield, another parish which contained large areas of common but where there were far fewer claimants to it, the tithe allotments became the target for fence-breakers. A reward of ten guineas was offered by the enclosure commissioners for information

¹ *Nottingham Journal*, 9.11.1799.

² *Nottingham Journal*, 21.11.1795.

leading to the apprehension of the culprits, and a reminder was given that this offence was now regarded as a felony, the offenders being liable to seven years transportation.¹ One can understand that resentment might have been felt towards the tithe-owner by the recipients of small allotments at Kirkby-in-Ashfield, as the Rector (the Dean of Lincoln) had been awarded around a thousand acres of land in lieu of tithes; more than half the total available for enclosure. Also, unlike the other owners, he and the Duke of Portland were allowed to retain encroachments which they had made upon the common within the previous twenty years, while the remainder of the encroachments established for less than twenty years were to be considered as allottable land. However, as the act apportioned the cost of ring-fencing the tithe allotment amongst the rest of the proprietors, the destruction of these fences would have been rather counter-productive and could only have resulted in increased enclosure expenses.

Despite warnings that severe penalties would be imposed for fence-breaking the threats seldom seem to have been carried out in this county. Instances are found where the perpetrators of such offences (not necessarily connected with enclosure) were pardoned after apologising for their conduct,² and even the rioters at Selston were only bound over to keep the peace and were released after their trial. In Northamptonshire, too, the punishment of persons who were convicted of fence-breaking and rioting was often lenient, and it has been

¹ *Nottingham Journal*, 1.4.1797.

² *Nottingham Journal*, 21.4.1798, 1.1.1803, 12.11.1808.

suggested that large landowners there were more interested in preserving their fences and completing their enclosures than in making enemies.¹

Only one local case has been found of perpetrators of enclosure-related fence-breaking being gaoled during the parliamentary period, and this involved three men charged with 'feloniously, wilfully, maliciously, demolishing, pulling down and destroying certain fences at Gringley-on-the-Hill'.² Perhaps it is not surprising that this parish should have been a focus of enclosure opposition. A tradition of violent resistance against any attempt to tamper with the inhabitants' common rights dated from the early years of the seventeenth century (Chapter 2), and a significant acreage of open common in the form of 'Carr' land had survived. Also, as late as 1775 the Duke of Devonshire had been unsuccessful in promoting the enclosure of Gringley-on-the-Hill, despite his attempt to coerce the commoners who were also his tenants (Chapter 3). Moreover, the enclosure bill introduced in 1796 was not approved by proprietors assessed to about twelve and a half per cent of the parish Land Tax.

Even after an act had been procured, this enclosure did not proceed smoothly. Apart from the outbreak of fence-breaking, the assessed costs were not always easily collected, and in June 1799 four recipients of allotments which had been enclosed by the commissioners because the owners had neglected to fence them, were warned that these would be let to the highest bidder in order to recover the cost

¹ J.M.Neeson, 'Opponents of enclosure in eighteenth-century Northamptonshire', *Past and Present*, 105 (1984), p.129.

² *Nottingham Journal*, 28.4.1798.

of fencing. The same notice threatened all persons whose assessments to the enclosure were in arrear with warrants of distress if payment was not made at the next commissioners' meeting.¹ Attempts to settle the enclosure accounts resulted in several commissioners' meetings before the Gringley award was signed in April 1801. Nevertheless, some proprietors were still in arrear with their assessed costs and, in the notice of a meeting to be held the following September, the commissioners' clerk again warned that warrants of distress would be used unless the debts were paid.²

No account of the expenses of enclosure have been found for this parish but they would probably have been considerable. Drainage was still a problem in most of the district at the end of the eighteenth century (floods prevented the staking-out of some of the Gringley allotments early in 1798) and enclosure acts for the neighbourhood often included provision for projected drainage schemes. Several of these had already been authorised, besides the seventeenth-century attempts, but, to be effective, the co-operation of all the parishes affected was required. The inhabitants of Gringley had been assessed for nearly six hundred pounds in the mid-1770s as their share of a drain which was proposed in the Misterton enclosure act. It is not clear whether this drain was ever completed, but pre-enclosure discussions at Gringley included plans for draining lands in that parish and in Everton, Walkeringham and Misterton.

All the above enclosures were taking place in predominantly agricultural parishes towards the end of the eighteenth century, and any opposition encountered was a purely local affair. By contrast, resistance to the enclosure of Selston Common, which occurred during

¹ *Nottingham Journal*, 15.6.1799.

² *Nottingham Journal*, 12.9.1801.

the 1870s, was noticed in the national press and supported by the Commons Protection League. Any open fields which had existed in this parish had been enclosed before the 1790s, at which time John Throsby described Selston as an 'enclosed lordship of cold clay land', the village consisting of 'several detached houses and some cottages on the common'.¹ At least three previous attempts had been made to bring in bills for enclosing Selston Common, in 1799, 1819 & 1826, before success was achieved under provisions of the General Acts of 1845 & 1865, the award being signed in 1879. No date is given for confirmation of the provisional order for this enclosure but it is likely that approval would have been received early in 1868 as formal claims to the Common had been submitted and were being examined by the solicitors later that year.

Even in the eighteenth century, the inhabitants of manufacturing villages in Northamptonshire were found to have been far more likely to have resisted enclosure than were their contemporaries in purely agricultural communities.² How much more likely, therefore, were the inhabitants of Selston likely to oppose the enclosure of the Common in the second-half of the nineteenth century. By this time Selston had become a largely industrialised parish containing long-established coal mines together with the Butterley Company's iron works, as well as the usual local hosiery manufacture. The parish had a population of between three and four thousand inhabitants when the enclosure of the

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-96, reprinted Wakefield 1972), 11, p.266.

² J.M.Neeson, 'The opponents of enclosure in eighteenth-century Northamptonshire', *Past and Present*, 105 (1984), pp.134-135.

Common was authorised, and *Kelly's Directory of Nottinghamshire* for 1881 stated that the inhabitants were mostly employed in iron work and in the collieries. It was into this environment that the rather anachronistic process of enclosure was to be introduced.

In the mid-nineteenth century much of the surviving common land in the country was under threat of enclosure, especially in London where building land had become scarce and railway companies were also competing for areas of open land over which to construct their lines. Concern about the loss of common land led to the formation of the Commons Society in 1865 (more recently named the Commons, Open Spaces and Footpaths Preservation Society), and, in 1875, to the Commons Protection League. The Commons Society, under the chairmanship of Lord Eversley, was largely responsible for drafting the Metropolitan Commons Act (29 & 30 Vic. c.122) which made provision for metropolitan commons to be managed by a board of conservators without the consent of the lord of the manor. A further ten years elapsed before a measure of protection was provided for rural commons by the Commons Act of 1876 (39 & 40 Vic. c.56) in which all enclosure proposals were required to be submitted to a standing committee of the House of Commons which included a representative from the Commons Society.

Branches of the Commons Protection League were established in the Nottinghamshire parishes of Selston, Greasley, Eastwood and Bulwell, and the greater part of Bulwell Common remains open to this day, albeit partly in the form of a municipal golf course. However, enclosure difficulties were bound to arise at Selston as, apart from traditional rights of common, some two hundred and fifty encroachments had been made at various times upon the Common, all of which were judged to be part of the allottable land. Compensation for buildings and fences was to be given to occupiers of encroachments which had

been established for twenty years or more (about £4,000 being paid to legitimate occupiers), but no compensation was authorised for the others.¹ An expanding population at Selston, which rose from 2,628 in 1861 to 3,670 in 1871, and was to reach 4,373 by 1881, had also augmented the usual problem of deciding the ownership of rights because so many of the original common-right holdings had been divided into several small building plots. Although many owners of these plots had never stocked the common they presumed that they had a legitimate right to do so and, as soon as the enclosure was announced, all claimed a common right. One such claim was entered on behalf of the Trustees of the Independent Chapel; a claim described as 'altogether frivolous' by the London solicitors engaged upon trying to establish legal entitlement.²

Further complications stemmed from cases where claimants who had no legal right to pasture animals had been allowed to do so because the Pindar had not enforced the rules of the common. Those demesnes which had an undisputed right were allocated brands with which to mark their animals and the Pindar was supposed to impound any which were unmarked. However, it was alleged that he had been in the habit of accepting gratuities from the owners of unmarked animals in return for allowing them to remain on the Common, and these owners considered that this concession constituted a common-right.

After several months of investigation the solicitors submitted a compromise solution to the problem, saying that the language in the section of the 1845 General Inclosure Act (8 & 9 Vic. c.118) which dealt with the establishment of common-right was ambiguous, and that the Manor rules as recorded in the Selston Manor minute book tended to

¹ N.A.O EA.77.

² N.A.O. DD. 84/3/1.

add to the confusion. They suggested that a rateable proportion of the allotable lands should be allocated to each of the accepted claimants according to the annual value of their property. While aware that this plan would extend the rights of the small claimants the solicitors expressed their hope that the large landowners would not consider this too great a concession. The solicitors' system appears to have been adopted as the properties were listed under eight categories in proportion to the eligibility of the owners' common-right claims. Rights of the proprietors of thirteen old toftsteads were undisputed, and nine other claimants (including the Independent Chapel Trustees, who received nine perches of land under the award) were to have allotments if they could prove that their property had been built on the site of old toftsteads. One hundred and forty-seven further claims were examined, including thirty-two in respect of property on the Ironville Building Society Estate and seventy-six for the Manor Cottages. All were rejected, the claimants being granted the rather dubious concession of permission to bring a test case at law if they wished to press their claims.¹ Twenty-one plots measuring less than one acre were allotted in the award (Appendix B), five of these went to persons who lived outside the parish and three were allotted to building societies and one to a building estate, in Selston.²

Given the large number of dissatisfied common-right claimants, no matter how tenuous their legal entitlement, it is not surprising that the enclosure of Selston Common met with opposition, but why this did not manifest itself until 1877 is not clear. The claims had been decided in 1869, yet the organised campaign against the enclosure dates only from the spring of 1877 when fences began to be erected.

¹ N.A.O. DD. 84/3/5 & 84/3/6.

² N.A.O. EA.77.

The staking-out of allotments may have been delayed by the sale of around one hundred and six acres of the common to defray the costs of enclosure. This land was divided into one hundred and twenty-one plots, many of them of only a few perches, and the sale raised just under £10,605. Also, in the late-1860s and early-1870s, a great deal of parliamentary debate upon the enclosure of commons was taking place, and the Commons Act of 1876, which amended some of the clauses of previous Acts, was passed before the Selston enclosure was completed. This may have delayed that award still further, and might have inspired renewed hope of compensation in dissatisfied former common-right owners; and subsequent protest when this was not forthcoming.

Presumably the founding of a local branch of the Commons Protection League around this time had provided a focus for the resentment of the dispossessed commoners, and access to information about similar protests taking place elsewhere. In 1877, one John de Morgan (a rather flamboyant character who published his own Journal, *De Morgan's Monthly*, during the late 1870s, and who had been involved in protest meetings concerning the enclosure of commons in London and elsewhere) was invited by the local branch of the Commons Protection League to address open-air meetings in various places locally, including Selston. De Morgan was said to support the causes of the oppressed poor and was eloquent upon the subject of the pauperisation of the inhabitants of Selston which would result from the loss of their common-right. Large crowds assembled to hear De Morgan speak during the summer of 1877 but these gatherings were generally orderly and, with teas being served to defray the expenses of the campaign, took on more the character of garden-parties than protest meetings.

Violence erupted in September, when it was reported that eight miles of fencing enclosing the Common had been broken down and publicly burned.¹ The perpetrators were supposed to have been incited by an inflammatory speech given by De Morgan, and twenty-eight Selston men subsequently appeared in court at Mansfield accused of riotous assembly. Twenty-six of these (twenty-two colliers, one butcher, a carter, a bricklayer and a labourer) were bound over to keep the peace until their trial at the Assizes.² De Morgan was imprisoned in Holloway Prison in November of the same year, having been convicted of being in breach of an undertaking to Earl Cowper that he would not trespass upon Selston Common. On his release, early in 1878, he organised meetings in Bulwell and Nottingham at which contributions were solicited for the 'Selston 26'. The rioters' trial resulted in seventeen of the accused being found guilty of riot but the defence pleaded the extenuating circumstances of 'hard-working men having been led astray by misguided counsels'. Both the vicar of Selston and the High Sheriff of the county interceded on their behalf with the Judge and the men were set free.³

It is possible that the fact that the majority of those convicted of fence-breaking etc. were colliers, rather than agricultural labourers, may have mitigated their sentences. The large landowners in Selston either owned the coal-mines, or had financial interests in them at Selston and elsewhere, and might not have been prepared to precipitate possible industrial unrest by insisting that the rioters

¹ Nottingham Daily Guardian, 4.9.1877.

² E.Eagle and J.Heath, 'Selston and the enclosure of its common lands, 1787-1789, *Trans. Thor. Soc.* 90 (1986) p.66.

³ E.Eagle and J.Heath, *Ibid.* p.68.

should suffer the severest penalty for their actions. By the late 1870s it would have been impossible to confine any labour troubles within the parish boundary as two railway stations within about one mile of Selston village provided easy access to the outside world, and any unrest at the local collieries could have spread to the owners' mines in adjoining areas. The Selston enclosure award was signed in 1879, part of the Common being left open for the recreation of the inhabitants of the neighbourhood. No further incidents occurred and, as this was the last award to be executed within the county, the release of the rioters marked the end of opposition to enclosure in Nottinghamshire.

Proof of genuine resistance to enclosure in this county during the eighteenth and nineteenth centuries is not easy to trace, and, as suggested above, many minor cases of damage or disturbance would probably have been settled locally without leaving a record. Certainly there were frequent riots in Nottingham throughout the period, connected severally with high food prices and a scarcity of provisions, with low wages and unemployment in the hosiery industry or with parliamentary elections.¹ By the second decade of the nineteenth century outbreaks of violence were also endemic in industrialised Nottinghamshire villages. However, the open land attached to such villages had been enclosed many years previously, and the only link one can forge between this violence and enclosure is a retrospective one in so far as enclosure had made land available for the establishment, or expansion, of industry. Nevertheless, as one historian, often regarded as a firm believer in the general

¹ R.A.E.Wells, *Riot and Political Disaffection in Nottinghamshire in the Age of Revolution, 1776-1803* (Nottingham, 1985).

beneficence of enclosure, has written; 'Enclosure has much to do with making the English village a class society of clearly demarked possessors and dispossessed.'¹ In Chapter 6 we shall try to estimate the extent to which the poorer members of enclosing parishes became dispossessed through their failure to halt the process of enclosure.

¹ W.E. Tate, *The English Village Community and the Enclosure Movements* (1967), p.31.

CHAPTER SIX

Parliamentary Enclosure: The Aftermath

From the preceding pages it will be clear that the benefits to be obtained from enclosure were not distributed equally throughout the rural community. Although circumstances varied from place to place the poorer members of the agricultural population were always likely to have suffered the greatest injury, and the rôle of enclosure in the decline of this section of society's fortunes has been a subject of debate from the mid-eighteenth century to the present day. For earlier critics the loss of access to common land was regarded as the cardinal factor in the pauperisation of landless labourers and small landowners, and the most familiar picture of this facet of enclosure is, perhaps, that presented in the poems of John Clare and Oliver Goldsmith, and in the works of lesser writers such as Ebenezer Elliot.

While in no way questioning the validity of Clare's testament (he was one of the few writers who had experienced enclosure at first hand as an agricultural labourer), one must remember that the consequences of the enclosure of Helpston, Clare's home parish, may not have been entirely typical. Helpston was one of seven fen, or fen-edge, parishes whose enclosure was authorised under an act of 1809 and the timing of so extended a scheme was unfortunate. Eleven years were to elapse before the award could be signed, during which agricultural fortunes declined from their high wartime prosperity. The collection of assessments towards the costs of this enclosure fell increasingly into arrear and local rents, which had almost trebled during the war, had to be reduced in 1815. Under these circumstances, farmers were unlikely to have increased their work-force, and any of Helpston's poorer inhabitants seeking extra work to offset the enclosure of

common land would have been adversely affected by the generally depressed conditions.

However, criticism of the effects of enclosure was not confined to poets (who often regarded the process as synonymous with the destruction of the traditional social and topographical structure of the countryside) but was echoed by observers who had a more practical experience of the impact of the process upon the local poor. Among these was the Reverend David Davies, writing in the 1790s, who described how enclosures of commons and the engrossing of small pieces of land into larger farms had destroyed the former partial independence of the 'peasantry'.¹ The resultant reliance of the labouring classes entirely upon wage-labour was regarded by many contemporary commentators as the cause of rising levels of poor-relief and by later writers as the origin of a long-lasting deterioration in the condition of the agricultural worker.

George Bourne, writing more than a century after Davies (but still able to draw upon old inhabitants' recollections of conditions in the pre-enclosure village) also believed that the enclosure of common land had weakened the traditional structure of village life whereby the inhabitants could be largely self-sufficient, and had thrust the cottagers into a completely market economy for which they were ill-equipped.² On the other hand, eighteenth-century agriculturalists and economists usually approved enclosure as a means of introducing a more efficient system of farming, although, as the movement gathered momentum reservations began to be expressed about the wisdom of enclosing every type of land. Even Arthur Young, initially an

¹ D.Davies, *The Case of the Labourers in Husbandry* (1795), p.56.

² G.Bourne, *Change in the Village* (1912).

enthusiastic advocate for the extension of enclosure, adopted a more ambivalent attitude towards it after seeing some of the adverse effects which could result.¹

Such contrasting conceptions arise from the fact that, unlike the formal enclosure process, which usually resulted in a certain amount of standard documentation, post-enclosure developments were chronicled largely by partisan commentators. Also, as noted in Chapter 5, the bulk of parliamentary enclosures were taking place during a period of alternating war and peace when, apart from individual local variations in the ease with which enclosure could be achieved, fluctuations in the national economy could be instrumental in causing hardship. In the closing years of the eighteenth century when Arthur Young was making his observations, enclosure acts nationally had reached a peak, and the plight of newly landless agricultural workers could have been made more acute by high war-time prices and poor harvests.² Even so, while returns remained high landowners would have been able to finance enclosure, and a certain amount of employment might have been found (if only temporarily) in draining, ditching and fencing.

From 1813, a series of good harvests undermined prices and combined with the end of the French wars to create hardship for many farmers, especially those whose rents had increased substantially or who were overstretched in financing improvements. Land which had only been profitable to cultivate under the stimulus of inflationary war-time returns became abandoned, mortgages and rents remained unpaid, banks failed and many landowners and farmers were driven into

¹ A. Young, *An Inquiry into the Propriety of Applying Wastes to the Better Maintenance of the Poor* (Bury St. Edmunds, 1801).

² A table of local wheat prices may be found in Appendix C but their fluctuations are probably most readily appreciated by reference to the authorised weights of loaves of bread, tabulated in Appendix D.

bankruptcy. At the lower end of the social scale the labourers were particularly vulnerable, especially if an enclosure which appeared profitable while demand and prices remained high became less so when these declined before its completion. In such cases it could have been necessary to restrict the work, perhaps simply ring-fencing allotments while leaving the dividing fences until a more propitious time.

Difficulties were experienced at this time in all parts of the country, not only in those undergoing enclosure, but not all regions were affected to the same extent. The condition of farm-labourers was particularly grim in East Anglia during the second decade of the nineteenth century, and the many enclosures which were taking place at the time are regarded as partly responsible for the agrarian riots of 1816 in that region.¹ It is possible that the predominance of mixed farming in Nottinghamshire, and the fact that the majority of local enclosures had been completed before the post-war depression took effect (Chapter 4), may have placed this county's agricultural workers in a more favourable position than some of their fellows elsewhere. Nevertheless, in 1815 petitioners described as 'persons interested in the agriculture of Bassetlaw' (the large Hundred which constitutes the northern section of the county) asked the House of Commons for the adoption of effectual legislative measures for the relief, encouragement and support of agriculture. It was represented that the expenses of cultivation remained high while prices had fallen, and the petitioners claimed that they had not only increased production during the war years but had brought considerable tracts of waste into cultivation. These areas, they warned, would return to waste if farmers were brought to a state of poverty, also that many of the

¹ A.J.Peacock, *Bread or Blood; A Study of the Agrarian Riots in East Anglia in 1816* (1965), pp.17-18.

labouring class would be driven to 'that last resort, the obtaining of parochial relief, and thus another heavy burthen will be imposed upon your petitioners'.¹ Many landowners would doubtless have found themselves in a similar situation at this period, and we shall find that complaints about the burden of poor relief were to continue for many years. These problems were not confined to the farming fraternity - almost two years after the Bassetlaw petition a correspondent to the *Nottingham Journal* (7.12.1816) reported greater suffering amongst the labouring classes in Nottingham, especially in manufactures, than at any period in the previous thirty years.

Although English farming eventually recovered from its post-war depression and entered upon a period of prosperity in the 1850s which was to continue until the early-1870s, it is clear that this prosperity did not extend to the farm-workers. Reports submitted by the royal commissions which investigated the employment of women and children on the land in the 1860s frequently reveal a picture of deprivation, and further evidence of the condition of the rural labourer can often be found in the local press of the time.² One leading article in a Lincolnshire newspaper of 1872 described him as 'continually hovering on the verge of pauperism', and that 'In thousands of cases the pay of the agricultural labourer is too low for the virtues of self-dependence, and it has to be eked out by various forms of charity, with the Poor Law Union as the final goal'.³

¹ *Nottingham Journal* (28.1.1815). This petition was also published in the *Stamford Mercury*, *Doncaster Gazette* and *Farmers' Journal*.

² Report on the Employment of Women and Children in Agriculture, XVII, 1867-8. Report on the Employment of Children, Young Persons, and Women in Agriculture, XIII, 1868-9.

³ *Louth and North Lincolnshire Advertiser* (13.1.1872), quoted in R.C.Russell, *The Revolt of the Field in Lincolnshire* (Louth 1956), p.17.

Conditions did not improve, and by the closing years of the nineteenth century England had developed into a predominantly industrial nation. The 'golden age' of English agriculture had passed, imports of farm produce had increased, the population of the countryside continued to decline, land remained unploughed and farmhouses were abandoned. Added to these developments was a weakening of the social structure in many places where landowners no longer lived in the locality nor derived their incomes from the land. In fact, where the wealth of a principal landowner arose from industry or commerce it was sometimes possible for local farming to remain relatively unchanged. For example, it is possible that the survival of the open-field system at Laxton was largely due to the fact that Lord Manvers' income was derived from coal-mining and he took little interest in agricultural developments.

Nevertheless, the future prospects of this country's agriculture looked far from promising towards the end of the nineteenth century, and it was natural that historians living in an age of increasing social awareness should have begun to turn their attention to the origins of the decay of the rural community. Enclosure, particularly parliamentary enclosure, was singled out as the crucial element in agrarian improvement during the eighteenth and nineteenth centuries, and the most important influence upon the agricultural workforce. Several important studies of the consequences of the enclosure process were published during the first two decades of the twentieth century,¹

¹ G.Slater, *The English Peasantry and the Enclosure of Common Fields* (1907); W.Hasbach, *A History of the English Agricultural Labourer* (1908); A.H.Johnson, *The Disappearance of the Small Landowner* (Oxford, 1909); H.Levy, *Large and Small Holdings* (1911); R.Prothero, Lord Ernle, *English Farming Past and Present* (1912); E.C.K.Gonner, *Common Land and Inclosure* (1912); H.L.Gray, *English Field Systems* (1915); W.H.R.Curtler, *Enclosure and the Redistribution of our Land* (Oxford, 1920).

and this topic became the subject of a debate which has been conducted throughout most of the twentieth century.

Not all scholars were condemnatory, and, as in earlier periods, some believed that enclosure was an inevitable stage in the modernisation of agriculture and a source of increased employment opportunities. However, despite arguments in favour of the process, enclosure became regarded generally as an important step in the degradation of the small owner and the pauperisation of the agricultural labourer; a view which owed a great deal to the publication in 1911 of *The Village Labourer 1760-1832*, in which J.L. and B.Hammond presented the case against enclosure so persuasively. Critics accused the Hammonds of weighting their thesis by selecting only the most extreme cases of injustice as illustration while ignoring the benefits of increased agricultural yields which had resulted from enclosure. They replied to these strictures in the preface to the second edition of *The Village Labourer* (1913), pointing out that they were not questioning the value of post-enclosure agricultural developments but were concerned with the fate of the labourers consequent upon those developments. And, despite some dissenting voices, the Hammonds' writings were so influential that their conclusions were generally accepted for the next forty years.

The first serious modern challenge to this concept of the parliamentary enclosure movement as a force inimical to the welfare of the rural labouring class appeared when, in 1951, J.D.Chambers presented a paper at the annual conference of the Economic History Society.¹ In this paper (which since publication in 1953 has continued to create ripples in the historiographical pond to this day) Chambers questioned the widely-accepted view of parliamentary enclosure as the

¹ J.D.Chambers, 'Enclosure and labour supply in the Industrial Revolution', *Econ. Hist. Rev.*, V (1953).

cause of a reduction in the rural work-force and consequent migration of labourers to the towns, which had recently been restated by M.Dobb.¹ While accepting the premise of a post-enclosure increase in the number of persons entirely dependent upon wage labour, Chambers argued that the physical enclosure of land, and changes in farming methods, would have provided ample employment opportunities for former small landowners who had been forced to relinquish their holdings. At the same time he suggested that a reduction in the number of small owners did not inevitably follow enclosure, and that where soil was suitable for small-scale cultivation the small landowner would survive or even increase. This theory was supported by evidence from land tax returns for parts of Lincolnshire and Leicestershire.² Chambers also agreed with A.Redford in supposing that a great deal of the surplus rural population created by natural increase would have been absorbed in agricultural settlements on newly enclosed fen and waste land.³

These views were not new, they had been expressed in the Board of Agriculture's *General Report on Enclosures* (1808) where it was promulgated that the inconvenience of enclosure to the poor was 'rarely of any great extent', and that the cultivation of common and waste land would have counteracted the loss of employment on former arable land laid down to grass.⁴ Yet, some twenty years before the publication of 'Enclosure and labour supply', Chambers himself had expressed doubts on this point in his study of eighteenth-century

¹ M. Dobb, *Studies in the Development of Capitalism* (1947).

² J.D.Chambers, 'Enclosure and labour supply in the Industrial Revolution', *Econ. Hist. Rev.*, V (1953), pp.328-9.

³ J.D.Chambers, 'Enclosure and labour supply in the Industrial Revolution', *Econ. Hist. Rev.*, V (1953), pp.322-3; A.Redford, *Labour Migration in England* (1926).

⁴ Arthur Young (ed.), *General Report on Enclosures* (1808), pp. 35-36. A contrasting view of the effects of enclosure upon the poor may be found in the same volume, pp.12-20.

Nottinghamshire. At that time he was far from complacent about the effects of enclosure upon the smaller proprietors and landless members of enclosing parishes. Although not always making it clear which phase of enclosure was under discussion (pre-parliamentary or parliamentary), it is obvious that the author comprehended the social dislocation which was likely to have resulted. He was even sceptical about the degree to which the expanding arable acreage of the forest district would have been able to absorb labourers made redundant by the enclosure of open fields elsewhere.¹

However, to return to 1953 and the paper in which Chambers was primarily concerned with population growth and movement rather than with the survival of small proprietors. To this end, in contrast to the Hammonds and other writers of their persuasion, who had drawn their evidence largely from accounts of parliamentary proceedings and contemporary commentaries, Chambers concentrated upon an examination of land tax records, marriage registers and census returns which related to limited areas. In particular, he analysed the 1801-1861 census abstracts for one hundred and nineteen Nottinghamshire villages, classified according to their enclosure and industrial history. From this study Chambers concluded that it was only in the 1840s (after the completion of nearly all this county's enclosures) that a marked exodus from the countryside had begun. Moreover, he demonstrated that throughout the first four decades of the nineteenth century parishes enclosed by parliamentary act before 1800 showed a pattern of growth similar to that of industrialised parishes.²

¹ J.D.Chambers, *Nottinghamshire in the Eighteenth Century* (1932) Chapter VII.

² J.D.Chambers, 'Enclosure and labour supply in the Industrial Revolution', *Econ. Hist. Rev.*, V (1953), pp.323-4.

At first sight Chambers' findings appear conclusive, and they were seized upon by other historians anxious to prove that parliamentary enclosure was not instrumental in depriving the agricultural labourer and small farmer of his livelihood, nor of driving him into the town. The Nottinghamshire evidence was accepted as typical of the effects of enclosure generally and was used to refute the conclusions arrived at by the Hammonds and their supporters, while Chambers' own disclaimer of his competence as a regional historian to make assumptions outside the context of a certain locality was ignored.¹

One scholar who challenged this interpretation of the increase in rural population was J.Saville. He referred to statistical evidence which indicated that although the rural population continued to increase until the middle of the nineteenth century the rate of increase was below the national average and markedly below that of urban areas and mining regions. As the expectation of life was higher in rural than in urban areas it was deduced that a considerable amount of out-migration from the countryside was taking place.² In fact, on further investigation, a question arises as to the validity of Chambers' figures even as applied to the whole of Nottinghamshire, let alone to the rest of England. The sample of one hundred and nineteen villages selected for the exercise were unnamed and constituted only around forty-four per cent of the county total. Also, while each village would, no doubt, have been carefully chosen as representative

¹ D.S.Landes, 'Technological change and development in Western Europe, 1750-1914', *Cambridge Economic History of Europe*, Vol.VI, (Cambridge, 1965), p.344; J.D.Chambers & G.E.Mingay, *The Agricultural Revolution, 1750-1880* (1966), pp.98-99; E.L.Jones, 'Introduction' in E.L.Jones (ed.), *Agriculture and Economic Growth 1650-1815* (1967); G.E.Mingay, *Enclosure and the Small Farmer in the Age of the Industrial Revolution* (1968); L.J.White, 'Enclosures and population movements in England, 1700-1830', *Explorations in Entrepreneurial History*, 6 (1969), p.175.

² J.Saville, 'Primitive accumulation and early industrialization in Britain', *The Socialist Register* (1969), p.262.

of its particular type there is no indication of the number comprised in each of the six categories into which they were divided, nor are we given the dates of enclosure for those which had become industrialised. Similar problems of definition arise with regard to the one hundred and seventeen villages for which eighteenth-century marriage registers were tabulated, and the ninety-eight 'landlord' villages which were used for comparison with 'peasant' communities in the Isle of Axholme.¹

The above comments are not meant to detract from the importance of Chambers' pioneer study, merely to emphasise his own statement that some of his research was an experiment 'presented rather for the potentialities of its approach than for the finality of its results.'² Indeed, at a distance of forty years it is not easy to understand why 'Enclosure and labour supply' should have created such excitement amongst historians, nor why so many scholars (both his adherents and his detractors) should have overlooked Chambers' own misgivings about the post-enclosure fate of the small tenant and landless labourer. He commented: 'The small tenant was in a far worse case [than the small owner] and contemporary opinion leaves us in no doubt that this class generally suffered in numbers heavily from enclosure'. And a little later reiterated: 'Nothing, however, is said of the lowest group of all, the cottage labourers with customary use of the common; and nothing statistically can be said. Since they had no proprietary rights to defend they do not appear in the enclosure award or land-tax returns ... these landless or semi-landless workers, together with the small tenants who disappeared through consolidation, represent the

¹ J.D.Chambers, 'Enclosure and labour supply in the Industrial Revolution', *Econ. Hist. Rev.*, V (1953), p.338-9 & 341-2.

² J.D.Chambers, *ibid.*, p.341.

real victims of enclosure, and unless they are kept constantly in mind, they may also become the victims of the statistical method'. Again, a few pages on, when considering the social consequences arising from loss of the common, we find: 'The appropriation to their own exclusive use of practically the whole of the common waste by the legal owners meant that the curtain which separated the growing army of labourers from utter proletarianization was torn down'.¹ These do not sound like the sentiments of one who will probably always be remembered as an ardent supporter of a school of agrarian historiography which regarded parliamentary enclosure as instrumental in providing increased opportunities for employment on the land.

Nevertheless, for the next twenty years the view of a post-enclosure panorama of a growing rural population engaged in intensive agricultural activity, coupled with an enhanced earning capacity and improved standard of living, continued to be subscribed to by many agrarian and economic historians. Then, once again, the tide of historical research turned and the benign interpretation of enclosure, which had on the whole been uncritically adopted, was questioned when a reappraisal of 'Enclosure and labour supply' appeared in 1978.² In this paper N.F.R.Crafts examined J.D.Chambers' findings and sought to apply more sophisticated statistical methods to the analysis of the relationship between enclosure, population growth and the distribution of labour. Census returns were again used, together with the enclosure tables published by W.E.Slater, and while no dramatic results emerged Crafts found Chambers' contention that enclosure did not result in

¹ J.D.Chambers, 'Enclosure and labour supply in the Industrial Revolution', *Econ. Hist. Rev.*, V (1953), pp.325, 326 & 336.

² N.F.R.Crafts, 'Enclosure and labour supply revisited', *Explorations in Economic History*, XV (1978).

out-migration could not be substantiated, although he admitted that Nottinghamshire might not have been typical of some other counties in this respect.

Crafts' sources were not impeccable, especially Slater's enclosure tables, but his paper was useful in helping to resurrect doubts about post-enclosure rural employment.¹ It was followed by a much more substantial attack upon the Chambers' school of thought which appeared in 1985 as part of a wider examination of the plight of the labourer over a period of almost two and a half centuries.² In this study it was pointed out that practically all the evidence used to disparage the work of the Hammonds was concerned with the survival of the small farmer and had been based upon land-tax assessments - a source nowadays regarded as unreliable for the purposes for which it has often been used by earlier historians.³ Chambers was aware that land tax returns could not be accepted at their face value but he believed that those for entirely rural parishes were a true reflection of the community.⁴ Surprisingly, in the light of his usual support for Chambers, perhaps the most trenchant critic of the use of land tax

¹ Slaters' enclosure tables are not now considered to be accurate but, as Crafts was conducting his research before the publication of M.E. Turner's edition of W.E. Tate's *A Domesday of English Enclosure Acts and Awards* (Reading, 1978), he was deprived of a more reliable source.

² K.D.M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660-1900* (Cambridge, 1985).

³ Many recent publications illustrate the uses and limitations of land-tax returns, e.g. J.V. Beckett & D.M. Smith, 'The land tax returns as a source for studying the British economy in the eighteenth century', *Bulletin of the Institute of Historical Research*, LVI (1981); G.J. Wilson, 'The land tax problem', *Econ. Hist. Rev.*, XXXV (1982); M. Turner & D. Mills (eds.) *Land and Property: The English Land Tax 1692-1832*, (Gloucester 1986), D.E. Ginter, *A Measure of Wealth: The English Land Tax in Historical Analysis* (1992).

⁴ J.D. Chambers, 'Enclosure and labour supply in the Industrial Revolution', *Econ. Hist. Rev.*, V (1953), p.329.

records has been G.E.Mingay, who, as early as 1964, inclined to the view that 'detailed investigation of land tax assessments is simply not worth while'.¹ Nevertheless, G.E.Mingay would appear to have been content to accept the findings of land-tax studies a few years later when he cited them as evidence of an increase in owner-occupiers and in acreage owned in Leicestershire, Warwickshire, Nottinghamshire, Derbyshire and Lindsey over the period 1780-1852. Furthermore, he also stated that 'The land-tax evidence, although difficult to interpret in detail, leaves no doubt that on balance small owners could not have been severely affected by parliamentary enclosure or by the post-1813 fall in prices.'²

In any case, debate about the validity of land-tax evidence was of no help in disclosing the fate of the lowliest members of society who have always been prone to slip through the meshes of such records. By its nature, this tax was not equipped to provide information about the landless labourer - the very person with whom the Hammonds were primarily concerned, and of whom Chambers himself warned that he could become a victim of the statistical method. Clearly, in the absence of relevant contemporary accounts of the social effects of parliamentary enclosure, and given the arbitrary nature of data supplied from official enquiries, information was required which related specifically to the agricultural worker at the local level. This has been found in parish poor records - potentially the most useful source for providing evidence of the consequences of the enclosure

¹ G.E.Mingay, 'The land tax assessments and the small landowner', *Econ. Hist. Rev.*, XVII (1964), p.388.

² G.E.Mingay, *Enclosure and the Small Farmer in the Age of the Industrial Revolution* (1968), pp.24-25.

process within individual communities. Indeed, if consistent, comprehensive overseers' accounts existed for all parishes many questions concerning the relationship between enclosure and the labourers' standard of living might be answered with assurance. Unfortunately, though, we shall find that these records are far from complete although Sydney Webb, contributing to a Public Records Commission *Report* of 1912-19, was of the opinion that at least two centuries of poor relief accounts should be available for every parish.¹ However, before attempting an exploration of this source in relation to Nottinghamshire enclosures, it will be useful to try to determine the extent of local post-enclosure increased employment opportunities as envisaged by the more optimistic commentators. Also, it will be of help to examine the official reports for indications of agricultural change in this county and of the general condition of the local rural labourer.

Fencing, hedging and ditching were most often cited as sources of employment and, no doubt, together with roads and public drains these would have created the greatest demand for labour. Ditches, in particular (usually of three feet in depth and three feet across the top), would have absorbed a considerable work force in most parishes, especially where the land was heavy or where penalties were to be imposed for late completion of enclosures. In a few parishes, too, the division of land could be marked by a substantial ditch, without fence or hedge. At Beckingham, for instance, it was agreed that the tithe and glebe allotments on the meadow, common and low ground could be enclosed by a ditch of not less than eight feet in width.

¹ W.E. Tate, *The Parish Chest* (3rd. edition, Cambridge, 1969), p.7.

Nevertheless, the extent to which extra labour would have been recruited for this work is questionable. It appears that the physical enclosure of allotments could have been a much more leisurely process than has sometimes been appreciated and in some places might have taken place gradually over several seasons. In such instances the regular labour force may have been sufficient for the task, especially as fencing, hedging and ditching could be carried out at a time of year when there might otherwise have been a seasonal reduction in employment. Because there was no statutory requirement for the completion of ring-fences the time allowed varied widely from parish to parish (Table 3:1), proprietors in many parishes apparently having a free hand in the matter. Where a relatively short time-limit was set it might reflect the dominant use to which the land was to be put after enclosure. Presumably, if livestock farming was to predominate it would have been important to complete the fencing as soon as possible, particularly as hedging plants were not considered to be stock-proof until they were seven years old. On the other hand, there might have been no particular urgency to fence land which was to be used for tillage. Here, the boundaries of the allotments would have been staked out by the surveyor and permanent enclosure could have been effected in stages at times convenient to the owners. Also, we have seen that the occupation of allotments often pre-dated the signing of the award by a considerable period (Table 4:1), and even where a date was set for the subsequent completion of ring-fencing this could still be years after the land had been entered. In any case, the making of new ditches and fences, and the planting of hedges, would have provided only temporary work and once completed would have required few hands for their regular maintenance.

The exception to this laissez-faire attitude towards fencing was with respect to the tithe allotments. Land in lieu of tithe often constituted one of the larger estates in an award (Table 7:5) and its ring-fencing was usually completed at an early stage in an enclosure. As tithe-fencing was normally charged to the rest of the proprietors in the parish, one might expect that the opportunity would have been taken to press any surplus labourers into service in an attempt to keep the expenses as low as possible. In fact, tithe allotments were nearly always fenced by contractors and it is usually impossible to tell whether these were local persons, who would have been likely to have engaged local labour, or speculators operating over a wide area and providing their own gangs of itinerant ditchers and hedgers. One reason for the almost universal practice of putting the ring-fencing of tithe allotments out to tender may have been because it was important that this work should be finished quickly in order that tithe payments could be extinguished as soon as possible. These enclosures were usually the first to be put in hand and the first to be completed, and unlike the proprietors' allotments, where even when a time-limit was imposed the fencing was not normally begun until after harvest, work could be started as soon as the land became available. It is possible that the commissioners would have been reluctant to rely upon the recruitment of sufficient local labour, especially in grain-growing areas, if the tithe-fencing needed to be embarked upon during a busy period of the farming year.

The opportunities for employment afforded by enclosure fencing, hedging and ditching may not, therefore, have been as great as has sometimes been represented. Nor, on turning to a consideration of new roads, bridges and public drains, is it certain that these would always have provided a great increase in the work available. While several miles of fencing would have been required in the majority of

parishes, little extra road-making may have been necessary where a turnpike was already in existence, and in some places the type of soil or natural watercourses, ensured that no public drains were needed. Obviously, a large labour-force would have been required for a substantially new road system, or where a comprehensive drainage scheme was undertaken, but how much of this work would have been offered to local men is not known.

Details of contracted work have been found in only one set of commissioners' minutes - for the rather late enclosure of Walesby, Kirton & Egmanton (1821-1825). Tenders were invited for the construction of some roads and a public drain, and the number of proposals received was probably a reflection of the difficulties being experienced by the agricultural community throughout the country at the time.¹ Although the majority of the sixteen proposals submitted for making the drain at Walesby were from Nottinghamshire, some came from adjacent parts of Lincolnshire and two from as far distant as Wisbech and Market Deeping. The lowest rate, eleven shillings and fourpence for each hundred cubic feet of ditch, was offered by the latter contractors and may have been an indication of the extremely depressed state of farming in the eastern counties. In the event, the acceptance of the lowest tender proved to be a false economy as the contractors absconded, leaving the drain unfinished and the labourers unpaid. The origin of these workmen and their fate is not recorded, but when the commissioners were ready to let the tithe fencing they employed contractors from Nottinghamshire.

It must also be remembered that not all road improvements ordered in an award were implemented at the time of the enclosure - more than forty years elapsed before three minor roads at East Bridgford were

¹ N.A.O. DD.T. 10/58.

widened to comply with the commissioners' specifications (Chapter 3). Moreover, the actual construction of roads differed - some being formed merely by ploughing the earth into wide ridges in the same way as headlands in the fields were produced. In such cases the commissioners often allocated stretches of this work to proprietors in proportion to the size of their estates in the parish. Elsewhere, a more substantial surface would seem to have been required, and at North and South Leverton the enclosure commissioners advertised for brick-makers to contract for producing bricks and laying them along a four mile stretch of road.¹ However, irrespective of the amount of work required to construct the roads, they were unlikely to have provided permanent employment. Their upkeep would have become the responsibility of the Highways Surveyor, and their repair probably confined to the traditional stone-breaking and filling of holes by pauper labour. Once completed, the public drains, too, were usually entrusted to the care of a local official and their maintenance apportioned among proprietors whose land benefited from the drainage.

Another development which is thought to have contributed to the stability of the agrarian population after enclosure is the adoption of new agricultural practices. Innovations are thought to have been especially beneficial on mixed farms where the cultivation of turnips and other fodder crops was believed to have created work throughout the year.² It appears doubtful, however, that any permanent demand for extra labour arising either from the works associated with enclosure, or from changes in cultivation, would have been great enough to provide employment for all who needed it. In addition, where a change to a style of agriculture which required fewer labourers resulted, it

¹ *Nottingham Journal*, 6.2.1796.

² J.D.Chambers, 'Enclosure and labour supply in the Industrial Revolution', *Econ. Hist. Rev.*, V (1953), p.332.

is difficult to see how even the pre-enclosure work-force could have been sustained unless new occupations were introduced.

Even so, although no very optimistic view of employment prospects can be taken, it is not easy to isolate enclosure as the prime cause of agrarian distress in this county. No local account of the social effects of the process has been found and the standard works are not very informative; the Hammonds made only one reference to Nottinghamshire - in connection with a discussion about the value of arable small-holdings for cottagers.¹ Nor are we much better served by the Board of Agriculture's reports of 1808 and 1816 upon which, as primary material is scarce, we shall have to rely to a certain extent for information about local agricultural developments.

The first of these publications, the *General Report on Enclosures* of 1808, was edited by Arthur Young and compiled at a period when both he and many of his colleagues had become less complacent about the effects of enclosure. In a bid to assess the benefits and problems which were believed to have resulted from the process, information was assembled from the Board's county surveys, from personal experiences of agricultural experts and local correspondents, and from the Crop Returns of 1801. Amongst other topics, details of acreages of waste-land enclosed and of variations in the post-enclosure cultivation of wheat were collected - both of which are generally considered of importance because any extensive change in land use was likely to have had an effect upon the amount of local labour available, and upon employment prospects.

These 1801 Crop Returns were answers to a letter from a House of Commons' Committee, in which the incumbent of every parish which had been enclosed between 1760 and 1800 was asked for information about,

¹ J.L. & B.Hammond, *The Village Labourer*, (2nd. edn. 1913), p.156.

and comments upon, local changes in cultivation which had taken place since enclosure. Not all incumbents replied, but where reports were forwarded they are of great interest as an indication of developments in land-use and cropping. The surviving Crop Returns are now located in the Home Office papers in the Public Record Office but M.E. Turner could find none for Nottinghamshire in that collection, nor has the County Archivist any idea of their whereabouts.¹ Under these circumstances the abstracts from the originals, published in the 1808 *Report* ought to be of particular value for this county. Unfortunately, however, information is limited to changes in wheat production in only forty-two Nottinghamshire parishes, and the amounts of waste land enclosed in a further twenty places, and even these figures are not as useful as one might expect. For instance, the acreages given in the 1808 Report for the enclosure of waste are incorrect for at least five of the local parishes named.

Some parishes contained no waste land, and where it did exist the specific acreage is not always recorded in enclosure acts and awards. Nevertheless, a reasonable estimate of the amount of this type of land being enclosed can be made from the size of allotments awarded for manorial right of soil, which generally constituted one-sixteenth or one-twentieth of the acreage of waste and could vary from a few perches to several hundred acres (Table 7:8). One of the incorrect attributions of waste in the 1808 *Report* was for Willoughby-on-the-Wolds, where the solicitor drafting the enclosure bill queried whether it would be necessary to name the lord of the manor because the parish contained no waste land.² In the event, an allotment of eight perches was awarded in lieu of right of soil at Willoughby-on-the-Wolds, yet

¹ M.E. Turner (ed.), '1801 Crop returns for England, Vol.2', *List and Index Society*, 190 (1982), p.170.

² N.U.L. Not.1 P12 STA.

this parish was credited in the *Report* with the enclosure of nine hundred acres of waste. From the allotments awarded at East Leake, Keyworth, Radcliffe-on-Trent and Gedling, it is also apparent that the acreages of waste ascribed to these parishes in the 1808 *Report* were far in excess of the amount of such land available. These errors become important in the light of the emphasis usually placed upon the loss of access to common and waste land as a factor in the destitution of the rural labourer.

As the completeness of the original cropping information cannot be determined, nor how far it had been edited before publication, it may be that the grain figures should also be approached with a degree of circumspection. One obvious anomaly in the list of parishes registering a difference in wheat cultivation is the duplicated appearance of Orston - once at its correct enclosure date and again in 1780. The only local act passed in 1780 was for Scarrington & Aslockton so it is assumed that this was the enclosure to which a decrease of thirty acres applied.

In fact, the impossibility of examining changes in wheat acreages in the Crop Returns is probably of little consequence as the conversion of arable land to pasture became a less cogent reason for enclosure towards the end of the eighteenth century in most purely agricultural parishes. Moreover, a reduction in the cultivation of wheat would not necessarily have indicated a contraction in total grain production. Several places named in the *Report* are in a district of the Trent Valley which had become renowned for the quality of barley produced and where it is probable that this crop may have replaced wheat. The malting and brewing industries were long established in Newark, Nottingham and Mansfield and the 1808 *Report* recorded an overall increase in barley production for the county.

Elsewhere, farmers whose land was conveniently situated to take advantage of increasing urban demands for vegetables and fruit would most likely have found these equally labour-intensive crops more profitable than grain. North Collingham, where a decrease of twenty-five acres of wheat was recorded, became noted for garden produce which was being sold in Nottingham, Sheffield, Gainsborough and Hull by the 1840s.

Of course, livestock farming for meat or dairy produce was traditional in some parishes and an increase in this type of land-use would have been probable in other places with easy access to large towns. The comments of only one local incumbent (from Burton Joyce) were printed in the 1808 *Report*, although two other letters, from Upper Middleton Cheney (Northamptonshire) were wrongly ascribed to Nottinghamshire. In his reply to the 1801 Crop Return enquiry the Burton Joyce minister remarked upon the demand at Nottingham for every produce of grassland, 'owing to the greatly increased trade, opulence, and consequent luxury of the inhabitants'.¹ As Burton Joyce is a Trent-side parish situated a few miles from Nottingham, and the village contained numerous frame-work knitters, the farmers there would have had every incentive to concentrate upon the production of meat and dairy produce.

Agriculture was of minor importance by the end of the eighteenth century in some of the other parishes cited, especially those which adjoin Nottingham and where the surplus population from the unenclosed town could be accommodated. Basford, where very little open-field land remained to be enclosed by the act of 1792 (Chapter 4), was described

¹ *General Report on Enclosures* (1808), p.265.

by John Throsby, in the mid-1790s, as appearing 'like a new town, in consequence of its manufactory and improvements', and went on to say 'Its vicinity to Nottingham has much added to its population'.¹ Contemporary evidence also indicates that much of New Basford was built upon enclosure allotments which had been sold by their non-resident owner for industrial housing.² Basford and Lenton were industrial centres in their own right by the end of the eighteenth century, and Sneinton (where the Throsby had described the land as 'in a high state of cultivation', a few years previously) registered a population increase of six hundred and forty-six per cent between 1801 and 1831. This was a consequence of the agricultural land being sold off as small building plots after the enclosure of 1796-98. Obviously, factors other than enclosure and agricultural change would have to be taken into account when examining the level of unemployment in such parishes. Although both Basford and Lenton were recorded by the census enumerators as having more families engaged in agriculture in 1831 than in 1811 (as were twelve of the other parishes which showed a decline in wheat production in 1801), these figures probably mean very little. The use of the family as the unit of measurement in the various classes of employment is too vague to do more than suggest the relative importance of each occupation, and while the reported number of families working on the land increased in many parishes, the proportion of families so engaged usually diminished.

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-1796, reprinted Wakefield, 1972), II, p.230.

² A.Henstock (ed.), *The Diary of Abigail Gawthorn 1751-1810* (Nottingham, 1980), p.16.

Eight years after the appearance of the *General Report on Enclosures* an enquiry was made into the state of agriculture throughout the country.¹ This would seem to have met with little local response as comments from only seven Nottinghamshire correspondents were printed, four of whom wrote from parishes which had not been enclosed by parliamentary means.² However, in his introduction to the 1970 reprint of this report, G.E.Mingay made the point that only a selection of the replies received by the Board of Agriculture were edited and printed, and the original letters are not available.³ By this time (1816) all the local writers whose replies were quoted (in common with those from elsewhere) were principally concerned with the distressed state of the farmer in a post-war period of low prices coupled with high rents, wages, taxes and poor rates. Most references to the condition of the labourer were introduced as an adjunct to this poverty of the farmer; to which one writer asserted that servants' wages contributed so greatly that every constantly employed male labourer cost the equivalent of the price received for the sale of five acres of wheat.⁴

Wages were said to have been lowered only about ten or twelve per cent in this county and there was a general complaint that the farmer had to pay a labourer when he was in work and support him through poor relief when he was unemployed.⁵ This was a long-standing complaint and was still being voiced at the hearing of the Select Committee on

¹ *The Agricultural State of the Kingdom in February and March 1816* (1816, reprinted Bath, 1970).

² *Ibid.*, pp.243-254.

³ *Ibid.*, p.xiii.

⁴ *Ibid.*, p.249.

⁵ *British Parliamentary Papers* (1833), Vol. V, Question 12054 (reprinted Shannon, 1968), Vol. 2, p.575.

Agriculture in 1833. Nevertheless, as the local witness questioned by the latter suggested, it was of more advantage to a farmer to get some return by employing labour which he did not need than to spend the money in poor-rates for which he could expect nothing. At the same time, while commenting upon the current problems besetting agriculture it was admitted that farmers in Nottinghamshire were probably more fortunate than some others as their land generally consisted of part arable and part pasture.

The next official enquiries which gave some indication of the condition of the agricultural labourer were undertaken in the early 1830s and resulted in two publications of 1833 and 1834. The first contained the opinions of agricultural experts and substantial farmers from different parts of the country who had been interviewed by the Select Committee on Agriculture; the second consisted of replies from parish officials to a Royal Commission's investigation into the operation of the Poor Laws.¹ The Select Committee was concerned chiefly with the wider issue of the state of agriculture nationally, but a certain amount of information regarding the condition of farm-labourers also emerged which complements the replies to the Royal Commission's more specific questions about the poor. Again, the material from this county is rather meagre, and, while a generally optimistic view of the agricultural workers' prospects was presented by the local witness to the Select Committee, replies to the Royal Commission were submitted from only twenty-five local rural parishes. These were not representative of the whole county as the majority of replies originated from parishes in the eastern district, around

¹ Minutes of evidence taken before the Select Committee on Agriculture appeared in *British Parliamentary Papers* (1833) reprinted Shannon (1968); those from the Royal Commission's investigation of the poor laws, in *Reports on the Operation and Administration of the Poor Laws, Appendix to First report, Appendix B, Answers to Rural Queries* (1834).

Newark, a few from a cluster of places in the north and a scattering from a wider area. Moreover, as six of the parishes had been enclosed by other than parliamentary means and the remainder had all been enclosed for at least a quarter of a century, it appears unlikely that the process of enclosure was exercising any direct influence upon the labourers' condition by this date.

From these answers to the *Rural Queries* it is difficult to form a true impression of the lives of local agricultural workers in the 1830s as the objectivity of the respondents, is questionable. Persons replying to the *Rural Queries* were generally overseers of the poor, churchwardens or members of the clergy. No doubt the glowing account of the welfare of the poor at Bingham would have been modified if it had been contributed by the paupers themselves rather than by the Reverend Robert Lowe J.P. - a strenuous Poor Law reformer and firm believer in self-help, who was of the opinion that everyone willing to work could find employment if he looked for it. Even so, the picture presented is often bleak enough, although labourers in the eastern part of the county would seem to have been more comfortably circumstanced than those in the north, and probably all could have been considered reasonably prosperous in comparison with their contemporaries in the south of England. A local witness at the 1833 enquiry, who was a farmer and a land and tithe-agent of wide experience in different parts of the country, described both the physical well-being and the mental attitude of the Nottinghamshire agricultural labourer as very favourable in comparison with those in Kent and Sussex.¹ Most local labourers had access to a garden, and their way of life must have been healthier than that of persons

¹ *British Parliamentary Papers*, 1833, V, Questions 11,890 et seq., (reprinted Shannon, 1968), Vol.2. pp.566-586. See also J.D.Marshall, 'Nottinghamshire labourers in the early nineteenth century', *Trans. Thor. Soc.*, LXIV (1960), p.69.

engaged in domestic frame-work knitting, or of factory labourers in the towns where overcrowding, low wages and the volatility of the market frequently resulted in distress. For instance, during the 1840s the average age at death was lower in parts of Nottingham than anywhere else in the British Empire.¹ At all events, evidence of conditions in the mid-1830s does little to promote an appreciation of any change in the rural labourers' fortunes which might have been a direct consequence of enclosures occurring at any time during the previous seventy-five years. For more specific evidence of developments in rural communities we shall have to return to an examination of the available poor-relief records.

It would seem reasonable to expect that any record which dealt with parochial money-raising and spending would have been carefully preserved, but it will be found that overseers' accounts for this county are disappointingly diverse both in their survival rate and in the amount of information which they provide. Also, while official figures of parochial poor expenditure for the years 1776 and the mid-1780s were published in 1803, where we have the local overseers' figures for the same dates they are not always identical with those published.² Consecutive poor accounts which adequately cover the period of an enclosure are rare and are not always easy to use. Some overseers listed payments in great detail from week to week, while others merely provided annual totals, or those for one, three or six months. In addition, notwithstanding that the parochial financial year traditionally ran from Easter to Easter, accounts could be presented

¹ J.D.Chambers, 'Nottingham in the early nineteenth century', *Trans. Thor. Soc.*, XXXV (1941).

² *Reports of the House of Commons* (1803), IX, reprinted in S.Lambert (ed.), *House of Commons Sessional Papers of the Eighteenth Century*, 60 (Wilmington, U.S.A., 1975).

at other times, sometimes retrospectively, even as long as two years after the expenditure had taken place.

Also, it is often impossible to separate the actual amount spent on poor relief from other expenses, such as the County Rate, which were payable out of the poor account. Militia payments can present another problem. Relief for servicemen travelling through a parish was usually the responsibility of the constable, but support for the families of local servicemen and parish substitutes seems to have been charged to the poor account, and this payment may not always have been differentiated from that made to the local poor. One example can be found in the case of family allowance paid to the wife and child of a Nottingham man serving in the militia as the representative for Norwell Woodhouse. Details of this transaction can be traced in both the Clerk of the Peace's records and in the parish overseer's accounts but nothing in the latter indicates that the payment was not being made to a poor member of the parish.¹ Unnecessary expense was also incurred in Nottinghamshire during the early 1770s because the county failed to raise its militia. A fine of c.£2000 was imposed in 1773 of which Nottingham's share was £140 (£5 per head for the town's twenty-eight man quota), and, presumably, the other parishes would have been assessed in proportion to their commitments. An editorial in the *Nottingham Journal* (15.1.1774) commented that 'Nottinghamshire has already paid as many fines as would not only have raised the militia but erected a noble County Infirmary' - this latter was a reference to the building of the Nottingham General Hospital, for which subscriptions were being solicited at the time.

¹ N.A.O. CT.14/11. & PR.930.

There are further problems where the offices of overseer and constable, or overseer and churchwarden, were combined in one person and he failed to differentiate between the two in his records. In addition, larger parishes often appointed two overseers and these sometimes produced independent statements of disbursements. Where this situation occurs it is important to make sure that both account books are available for the whole period under review as, otherwise, any unexplained sudden doubling, or halving, of expenditure might be merely the result of a variable survival of the books rather than a reflection of some significant local upheaval. Difficulties can also arise when trying to compare poor-rates in different parishes. No annual poor-rate was fixed in many local parishes, but a standard levy (usually one shilling, or a fraction of a shilling, in the pound) was imposed as often as required to meet current demands. Even where annual rates were assessed there can be problems. For example, if the property in a parish had not been revalued for many years a high rate per pound might have to be charged to raise the required funds, but the actual cost to each rate-payer could have been less than that in a neighbouring parish in which a more realistic valuation was in force, and where the rate was apparently lower. One interesting feature of the few standard levies which cover the enclosure period of Nottinghamshire parishes is that their value usually increases sharply around the time of entry into the allotments (Figure 7:1). This, presumably, reflects a combination of an increase in the amount of assessable land at enclosure consequent upon common and waste becoming the property of individual owners, and a rise in the value of former open land.

Despite such obvious problems in the use of overseers' records they are valuable. And, although one agrarian historian is of the opinion that 'the relevance in developments in the poor law to enclosure is by no means obvious to modern scholars',¹ most would not dispute that expenditure increased during the period of parliamentary enclosure. The chief difficulty arises in trying to determine what proportion of such increase could be attributed to the enclosure process. A rise in prices accompanying periods of war, or which resulted from natural disasters - poor harvests, cattle plague, foot-rot in sheep - would have affected expenditure in parishes which contained a stable number of poor as well as those with more volatile communities. On the other hand, when prices were low and farmers were trying to make economies in their labour force an increase in applications for relief could result.

Surprisingly few scholars have made a detailed study of the connection between enclosure and poor expenditure despite the fact that such a link had been recognised long before the onset of the parliamentary movement. One local example relates to the enclosure of Car Colston in 1598 when it was apprehended that an increase in the level of poor relief would result if cottagers' rights were abolished. The more extreme effects of enclosure were mitigated by the allotment of two acres of land to each cottage together with two cowgates on the freeholders' stubble for six weeks every year. In addition, a total of more than twenty-nine acres of common land was left open. Two of the cowgates survived until 1898 and common rights were still in existence in 1970.² These rights probably continue to this day because Car Colston is one of the few Nottinghamshire villages which retain a

¹ G.E. Mingay, in his bibliographical note to the 1978 edition of *The Village Labourer*, p.284.

² T.C.Blagg, 'Car Colston', *Trans. Thor. Soc.* LXXIV (1970), pp.74-75.

large open common. Robert Thoroton, a staunch opponent of enclosure, made no mention of the concessions made to the cottagers when describing his native parish in the 1670s. However, it is noticeable that he failed to voice his usual complaint of depopulation, and contented himself with the rather peevish comment that he did not find that the enclosers of Car Colston ever found any great improvement in their fortunes or conditions.¹

In 1930 W.E.Tate attempted to clarify the relationship between the Sutton Bonington overseers accounts and enclosure award, but this line of research was not very conclusive and seems not to have been pursued elsewhere by other historians of the time.² More than half a century elapsed before the publication of K.D.M.Snell's comprehensive investigation in which evidence from records concerning population and the poor was correlated with changes in agricultural practice.³ An extensive statistical analysis was made of settlement examinations, removal orders and other poor relief records, together with abstracts from contemporary agricultural reports and social commentaries. This revealed a picture of a general deterioration in the condition of the poorer members of many rural communities as a result partly of changes in land use, and enabled a profile of the rural labourer to be presented which is founded upon firmer evidence than that previously offered.⁴ In particular, a detailed investigation of five Cambridgeshire parishes was undertaken using records of expenditure

¹ R.Thoroton, *The Antiquities of Nottinghamshire* (1677, J.Throsby's edition, Nottingham, 1790-1796, reprinted Wakefield, 1972), I, p.234.

² W.E.Tate, 'An attempt to trace the influence of eighteenth-century political events upon the condition of the poor in a Nottinghamshire village', *Trans. Thor. Soc.* XXXIV (1930), pp. 53-59.

³ K.D.M.Snell, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660-1900* (Cambridge, 1985).

⁴ K.D.M.Snell, *ibid.*, Chapter 4.

upon the poor which covered a period of several years before the date of an enclosure act and extended several years beyond the date of the award. Detailed monthly accounts were available for these parishes which revealed particulars of seasonal fluctuations in employment together with a long-term worsening of the labourers' condition, and conclusions were drawn from this which had rather more in common with those of the Hammonds than of some of Chambers' followers.¹

A breakdown of disbursement which permits a study similar to that for Cambridgeshire is not present in all overseers records, and such an intensive investigation of Nottinghamshire sources cannot be attempted here. However, a simple comparison of annual total expenditure upon the poor has been calculated in the form of a ratio series. Accounts have been discovered for twelve enclosing parishes which enable figures for three key years to be presented - that of the act, of the award, and a reasonable time after the award, ideally seven years, - all indexed in relation to the expenditure figure of the chosen base year, usually seven years before the act. This time-span has been chosen because very few consecutive accounts have been found for longer periods, and expenditure upon the poor seven years before the date of an act should have been unaffected by the prospective enclosure, while seven years after the award should allow sufficient time for the completion of any works associated with the project. However, it is possible that the engrossment of farms during the pre-act period might have had an effect upon employment similar to that of enclosure itself or, in places, the physical enclosure of the land could have required temporary labour for an extended time after the signing of the award.

¹ K.D.M. Snell, *ibid.*, pp.200-207.

The twelve sets of accounts under consideration do not all fulfill these above pre- and post-enclosure criteria, but they all cover a significant period, as do those from two other parishes for which merely confirmatory acts were obtained. Expenditure from relevant years for all these parishes has been related to figures of a comparable date from places not affected by the enclosure process (Appendix E). The results of this exercise are interesting but not conclusive, and may be misleading. In the first place, parishes for which we have continuous poor accounts constitute only a small fraction of those in the county and may not be representative of the majority. Moreover, it must be emphasised that without a microscopic investigation of all the relevant data pertaining to every parish, we cannot be certain that other factors were not influencing poor relief during the period of an enclosure. Ideally, comparisons ought to relate to annual expenditure upon the poor in all parishes over the entire parliamentary enclosure period. Population size, the type of soil and the degree to which this would lend itself to exploitation after enclosure, the proportion of land subject to enclosure or remaining open in parishes yet to be enclosed, should all be taken into account. The amount of consolidation of landownership and opportunities for non-agricultural employment would also have been important, while probable general increases in payments during notoriously high-price periods such as 1795-6, 1800-1 and around 1812 would have to be considered. Such an exhaustive investigation on a county scale is unlikely ever to be possible given the defectiveness of surviving records and the statistical controls required, and even an examination in depth of the limited number of examples available would present a formidable task.

Returning to the parishes for which some degree of comparison can be made, no contemporary overseers' records have been found for enclosures which were completed during our earliest phase of parliamentary activity (1759-60), and Carlton-in-Lindrick (enclosed 1767-68) is the only parish with suitable accounts from the second phase. Most of the other evidence relates to the 1790s or the early years of the nineteenth century, although there are details for two parishes (Screveton and Elkesley) with confirmatory acts dating from the 1770s, and for two late enclosures (Sturton-le-Steeple and Norwell) which were completed shortly before the advent of the New Poor Law.

No clear picture emerges from the figures in Appendix E, although certain general trends might be observed. For instance, except for Carlton-in-Lindrick, all the enclosing parishes in our sample showed an increase in expenditure during the period between act and award irrespective of the date of their enclosure. Furthermore, nearly all parishes recorded a rise in outlay over the whole period for which they have been examined, the exceptions being Screveton's confirmatory enclosure, and the three places with most recent acts (East Markham, Sturton-le-Steeple and Norwell) which would appear to have reduced their poor expenses after the award. Nevertheless, the figures for Sturton-le-Steeple and Norwell in the 1830s may be illusory as this county was the home of severe Poor Law reformers and Norwell's reduction in expenditure, in particular, may have been partly the result of the parish becoming one of the group subscribing to the Thurgarton Incorporated Workhouse. In his evidence before the Parliamentary Select Committee on agriculture (1833) Mr Smith Woolley,

a land agent and farmer from South Collingham, stated that the poor rate had been reduced by one-third in his parish since joining the Incorporation and applying the Rev. Becher's principals to the poor.¹

Why East Markham should have recorded a similar reduction as early as 1822 is not known. It is noticeable that fifty-six allotments of less than twenty acres of land were awarded (Appendix B) in this parish of one hundred and seventy-three families, and this circumstance may have tempered the more unsociable effects of enclosure. The difference in the proportional rise in poor relief experienced at Tuxford and Harworth, where the two enclosures were taking place simultaneously, might also reflect to some extent the post-enclosure pattern of landownership; forty-one allotments of less than twenty acres being awarded in the former parish and only four in the latter. However, much more intensive investigation would be required at parish level before the importance of small enclosure allotments to the general welfare of the community could be assessed.

Of course, most of the late eighteenth-century enclosures were taking place during one or more of the high-price periods mentioned above, and this would probably have been a factor in the, often substantial, rises which occurred. Some support for this supposition may be found in the figures for parishes not enclosed by act which also experienced an increase at comparable dates, although how much credence should be given to evidence of this kind is questionable. Admittedly, most parishes were likely to have experienced high prices and high levels of relief at the same time, and one would expect such conditions to have weighed more heavily upon a community suffering the

¹ *British Parliamentary Papers, Report from the Select Committee on Agriculture*, V (1833), questions 11959 & 11960. A summary of the changes which resulted locally from the operation of the New Poor Law will be found in M. Caplan, *In the Shadow of the Workhouse: The Implementation of the New Poor Law throughout Nottinghamshire* (Nottingham 1985).

upheavals of an enclosure than upon one where conditions were more stable. Yet we seldom know what stage of the process a non-parliamentarily enclosed parish had reached. Some would have been completely enclosed at an early date, some might have retained a significant amount of open land until well into the nineteenth century, while others could have been carrying out an enclosure coincidentally with those authorised by parliament, and could have been subject to similar pressures. This would seem to have been the case in one parish (Bilsthorpe) for which reliable dates of non-parliamentary enclosures have been found. Here, the Town's Meadow was enclosed between 1764 and 1770, and the open fields and common had been enclosed by 1776. Using 1765 as the base year, figures for poor relief in this parish produce an index of 136 for 1776 and 162 for 1783.¹

One other national record of parish poor should be mentioned here. This is the *Enquiry into the Education of the Lower Orders* (1819), which was undertaken in 1818, and, while the chief concern of the enquiry was with the types of school available and the number of children attending them, the printed report records the population of each parish in 1811 and their number of poor in 1815.² This information is tabulated in Table 6:1a, where the percentage of poor in each parliamentarily enclosed parish or chapelry is also calculated, and in Table 6:1b, where comparable information is given for parishes which were not subject to parliamentary enclosure.

¹ N.A.O. DR.1/3/2/1 Bilsthorpe (1770); DD.BO/2-3; DD.BO/4; PR.1579.

² *British Parliamentary Papers; Education of the Lower Orders, 1818* [1819 (224) Vol.IX], part 2 (reprint Shannon, 1968), pp.711-716.

Table 6:1a

**Distribution of Nottinghamshire Poor (1815) in Parishes Enclosed
by Parliamentary Act
(County average 6.96% of 1811 population)**

Parish or Chapelry	Date of Act	Population 1811	Number of poor 1815	Percentage of population
STAUNTON	1759	128	6	4.69
EVERTON & HARWELL	1759	679	33	4.86
BARTON-IN-FABIS	1759	347	34	9.80
HAWKSWORTH	1760	152	11	7.24
COSTOCK	1760	307	27	5.54
HAYTON	1760	233	7	3.00
UPPER BROUGHTON	1760	278	6	2.16
CODDINGTON	1760	366	21	5.74
NORTH & SOUTH CLIFTON	1760	682	33	4.84
MISSON	1760	571	28	4.90

LOWDHAM, CAYTHORPE & GUNTHORPE	1765	1127	62	5.50
WILFORD	1765	494	15	3.04
CARLTON-ON-TRENT	1765	255	10	3.92
BALDERTON	1766	659	50	7.59
LENTON & RADFORD	1767 & 1796	1197	151	12.61
RUDDINGTON	1767	3447	70	2.03
CARLTON-IN-LINDRICK	1767	1017	35	3.44
FARNDON	1767	631	47	7.45
REMPSTONE	1767	451	24	5.32
EPPERSTONE	1768	384	18	4.69
BURTON JOYCE & BULCOTE	1768	429	37	8.62
HUCKNALL TORKARD	1768	564	41	7.27
BLIDWORTH	1769	1793	175	9.76
NORMANTON-ON-SOAR	1769 & 1805	557	98	17.59
MATTERSEY	1770	308	19	6.17
STAPLEFORD & BRAMCOTE	1770	351	13	3.70
NORTH MUSKHAM & BATHLEY	1771 & 1845	954	53	5.56
HOLME	1771	378	30	7.94
MISTERTON & WEST STOCKWICH	1771	515	25	4.85
LANEHAM	1771	109	7	6.42
CROMWELL	1771	1339	61	4.56
GREASLEY	1772	337	25	7.42
SUTTON BONINGTON	1772	194	13	6.70
WEST RETFORD	1773	194	13	6.70
FINNINGLEY	1774	3673	174	4.74
FLINTHAM	1774	862	68	7.89
SCROOBY	1774 & 1776	542	29	5.35
HICKLING	1774	588	18	3.06
SUTTON-CUM-LOUND	1775	455	19	4.18
BECKINGHAM	1775	293	17	5.80
	1775	476	34	7.14
	1775	584	41	7.02
	1776	438	16	3.65

Table 6:1a continued

Parish or Chapelry	Date of Act	Population 1811	Number of Poor 1815	Percentage of population
CLARBOROUGH & WELHAM	1776	1531	39	2.55
SCREVEYTON	1776	247	14	5.67
WINTHORPE	1777	194	2	1.03
FARNSFIELD	1777	697	56	8.03
HALAM &	1777	271	20	7.38
EDINGLEY		286	18	6.29
BLEASBY	1777	269	18	6.69
OLLERTON	1778	462	21	4.55
CALVERTON	1779	904	57	6.31
ELKESLEY	1779	306	16	5.23
SCARRINGTON &	1780	171	7	4.09
ASLOCKTON		215	6	2.79
<hr/>				
TROWELL	1787	482	30	6.22
RADCLIFFE-ON-TRENT	1787	924	43	4.65
CROPWELL BISHOP	1787 & 1802	364	11	3.02
WHATTON	1789	372	24	6.45
ARNOLD	1789	3042	383	12.59
NORTH COLLINGHAM	1790	660	24	3.64
COTGRAVE	1790	666	58	8.71
CLAYWORTH	1790	516	31	6.01
EASTWOOD	1791	1120	39	3.48
SYERSTON	1792	137	8	5.84
LAMBLEY	1792	583	47	8.06
GEDLING & CARLTON	1792	1739	56	3.22
STOKE BARDOLPH	1792	164	14	8.54
BASFORD	1792	2940	83	2.82
GRANBY & SUTTON	1793	342	18	5.26
ORSTON &	1793	356	35	9.83
THOROTON		103	9	8.74
WILLOUGHBY-ON-THE-WOLDS	1793	305	38	12.46
SUTTON-IN-ASHFIELD	1794	3994	239	5.98
UPTON	1795	325	43	13.23
CAUNTON	1795	341	19	5.57
NORTH LEVERTON &	1795	286	18	5.94
HABBLESTHORPE		99	4	4.04
SOUTH LEVERTON &	1795	324	13	4.01
COTTAM		59	6	10.17
WOODBOROUGH	1795	611	33	5.40
KIRKBY-IN-ASHFIELD	1795	1123	93	8.28
EAST STOKE &	1795	363	26	7.16
ELSTON		383	37	9.66
SNEINTON	1796	953	42	4.41
WESTON	1796	286	17	5.94
GRINGLEY-ON-THE-HILL	1796	573	28	4.89
EAST BRIDGFORD	1796	662	39	5.89
BUNNY	1797	374	18	4.81
EAST LEAKE	1798	737	35	4.75
KEYWORTH	1798	401	30	7.48
HARWORTH	1799	512	44	8.59
TUXFORD	1799	841	32	3.80

Table 6:1a continued

Parish or Chapelry	Date of Act	Population 1811	Number of poor	Percentage of population
NORMANTON-ON-TRENT	1800	288	19	6.60
NEWARK	1800	7236	292	4.04
WYSALL	1800	279	25	8.96
ORDSALL	1800	599	26	4.34
WALKERINGHAM	1802	453	46	10.15
WIDMERPOOL	1802	230	14	6.09
TOLLERTON	1803	142	10	7.04
DUNHAM & RAGNALL	1803	295	13	4.41
SUTTON-ON-TRENT	1803	137	23	16.79
GOHAM	1804	731	45	6.16
PLUMTREE & CLIPSTONE	1804	549	73	13.30
BEESTON	1805	456	45	9.87
ELTON	1806	1342	35	2.61
STRELLEY & BILBOROUGH	1807	97	7	7.22
ANNESLEY	1808	298	34	11.41
SKEGBY	1808	269	45	16.73
WEST MARKHAM	1808	411	30	7.30
GAMSTON (nr. Retford)	1808	453	22	4.86
EATON	1808	181	12	6.63
EAST MARKHAM	1809	341	40	11.73
	1809	200	7	3.50
	1810	589	30	5.09

BLYTH	1814	1759	135	7.67
HEADON-CUM-UPTON	1815	232	11	4.47
WARSOP	1818	1047	82	7.83
EDWINSTOWE	1818	890	53	5.96
EAST DRAYTON	1819	226	11	4.87
WALESBY & KIRTON & EGMANTON	1821	287	27	9.41
STURTON LE STEEPLE & LITTLEBOROUGH	1821	165	12	7.27
NORWELL	1822	312	20	6.41
	1822	526	56	10.65
		60	3	5.00
	1826	547	36	6.58

NORTH WHEATLEY	1836	373	26	6.97
OSSINGTON	1836	255	18	7.06
ASKHAM	1837	231	14	6.06
FISKERTON CUM MORTON	1837	313	18	5.73
TRESWELL	1837	212	10	4.72
NOTTINGHAM	1839 & 1845	34253	3461	10.10
WELLOW	1840	378	16	4.23
EAST RETFORD	1842	2030	135	6.65
RAMPTON	1842	313	25	7.99
BESTHORPE	1845	233	15	6.44
GIRTON	1848	129	11	8.53
MANSFIELD WOODHOUSE	1849	1349	199	14.75
OXTON	1849	778	65	8.35
MANSFIELD	1850	6816	279	4.09
LINBY	1853	434	18	4.15
BOUGHTON	1867	217	22	10.14
SELSTON	1868	1102	68	5.72

Table 6:1b

**Distribution of Nottinghamshire Poor (1815) in Parishes
not Enclosed by Parliamentary Act
(County average 6.96% of 1811 population)**

Parish or Chapelry	Date of Enclosure	Population 1811	Number of Poor 1815	Percentage of population
ATTENBOROUGH	C17 ?	870	62	7.13
AVERHAM	c. 1780	186	17	9.14
BABWORTH	c. 1775	310	17	5.48
BARNBY-IN-THE-WILLOWS	1681	204	10	4.90
BEVERCOTES		26	4	15.38
BILSTHORPE	c. 1770 & 1776	212	31	14.62
BINGHAM	C17	1424	87	6.11
BOLE	mid-C19	181	6	3.31
BOTHAMSALL	late-C18 ?	287	38	13.24
BRADMORE	1770s	407	15	3.69
WEST BRIDGFORD		210	4	1.90
BULWELL	C19	1944	54	2.78
WEST BURTON	c. 1750	19	4	21.05
CARBURTON		131	10	7.63
CARCOLSTON	1588	167	6	3.59
CLIFTON-CUM-GLAPTON	c. 1765 ?	399	25	6.27
SOUTH COLLINGHAM		566	31	5.48
COLSTON BASSETT	C16	257	6	2.33
COLWICK	C17	102	10	9.80
COSSALL		328	15	4.57
COTHAM	C17	73	11	15.07
CUCKNEY	pre-1790	1273	70	5.50
DARLTON	c. 1796	139	7	5.04
WEST DRAYTON		113	3	2.65
EAKRING		500	16	3.20
EDWALTON		138	13	9.42
FLAWBOROUGH	C17	71	2	2.82
FLEDBOROUGH	pre-1714	82	9	10.98
GAMSTON (W.B.)	c. 1803	116	4	3.45
GONALSTON	mid-C18	127	9	7.09
GROVE	pre-1790	100	6	6.00
HALLOUGHTON		93	10	10.75
HAWTON	C17	167	16	9.58
HOCKERTON	c. 1770	103	13	12.62
HOLME PIERREPONT	C15 or C16	191	33	17.28
HOUGHTON		31	8	25.81
HOVERINGHAM	c. 1770	339	16	4.72
KELHAM		219	17	7.76
KILVINGTON	C16 & C18	44	3	6.82
KINGSTON-ON-SOAR	C15 or C16	155	14	9.03
KINOULTON	1612	307	16	5.21
KIRKLINGTON		237	31	13.08
KNEESALL	c. 1795	502	27	5.38
KNEETON	C17	103	6	5.83

Table 6:1b continued

Parish or Chapelry	Date of Enclosure	Population 1811	Number of Poor 1815	Percentage of population
LANGAR CUM BARNSTONE	C17 ?	271	14	5.17
LANGFORD	pre-1790	118	18	15.52
LAXTON		561	42	7.49
WEST LEAKE	1742 & 1754	183	8	4.37
MAPLEBECK		175	14	8.00
MARNHAM	C19	322	34	10.56
MORTON		135	18	13.33
SOUTH MUSKHAM		284	21	7.39
NUTHALL	C18 ?	326	54	16.56
OWTHORPE		117	11	9.40
PAPPLEWICK		789	69	8.74
PERLETHORPE		75	10	13.33
RATCLIFFE-ON-SOAR		169	17	10.06
ROLLESTON	C17	269	13	4.83
RUFFORD		285	37	12.98
SAUNDBY	pre-1790	82	11	13.41
SOUTH SCARLE		149	13	8.72
SHELFORD	mid-C18	444	49	11.04
SHELTON	C17	52	5	9.62
SIBTHORPE	C17 ?	98	13	13.27
SOUTHWELL		2674	196	7.33
STANFORD-ON-SOAR	C17 ?	120	23	19.17
STANTON-ON-THE-WOLDS	C17	113	11	9.73
STAYTHORPE	C18 ?	54	2	3.70
STOKEHAM		37	3	8.11
TEVERSAL		368	18	4.89
THORNEY	pre-1790	201	12	5.97
THORPE (Nr. Newark)	C17	48	5	10.42
THORPE-IN-THE-GLEBE	C15	16	6	37.50
THRUMPTON	C17	119	8	6.72
THURGARTON	C17 & C18	292	27	9.25
TYTHBY	C17 ?	549	23	4.19
SOUTH WHEATLEY	mid-C18	33	3	9.09
WINKBURN	mid-C18	153	10	6.54
WOLLATON	C16	769	27	3.51

Of course, these figures are only for one year (1815) and are difficult to evaluate in isolation, and, without extremely detailed investigations at parish level, not least into the way eligibility for poor-relief was assessed, comparisons are likely to be misleading. Obviously, high percentages of poor tended to be recorded where there was a small population because a few persons constituted a large

proportion of the total. Also, where small communities were substantially 'squires' villages, especially if the owner took a personal interest in the welfare of his tenants, the number of pensioners would probably have been higher than in the more egalitarian parishes. This probably accounts for the high returns from the 'Dukeries' estates of Perlethorpe and Rufford, and for Gamston (near Retford). Here, the Duke of Newcastle was the sole proprietor and, despite the percentage of poor being far above the county average in 1815, it was remarked later that 'Few of the evils of poverty can be felt in a village like this, where every cottager has comfortable shelter, a garden, and pasturage for a cow, at low rent'.¹

Apart from this generally high proportion of poor in the more sparsely populated places, no particular pattern is discernible in the percentages recorded for parishes enclosed by act or by other means, or for those which still contained open land of some kind in 1815. Even places such as Lenton and Radford which were enclosed under joint acts, and which developed in a similar way, show a wide variation in their proportions of poor. Nor, despite the comments regarding the distress of manufacturing labourers in Nottingham in 1816 (cited above) and widespread unrest in the local hosiery industry at this period, do the framework-knitting villages, on the whole, compare badly with those which were purely agricultural.

¹ J. Curtis, *A Topographical History of Nottingham and Nottinghamshire from Actual Survey* (Nottingham, 1843-4), not completed.

Table 6:2

Proportion of Population Registered as Poor in Principal
Nottinghamshire Framework-Knitting Villages

Parish	No of frames (1844)	Date of enclosure act	Percentage of families engaged in	Percentage of poor (1815)
agriculture (1811)				
Arnold	1259	1789	25.95	12.59
Basford	487	1792	19.00	2.82
Beeston	269	1806	23.36	2.61
Bingham	58	no act C17	33.33	6.11
Blidworth	85	1769 & 1805	53.84	17.59
Brinsley (Greasley parish)	489	1775	30.11	4.74
Bulwell	596	no act C19	38.13	2.78
Burton Joyce	106	1768	56.18	7.27
Calverton	382	1779	33.90	6.31
Carlton	542	1792	21.79	7.45
Caythorpe (Lowdham parish)	67	1765	51.85	5.50
Chilwell (Attenborough parish)	75	no act C17?	19.59	7.13
East Leake	114	1798	54.05	4.75
Eastwood	142	1791	7.04	3.48
Gunthorpe (Lowdham parish)	56	1765	60.81	5.50
Hucknall Torkard	815	1769	16.76	9.76
Huthwaite (Sutton-in-Ashfield parish)	280	no act	20.77	5.98
Keyworth	78	1798	60.00	7.48
Kirkby-in-Ashfield	474	1795	19.24	8.28
Lambley	314	1792	45.00	8.06
Lowdham	87	1765	57.00	5.50
Mansfield Woodhouse	179	1849	26.98	14.75
Oxton	54	1849	53.02	8.35
Radford	720	1767 & 1796	4.00	2.03
Ruddington	330	1767	42.40	3.44
Selston	185	1868	31.53	5.72
Skegby	130	1808	43.40	4.86
Southwell	120	no act	27.15	7.33
Sutton Bonington	110	1774 & 1776	31.82	7.89
Sutton-in-Ashfield	1702	1794	10.96	5.98

Details of the principal framework-knitting villages which appeared in J.Blackner's list for 1812, and which the 1845 *Report into the Condition of the Framework Knitters* recorded as containing at least fifty frames in 1844, appear in Table 6:2.¹ The percentage of families recorded in the 1811 Census Abstracts as engaged in agriculture has also been included in an attempt to determine if parishes with a population predominantly employed in industry or trade contained a higher proportion of poor than those where occupations were more varied.

Of course, apart from domestic framework-knitting and that carried out in small workshops, several of the parishes listed in Table 6:2 also contained large cotton or worsted mills and the closure of one of those would have made a considerable impact upon a community. The fact that a large mill at Arnold was standing empty by 1810, and was later demolished, may have accounted to a certain extent for the large number of poor in that parish. Also, while the type of industry in some places was almost exclusively the manufacture of stockings and lace, elsewhere these occupations were interspersed with others. For example, the low percentages of poor persons in Basford and Bulwell could have reflected the opportunities for employment in the dyeing and bleaching industry in the former village and in limestone quarries and cotton-printing in the latter.

This is only speculation, and diversity of available employment certainly did not result in fewer poor in Nottingham, where they comprised over ten per cent of the population. Nor does the presence of a considerable number of agricultural families seem to have had any bearing upon the percentage of poor in our more industrialised

¹ J.Blackner, *History of Nottingham* (1815), pp.238-240: *British Parliamentary Papers; Report into the Condition of the Framework Knitters*, Vol.XV (1845).

villages. Only in the coal-mining parishes of Eastwood, Brinsley, Greasley and Wollaton is there any uniformity of a proportion of poor, and these were well below the county average. Presumably, coal was always in demand and mining provided more stable employment than either the other industries or agriculture. Otherwise, no clear correlation can be found between a parish's poor and the extent of its industrialisation. Indeed, Blidworth, which had a population employed fairly evenly between industry and agriculture recorded the highest percentage of poor of any reasonably sized village in the county.

Another question which is central to most of the discussions regarding the post-enclosure fate of rural labourers is that of how local common-right owners were compensated. Of course, not all parishes contained common or waste land at the date of their enclosure, while others retained only negligible amounts, but where a reasonable area of common did exist the rights upon it have been seen as crucial to their owners' independence. Indeed, J.D.Chambers commented that use of the common might well have been the most important part of a cottage occupier's livelihood and its loss proportionally disastrous.¹ In fact, the high proportion of poor in Blidworth in 1815 might have been related to the enclosure of more than two thousand acres of common and waste which had taken place between 1805 and 1812, especially as, unlike in the earlier enclosure of 1769, this land was distributed chiefly to larger owners (Appendix B).

Compensation for common rights could be calculated in several different ways, some more beneficial to the recipients than others. For example, in the first of two enclosures at Blidworth (1769) the occupiers of copyhold common-right messuages and cottages were awarded

¹ J.D.Chambers, *Nottinghamshire in the Eighteenth Century* (1932), p.183.

one acre of land for every two hundred acres of the common forest and waste enclosed, plus half an acre for every cowgate. More often, a specific acreage of land was allocated for each common-right irrespective of the amount of land being enclosed and this would be deducted immediately after the roads, right of soil and tithe allotments had been decided. Or, after the usual deductions had been made, the residual common and waste would be split into two halves, one half to be divided amongst owners of common-right cottages or messuages, the other allocated to those who possessed land entitled to such rights.

Yet, even when an allotment in lieu of right of common could be considered reasonable, it is not certain that every person who had enjoyed the former right would still have had the use of the land given in compensation. A small owner might have sold his allotment, either because he could not afford to fence it or, if he did not occupy his property, may not have considered the expense of enclosure to have been worthwhile. In such instances, the tenant of a cottage who had been entitled to its attached rights was unlikely to have been able to afford the rent of enclosed land in replacement for his lost use of the common. Also, where a large area of unstinted common existed, persons not legally entitled to a right may have been allowed customary usage, but such toleration would have been unlikely to have extended to the acceptance of a claim for an allotment of land at enclosure. Nor do we know how many of those who believed themselves to have had a legal entitlement to common rights had their claims disallowed.

Little record of the way common-right claims were decided appears to have survived for this county. We do, however, have published details of those from Sutton-cum-Lound and Clarborough, and the

commissioners' decisions regarding their validity. In each of these parishes only one claimant received no compensation although a number of multiple claims were reduced.¹ Also, despite the fact that the allotments could not be entered until almost two years after their allocation at Sutton-cum-Lound, and just over a year at Clarborough, there is no reason to suppose that there were extensive sales of allotments before the enclosures were completed. All except one of the claimants appear in the enclosure awards and he, the owner-occupier of a toft, may provide a genuine example of a cottager selling his common-right allotment rather than incurring the expense of enclosure.

Even so, although the legal owners of common-right at Sutton-cum-Lound and Clarborough would appear to have been treated fairly, we do not know how many persons not entitled to specific rights might have been injured by the enclosures. Doubtless, the enclosure of a common, especially one that was large and unstinted, would often have been detrimental to many persons who had enjoyed rights upon it. For those, however, whose claims were upheld enclosure might not always have been a disadvantage. It may be argued that the sale of a common-right for a fair price would have provided the funds for an otherwise landless man to acquire an interest in a business, or, if he had a skill, to become self-employed.

Much would have depended upon the value of the common right, and this would have varied from parish to parish depending upon the state of the land, ease of access to it and the kind of rights enjoyed. For instance, the forty-three proprietors who sold fifty-seven small allotments on Radley Common at its enclosure in 1774 would appear to

¹ *Nottingham Journal*, 30.12.1775 & 21.9.1776.

have benefited from the transaction. Radley Common lay some two or three miles from the large village of Southwell, and an analysis of the occupations and social standing of the vendors suggests that the possession of a right of common there would probably have been of minor importance to the majority of them. Only one person was described as a labourer, eleven were classed as 'esquire', 'gentleman' or 'reverend', four were farmers, eight widows, sixteen craftsmen or tradesmen of various types and three not distinguished by any specific style or occupation.¹ Also, fourteen of these common-right owners lived outside the parish, three as distant as Norfolk, Staffordshire and London.

The purchaser of the Radley allotments was George Hodgkinson, local lawyer and land agent, who had been awarded four plots totalling about eight and a quarter acres. He was ideally placed to appreciate the potential of Radley Common as apart from acting as a commissioner, or clerk to the commissioners, in several of the county's enclosures, he was land agent to such notable proprietors as Sir Richard Sutton and the Archbishop of York (Chapter 3). Also, as Steward of the Copyhold Court of the Manor of Southwell he was intimately concerned with the transfer of property and land within that manor. By the acquisition of the other fifty-seven allotments George Hodgkinson was able to establish a compact farm of one hundred and forty-five acres which he serviced with a substantial house and other farm buildings. The average purchase price paid for the allotments was £12.16.3d per acre but payment ranged from nothing to just over twenty-one pounds.²

¹ B.Hardstaff, in P.Lyth (ed.), *Farms and Fields of Southwell* (Nottingham, 1991 edn.), pp.31-33.

² N.A.O. DD.M. 71/255

The highest price (£400 for nineteen acres and eleven perches - £21.0.6d. per acre) was paid to a wealthy landowner, but the sole labourer involved in the transaction was recompensed at only a slightly lower rate - £40 for his allotment of two acres and five perches. At the other extreme, it is not clear why two owners of one acre and eleven perches each (the acreage awarded in lieu of one toftstead common claim) should, apparently, have received nothing and £5.8.6d respectively. Possibly, remembering Hodgkinson's involvement in so many fields of activity, these two proprietors may have received compensated for their land in some other form.

Why there should have been such disparity in the prices paid for these allotments is not known as there was little difference in the quality of the soil. However, George Hodgkinson had been thwarted in an earlier attempt to procure an act for this enclosure, and the publicity arising from doubts cast upon the legality of this former transaction could have alerted the owners of common rights to an appreciation of their value. The fact that smaller owners may not always have realised the worth of their rights is highlighted by a pseudonymous notice published in the *Stamford Mercury* (23.8.1799) subscribed 'A poor man's friend; Humphrey Clinker'. This notice read: 'Cottagers and commoners of several parishes lately inclosed in this county having been deceived by attorneys concerning their true value, and persuaded to sell their commons for an old shoe: the commoners of parishes intending to be inclosed (who can't afford to inclose) receive this hint, viz, to sell their commons by auction'. Presumably, transactions carried out in Lincolnshire were the ones referred to but the *Stamford Mercury* enjoyed a circulation well beyond that county and, no doubt, the same warning would have been valid for common-right owners elsewhere.

It is even possible that the more astute proprietors, aware of Hodgkinson's interest in acquiring the whole of the land, might have held out for higher compensation than their allotments would otherwise have warranted. During the eighteenth century, as nowadays, the location of land or the use to which a purchaser wished to put it could enhance the value beyond the ostensible market price. In 1798 Lord Newark's steward advised his employer upon the extra price he should ask for a farm because the land was intermixed with that of the prospective purchaser and would become more valuable by becoming part of a compact holding. Also, it was represented to his Lordship that, as he would not otherwise have sold this farm, he had a right to demand a further premium for accommodating the purchaser.¹ A similar consideration was advanced by an enclosure commissioner to the patron of the living of Walesby when soliciting permission for exchanges of land between the vicar and the Duke of Newcastle at the enclosure of that parish. In this letter it was pointed out that the proposed exchange would certainly increase the value of the living, and that His Grace hoped the patron would approve as it would also make the Duke's estate in Walesby more compact.²

Details of transactions associated with enclosure allotments are rare and Radley Common provides a good illustration of the danger of generalising about the effects of enclosing common land. Certainly, this enclosure cannot be cited as a text-book example of poor common-right owners, unable to afford the fencing of their allotments, being reduced to the expediency of making a living by means of a mixture of

¹ B.L.Egerton MSS, 3516 fol. 178, quoted in J.V.Beckett, *The Aristocracy in England 1660-1914* (Oxford 1986), p.80.

² N.A.O. DD.SR. 217/8.

wage-labour and poor relief. Yet, perhaps it has been too often assumed that common rights usually belonged chiefly to small owners and landless cottagers, whereas it is possible that a significant proportion of cottage common-rights were submitted by substantial proprietors. Unfortunately, comprehensive lists of claims are rare and even where they exist there is nothing to distinguish the genuine cottage-commoners from claimants who might be major landowners elsewhere, or large-scale tenant farmers within the parish. The same problem of identifying authentic small owners applies to Appendices A & B, which categorise the the recipients of allotments according to the acreage awarded, and include all persons who received land in a specific parish irrespective of their place of abode or ownership of land elsewhere. An illustration may be found in the Blidworth enclosure of 1769 where eighteen of the thirty-nine small allotments were awarded to common-right holders from Oxton.

Of course, some parishes may have contained a considerable number of small owners although very few cottages were recorded as owner-occupied in the small sample of Nottinghamshire replies to the *Rural Queries*. As mentioned above, it is unlikely that cottage-tenants would have been able to afford to rent newly-enclosed land, and, even in his more optimistic moments, J.D.Chambers appreciated that the consequences of the enclosure of common and waste land would have borne most heavily upon the landless tenant. Whether such tenants, deprived of access to the common, would have been able to subsist without assistance is still a topic of debate among historians. No doubt some labourers would have migrated to the towns under similar compulsions to those which drove many farm workers to the cities after being caught up in the agricultural depression of the late-nineteenth century. Others, who remained in their native parish, would possibly have had to rely upon charity to supplement their incomes, and this

consideration brings us back to the question of the relationship between parliamentary enclosure and increased expenditure upon the poor.

As seen above, no definite connection can be established from the information available. This is not really surprising as, even disregarding the enclosures authorised under General Acts, the process was taking place over almost seventy years and its effects would have varied from place to place at different periods. Moreover, consecutive parish poor accounts covering the years of local enclosures are rare and those found are not representative of parishes in all districts of the county or from all phases of enclosure. The figures which we have generally reflect an increase in poor expenditure over the relevant period but this increase is not always significantly greater than that in parishes which were not experiencing enclosure at the time, and in several cases the increase in enclosing parishes is lower (Appendix E).

From this evidence it would appear that enclosure was not the dominant factor in the increase in poor expenditure. However, to return to the question of the distribution of land at enclosure and the possible creation of a body of landless poor. It will be found that where a significant proportion of parish acreage had been enclosed the distinction in the proportion of poor recorded in 1815 between places in concentrated ownership and those where it was much more dispersed is not as clear as might be expected. In fact, there appears to be a possibility that in parishes which lacked a dominant landowner, and where a large number of small allotments were awarded, the increase in poor may have been higher than in parishes which contained very few owners. Conceivably, if small allotments were used as sites for the building of cheap cottages or tenements, rather than for subsistence agriculture, a parish's population could become

overweighted with landless labourers or domestic framework-knitters, who were always vulnerable to economic change. On the other hand, when the major part of the land was allocated in larger allotments to one or few persons the manorial or landlords' control of a parish could ensure that this did not happen.

This brings us into the complicated realm of 'open' and 'closed' villages, which is outside the scope of this study. Suffice it here to note that a comparison of the profiles of allotments (Appendix A) and the proportions of poor persons in seven places (Arnold, Elston, Farnsfield, Orston, Thoroton, Upton and Willoughby-on-the-Wolds) is interesting. All these parishes had more than fifty per cent of their acreage enclosed by act before 1815, all had a considerable number of small allotments awarded and all registered more than eight per cent of parish poor in 1815. However, a great deal of research into eighteenth and early-nineteenth century population movement and the migration of individuals or their receipt of poor relief is necessary before cause and effect can be satisfactorily demonstrated on a wider scale.

CHAPTER SEVEN

The Cost of Parliamentary Enclosure in Nottinghamshire

The high cost of parliamentary enclosure is, perhaps, the sole aspect of the process upon which most commentators are agreed.¹ As early as 1770, Arthur Young expressed the opinion that the method was 'absurdly extravagant', and historians have endorsed this view; the main exception being W.E.Tate, who considered the expenses to have been generally reasonable, even for the smallest owner.² However, while the majority of earlier scholars, working with assessments based upon levies recorded in enclosure awards, were convinced that the costs were excessive, later research has led to the conclusion that the undertaking was even more expensive than previously thought.³ In more recent years, material has become available which gives an indication of the extent of pre- or post-enclosure charges, and it is now appreciated that figures published in the awards are inadequate for the estimation of total expense. In fact, W.E.Tate had recognised the importance of solicitors' accounts etc. some ten years before he published his paper on Oxfordshire expenses,⁴ yet his conclusions that these expenses were reasonable were based upon information contained in awards.

¹ A.Young, *A Six Months' Tour through the North of England* (1770), Vol.I, pp.254-60; W.Hasbach, *The History of the English Agricultural Labourer* (1908), pp.63-6; H.Levy, *Large and Small Holdings* (Cambridge, 1911), pp.24-5; E.C.K.Gonner, *Common Land and Enclosure* (1912), p.78; Lord Ernle, *English Farming Past and Present* (1912); J.L.& B.Hammond, *The Village Labourer* (1913), p.98.

² W.E.Tate, 'The cost of parliamentary enclosure in England (with special reference to the county of Oxford)', *Econ. Hist. Rev.* V (1952), p.265.

³ M.E.Turner, 'The cost of parliamentary enclosure in Buckinghamshire', *Ag. Hist. Rev.*, XXI (1973), pp.35-46.

⁴ W.E.Tate, 'Some unexplored records of the enclosure movement', *Eng. Hist. Rev.*, 57 (1942), pp.250-63.

Table 7:1

Nottinghamshire

Average general expense of enclosure, per acre; net acreage assessable

Parish	Year of act	Acreage upon which costs were levied			Total costs*			Average cost per acre (shillings)
		a.	r.	p.	£	s.	d.	
EVERTON & HARWELL	1759	2337	0	2	2281	11	3	19.5
HAWKSWORTH	1760	528	0	7	565	16	6	21.4
UPPER BROUGHTON	1760	1350	2	5	912	5	7	13.5
COSTOCK	1760	652	1	35	644	11	0	19.8
CODDINGTON	1760	1792	2	39	872	1	8	9.7
LOWDHAM	1765	2134	3	20	1252	7	3	11.7
WILFORD	1765	958	0	12	980	0	0	20.5
CARLTON-ON-TRENT	1765	576	0	6	525	0	0	18.2
RUDDINGTON	1767	2395	3	36	824	18	8	7.0
LENTON & RADFORD	1767	1048	1	5	884	5	0	16.9
REMPSTONE	1768	1078	2	28	980	11	9	18.2
HUCKNALL TORKARD	1769	889	0	0	2165	0	0	48.7
FLINTHAM	1775	1497	1	0	1345	9	2	18.0
BECKINGHAM	1776	1289	3	5	2463	17	2	38.2
GEDLING	1792	2797	3	39	8241	7	9	58.9
WOODBOROUGH	1795	993	2	19	3630	3	11	73.1
EAST LEAKE	1798	1937	0	11	5783	0	9	59.7
TUXFORD	1799	1230	2	23	5163	0	0	83.9
DUNHAM & RAGNALL	1803	1152	1	32	8244	5	4	143.1
ELTON	1807	729	1	18	3000	0	0	82.3
ANNESLEY	1808	453	0	22	996	11	0	44.0
EAST DRAYTON	1819	874	0	0	3680	11	2	84.2
WALESBY, KIRTON & EGMANTON	1821	1361	1	18	4345	18	2	63.8
NORWELL	1826	826	0	25	14114	11	9	341.7

* The majority of the above figures have been abstracted from enclosure awards and, as explained, are likely to be an underestimation of the total expense incurred.

Unfortunately, not all counties are equally well endowed with ancillary enclosure accounts and few have been found for Nottinghamshire. Indeed, given the arbitrary survival of records, the fact that expenditure began before a petition was presented to Parliament, and that charges were sometimes still being levied after the award had been executed, it is usually difficult to determine just how costly an enclosure could be. Under these circumstances, it becomes impossible to be certain that one ever has a complete record of the general expenses, let alone those incurred in carrying out related public works; especially as charges for roads and drains might equal, or exceed, those for the rest of an enclosure, and were often assessed separately. For instance, in the award for Everton & Harwell the total general expense of enclosure was almost £2282, or 19/6d per acre (Table 7:1), but no indication was given of how a further £3200 for drains etc. was to be raised. Moreover, for enclosures where one might reasonably suppose that all the public assessments have been discovered, it is unlikely that details of the additional expense of private fencing will be found. So, where one is constrained to use the limited accounts entered in awards to provide an indication of the average acreage cost, this must always be regarded as the minimum amount payable.

Before examining specific examples of expenditure, however, it will be interesting to see which areas of enclosure costs were securing the attention of a parliamentary committee shortly before the General Inclosure Act of 1801 was presented.¹ This committee was appointed to report on enclosure bills and to investigate the more common complaints about the way enclosure business was conducted.

¹ A report was submitted from this committee in May 1801 and was published in *Reports of the Committees of the House of Commons*, Vol. IX (1803).

Expenses generally had increased during the previous two decades (Table 7:1), and agricultural experts had been advocating changes in the formal procedure for several years with a view to simplifying the enclosure process and reducing costs. To achieve these ends, the introduction of a general act had been proposed but nothing had been achieved apart from the statute of 1773 (13 Geo.III, c.81), which made provision for changes in open-field cultivation under certain conditions (Chapters 2 & 4). By the late-1790s, after a series of poor harvests and the outbreak of yet another war, many believed that the only way to feed the nation's increasing population was to remove as many obstacles to enclosure as possible, and to aim at bringing the whole of the country's waste land into cultivation immediately. Criticism had been expressed particularly about the high level of expenditure involved in the parliamentary routine, and the length of time taken by commissioners in the production of awards. Together, these factors were thought to have been a prime factor in discouraging landowners from embarking upon enclosure, especially where the returns were not likely to be particularly favourable.

The committee investigating these complaints agreed that a simpler system was required with regard to small wastes and commons because the expense of enclosing such areas would outweigh the benefits to be gained. Also, it was suggested that, even where the advantages of enclosure were obvious, unnecessary expense was being incurred which stemmed largely from the lack of control exercised over the duties and charges of commissioners' clerks; one experienced commissioner pointing out that solicitors' charges usually far exceeded those of the commissioners.¹ We shall find, too, that apart from their fees for attending commissioners' meetings etc., the clerks had almost

¹ *General Report on Enclosures* (1808), pp.332-3.

unlimited opportunity for making charges for correspondence, drafting notices and paying visits to non-resident proprietors. Also, clerks were paid at the same rate as commissioners, in addition to their legal perquisites, and were usually involved in every stage of an enclosure from the first exploratory assessment of support for the project until the last rate had been collected - often long after the award had been signed.

Occasionally, two solicitors were appointed as joint clerks, especially when two substantial landed interests were present in a parish. These clerks were sometimes paid as one person but there was no control over the way in which they delegated work to their assistants. This could be of importance, as anyone who had been involved with the distribution of notices and collection of signatures for an enclosure bill was required to testify to the authenticity of the signatures before parliamentary committees, and to affirm that proper notice of intended enclosure had been given. One local instance of the kind of expense which could be incurred has been noted above, where, in 1798, twenty-eight days were spent in London by a local solicitor and his clerk, to witness the legality of the unopposed East Leake bill; a visit which added £191.11s to the cost of that enclosure. The Committee pointed out that if this part of the process could be confined to one person, he would be the only one who needed to travel to London. In fact, where no opposition to a bill existed, it was questioned whether the attendance of the country solicitor should be necessary; proof of the statutory notice of intention to enclose having been given, and of the signatures, could be by affidavit before a Justice of the Peace.

Not surprisingly, when the parliamentary committee turned its attention to the question of parliamentary fees it saw no cause for censuring the charges made for passing bills and acts. The average

House of Commons' fee was £85.10s in 1798, but additional charges in the House of Lords, together with the parliamentary agent's expenses and incidental gratuities, usually ensured that the basic cost of an act amounted to between £200 and £300, or more (Table 7:2). Again, though, solicitors were censured for the costs involved in drafting bills and acts. These were believed to be excessive and capable of substantial reduction, especially with regard to customary clauses, which sometimes occupied as much as two-thirds of an act and, being charged by the sheet, greatly increased the expense.

One of the chief aims of the promoters of the General Inclosure Act of 1801 was the provision of a standard text incorporating the most common clauses found in enclosure acts. Theoretically, the mere citation of this Act should have replaced these clauses and considerably shortened local acts, but, in practice it will often be found that although reference was made to the General Act many of the clauses contained in it were still written out in full. It was also noted that a reiteration of principal clauses from the acts, and the recital of the commissioners' preliminary proceedings, appeared in the awards, and this, again, helped to produce unnecessarily long and expensive documents. The inclusion of such material had become less common by the end of the eighteenth century, but two large sheets of parchment (twenty-four inches by thirty) in the Norwell award of 1832 are taken up with a copy of the oaths of the Commissioners, Umpire and Surveyor.

On reviewing the conduct of commissioners, there were several areas in which improvements were thought to be desirable. For instance, the production of a new survey and map was often authorised when suitable ones already existed. Surveyors frequently made all the calculations for the commissioners and staked out the allotments, and usually received a daily fee in addition to a payment for each acre

surveyed, plus an allowance for making a reduced plan. Locally, we find that persons acting as commissioners often doubled as surveyors, either in the same enclosure or in others (Chapter 3), so it was unlikely that they would have foregone the opportunity of being paid for a new survey.

Also, it appeared that commissioners sometimes met more frequently than was necessary, or not frequently enough, especially when the same members of a commission were occupied simultaneously with more than one enclosure. In the first instance meetings might be duplicated and little, or no, progress made in the business of one or other of the enclosures each time, yet charges for all the meetings would be levied on all the parishes concerned. In the second case, needless delay could be experienced if commissioners were engaged upon enclosures in widely separated parishes and were not available to attend for consultation as often as was required. Complaints on this score can be understood. Apart from extra commissioners' fees which may have resulted from tardiness in carrying out their duties, payments for the delayed completion of roads and drains must have been an extra strain upon owners and occupiers who would already have been subject to higher rents and taxes as a result of land being revalued at its division and allotment (Figure 7:1).

To guard against abuses of this type it was proposed that each commissioners' meeting should last for a specific number of hours, be devoted entirely to a particular enclosure, and travelling expenses should be regulated. Furthermore, as allegations had been made that charges were sometimes levied for the attendance of all the commissioners when one or more was absent (although these may afterwards have signed the minutes), it was decided that the clerk should be required to keep a register, open to the public, of all the days and hours employed by each commissioner in the business of

enclosure. The clause in the Edwinstowe (Birkland & Bilhaugh) act (1818) which decreed that any commissioner neglecting to attend a meeting would be regarded as having refused to act, may have been inserted as protection against this practice of commissioners charging fees for attendance at meetings at which they had not been present.

Some of the recommendations made by this parliamentary committee were implemented in the 1801 General Act, but it is questionable whether any appreciable decrease in the cost of the formalities resulted (Table 7:2). As late as 1830, when the enclosure of Askham was being considered, a local solicitor sought advice about costs from his London counterpart and was told; 'The expenses of inclosure bills are not lessened, the Parliamentary Agent's bill would amount to somewhere from two hundred to two hundred and thirty pounds according to the length of the inclosure bill.'¹

We also have the itemised account from the London agents who steered the (unopposed) act for Walesby, Kirton and Egmanton through Parliament in 1821. From this it would appear that the House of Commons fee had remained almost static (c.£85.10s in 1798 and £86.6s in 1821), but the Lords' fee was £165.3s and a further £26.5s for soliciting the act through the two Houses brought the basic cost to £277.14s. The addition of charges for copying, printing and ingrossing, together with gratuities to messengers, doorkeepers etc., and £141.1s 'incidental expenses' ensured that the proprietors were presented with a bill for £527.6.6d, almost double the basic sum.² Only the formalities of passing the act through Parliament were covered by this amount; in addition, there would have been payments to the local solicitor for the drafts and final copies of the enclosure

¹ N.A.O. DD.M. 2/32.

² N.A.O. DD.T. 10/28.

bill, together with the expense of the preliminary proceedings. In the event, a total of, at least, £1290 (almost thirty per cent of the general enclosure costs) had been paid to the clerks by the end of the Walesby, Kirton & Egmanton enclosure.¹

Table 7:2 Cost of Nottinghamshire Enclosure Acts

Parish	Year of act	Basic cost			Total cost		
WOODBOROUGH	1795				488	17	0
EAST LEAKE	1798	238	4	0	429	4	0
DUNHAM & RAGNALL	1803	223	17	4	779	3	2
ANNESLEY	1808	395	3	2			
WALESBY, KIRTON & EGMANTON	1821	277	14	0	527	6	6
NORWELL	1826	378	13	9	637	3	9

Source: N.A.O. EA. Woodborough; N.A.O. DD.SD.1/1; N.A.O. DD.T.7/5; N.A.O. DD.TB.2/4/3; N.A.O. DD.T.10/28 & DD.T.10/29; N.A.O. DD.M.54/78.

This is a very small sample of figures but they do not lend support to the view that the parliamentary process 'became cheaper and easier between 1801 and 1845'.² Nor do they confirm D.N.McCloskey's statement that 'parliamentary procedures had been progressively simplified and cheapened; and that an apparent increase in expenses per acre towards the end of the eighteenth century was not a reflection of the increasing cost of the enclosure process, but of the increasing complexity of the enclosures being undertaken'.³ The 'increasing complexity' had been deduced from the way the periods between acts and their corresponding awards in the 1790s and 1800s had

¹ N.A.O. DD.T. 10/29.

² J.R.Wordie, 'The chronology of English enclosure, 1500-1914', *Econ. Hist. Rev.*, XXXVI (1983), p.488.

³ D.N.McCloskey, 'The economics of enclosure: a market analysis', in E.L.Jones & W.N.Parker (eds.), *European Peasants and their markets; essays in Agrarian Economic History* (Princeton, New Jersey, 1975), pp.139-141.

lengthened, in comparison with those of the 1760s and 1770s. Prolonged periods between an act and an award were assumed to have resulted from the more complicated, and therefore more expensive, process of enclosing land which had not been considered worth enclosing at an earlier date. Delay in executing an award was also seen as contributing to the costs by creating a disinclination amongst proprietors for the proper preparation of land which might not be allocated to them.

Such suppositions may be valid for some areas but, from the limited material at our disposal, there is nothing to suggest that they are applicable to Nottinghamshire. No evidence of a decrease in the expense of the parliamentary formalities has been found. Nor is it at all clear that later enclosures were more complex than previous ones as far as the practical process was concerned, and the staking-out of inferior land need not have been more complicated than that of the highest quality. Not that local acts of the late-eighteenth century onwards were confined to the enclosure of less valuable land; some were concerned exclusively with wastes and commons, others with normal open-field parishes which one might have expected to have been enclosed earlier. Moreover, the date of an act often bears little relationship to the period at which it would have been most advantageous for an enclosure to have taken place. It has been seen that the preliminaries for numerous enclosures were embarked upon several years before an act was obtained, although it is not usually possible to discover why such attempts were abandoned and a parish remained open beyond its optimum enclosure date (Chapter 4).

Admittedly, later enclosures did tend to take longer to complete than earlier ones but this was not always so. Of fifty-seven parishes in this county, with acts dating from 1790 to 1815, three had to wait

more than ten years for their award but the average time taken for the other fifty-four was less than four years. It has been noted that the longest period between a Nottinghamshire act and award was nineteen years, for Strelley & Bilborough, but there were extenuating circumstances in that all the principals died during the enclosure process. Locally, the cause of delay probably lay chiefly in the fact that, while the amount of enclosure business increased, the number of professional commissioners appears to have remained virtually static (Chapter 3). Although commissions generally consisted of fewer members by this period, a certain amount of plurality was bound to occur, especially where an influential owner expected the same person to look after his interests in more than one parish at the same time, and, as noted above, commissioners engaged upon multiple enclosures were not always at their most efficient .

Nevertheless, even if one accepts that commissioners working on later enclosures required much longer than previously to bring the process to completion, it is fallacious to imagine that open land remained unenclosed until the signing of the award. Allotments were often entered several years before this date, and, even in such a prolonged enclosure as that for Dunham & Ragnall, where twelve years were needed for the production of an award, the plots were set out less than a year after the act had been obtained (Table 4:3). In fact, the 1801 General Inclosure Act (clause XIX) made specific provision for allotments to be ditched and enclosed, with the consent of the commissioners, before the execution of the award. Also, where the physical staking-out of land could not be accomplished immediately after the claims had been decided (floods delayed this work on part of the land at Gringley-on-the-Hill for four months) it will usually be found that a plan of the proposed allotments had been displayed, and

proprietors would have been aware of their location, at an early stage of the enclosure. In some enclosures, too, claimants were allowed to indicate where they would prefer their new plots to be allotted.

Under these circumstances one might suspect that any delinquency in manuring or ploughing land while it remained in an open state, would probably have arisen, not from proprietors being unsure of where their future allotments would be situated, but, rather, because they were well aware of which land was to be awarded to them. Few accusations of neglect of land during the enclosure process have been found for this county. One complaint, however, came from the cantankerous rector of East Leake, who published a notice in which he threatened to withhold his consent to the enclosure bill until the fallow field had been properly manured as promised by the proprietors.¹ A great deal of preliminary negotiation had already taken place with this rector, and it is possible that his concern for the land in question may have stemmed from his expectation that part of it was to be allocated as a tithe allotment. In such case the proprietors might have been reluctant to keep land in good heart which was to become the property of a person who would contribute nothing to the enclosure costs. The value of tithe allotments will be examined below, but, leaving aside conjectural theories, let us return to the more concrete evidence for enclosure expenses.

Before reviewing the conclusions of modern investigators, it will be interesting to analyse a selection of enclosure costs from the accounts published in the *General Report on Enclosures* of 1808.

¹ *Nottingham Journal* (23.9.1797).

Presumably, the figures in the *Report*, which relate to about fifty parishes, were abstracted from the Board of Agriculture's county surveys or contributed by correspondents, so they ought to provide an authentic contemporary record of expenses. In the event (although W.E. Tate regarded the figures as exact) this source must be treated with caution as it is not always clear whether the acreages related to all the land in a parish or only to that being enclosed, nor is the cost of roads always included. Also, the examples originated from several counties (seldom specified), where differing problems might be expected to have been encountered, and, while the enclosures cited relate to acts from 1761 to 1799, about two thirds of them date from the 1790s.

Some of the information on enclosure costs published in 1808 is too vague for use, but the figures for a selection of thirty-four parishes appear to be fairly representative, and from these it can be deduced that expenses could vary very widely, even during the same decade (Table 7:3). For instance, enclosures dating from the 1790s would seem to have cost from twelve shillings to three hundred and ninety-one shillings per acre, but the higher figure included £13,130 (c.77% of the total enclosure expenses) for sea banks and a sluice, plus a further £2367 for 'sundries'.¹ In fact, if these accounts are accurate the majority of enclosures during this period were accomplished at a cost of less than three pounds per acre, although, where defined, the payment for roads and drains could constitute a considerable proportion of the charges.

¹ *General Report on Enclosures* (1808), Appendix XVII.

Table 7:3
The cost of parliamentary enclosure, calculated from data published
in the *General Report on Enclosures* (1808), Appendix XVII

Parish	Date of act	Area in acres	Expenses			Cost-shillings per acre
			£	s	d	
Apsley Guise	1761	1053	691	18	0	13.1
Snettisham	1762	5000	2200	0	0	8.8
Stoneley	1769	1000	566	0	0	11.3
St. Neots	1770	1390	986	0	0	14.2
Easton	1775	667	1323	0	0	39.7
Spaldwick	1777	1450	2462	0	0	34.0
Carleton	1777	1200	2500	0	0	41.7
Little Catworth	1780	757	1015	0	0	26.8
Barham	1780	672	742	0	0	22.0
Heacham	1780	3329	1174	0	0	7.0
Shottesham	1781	314	600	19	2	38.3 *
Basingstoke	1786	3690	2298	3	3	12.5
Terrington	1790	868	16,970	0	0	391.0 **
Old Buckenham	1790	900	1500	0	0	33.3 *
Wimblington	1792	800	3200	0	0	80.0
Marham	1793	3500	2870	0	0	16.4
Stiffkey	1793	4600	-	-	-	12.0
Cobham	1793	1500	2700	0	0	36.0 *
Thornham	1794	2100	-	-	-	12.5
Great Catworth	1795	2033	3070	12	5	30.2
Bintry	1795	600	1900	0	0	63.3
Parndon	1795	150	400	0	0	53.3
Long Stowe	1796	1000	1500	0	0	30.0
Barningham	1796	580	1860	0	0	64.1 *
Northerwold	1796	4100	4200	0	0	20.5 *
Barton Mills	1796	800	2500	0	0	62.5 *
Little Wilbraham	1797	1800	3336	14	7	37.0
Marston	1797	1999	2286	0	0	22.9 *
Dunton	1797	2200	1803	0	0	16.4 *
Southoe	1797	1150	-	-	-	45.0
Bozeat	1798	2268	2827	0	0	25.0
Hetherset	1798	700	2700	0	0	77.1 *
Sayham	1799	1000	3600	0	0	72.0
Barnaby	1799	750	3500	0	0	93.3 *

* includes roads and drains.

** includes sea wall and sluice.

Obviously, the figures in Table 7:3 cannot be considered to be conclusive because the nature of the data upon which they are based is open to question, but they do tend to confirm an increase in the general expense of enclosure towards the end of the eighteenth century. Also, at any period, the acreage costs inclined to be higher for proprietors in parishes where a relatively small amount of land was concerned.¹ This would arise chiefly from the legal expenses of the act, and of the parliamentary procedure, which would have been approximately the same no matter what the size of the area being enclosed. However, as we have found when examining other facets of enclosure, it is extremely difficult to generalise, and even the Hammonds, who believed the expenses to have been 'always very heavy', found examples ranging from twenty-three shillings to almost five pounds per acre.²

How then do the Nottinghamshire figures relate to those in Table 7:3, and to those which have been evaluated for other midland counties? Again, it must be emphasised that details of expenses of enclosure for this county are sparse, and the inexplicable absence of the account books, is disappointing. Local acts, from the mid-1770s, onwards directed the commissioners to keep a book of accounts and to deposit it with the award. The General Inclosure Act, 1801, clause XXXVI, also required commissioners to keep a book of accounts which was to be available at their clerk's office. These accounts were supposed to be audited annually and to be available for inspection, and contemporary notices of the availability of such books

¹ This is sometimes regarded as a factor in the timing of enclosure, e.g. J.J.Purdom, 'Profitability and timing of parliamentary land enclosures', *Explorations in Economic History*, 15 (1978), p.325.

² J.L. & B. Hammond, *The Village Labourer* (1913), p.98.

for inspection indicate that this directive was being followed in many local enclosures. In theory almost one hundred account books should be available; in fact, although practically all the original awards have been traced only one of the accompanying account books has been found - for the Norwell enclosure of 1827-34.¹

This is a great loss because changing costs of labour, materials, fees, and what was described in the eighteenth century as 'the fluctuating and uncertain state of money', all create difficulties for any assessment of relative enclosure expenses at widely separated dates. As we have seen (Chapter 6), any comparison of similar classes of records becomes problematic if they were produced at various times over a long period. And, while the commissioners would not have been involved in the earliest stages of the process, their accounts would have been invaluable for comparative studies of the running costs of enclosure from decade to decade. One can only assume either that these books were never deposited in the chests, or that they were all collected together at some period previous to W.E.Tate's exhaustive search for local enclosure records during the late-1920s and 1930s, at which time he found details of expenses for a mere five local parishes. These were all summaries in awards and Tate published details of four of them, but his calculations are not entirely reliable; he underestimated the amount of land being enclosed at Woodborough, and failed to realise that the sum quoted for Willoughby-on-the-Wolds covered only the expense of forming the roads, and the highway surveyor's salary.²

¹ N.A.O. DD.M.55/41.

² W.E.Tate, 'The cost of parliamentary enclosure in England (with special reference to the county of Oxford)', *Econ. Hist. Rev.*, V (1952), p.262.

Table 7:4
Nottinghamshire

Average expenses of enclosure; gross and assessable acreages
(Acreages have been rounded up, or down, to provide complete units)

Parish	Year of act	Gross acreage allotted	Net acreage assessed	Total cost *			Shillings per acre	
				£	s.	d.	Gross	Net
EVERTON & HARWELL	1759	2569	2337	2281	11	3	17.8	19.5
HAWKSWORTH	1760	628	528	565	16	6	18.0	21.4
COSTOCK	1760	825	652	644	11	0	15.6	19.8
UPPER BROUGHTON	1760	1594	1351	912	5	7	11.5	13.5
CODDINGTON	1760	1827	1793	867	15	3	9.5	9.7
LOWDHAM	1765	2653	2135	1252	7	3	9.4	11.7
WILFORD	1765	1136	958	980	11	9	17.3	20.5
CARLTON-ON-TRENT	1765	700	576	525	0	0	15.0	18.2
LENTON & RADFORD	1767	1217	1048	884	5	0	14.5	16.9
RUDDINGTON	1767	2751	2396	824	18	8	6.0	7.0
REMPSTONE	1768	1318	1079	980	11	9	14.9	18.2
HUCKNALL TORKARD	1769	889	889	2165	0	0	48.7	48.7
FLINTHAM	1775	1929	1497	1345	9	2	14.0	18.0
BECKINGHAM	1776	1427	1290	2463	17	2	34.5	38.2
GEDLING	1792	3487	2798	8241	7	9	47.3	58.9
WOODBOROUGH	1795	1264	994	3630	0	0	57.5	73.1
EAST LEAKE	1798	2354	1937	5783	0	9	49.1	59.7
TUXFORD	1799	1670	1231	5163	0	0	61.8	83.9
DUNHAM & RAGNALL	1803	1494	1152	4413	9	1	59.1	76.6
ELTON	1807	892	729	3000	0	0	67.3	82.3
ANNESLEY	1808	568	453	996	11	0	35.1	44.0
EAST DRAYTON	1819	874	874	3680	11	2	84.2	84.2
WALESBY, KIRTON & EGMANTON	1821	2063	1361	4345	18	2	42.1	63.8
NORWELL	1826	1236	826	14114	11	9	228.4	341.7

* The majority of these figures have been abstracted from enclosure awards and are likely to be an underestimation of the total expense incurred.

A few more abstracts of costs have come to light more recently, along with one or two clerks' accounts, but the coverage for Nottinghamshire remains deficient. Only twenty-four of our enclosures have yielded sufficient information to enable a tentative estimate of costs to be made (Table 7:4), and it must be remembered that these calculations may not be compatible with those published for other counties. The conception of chargeable acreage could have differed from study to study, some scholars basing their figures upon the areas mentioned in acts, others upon the surveys in awards. In neither case would the acreage be that for which expenses were eventually levied; the amount of open land stated in the acts was often little more than a guess on the part of the promoters, and, while the surveys undertaken for the commissioners were reasonably accurate, they referred to all the land available for enclosure.

Even where accurate measurements and reliable accounts exist they can be interpreted in different ways. The crude relationship between total cost and total area of land being enclosed might be determined, or a more realistic figure reached by making a deduction to allow for land enclosed at the public expense. Most allotments in lieu of glebe and tithe fall into the latter category and this becomes an important consideration when the recipients of such allotments, which often amounted to a substantial proportion of the open land (Table 7:5), were exempt from paying any of general costs of enclosure, besides having their land ring-fenced at the expense of other owners (Table 7:6.).

Table 7:5

Percentage of allotted land awarded as compensation for tithe
and glebe in Nottinghamshire parishes

	Great tithe & glebe		Small tithe & glebe		Total (%)
	a. r. p.	(%)	a. r. p.	(%)	
EVERTON & HARWELL	212.1.19	8.27	99.2.0	3.87	12.14
BARTON-IN-FABIS	215.2.8	13.98	-	-	13.98
HAWKSWORTH	103.1.3	16.40	-	-	16.40
COSTOCK	172.2.5	20.90	-	-	20.90
HAYTON	130.1.3	11.14	18.0.29	1.58	12.72
UPPER BROUGHTON	243.1.25	15.30	-	-	15.30
CODDINGTON	213.1.34	11.68	31.1.1	1.71	13.39
NORTH & SOUTH	268.0.25	14.03	39.1.25	2.05	16.08
CLIFTON					
MISSON	22.0.38	0.61	237.3.5	6.57	7.18
	(plus a money payment)				
LOWDHAM	325.0.26	12.25	93.3.33	3.53	15.78
WILFORD	201.3.28	17.10	-	-	17.10
CARLTON-ON-TRENT	74.1.19	10.61	33.2.1	4.79	15.40
BALDERTON	464.3.28	15.51	30.3.4	1.03	16.54
LENTON & RADFORD	116.2.28	9.59	77.1.34	6.35	15.94
RUDDINGTON	320.3.31	11.66	58.1.25	2.12	13.78
CARLTON-IN-	509.3.16	20.09	-	-	20.09
LINDRICK					
FARNDON	336.0.27	19.89	50.3.10	3.00	22.89
REMPSTONE	261.0.37	19.82	-	-	19.82
EPPERSTONE	248.0.19	26.17	-	-	26.17
BURTON JOYCE &	142.2.5	12.24	69.0.28	5.93	18.17
BULCOTE					
HUCKNALL TORKARD	244.3.16	24.26	70.2.16	6.99	31.25
NORMANTON-ON-	111.3.9	9.48	-	-	9.48
SOAR					
MATTERSEY	98.2.39	5.89	126.3.23	7.58	13.47
	(plus a money payment)				
NORTH MUSKHAM	353.0.8	22.51	81.2.10	5.20	27.71
MISTERTON &	786.2.22	23.01	-	-	23.01
WEST STOCKWITH					
SCAFTWORTH	(money payment)		13.0.24	3.12	3.12
	(plus a money payment)				

Table 7:5 continued

Parish	Great tithe & glebe		Small tithe & glebe		Total (%)
	a. r. p.	(%)	a. r. p.	(%)	
LANEHAM	153.1.11	15.20	21.0.16	2.09	17.29
	(plus money payment from old enclosures)				
CROMWELL	116.3.11	11.88	-	-	11.88
FLINTHAM	249.2. 2	12.93	76.2.31	3.97	16.90
SCROOBY	160.0.35	14.12	34.0.20	3.00	17.12
HICKLING	486.0.28	18.96	-	-	18.96
SUTTON-CUM-LOUND	618.2.24	18.04	92.3.13	2.71	20.75
BECKINGHAM	107.3.23	7.55	29.1.12	2.05	9.60
CLARBOROUGH	144.0.36	18.73	36.1.23	4.71	23.44
WELHAM	100.2.17	29.49	43.0.25	12.62	42.11
WINTHORPE	68.1. 5	20.68	-	-	20.68
FARNSFIELD	355.2.31	13.31	176.2.15	6.61	19.92
HALAM & EDINGLEY	387.3.22	28.41	1.1.30	0.09	28.50
BLEASBY	149.0.30	33.35	31.1.18	6.99	40.34
KERSALL	98.2. 6	26.69	-	-	26.69
CALVERTON	409.2.13	23.55	201.2.23	11.59	35.14
SCARRINGTON & ASLOCKTON	284.3.21	14.60	81.0. 9	4.15	18.75
RADCLIFFE-ON- TRENT	80.3. 3	5.03	35.3.34	2.24	7.27
CROPWELL BUTLER	257.0.12	15.47	36.3.18	2.21	17.68
WHATTON	214.1. 0	14.99	36.1.18	2.54	17.53
ARNOLD	775.0. 2	28.15	31.0.10	1.13	29.28
NORTH COLLINGHAM	239.3.28	15.64	3.0.23	0.20	15.84
CLAYWORTH	232.1.32	21.27	-	-	21.27
SYERSTON	79.2.39	16.44	41.2. 9	8.56	25.00
GEDLING	689.0. 1	19.76	-	-	19.76
BASFORD	268.0. 1	18.15	139.2.30	9.42	27.57
GRANBY & SUTTON	245.3.14	11.84	75.1.35	3.64	15.48
ORSTON	296.2.14	19.91	68.3.20	4.62	24.53
THOROTON	82.1.29	12.35	19.2.35	2.94	15.29
WILLOUGHBY-ON- THE-WOLDS	360.2.26	22.17	76.1.29	4.69	26.86
SUTTON-IN- ASHFIELD	1716.2.26	55.80	-	-	55.80
UPTON	240.3.10	21.48	35.1.29	3.15	24.63

Table 7:5 continued

Parish	Great tithe & glebe		Small tithe & glebe		Total (%)
	a. r. p.	(%)	a. r. p.	(%)	
CAUNTON	177.3.11	22.67	80.2.9	10.27	32.94
NORTH LEVERTON & HABBLESTHORPE	169.0.20	11.78	82.2.27	5.75	17.53
SOUTH LEVERTON & COTTAM	370.1.0	23.93	55.0.35	3.57	27.50
WOODBOROUGH	263.0.17	20.81	7.1.4	0.57	21.38
KIRKBY-IN- ASHFIELD	1052.1.18	53.41	-	-	53.41
EAST STOKE	193.3.27	14.07	78.3.26	5.72	19.79
ELSTON	291.3.8	22.10	31.2.26	2.39	24.49
SNEINTON	117.0.25	15.30	25.0.30	3.28	18.58
WESTON	242.1.16	22.48	-	-	22.48
GRINGLEY-ON- THE-HILL	386.2.6	13.06	165.2.12	5.59	18.67
EAST BRIDGFORD	282.1.2	22.33	-	-	22.33
EAST LEAKE	416.3.29	17.70	-	-	17.70
KEYWORTH	327.2.26	24.59	-	-	24.59
HARWORTH	115.3.28	9.31	71.2.1	5.75	15.06
TUXFORD	326.2.39	19.57	112.2.18	7.34	26.91
NORMANTON-ON TRENT	97.3.29	18.84	51.2.15	9.93	28.77
WYSALL	203.2.7	15.04	72.1.3	5.34	20.38
CROPWELL BISHOP	166.1.22	13.14	49.3.9	3.93	17.07
WALKERINGHAM	344.1.23	18.20	133.2.29	7.06	25.26
WIDMERPOOL	321.2.2	17.93	-	-	17.93
TOLLERTON	140.2.33	30.36	-	-	30.36
DUNHAM & RAGNALL	228.2.8	15.30	113.0.10	7.57	22.87
SUTTON-ON-TRENT	250.3.18	24.61	68.2.38	6.75	31.36
GOTHAM	411.3.29	18.04	-	-	18.04
ALVERTON	104.0.16	26.07	-	-	26.07
PLUMTREE & CLIPSTONE	447.0.22	22.82	-	-	22.82
BLIDWORTH	669.2.2	28.82	466.1.30	20.07	48.89
BEESTON	152.0.38	18.48	75.0.23	9.11	27.59
ELTON	185.2.6	20.80	-	-	20.80
ANNESLEY	114.3.18	20.20	-	-	20.20
WEST MARKHAM	48.1.7	7.82	157.2.16	25.53	33.35

Table 7:5 continued

Parish	Great tithe & glebe		Small tithe & glebe		Total (%)
	a. r. p.	(%)	a. r. p.	(%)	
GAMSTON (Retford)	205.0.25	35.66	-	-	35.66
EATON	182.1.33	24.46	45.0. 1	6.04	30.50
EAST MARKHAM	258.2.10	15.79	107.3.32	6.58	22.37
SPALFORD	32.2. 1	6.78	153.2. 8	32.05	38.83
WIGSLEY	59.1.10	8.28	54.1. 5	7.58	15.86
HEADON-CUM-UPTON	144.2. 0	18.77	125.3. 0	16.33	35.10
WARSOP	752.0.13	42.58	-	-	42.58
WALESBY	218.1. 6	24.91	110.2. 4	12.61	37.52
KIRTON	47.2.36	31.00	-	-	31.00
EGMANTON	255.3.18	24.76	69.0.38	6.70	31.46
STURTON-LE- STEEPLE	384.2.28	19.78	132.3.26	6.83	26.61
LITTLEBOROUGH	44.3. 6	21.51	-	-	21.51
NORWELL	271.1.22	21.95	138.1.33	11.19	33.14

(plus corn rent)

The extent of tithe allotments and their rôle in increasing acreage costs may sometimes have been misjudged. For instance, J.J.Purdum dismissed such allotments as having minor impact upon the allocation of land.¹ Yet, of the five Nottinghamshire enclosures which he studied the smallest proportion awarded in lieu of tithe comprised more than seven per cent of the available land, and in the other four parishes it amounted to between eighteen and twenty-three per cent. Moreover, land allotted in compensation for tithe and glebe in this county amounted to rather more than seventeen per cent of the total acreage land awarded.

¹ J.J.Purdum, 'Profitability and timing of parliamentary land enclosures', *Explorations in Economic History*, 15 (1978), p.320.

An indication of how far the public fencing could effectively increase the enclosure costs of private allotments may be seen in the Nottinghamshire examples (Table 7:6). An average of 2/6d would appear to have been added to each acre allotted in the 1760s and 1770s, and 6/1d per acre for land enclosed after 1790. Similarly, one can compare T.H.Swales' figures for Lindsey (Lincolnshire) with those of W.E.Tate using the the same data, where Swales based his calculations upon the net acreages assessable, Tate upon the gross acreages enclosed.¹ The increased average cost per acre for the Lindsey enclosures amounted to five shillings (almost twenty-eight per cent) when based upon the net acreage assessable, i.e. twenty-three shillings, compared with eighteen shillings when the gross acreage figures were used.

Table 7:6

**Cost of enclosing Nottinghamshire tithe allotments
(shillings per acre)**

Parish	Enclosure dates	Shillings per acre	Parish	Enclosure dates	Shillings per acre
HAWKSWORTH	1760-61	21.0	EAST LEAKE	1798-99	27.9
COSTOCK	1760-61	8.8	DUNHAM &	1803-15	38.0
WILFORD	1765-66	18.8	RAGNALL		
FLINTHAM	1775-77	11.7	ANNESLEY	1808-09	18.7
SCROOBY	1775-77	19.7	WALESBY	1821-25	30.7
FARNSFIELD	1777-80	36.0	KIRTON	1821-25	30.5
HALAM &	1777-81	28.9	EGMANTON	1821-25	30.5
EDINGLEY			NORWELL	1826-32	39.0
WOODBOROUGH	1795-98	33.2			

¹ W.E.Tate, 'The cost of parliamentary enclosure in England (with special reference to the county of Oxford)', *Econ. Hist. Rev.*, V (1953), p.262.

Of course, the amount of land awarded in lieu of tithe and glebe, and the cost of its enclosure, would vary from parish to parish (Table 7:6). Also, assessments for general charges were supposed to be rated according to both the quality and quantity of a proprietor's land, so, even in the same parish, the expenses ought not to have been evenly distributed. Again, we may be reminded that these costs would have been offset to a certain extent by the fact that tithe would no longer have been payable in future. Obviously, the extinguishment of tithe payments would have been an advantage, especially if more valuable crops were expected to be grown after enclosure; however, the cost of fencing the allotments in lieu of tithe would have fallen due immediately, unlike the payment for nineteenth-century commutation which was apportioned over a number of years. We shall return to the question of tithe compensation, but first let us continue with an examination of the average costs of local enclosures compared with those from elsewhere (Table 7:7).

The figures in Table 7:7 relate to the years between 1760 and 1799 because details of expenditure outside this period are not available for some of the counties under consideration. Nevertheless, comparisons of average acreage costs are not as simple as they might appear. As mentioned above, expenses may have been calculated in a variety of ways by different scholars, and, as the principals upon which these calculations were made are not always clear, Table 7:7 is of only limited value. Apart from any discrepancies in methods of assessment, the samples for Nottinghamshire, Lindsey and Cambridgeshire are small and unlikely to be representative of the rest of the enclosures in those counties. In addition, the incidence of enclosure varied from decade to decade, and from county to county, and the accounts are not evenly distributed over time or space.

Table 7:7
Average public costs of enclosure - shillings per acre

	1760-69	1770-79	1780-89	1790-99	1760-99	Acts
Nottinghamshire ¹	18.9	28.1	-	68.9	31.8	17
Lindsey (Lincs.) ²	16.0	28.0	27.3	20.7	24.7	22
Oxfordshire ³	15.1	21.1	21.3	39.0	25.2	37
Warwickshire ⁴	13.7	19.6	19.8	34.1	19.9	64
Leicestershire ⁵	12.0	16.0	22.0	23.0	15.3	78
Buckinghamshire ⁶	16.8	20.6	24.1	34.3	21.8	37
Cambridgeshire ⁷	-	80.0	-	37.1	42.5	8
1808 <i>General Report</i> ⁸	11.1	32.4	21.4	43.0	35.5	33

¹ The Nottinghamshire costs have been calculated on acreages from which, where applicable, tithe and glebe allotments have been deducted.

² T.H.Swales, 'The parliamentary enclosures of Lindsey', quoted in W.E.Tate, 'The cost of parliamentary enclosure in England (with special reference to the county of Oxford)', *Econ. Hist. Rev.*, V (1952), p.262.

³ W.E.Tate, 'The cost of parliamentary enclosure', p.263.

⁴ J.M.Martin, 'The cost of parliamentary enclosure in Warwickshire', in E.L.Jones (ed.) *Agriculture and Economic Growth in England 1650-1815* (1967), pp.145-7.

⁵ H.G.Hunt, 'The chronology of parliamentary enclosure in Leicestershire', *Econ. Hist. Rev.*, X (1957), p.269.

⁶ M.E.Turner, 'The cost of parliamentary enclosure in Buckinghamshire', *Ag. Hist. Rev.*, XXI (1973), p.43.

⁷ From the *General View of the Agriculture of Cambridgeshire* (1813), quoted in W.E.Tate, 'Cost of parliamentary enclosure in England (with special reference to the county of Oxford)', *Econ. Hist. Rev.*, V (1952), p.261.

⁸ A. Young (ed.), *General Report on Enclosures* (1808), Appendix XVII.

About seventy-six per cent of the Warwickshire enclosures and seventy-nine per cent of those for Leicestershire originated between 1760 and 1779 and this is reflected in the low average overall figures for both. Nottinghamshire's average cost for the whole period (1760-1799) may also be too low as eleven of this county's accounts date from the 1760s. On the other hand, because seven of the eight Cambridgeshire enclosures belong to the 1790s, while the remaining example, from the 1770s, appears to have been unusually expensive for its date, the resulting average is higher than for any of the other counties under review. Perhaps, though, if we had comprehensive accounts for all enclosing counties Cambridgeshire would probably still register the highest averages because the peak of the parliamentary process there was relatively late.

In fact, it is practically impossible to make an accurate assessment of the expense of most enclosures. Pre-act accounts are rare, and, as those for the period in which an enclosure was actually in progress are often deficient in detail, one cannot always be sure that charges for ancillary works have been included. In any case, to present a complete picture the cost of private fencing would have to be added to that of the general expenses and this raises further complications. Hucknall Torkard is the only local parish for which we have a record of the total expense of enclosure, including fencing, and it is noticeable that the resultant average cost per acre here (48.7 shillings) was two or three times greater than that of other Nottinghamshire enclosures of the same decade (Table 7:4). This would appear to support the conclusions of J.M.Martin, who found that

the cost of physically enclosing land in Warwickshire was at least equal to that of the general expenses.¹

In fact, this is not necessarily the case in all parishes, although, assuming that every public item has been covered in the expenditure attributed to the rest of the local enclosures of the time, it would appear that fencing the open land in Hucknall Torkard accounted for the great difference in costs. However, this parish cannot be regarded as typical; one proprietor (Lord Byron) owned the greater part of the land and to ensure that he would be put to no expense the whole of the enclosure operation was financed by the sale of part of the common (Chapter 4). Only the purchasers of this were required to provide their own fences and it is likely that the rest of the work of enclosure would have been contracted out in a similar way to that of the generality of tithe allotments.

We now encounter one of the main problems when trying to establish the expense of enclosing private allotments. Costs would vary not only with regard to the type of soil and the ease, or otherwise, with which ditches could be dug, but according to the size and shape of the plots, whether they were subdivided or merely ring-fenced, and whether the owner carried out the work himself or employed outside labour. An estimate of the cost of enclosing 840 acres of waste land at Oxton, dating from 1848, is interesting because it gives examples of the way expenses would differ according to the way the land might be subdivided. A total of £1753.7.6d (c.41.7 shillings per acre) was quoted for rectangular twenty-acre fields (the length being twice the breadth); if fifteen-acre fields were laid out with a ratio of 7.5 to 20, then twenty per cent would be added to the cost (c.50 shillings

¹ J.M.Martin, 'The cost of parliamentary enclosure in Warwickshire', in E.L.Jones (ed.) *Agriculture and Economic Growth in England 1650-1815* (1967), p.144.

per acre); if divided into square ten-acre fields an increase of thirty-three per cent would result (c.55.7 shillings per acre), while ten-acre fields having a length four times their breadth would add sixty-six per cent, giving a rate of c.69.3 shillings per acre.¹ Details of the cost of fencing small acreages are rare, and historians have usually been forced to estimate them from charges levied for enclosing tithe allotments, or from records relating to the larger estates. In neither case can these costs be extrapolated to provide a realistic figure for the expenses likely to have been sustained by smaller proprietors. Tithe fencing was generally effected under contract and the price charged would most likely have included materials, labour and a degree of profit for the contractor. Inevitably, the rate per acre in these circumstances would have been higher than for the enclosure of land where the owner, or his employees, were able to do the work.

Estate records can be equally misleading, especially those from estates which were large enough to produce some of their own enclosure materials. Posts and rails for Earl Manvers' allotments at Cotgrave were largely supplied from his Thorsby estate in Sherwood Forest.² Also, while payments for quicksets appear in the Portland accounts (61,400 plants were purchased in 1777 at prices ranging from 3/- to 3/6d per thousand) no doubt the Duke's extensive woods would have been managed in such a way as to provide timber for fencing. Hedging plants would probably also have been available when waste land was cleared, and fewer mature hawthorns would have been needed than if two-year old cultivated quicksets were used. Occasional references to

¹ N.A.O. DD.SK. 173/14.

² J.Wood, *Cotgrave, Aspects of Life in the Seventeenth and Eighteenth Centuries* (Nottingham, 1987), p.40.

the carrying, cleaning and planting of quicksets can be found and Arthur Young published directions for the successful transplantation of hawthorn plants of up to forty years of age.¹

Where employees carried out the work the costs could have been further reduced and, in the accounts for 1777, we find the steward of the Welbeck estate noting four shillings an acre for the enclosure of a sixty-nine acre field taken from the forest.² This appears to be a remarkably low figure, especially when compared with tithe fencing of similar date (Table 7:6) where the lowest price was between eleven and twelve shillings. Yet, as late as 1795, fencing at Willoughby-on-the-Wolds was recorded as costing 2/6d an acre, and quicking and 'dyking' for the Lenton & Radford enclosure was estimated at 4/6d.³ From the same set of accounts dyking at Willoughby-on-the-Wolds was charged at 1/9d, double quicking 1/- and setting down posts and rails 9d per acre, respectively. These expenses, which total 3/6d per acre, would doubtless have been for labour only, and it is obvious that significant savings could have been made where outside labour did not have to be enlisted. In such cases, as suggested below, if the small proprietor only had to buy the materials for enclosing his allotments, his fencing expenses may not have been as great as has sometimes been envisaged.

Unfortunately, details of the cost of enclosure materials cannot often be found. Locally, two-year old quicksets were offered at between 2/6d and 4/- per thousand in the 1770s and 1790s, but, although many thousands of posts and rails were advertised throughout

¹ A. Young, *A Farmer's Tour through the East of England* (1771), p.375.

² N.A.O. DD.5P. 4/1.

³ N.A.O. DD.PF. 123/106/19, 123/106/18 & 123/106/24).

the parliamentary period, prices were not given. Our only indication of the cost of these dates from 1848, when morticed posts for enclosing land at Oxton were sixpence each, rails (nine feet long and ready pointed) twopence-halfpenny each and quicksets ten shillings per thousand.¹ If contemporary estimates of twenty or twenty-two posts and forty or forty-four rails to an acre are accepted, and we assume that the price of these and the number of quicksets required (9 plants to a yard, i.e. c.250 per acre) would have been the same in 1795 as in 1848, then we arrive at totals of 19/4d or 21/2d per acre for enclosure materials.

Of course, these figures might be wildly inaccurate as timber may have been cheaper in the 1790s than it was fifty years later. Certainly, the basic labour costs appear to have been much less at the earlier date; 3/6d per acre in 1795 and 7/5d in 1848. This latter figure was the estimated labour cost for enclosing land in twenty-acre fields.² The labour expenses would probably increase proportionally, along with the amount of material needed, if smaller fields were produced. Nevertheless, calculating the cost of the posts and rails at the 1848 price, allowing the highest 1795 rate of four shillings per thousand for hedge plants and adding three shillings and sixpence for labour charges, the total, 22/10d or 24/8d per acre according to the number of posts and rails used does not seem unreasonable for the mid-1790s. Tithe fencing in Nottinghamshire at the time averaged 30/5d (Table 7:6) and the public enclosure charges averaged just under sixty-nine shillings per acre (Table 7:7). If these figures are valid, any supposition that the cost of private fencing would have doubled

¹ N.A.O. DD.SK. 173/14.

² N.A.O. DD.SK. 173/14.

the enclosure expenses during this decade is unfounded. Even so, with the addition of the appropriate general costs for the period, the total average expenses would have been considerable - just over ninety shillings per acre in the 1790s. Our other details of labour costs come from the accounts of the Magnus Charity Estate at Everton, where, in 1761, between 1/8d and 2/6d per acre was paid for ditching.¹ This is the only work for which a straight comparison can be made with the later figures as the planting of hedges and installing of fences was paid for by the day rather than by the acre.

From the foregoing discussion it will be realised that local evidence of expenditure is too scanty for any incontrovertible conclusions to be advanced. None of the enclosures inaugurated in the 1780s has provided accounts and we have only two examples from the 1770s. One must remember, too, that the figures presented in Table 7:4 are only averages, and actual costs would vary according to the size of allotments. It is generally agreed that small plots were relatively more expensive to enclose than larger ones, while the variable costs for the prospective Oxton enclosure, cited above, demonstrate the importance of their shape. However, it has been mentioned (Chapter 3) that, from quite an early date, some local acts made provision for the owners of two or more small allotments to have their land awarded together in one plot, while a few waived the general enclosure charges for the smallest proprietors. Similar provisions were eventually made in the 1836 General Inclosure Act (6 & 7 W.IV, c.1150) but their implementation was still left to the discretion of a majority of the landowners in a parish.

¹ N.A.O. DD.MG. 10/11-35.

Another facet of the public expenses which has not yet been examined here is that of commissioners' fees. No recommendations about these were made in 1801 but clauses designed to control them appeared in some local acts. It became common for only one day's fee to be allowed for travelling to, or returning from, a meeting, and commissioners were expected to pay their own travelling expenses. Despite these curbs, and fewer opportunities than the solicitors for supplementing their fees, the commissioners continued to make a substantial income from enclosure. Their allowance increased steadily over the years; £1.1s per day was usual in the early 1770s, £1.11.6d by 1775, £2.2s from the early 1790s, £2.12.6d from c.1803 and £3.3s by the second decade of the nineteenth century. There were exceptions to these rates; the Tuxford act (1799) set the commissioners' daily fees at the rate of only £1.11.6d, while those for Elton (1807) and Strelley & Bilborough (1808) directed that a reasonable sum should be decided by the auditor appointed to settle the accounts. For one enclosure, Spalford & Wigsley, it was decided to pay each commissioner £210 upon completion, and only one-third of the fee at Fiskerton was payable until six months from the delivery of the award. These arrangements were unusual and the solicitor acting for the Askham enclosure (1837-41) was advised that Lord Shaftsbury had recently objected to proposals of a gross sum being paid to commissioners and required the allowances to be made on a daily basis.¹

Undoubtedly, the public expense of obtaining the act, paying the fees of commissioners, surveyors and solicitors, and ditching, fencing and hedging the tithe allotments ensured that enclosure was an expensive undertaking at any time, but too much emphasis cannot be placed upon the variety of circumstances which might have affected the

¹ N.A.O. DD.M. 2/32.

level of local charges. Although the construction of roads and drains could double the general expenses, other specifically local factors were also influential. An illustration of this may be found in Table 7:4, where four Nottinghamshire parishes with acts dating from 1760 reveal a marked diversity in their average acreage costs. This is partly attributable to the differing amounts of land being enclosed and the fact that parliamentary and legal charges would have been similar no matter what the extent of the enclosure. The high rate at Hawksworth (21.4 shillings) probably arose as a result of the rather generous allowance of a guinea per acre made to the Rector for the fencing of his tithe allotments when the local average for the 1760s was 16/2d. Conversely, the Coddington acreage cost of only 9.7 shillings must have been affected by the fact that although the enclosure of the vicarial tithe allotment, and three acres for manorial right of soil, were charged to the rest of the proprietors, the owner of the great tithe was levied for his share of the general expenses, and expected to provide his own tithe-fencing.

Furthermore, the expenses of enclosure were not confined to monetary costs. Land awarded in compensation for tithes could represent a significant reduction in the size of the rest of the allotments (Table 7:5). After examining a number of enclosure awards, V.Lavrovsky came to the conclusion that tithe commutation in the form of land allocation led to a very considerable diminution in the area of peasant landownership and average size of allotments at enclosure. For East Leake he calculated that the average cost to the smaller proprietors was approximately five acres of land each.¹ Because tithe was based upon the gross produce, rather than calculated as a simple

¹ V.Lavrovsky, 'Tithe commutation as a factor in the gradual decrease of landownership by the English peasantry', *Econ. Hist. Rev.*, IV (1933), pp.273-289.

tenth of all the titheable property in a parish, the proportion of new enclosure allocated in exoneration varied with the kind of land being enclosed and the probable increase in its value after enclosure. A certain fraction of all the titheable land, irrespective of type, might be apportioned amongst the tithe-owners (at Lowdham this was one-seventh), elsewhere, different proportions would be allotted, for example, one-fifth of open arable, one-seventh of open meadow and pasture, and not less than one-tenth of old enclosure.

Tithe has been regarded as a deterrent to agricultural improvements because the tithe-owner reaped the benefit of increased, or more lucrative, production from the land without contributing to the initial expense of the introduction of new crops or more advanced techniques of cultivation.¹ Tithe was particularly unpopular when levied upon the produce from former waste land. Locally, when the unpopular vicar of Basford claimed a share of a 'breck' taken in from waste land, a correspondent to the *Nottingham Journal* (15.5.1773) advised proprietors to oppose such impositions 'which strike at the very root of improvements of barren land and agriculture in general'.

In some parishes all the tithes were retained until commuted by nineteenth-century Tithe Acts, but, more often, proprietors would take the opportunity of ridding themselves entirely of the charges, or of exonerating those on the newly enclosed land while continuing to pay on old enclosure. This is understandable because owners of titheable old enclosure, who had no open land to offer in compensation, were sometimes allowed to pay a certain sum towards the general costs of enclosure in lieu of their tithes. An allocation of open land would then be awarded to the tithe-owners in compensation for their interest in the old enclosures, and the proprietors of the open land would have

¹ E.J.Evans, 'Some reasons for the growth of English rural anti-clericalism c.1750 - c.1830', *Past and Present*, 66 (1975), p.87.

had the acreage remaining to be divided amongst them compulsorily further reduced. A contributor to the 1808 *General Report on Enclosures* was of the opinion that, while enclosure was of advantage to everyone, 'the impropiator of tithes reaps the greatest proportional benefits; whilst the small freeholder, from his expenses increasing universally to the smallness of his allotment, undoubtedly receives the least'.¹

Occasionally a corn-rent was awarded to a tithe-owner instead of an allotment of land. This rent was assessed according to the average price of wheat over a certain number of years (usually seven) and reviewed at stipulated intervals. Very few corn-rents were imposed in Nottinghamshire and, judging from a modern review of the one accepted at Norwell in lieu of tithe of an anciently enclosed estate, they would not appear to have been very beneficial to the recipient in the long term. The Norwell rent amounted to £39.1.8d per annum when introduced (c.1830) and was worth only £60.1.8d in 1959.²

However, where tithes were compounded for an allotment of land, this, together with any glebe, often constituted one of the larger estates in a parish after enclosure (Table 7:5), although, in some places, tithe-ownership was not confined to one or two persons. For example, great tithes at Woodborough were shared between three prebendaries and two lay impropiators, while those at Keyworth belonged to a lay impropiator and three rectors. Apart from impropiators, lay or ecclesiastical, many vicars must have been pleased to accept a ring-fenced allotment of land, which could either be farmed or let for an improved rent, especially if the small tithes

¹ *General Report on Enclosures*, (1808), p.288.

² Review of the Norwell corn-rent, Newark Quarter Sessions (May 1959). This is a loose paper in a volume of enrolled awards - N.A.O. QDI. Vol.11.

were still being paid in kind and had become difficult to collect. A growth in the scale of clerical farming in the later eighteenth century has been noticed,¹ and in the 1790s, John Throsby reported that the enclosure of Misson had improved the vicar's living from £50 to about £200 per annum.² Local glebe terriers also provide indications of a certain amount of renovation and rebuilding of parsonage houses taking place during the enclosure period, but more detailed research is required before a firm link can be established between enclosure and improved clergy housing.

Other deductions from the open land, which had to be made before the private allotments could be allocated, were those for roads, drains, gravel pits and manorial right of soil, but these were generally of far smaller acreage than the tithe allotments. Compensation for manorial right of soil, was usually calculated as between one-sixteenth and one-twentieth of the common and waste and did not apply to any other type of land (Table 7:8). Unless a parish contained extensive tracts of waste, such allotments were modest as were the plots, rarely exceeding three acres, which were awarded as sources of gravel for the highways. New roads usually took up a larger area, although there was great variation in the amount of construction authorised within individual parishes (Chapter 6). For instance, turnpike roads were established by separate parliamentary acts and were never affected by the enclosure of parishes through which they ran. Where a turnpike, or other major road, already existed only a minimum amount of extra road-making might have been needed, chiefly to facilitate access to new closes.

¹ G.F.A. Best, *Temporal Pillars* (Cambridge, 1964), p.67.

² R. Thoroton, *The Antiquities of Nottinghamshire*, (1677, J. Throsby's edition, Nottingham 1790-1796, reprinted Wakefield 1972), III, p.333.

Table 7:8

Allotments Awarded in Lieu of Manorial Right of Soil

Parish	Acreage awarded			Parish	Acreage awarded		
	a.	r.	p.		a.	r.	p.
ALVERTON		1	4	FARNSFIELD	91	1	25
ANNESLEY &	32	1	26	FINNINGLEY	61	0	21
ANNESLEY WOODHOUSE				FISKERTON-CUM-	(no waste land)		
ARNOLD	c.125	0	0	MORTON			
ASKHAM	(no waste land)			FLINTHAM	21	2	25
ASLOCKTON	17	3	19	GAMSTON	(one proprietor)		
BALDERTON	21	0	0	(near Retford)			
BARNBY MOOR	13	2	23	GATEFORD & SHIREOAKS	26	2	0
BARTON IN FABIS	(one owner)			GEDLING, CARLTON &	c.18	0	0
BASFORD	59	2	11	STOKE BARDOLPH			
BECKINGHAM	25	3	29	GIRTON	(no waste land)		
BEESTON		1	20	GOTHAM	19	0	5
BESTHORPE	(no waste land)			GRANBY & SUTTON	3	2	20
BILBOROUGH	(no waste land)			GRASSTHORPE	1	1	0
BLEASBY	3	1	0	GREASLEY	16	2	23
BLIDWORTH	75	3	13	GRINGLEY-ON-THE-HILL	66	0	15
	131	0	4	HABBLESTHORPE			37
BLYTH	3	2	13	HALAM & EDINGLEY	19	1	23
BOUGHTON	6	1	17	HARBY & BROADHOLME	22	1	22
BRAMCOTE	1	0	19	HARWORTH	37	2	30
BULCOTE			13	HAWKSWORTH	(not mentioned)		
BURTON JOYCE		3	1	HAYTON	9	1	6
CALVERTON	88	2	6	HEADON CUM UPTON	3	1	0
CARLTON IN LINDRICK	108	3	32	HICKLING	2	0	0
(including 480 sheepgates and				HUCKNALL TORKARD	26	1	26
25 beastgates)				KERSALL	7	1	20
CARLTON ON TRENT	14	0	29	KEYWORTH	1	0	24
CAUNTON	8	2	15	KIRKBY-IN-ASHFIELD	316	3	20
CLARBOROUGH	5	0	16	KIRTON	6	2	16
CLAYWORTH	41	2	22	LAMBLEY	22	2	16
CODDINGTON	3	0	0	LANEHAM	6	1	29
COSTOCK		1	0	LENTON & RADFORD	5	3	1
COTGRAVE	65	1	23		14	2	28
CROMWELL	4	0	0	LITTLEBOROUGH	4	3	11
CROPWELL BISHOP	2	0	0	LOWDHAM, CAYTHORPE		2	30
CROPWELL BUTLER	5	3	34	& GUNTHORPE			
DUNHAM & RAGNALL	11	1	35	MANSFIELD WOODHOUSE	473	3	1
EAST BRIDGFORD	4	2	6	(includes mineral rights)			
EAST DRAYTON	(no waste land)			MATTERSEY	13	3	11
EAST LEAKE	24	0	13	MISSON	100	0	0
EAST MARKHAM	13	2	23	MISTERTON &	229	0	0
EAST STOKE & ELSTON	16	2	1	WEST STOCKWITH			
EASTWOOD	8	1	2	MOORGATE	3	1	16
EATON	16	1	9	NORMANTON ON SOAR	4	0	0
EDWINSTOWE	160	3	11	NORMANTON ON TRENT	1	3	33
(BIRKLAND & BILHAGH)				NORTH & SOUTH	14	0	29
EGMANTON	10	0	28	CLIFTON			
ELTON		1	29	NORTH COLLINGHAM	12	0	39
EPPERSTONE	(not mentioned)			NORTH LEVERTON		1	17
EVERTON & HARWELL	(not mentioned)			NORTH MUSKHAM,	28	3	28
FARNDON	6	2	32	HOLME & BATHLEY			

Table 7:8 continued

Allotments Awarded in Lieu of Manorial Right of Soil

Parish	Acreage awarded			Parish	Acreage awarded		
	a.	r.	p.		a.	r.	p.
NORTH WHEATLEY	2	0	32	STYRRUP & OLDCOTES	30	3	14
NORWELL	14	2	25	SUTTON BONINGTON (not mentioned)			
OLLERTON	38	2	38	(ST. ANN'S)			
ORSTON & THOROTON		3	17	SUTTON BONINGTON	2	0	0
OXTON	233	3	34	(ST. Michael's)			
(includes rights for mines, minerals, stone etc.)				SUTTON CUM LOUND	97	0	19
PLUMTREE & CLIPSTONE	1	1	27	SUTTON-IN-ASHFIELD	45	0	0
RADCLIFFE ON TRENT		2	6	SUTTON ON TRENT	22	2	20
(including mineral rights)				SYERSTON	4	3	15
RAMPTON (no waste land)				TOLLERTON			37
RANSKILL	18	3	0	TRESWELL	2	1	15
REMPSTONE	3	0	0	TUXFORD	26	0	20
RUDDINGTON (not mentioned)				UPPER BROUGHTON	2	0	0
SCAFTWORTH (not mentioned)				UPTON	1	1	29
SCARRINGTON		2	34	WALESBY	18	1	1
SCREVETON (no waste)				WALKERINGHAM	16	0	9
SCROOBY	14	2	39	WARSOP	103	3	28
SELSTON	35	3	17	WELHAM	8	0	0
(excluding mineral rights)				WELLOW (common left open)			
SKEGBY	1	1	27	WEST MARKHAM	7	0	14
SNEINTON	1	2	7	WESTON	18	0	11
SOUTH LEVERTON & COTTAM		1	0	WHATTON		1	1
SPALFORD & WIGSLEY	33	0	18	WIDMERPOOL	5	3	3
STAPLEFORD (not mentioned)				WILFORD	1	0	35
STAUNTON (not mentioned)				WILLOUGHBY ON THE WOLDS			8
STRELLEY (no waste land)				WINTHORPE (no waste)			
STURTON LE STEEPLE	21	2	30	WOODBOROUGH	14	1	24
				WYSALL	2	0	0

Even where the complete reorganisation of a road system was undertaken, the quantity of land required seldom amounted to more than three per cent of that allotted, and this would often have been compensated to some extent by the reallocation of redundant roads and tracks. Nevertheless, the making of new roads, together with improvements to existing ones and the implementation of drainage schemes, could be a considerable extra financial burden for proprietors who were already involved in what was clearly an expensive undertaking (Table 7:9).

Table 7:9

Nottinghamshire Enclosure costs; roads, drains etc.

Parish	Roads			Drains etc.		
	£.	s.	d	£.	s.	d
EVERTON & HARWELL				3200	0	0
WILFORD				68	17	1 bridges
MISTERTON				837	18	0
RADCLIFFE-ON-TRENT	200	0	0	315	7	9 repair of river bank
CROPWELL BUTLER	873	17	2			
WHATTON	1038	4	11			
GEDLING				442	18	6 repair of river bank
WILLOUGHBY-ON-THE- WOLDS	3169	18	4			
WOODBOROUGH	1961	15	3			roads and drains
GRINGLEY-ON-THE-HILL				582	8	0
EAST LEAKE	2042	3	6			
TUXFORD	3132	0	0			roads and drains
WALKERINGHAM				1215	18	0
SUTTON-ON-TRENT	1169	7	4			roads and drains
NORWELL	3989	1	3			

Yet, despite the generally high cost of carrying through an enclosure, the prospective benefits to be derived from the process must have been sufficient to persuade many landowners throughout the country that the expenditure was worthwhile. According to the testimony of one local proprietor, the worst lordship would improve by about one fourth after the deduction of enclosure expenses, and good land would more than double in value (Chapter 4). His opinion was endorsed by the author of a treatise on the enclosure of waste land, quoted in the *General Report on Enclosures* where it was stated that even bad open-field land

would give sufficient profit for a landowner to proceed with enclosure, and, more recently, it has been suggested that the only serious disadvantage of enclosure by act was the cost.¹

However, not all soils were equally improveable and most major changes in cultivation would have taken time to establish, while returns on the outlay would probably have been small for several years. As suggested in Chapter 4, for larger owners perhaps the most potent incentive to enclose would have been the prospect of the increased rents which would almost inevitably have become payable at an early stage of an enclosure. Some indication of the improved value of property may be gained from an examination of the income derived from a levy for the poor rates of one shilling in the pound, before and after enclosure. This information is plotted in Figure 7:1 for the few local parishes for which sufficiently detailed accounts have been found. The interesting feature of these standard levies is not that they produced increased amounts of money after enclosure (enclosed land has always been considered to have been more valuable than unenclosed) but that the revaluation of property appears to have taken place shortly after it had been partitioned rather than at the time of the award. An example of similar increases may be found at Shelford (a parish not subject to parliamentary enclosure) where a farmer's rent increased by about forty-two per cent in 1793; a date at which he was buying poles and 'hedgingmittings' (sic.). Presumably, at least part of this parish was being enclosed at this date as the shilling levy upon the whole parish for the poor rate produced an income increase of about twenty-two per cent in 1793.²

¹ *General Report on Enclosures* (1808), p.288; J.D.Chambers & G.E.Mingay, *The Agricultural Revolution, 1750-1880* (1966), p.78.

² N.A.O. DD.69/1

FIGURE 7:1 Effect of Enclosure upon Yield of One Shilling Poor-rate Levy

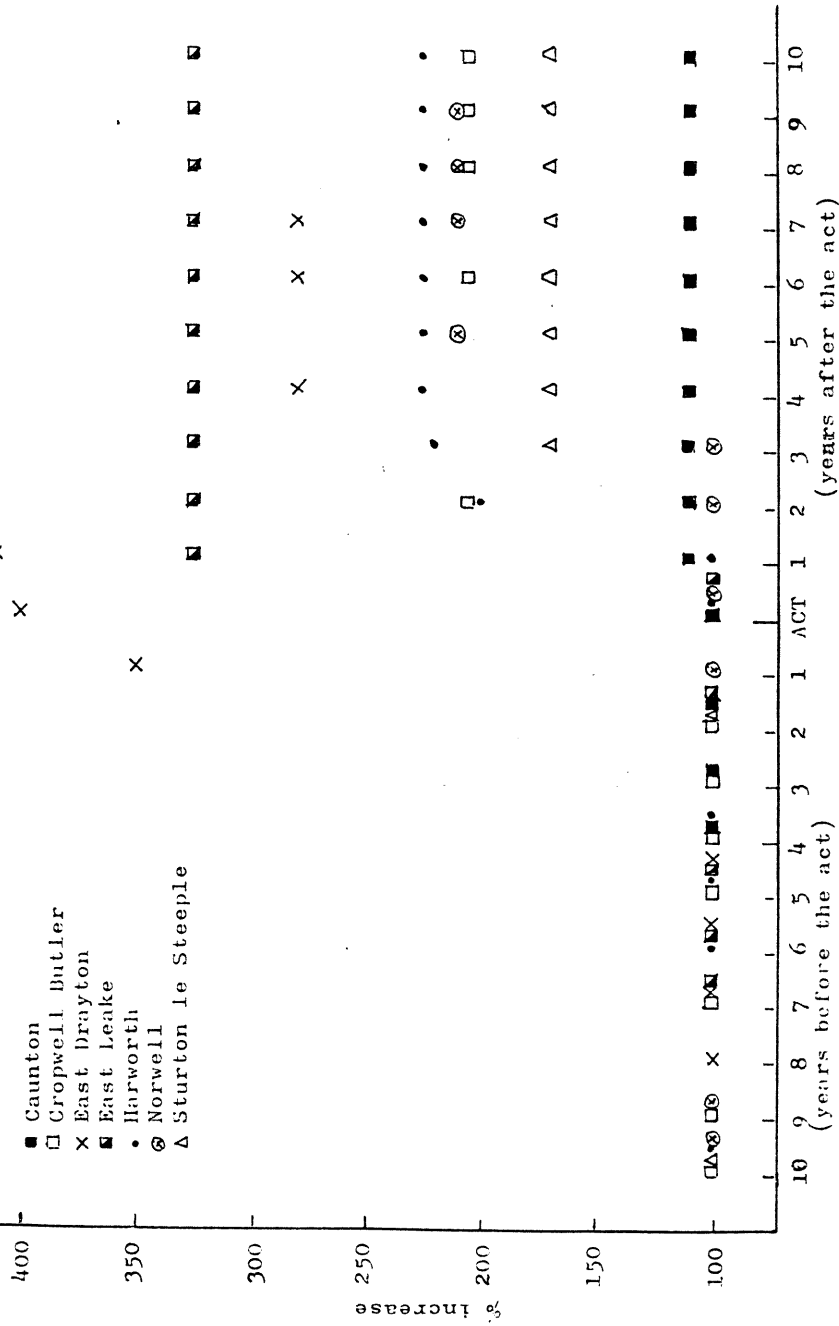


Figure 7:1 source:

Caunton, N.A.O. PR.6251.
 Cropwell Butler, N.A.O. PR.4546.
 East Drayton, N.A.O. PR.4824.
 East Leake, N.A.O. PR.2011.
 Harworth, N.A.O. PR.8454.
 Norwell, N.A.O. PR.930-932, 941.
 Sturton-le-Steeple, PR.3301-2.

It should also be noted that, while the income from the shilling levy sometimes varied slightly from assessment to assessment in the pre-revaluation period (this variation was only of a few pence or shillings, too small to register on the scale of Figure 7:1), with the exception of those for East Drayton, the amounts collected from a levy on the revalued properties in a parish continue unchanged for as far as the records exist. Reasons for the devaluation of the levy at East Drayton have been suggested above.

Nottinghamshire enclosure acts contained specifications concerning rents and leases almost as varied as those for tithe. All leases and agreements were to remain unchanged in some parishes, in others all were to be made void, while elsewhere, different types of property were to be treated in different ways. Sometimes, only leases of open land were to be adjusted or abolished but those for buildings and old enclosure were not to be affected. At Scaftworth rents were either to be raised by five pounds for every hundred pounds spent on enclosure by the owners, or a tenant could pay an agreed proportion of the landlord's enclosure expenses according to the remaining term of his lease and the probable improvement which might accrue to his holding. A fair amount of copyhold land also existed in this county, mostly held under the prebendaries attached to Southwell and Lincoln Minsters, and special arrangements were usually made for this. For instance, the copyhold lessees at Hickling were to pay a share of the enclosure costs but their rents were not to be increased on the renewal of

leases within fourteen years. On the other hand, a clause in the act for Beckingham stipulated that the rent of all property (including new allotments) which was part of the prebendal estate should be increased by ten pounds per year, to ensure that the prebendary should reap part of the benefit which was expected to arise from the enclosure.

Undoubtedly, tenants of small areas of open land, or those who relied upon the right of common attaching to rented cottages, would have been most vulnerable to the harmful effects of a revaluation of property at enclosure. Allotments awarded for both open-field land and common right would most likely have been laid out in more valuable compact plots which would have attracted new rents beyond the means of the poorer members of the community. Also, if agreements could be foreclosed, the landlord would have been able to rationalise his property at will. This could be achieved either by taking the land into his own management, or by consolidating it into larger farms for his wealthier tenants and ridding himself of the poorer ones. In such cases many small tenants might have found themselves deprived of both house and land, with only the compensation of the unexpired portion of their rent to support them.

As mentioned above, parishes varied as much with respect to the way in which tenancies were adjusted as with any other aspect of enclosure. In some places even the squatters were allowed to continue in possession of their cottages on paying the same rents as previously to the lord of the manor. Elsewhere, landlords were determined to make as much profit as possible from their property, and an example of this attitude was provided at Everton by the trustees of the Magnus Charity Estate - the Mayor and Corporation of Newark. No mention of any change in leases was made in the Everton act (1759), but, in 1769, when those

of six farms belonging to the Magnus Estate were offered for renewal to the highest bidders, the Trustees made it plain that no concessions would be made to the occupiers.¹ The following year (1770) a farm and fourteen cottages were advertised under similar terms, and, by 1790, when leases once more began to expire, it was reported that farms were being re-let at very advanced rents; 'one originally £90 per year now £200, and the rest in similar proportion'.² With escalating increases of this magnitude even some of the more substantial tenants may have found it difficult to keep pace with post-enclosure prices.

In conclusion one can only repeat, as with other aspects of enclosure, that the impact of costs was conditioned to a great extent by local factors. Although the basic public expenses of the legal and parliamentary processes were always high, proprietors in some places escaped extra charges for road and drainage improvements, while others were still paying for such works after an enclosure had been completed. The cost of physically enclosing allotments would also have been greater in terms of manpower on the heavier lands than on the more easily worked sands and river gravels, and the opportunities for introducing new crops would have been fewer on the former (Chapter 2). Where the smallest proprietors were not assessed to the general expenses there appears little reason to suppose that they would not have been able to afford to enclose their plots, although even the few pounds required for fencing and hedging materials might have been beyond their means, given that their rates would also increase. It could also be argued that these plots would have been too small for

¹ *Nottingham Journal*, 30.12.1769.

² *Nottingham Journal*, 2.10.1790.

profitable cultivation and not worth enclosing. This would not have applied where small allotments could be laid together to provide a more viable area, but it is not known how many owners took advantage of this concession where it was available. Again, a great deal of detailed research at parish level is required before a clear idea of the true level of enclosure costs, and of the ways in which they affected the local community, can be formed.

CHAPTER EIGHT
CONCLUSION

Any close examination of parliamentary enclosure will reveal that it was much more varied and diverse than might be expected of a process which had to conform to a certain formal procedure, and parliamentary enclosure in Nottinghamshire was no exception. In the first place, the very term 'parliamentary enclosure' is something of a misnomer, implying as it does the compulsory enclosure of land under governmental edict. Of course, this was not the case; Parliament took no active part in enforcing enclosure but only provided a legal framework within which private acts could be solicited. Even during the French Wars, no governmental pressure was exercised to bring about the enclosure and cultivation of the country's extensive waste land, although this was advocated by many agriculturalists. For instance, at the end of 1795, Sir John Sinclair gave notice to the House of Commons that he intended to bring in a bill, based upon the report of the Select Committee appointed for examining the waste lands; 'to make arrangements with persons concerned and to remove all legal inabilities against inclosing and improving the said lands'.¹ In 1801 the Board of Agriculture also resolved that 'every acre of waste and uncultivated land should be brought, as soon as may be, into a state of cultivation; and that every impediment thereto should be removed in the best manner possible'.²

Certainly, a great deal of waste was enclosed in the closing years of the eighteenth century, and first decade of the nineteenth, under the stimulus of high wartime food prices. However, this was almost

¹ *Nottingham Journal*, 2.1.1796.

² *Nottingham Journal*, 16.5.1801.

entirely the result of private enclosure acts rather than a concerted effort on the part of Parliament to make the best use of the nation's agricultural resources. Nevertheless, throughout the whole era of enclosure by act, Parliament placed few obstacles in the path of those landowners who wished to enclose, and it has been suggested that formal opposition to enclosure was sometimes ignored or circumvented at the parliamentary committee stage. It is also suspected that the various ways of recording opposition to enclosure were adopted in order to maximise the proportion of consent. This is not particularly surprising when one remembers that Members of Parliament were often either personally interested in enclosure or related to, or neighbours of, those who were petitioning for an act.

From the survey of the parliamentary process in Nottinghamshire contained in the preceding chapters, it will be clear that the statutory requirements for the solicitation of acts did not produce stereotyped documents which imposed a uniform pattern upon the conduct of the process. In this respect Nottinghamshire was no different from other counties for which similar studies have been undertaken. Despite the constraints of official procedure, clauses concerning practically any local issue could be inserted into acts, and even where General Acts were quoted the adoption of their provisions could be selective. Also, after an act had been passed there appears to have been a certain amount of latitude in the way its clauses were interpreted by the commissioners. Locally, the chief delinquency in this respect was a failure to sign awards within a stipulated period, but the almost complete absence of accounts of enclosure expenditure might also be attributable to a disregard of the directive which required them to be deposited with the awards. The possibility of such variation within the parliamentary enclosure system may not always have been

appreciated by earlier historians, and it is a measure of the way the understanding of the subject has expanded that such flexibility is now generally recognised.

In fact, even the validity of the concept of a fundamental pre-enclosure three-field or four-field system of cultivation may be questioned. This notion of conventional unchanging common-field systems is not confined to the earlier generation of historians but has provided stylised models upon which some recent enclosure arguments have been based, notably by D.N.McCloskey and C.J.Dahlman. Neither the open fields nor their cultivation were fossilised into a rigid pattern before enclosure. Traditional agricultural rotations had been augmented by the introduction of roots and seeds in many regions by the mid-eighteenth century, or earlier, and the cultivation of these crops usually resulted in modifications to the open fields long before a formal enclosure was contemplated. Some land might be taken out of the arable fields to facilitate the expansion of temporary pasture; elsewhere an extra field would be created to enable clover to be introduced into the rotation, or to provide an area for turnip cultivation. Local records of developments of this kind can be found, and, judging from the number of parishes which contained multiple open fields on the eve of enclosure, a great deal of undocumented reorganisation of land had taken place in this county. Closes recorded as being in the ownership of more than one proprietor may also be an indication that collective piecemeal enclosure of individual strips of open land had taken place.

The watershed in enclosure historiography may be placed around the middle of the twentieth century and is almost entirely the result of the formation of county record repositories. As noted above, access to these collections has made possible the investigation of the mechanics

of enclosure in much greater detail than formerly, and has encouraged concentrated studies of the parliamentary process within limited areas - usually those of a county. Also, while acts and awards are still central to any study of parliamentary enclosure, it is now appreciated that they cannot provide a complete history of the subject. The discovery of unofficial records such as commissioners', clerks' and surveyors' notes and working papers has led to a greater understanding of the practical problems which had to be overcome. Also, it is common nowadays for documents peripheral to the main body of records to be employed in elucidating the progress of local enclosures. The present study of Nottinghamshire incorporates material from contemporary newspapers, private and estate papers, glebe terriers and poor-relief accounts, in addition to the more obvious enclosure sources.

This more modern approach, which examines the minutiae of individual enclosures within the limits of a county, is in contrast to that of many earlier historians. Scholars writing in the closing years of the nineteenth century and in the early decades of the twentieth tended to treat the subject on a national scale, sometimes in the light of a particular interest, such as the legal aspect of enclosure, organisation of open fields, post-enclosure agricultural improvement, growth of land monopoly or the degradation of the agricultural labourer. In the event, an examination of this last topic has become the most famous of all enclosure studies - J.L. & B. Hammond's *The Village Labourer*, first published in 1911. No-one has yet produced a modern commentary on parliamentary enclosure as immediately attractive as this work, and, despite the existence of several better balanced up-to-date scholarly reviews of the subject, *The Village Labourer* is probably still accepted by many non-specialist readers as the authoritative version of the consequences of parliamentary enclosure.

Inevitably, general studies usually presented enclosure by act as a single movement consisting of a succession of largely indistinguishable projects, and failed to allow for differences of timing and stimuli or for regional variations. However, few individual cases could be adequately researched by the earlier generation of historians; unchallenged enclosure schemes were usually deficient in official documentation, and much of the relevant local material was uncatalogued and scattered throughout the country. Under these circumstances, the enclosures for which a reasonable amount of detail was available were usually the more controversial projects which had been attended by a certain amount of publicity, especially if accompanied by physical resistance. These examples were seized upon and provided evidence for those scholars whose political convictions led them to regard all enclosure as detrimental to the welfare of poorer members of the rural community.

As comparatively little violent opposition was encountered in any of the enclosing counties during the parliamentary period, and the number of formal petitions against the process was also small, cases of this type cannot be considered as representative of the majority of enclosures. Moreover, in contrast to the disturbances which occurred during pre-parliamentary periods of intensive enclosure, when loss of arable land was the usual complaint, violent resistance to enclosure by act generally erupted in places where areas of common land were involved and the protesters were not reliant upon agriculture for their livelihood. This is true for Nottinghamshire, where, apart from the traditional opposition to the enclosure of Nottingham's fields, the most determined resistance was invoked by the enclosure of Selston Common.

With the change of emphasis to comprehensive examinations of the parliamentary process within smaller areas, it has become increasingly evident how little uniformity is to be found in the way it operated, and it would appear that every enclosure project was, to a certain extent, unique. In Nottinghamshire, a county of modest size and not noted particularly for agricultural innovation, differences in landownership and tenure, in type of soil and in the proportion of parish land remaining open all militated against any degree of conformity in either the timing of enclosure or the way in which it was enacted. Adjacent parishes having similar soils could be enclosed at widely different dates as could parishes which contained few or many proprietors. This seemingly arbitrary progress of enclosure was, of course, not confined to Nottinghamshire but was experienced in other counties for which studies have been produced. Yet, although such research has usually been conducted along similar lines and provides comparable data, the very abundance of detail now available has created difficulties in assessing the impact of enclosure generally in the eighteenth and nineteenth centuries.

It is now accepted that parliamentary enclosure was not a single movement but progressed in waves, the timing and intensity of which varied in each county. For example, in Warwickshire, the process had been under way for almost thirty years and thirty-one acts had been passed by the time the first phase of Nottinghamshire parliamentary enclosure began in 1759. At the other end of the scale, only five acts had been passed for Cambridgeshire before 1790.¹ These are extreme cases, but, even if the adjoining counties of Leicestershire and Nottinghamshire are compared a difference of chronological emphasis is

¹ M.E. Turner, *English Parliamentary Enclosure* (Folkestone, 1980), pp. 204 & 205.

found. Although many of the acts were obtained concurrently for these counties, the main concentration of Leicestershire enclosures occurred between 1759 and 1780 while in Nottinghamshire the greatest activity was between 1787 and 1810. Of course, an act could relate to quantities of land varying from a few dozen acres to several thousand, and the scale of parliamentary enclosure is not necessarily reflected in an enumeration of acts at different dates. However, for Nottinghamshire the period of most numerous acts is also the period in which the greatest acreage of land was enclosed.

An awareness of the many variables which could exist within the enclosure process has created new problems for historians. It has inhibited the production of the former type of wide-ranging study, and has encouraged a more closely focused interest upon specific areas, or upon examinations of individual aspects of enclosure as revealed by local records. In its turn this more exhaustive examination of separate enclosures and the issues surrounding them has neutralised, to a certain extent, the earlier controversies concerning the social effects of parliamentary enclosure. Protagonists debating the improvement or decline of the agricultural workers' standard of living are now usually more cautious in their pronouncements, and less partisan than their predecessors, when discussing the rôle played by this type of enclosure. Few present-day investigators of the parliamentary process would support the view that it was followed by universal prosperity. On the other hand, it is no longer assumed that every enclosure inevitably resulted in deprivation and hardship. Not only is there an awareness that each enclosure might not have been followed by similar consequences, but it is appreciated that the effects of parliamentary enclosure may not have been identical to those associated with enclosures made during the pre-parliamentary

era. Also, the importance of parliamentary enclosure has been diminished by the realisation that it was only the culminating stage of a process which had been taking place for many centuries, and which affected a far smaller proportion of land than that enclosed by enforcement or by agreement.

Nevertheless, some parliamentary enclosures must have been more harmful than others, and it has long been acknowledged that tenants of common-right cottages and persons who enjoyed merely customary rights would have been adversely affected. The fate of the landless section of the rural community was a theme central to contemporary anti-enclosure writings and has continued to rouse speculation amongst historians. As early as 1770 Arthur Young commented upon the ruin of poor parishioners as a result of enclosure, and a review of the evidence for enclosure-related hardship in the local rural community will be found above.¹ It may not always be realised, though, that owners of land which had been enclosed by consent, but without formal written agreement, were equally at the mercy of the promoters of enclosure. We have noted that the qualifying period for land to be designated as 'ancient enclosure' varied very widely, although the most usual was twenty years. Closes which had been in existence for a shorter period than that allowed were considered to be part of the open land and could be divided and allotted along with the rest. Some Nottinghamshire acts made provision for each parcel of land which had not been enclosed for the specified period to be allocated to its occupier as part of his entitlement to land or common-right. This might appear to have been a fair compromise solution to the problem, but in effect a proprietor could lose a significant acreage of land by

¹ A. Young, *A Six Months' Tour through the North of England* (1770) p.223.

being awarded a close which he already considered as his legitimate property, in compensation for open land or common right which had also formed part of his estate before enclosure.

Obviously, the importance of the enclosure process in the lives of the inhabitants would have varied from place to place, and much would have depended upon the proportion of parish acreage affected by the act and the use to which the newly enclosed land was to be put. Factors such as whether the common was to remain open after the other land had been enclosed, the condition of the herbage and the presence, or absence, of fuel would also have to be taken into consideration. In Nottinghamshire the right to cut fuel on the common or waste, or the loss of such right, may not have been as important as in some other counties. Coal was readily obtainable throughout the county in the eighteenth century, presumably at a reasonable price because it figured quite prominently in several overseers accounts as an item of relief for the poor. In some cases, too, if allowances of land in lieu of right of common were generous the plots awarded may have been of more value than the original rights. Even so, it is probable that a certain amount of enclosure-induced hardship would have occurred in many local parishes. On the whole, though, from contemporary comments and later research, it seems possible that parliamentary enclosure in this county was generally less injurious to the welfare of the poorer inhabitants of rural parishes than it was in some others. Which is, perhaps, surprising, when it is considered that Nottinghamshire was owned to a large extent by a few large landowners.

Unfortunately, the people who were most vulnerable to any ill effects of enclosure are usually those who have left the fewest records, and it is very difficult to determine the degree of hardship suffered. Accounts of poor-relief would appear to be the most valuable source for assessing enclosure-related distress in the rural labouring

class, but an attempt to identify the extent of this in a sample of Nottinghamshire parishes by means of a comparison of pre- and post-enclosure disbursements by overseers of the poor has proved inconclusive (Appendix E). Certainly, local levels of poor-relief, in common with those elsewhere, rose throughout the greater part of the enclosure era and beyond, but the enclosure process cannot be isolated as the sole cause of the increase. Various forces, largely unconnected with enclosure, combined to produce hardship for the labouring poor throughout the greater part of this county's most active period of parliamentary enclosure.

In fact, although Nottinghamshire's total expenditure upon the poor was high it may not have been typical of the majority of midland counties at this period as it would appear to have been well below the average both before parliamentary enclosure in this county began and after the bulk of the local enclosures had been completed. A comparison of official abstracts of the sums applied to poor relief in a selection of suitable counties for the years 1748, 1749 and 1750 (at which time Warwickshire was the only county in the group to have been affected to any significant extent by parliamentary enclosure) shows Nottinghamshire as spending by far the least amount. The disbursement for Leicestershire was seventy-three per cent higher, for Derbyshire seventy-five per cent, Warwickshire one hundred and thirty-eight per cent and for both Oxfordshire and Northamptonshire one hundred and eighty-five per cent higher.¹ A comparison can also be made of poor rates within the same counties in 1823, a date at which the parliamentary enclosure movement had run the greater part of its course. Naturally, the actual amount spent upon the poor would

¹ Abstract of returns for the years ending Easter 1748, 1749, 1750: First and second reports from the Select Committee on the Poor Laws (1818).

have been much greater everywhere in the 1820s than in the mid-eighteenth century but we are concerned here only with each county's expenditure in relation to the others. By 1823 Nottinghamshire and Derbyshire ratepayers were paying the lowest rate in our sample group of counties at eight shillings per head; Warwickshire ten shillings, Leicestershire fourteen shillings, Oxfordshire seventeen shillings and Northamptonshire eighteen shillings.¹

The nineteenth-century figures probably provide a more reliable comparison of poor relief because they represent the poor-rate, rather than overall county payments. A populous county might contain a greater proportion of its population seeking relief than one having fewer people but, as we have no comparable population figures for the mid-eighteenth century, no adjustment can be made for this factor. For the early decades of the nineteenth century Leicestershire, covering an almost identical area to Nottinghamshire and containing a slightly lower population, provides the most useful comparison. It is tempting to speculate that the very wide differences in sums paid at the earlier date reflected the degree to which pastoral farming had been introduced in the various counties. This speculation cannot be substantiated, but it has been seen that Nottinghamshire was not affected by early enclosure for pasture to the same extent as much of the southern midlands. Also, notwithstanding E.C.K.Gonner's assertion that there was large-scale conversion of arable land in this county between 1760 and 1780 no confirmation of this statement has been found in the local records.²

¹ Report of the Select Committee on the Poor Rates (1823), tabulated in C.D.Brereton, *Observations on the Administration of the Poor Laws in Agricultural Districts* (1824), p.106.

² E.C.K.Gonner, *Common Land and Inclosure* (1966 edition), pp.225-6,

However, no attempt has been made in the present study to identify the acreage of open arable land enclosed by parliamentary means. This would be a formidable task. Indeed, it is sometimes difficult to arrive at a reasonably accurate figure for the total amount of land enclosed in a parish. Enclosure acts are not usually reliable sources of information for either the total area to be enclosed or the types of land involved. Of seventy-six Nottinghamshire enclosures for which we have both the estimated acreage and that awarded, fifty were over- or under-estimated by from five per cent to fifty per cent. Acts are also of little use for identifying the type of land to be enclosed. A standard form of wording was usually used which covered everything from open-field arable to waste, and the mention of a specific kind of land in an act was no guarantee that it existed in a particular parish. In the awards the acreages of open land were usually accurately surveyed for the commissioners but it is not always clear how much was arable, also, total acreages for enclosure sometimes included closes which were to be exchanged and reallocated.

Nevertheless, it has been found possible to make a reasonably accurate calculation of the total acreage allotted in one hundred and thirty-nine Nottinghamshire enclosure awards, and the percentage of parish land involved in each. The recipients of allotments have been placed within one of eight categories of proportional ownership ranging from less than one per cent to more than fifty per cent of the land awarded, less the amount required for public works (Appendix A). In addition, for the same parishes, allotments have been tabulated as actual areas of land, again within eight groups, encompassing holdings of less than one acre to those of more than two-hundred acres (Appendix B).

These two representations of the distribution of land at enclosure would appear to reveal wide differences in parish ownership patterns, but while the figures provide a reliable record of the amount of land awarded to each proprietor, they cannot be regarded as a true reflection of the concentration of landownership in every parish. There is always the possibility that some very small owners may have held the tenancies of large farms. Also, several of the smallest allotments in most awards were compensation for common-right attached to buildings, the owners of which could have been major proprietors of enclosed land within the same parish. Again, many owners held land in more than one parish, or even in more than one county, and a person who received an insignificant allotment in an award could have been one of the most important landowners in the country. For example, three of the persons who were allotted less than one acre of land at Lowdham were the Earl of Chesterfield, Lord Howe and Abel Smith (the Nottingham banker). From these comments it will be appreciated that it is virtually impossible to reconstruct the true pattern of ownership in a parish solely from the award. Although concentrations might be distinguished where a large proportion of the parish area was awarded to few proprietors, the picture becomes very nebulous elsewhere. In the absence of comprehensive information about every person who received land in every enclosure, caution must be used in assuming that the size of allotments reflected the hierarchy of owners in a parish.

Nor is it easy to answer the related question of the fairness, or otherwise, of the parliamentary enclosure system as applied to small proprietors in this county. While no flagrant injustices have been discovered in the enactment of the process, nevertheless, as mentioned above, there were marked variations in the definition of ancient

enclosure and in the way common-right was compensated. Differences existed, too, in the way in which the general enclosure costs were apportioned, in some parishes these were waived for persons receiving small allotments, while in others the expenses would be assessed to the last farthing upon all owners, no matter how small their property. Again, the impact of enclosure may not have been too severe where common land or open pasture was not affected, or if the recipients of certain land were given the option of enclosing their allotments or leaving them open. Also, where owners of small plots were allowed to have their allotments laid together to form a more viable area, acceptance of this provision would have reduced the expense of fencing and might have made it feasible for such proprietors to continue to cultivate their land.

On turning to a consideration of the local commissioners, it would appear that the majority carried out their duties with reasonable efficiency, but how far this method of deciding the apportionment of land was fair to all is still debatable. Theoretically, where a commissioner had been appointed to act for each of the three main parties concerned in the enclosure (usually the lord of the manor or other large landowner, the owner(s) of tithe and the rest of the proprietors), the interests of everybody should have been protected. However, as the act usually allowed any two members of a commission to proceed with an enclosure in the absence of the third, a great deal must have depended upon the commitment of the proprietors' commissioner. In any case, the advantages of the parliamentary enclosure system were likely to have been weighted in favour of major landowners, who were not only responsible for many of the clauses in the acts, but sometimes appointed their own land agents as

commissioners. The importance of having a representative in a commission is born out where owners who lived outside the county were entitled to land in a local enclosure and appointed a commissioner from their own area to look after their interests.

Very few complaints were registered in Nottinghamshire either against the way commissioners interpreted the acts or against the allotments awarded. This is not surprising when one remembers that the principal beneficiaries were unlikely to have had any cause for dissatisfaction, and the recipients of small allotments may not have been aware of their right to object, or could have been afraid that they might become involved in expensive legal argument. It is not known how many lesser landowners sold their land, or their prospective allotments in lieu of common-right, before enclosure; and it would be fruitless to speculate upon the importance of the enclosure process in relation to labour opportunities or the increasing dependence upon wage-labour of former common-right owners and small proprietors. Furthermore, despite the long-running debate about the extent to which enclosure forced the poorer members of rural society to become industrial labourers (in which an assessment of Nottinghamshire evidence was originally presented at the forefront of the argument), questions of the degree of survival of small landowners in Nottinghamshire and the extent of migration from the countryside remain unanswered.

Indeed, although detailed examinations of parliamentary enclosure have been completed for several counties in which it was an important feature of their agrarian history, some aspects of the process are still obscure. One basic unresolved question is why enclosure was embarked upon in a particular place at a particular date. Many reasons have been suggested by historians as explanations of periods of high

general enclosure activity: shortage of pasture, the prospect of increased rents and an opportunity to dissolve long leases, the inefficiency and inconvenience of open-field cultivation, a desire to improve stock and the difficulty of introducing new crops into conventional rotations.

No doubt such considerations, together with the market forces of high prices or increased consumption, would have provided a stimulus for many enclosures, and there is a temptation to explain the periods in which acts were most prolific by reference to contemporary economic or agrarian developments. Nevertheless, these considerations do not account for the wide variations in the timing of enclosure which could exist within a limited area. In Nottinghamshire, apart from a few cases of the simultaneous, or concurrent, enclosure of parishes which belonged to the same principal owner, there appears to have been no definite pattern in the way the parliamentary process developed with regard to soil-type, concentration of ownership or transport facilities.

However, as emphasised in Chapter 4, the date of an act does not always mark the year in which an enclosure was first attempted. Almost a quarter of enclosing parishes in Nottinghamshire are known to have experienced a delay of at least five years, some of them much longer, between the first discovered mention of the intention to enclose and the date of the act, and there could be others for which no evidence has yet been found. Where several years elapsed after an enclosure had been proposed, it is possible that by the time the act was procured the original inducement to enclose might no longer have been present.

In any case, the physical enclosure of land normally took much longer than is sometimes realised and there was no instant change from open fields to fenced closes. Where the proprietors were allowed to

enter their allotments long before the award was signed and the date for completion of the fencing was set six or twelve months after the execution of the award, the completion of fencing would appear to have been very leisurely. Details of the practical problems which had to be overcome by farmers during, and after, enclosure are not easy to find, but not all changes in land-use could be introduced quickly and sometimes a transitional period was required before the full benefits could be enjoyed. For instance, hedges needed to be seven years old before they were stock-proof, so, unless extra protection was provided, the usual two-year old quicksets would have needed to have been planted and managed for five years before livestock could be allowed into the closes. An illustration of this may be seen above, where the vicar of Blidworth was compensated for a reduction of his wool tithe when the number of sheep was reduced consequent upon the enclosure of waste land. Former arable land, too, did not transform itself into good quality pasture unaided but had to be sown with a suitable grass mixture which had to grow sufficiently before it could be grazed. Again, rough pasture or common land which was to be tilled after enclosure often required a considerable amount of weed-clearing, possibly for several seasons depending upon the degree and type of infestation, before it became fully productive.

Also, while we have a much clearer understanding of the formalities of the parliamentary process than formerly, very little is known about the physical enclosure of allotments; who dug the ditches and planted the hedges, or where the many thousands of posts, rails and quicksets were produced. Nor has the cost of materials and labour been calculated with any degree of certainty. Estimates have usually been based upon the amounts charged for ring-fencing tithe allotments

and have produced figures which suggest that the cost of fencing would have been higher than the general enclosure expenses. Yet, as tithe-fencing was usually carried out under contract its expense cannot be equated with that likely to have been incurred where a landowner or his employees were able to effect enclosure. Moreover, it would appear that materials were cheaper than has generally been considered and there seems little reason to suppose that fencing costs would have proved a particular burden to anyone who could afford to pay the general expenses of enclosure.

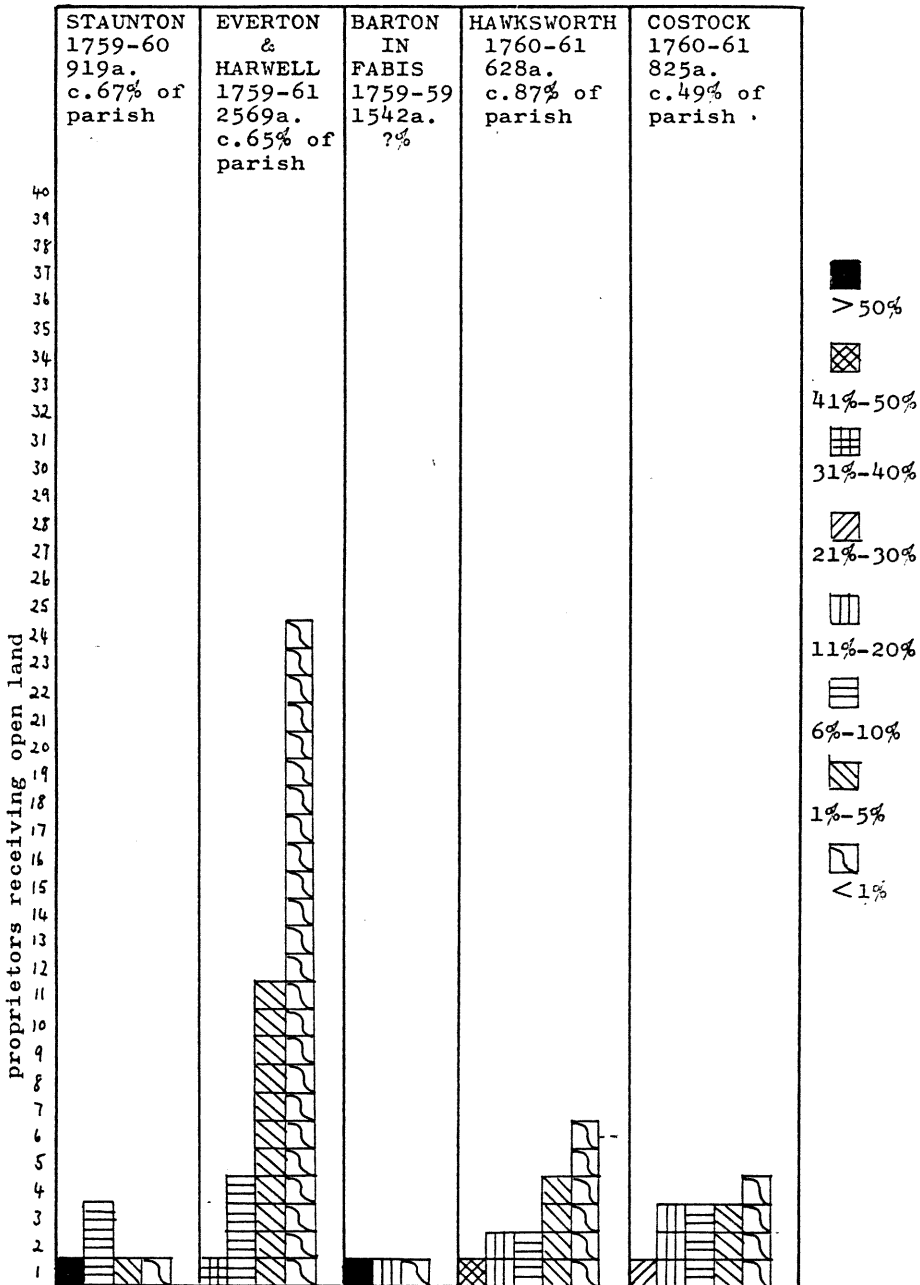
Another question which remains to be answered is the degree to which posts and rails were re-used after a hedge had grown to maturity. Only one local instance of fencing being re-used has been found, at Granby, where, in October 1758, it was agreed at a Court Leet that a new fence should be made and assessed to all owners and tenants of cottages and land. After the quick had grown enough to provide a fence by itself the posts and rails were to be removed and sold to the highest bidder. This was not a parliamentary enclosure, and judging from the remains of old fences which survive in many hedges it seems unlikely that the practice was widespread in this county. Nevertheless, the re-use of fencing is a possibility, and might have been more common in regions deficient in wood and where transport was difficult or expensive.

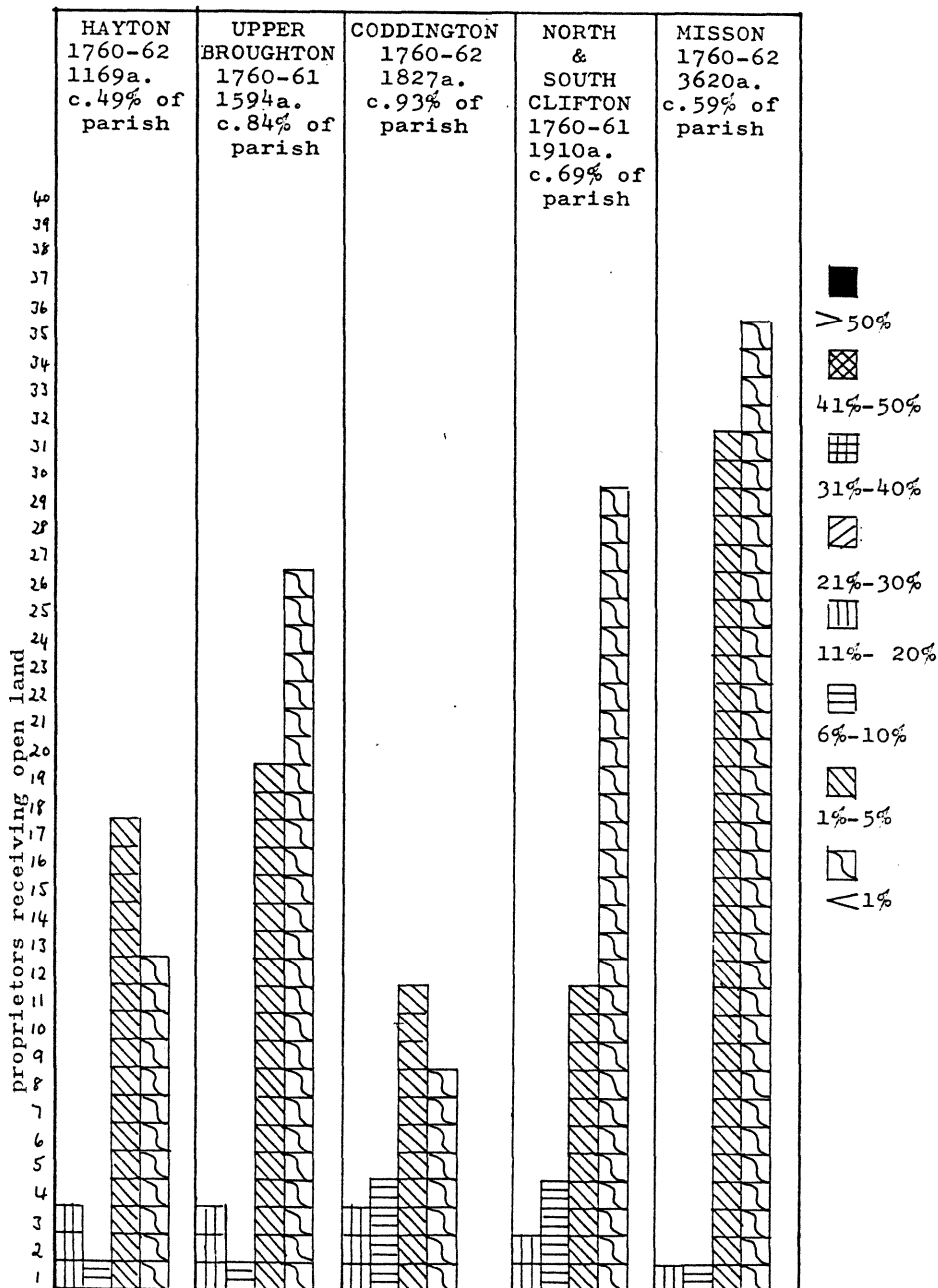
Finally, while the availability of a corpus of reasonably complete comparable records has encouraged an interest in enclosure by parliamentary act in many areas, it will be obvious from the preceding pages that our understanding of the history of parliamentary enclosure in England, or even in Nottinghamshire, is far from complete. Although county studies have done much to engender an awareness of the variables which could exist within the process, the artificiality of the county as a unit upon which to base an assessment of the

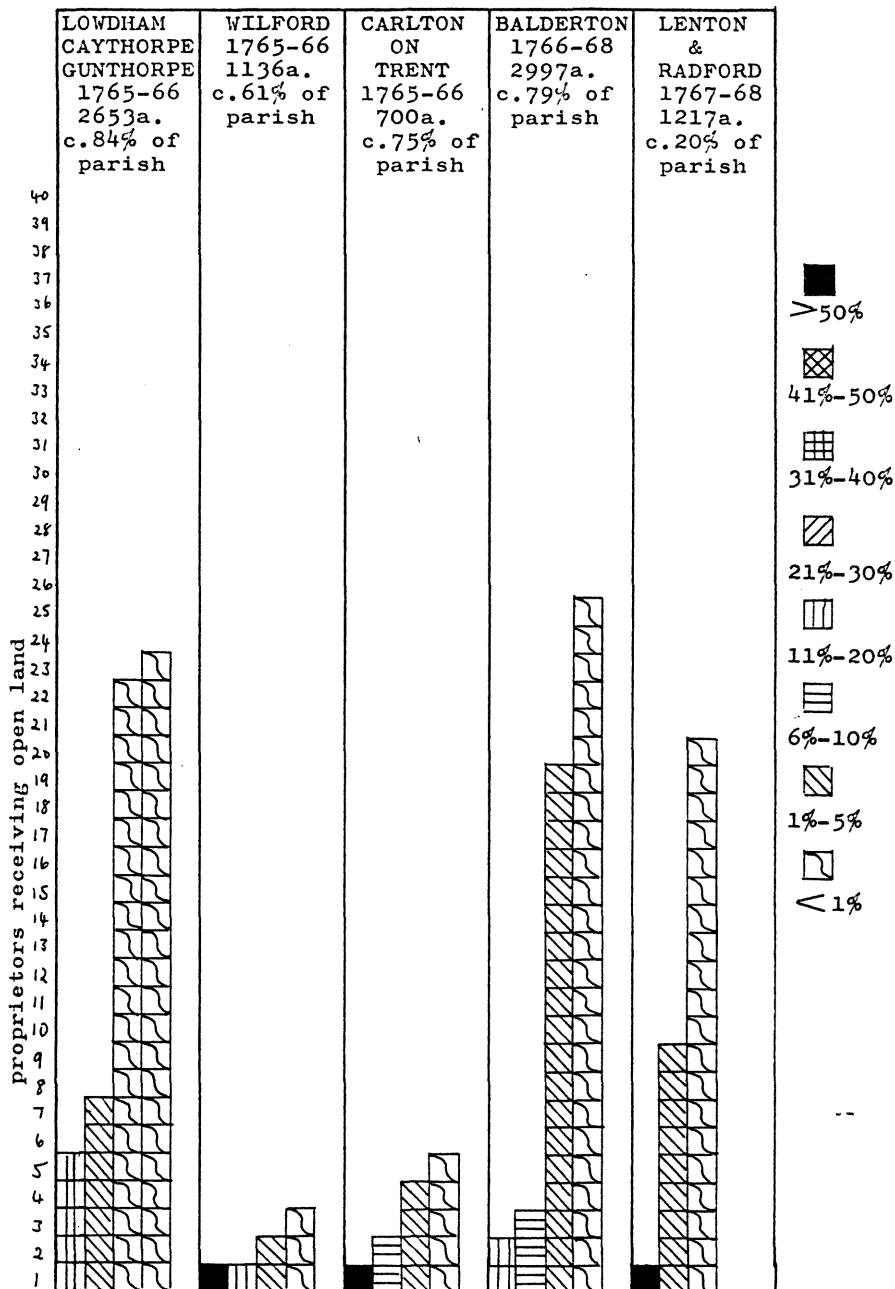
significance of these differences in relation to the whole parliamentary enclosure system is widely recognised. It is often argued that, as all counties shared to some extent the soil types and methods of cultivation of those adjoining, enclosure can be studied effectively only within the context of a region. This is true, but it will not become possible to dispense with county boundaries until we have comparable systematic studies of every individual enclosure from all parts of the country into which the parliamentary process was introduced. Such studies can then be grouped, according to the dominant characteristics revealed, into topographical or *pays*-type regions in order to identify the wider implications of enclosure.

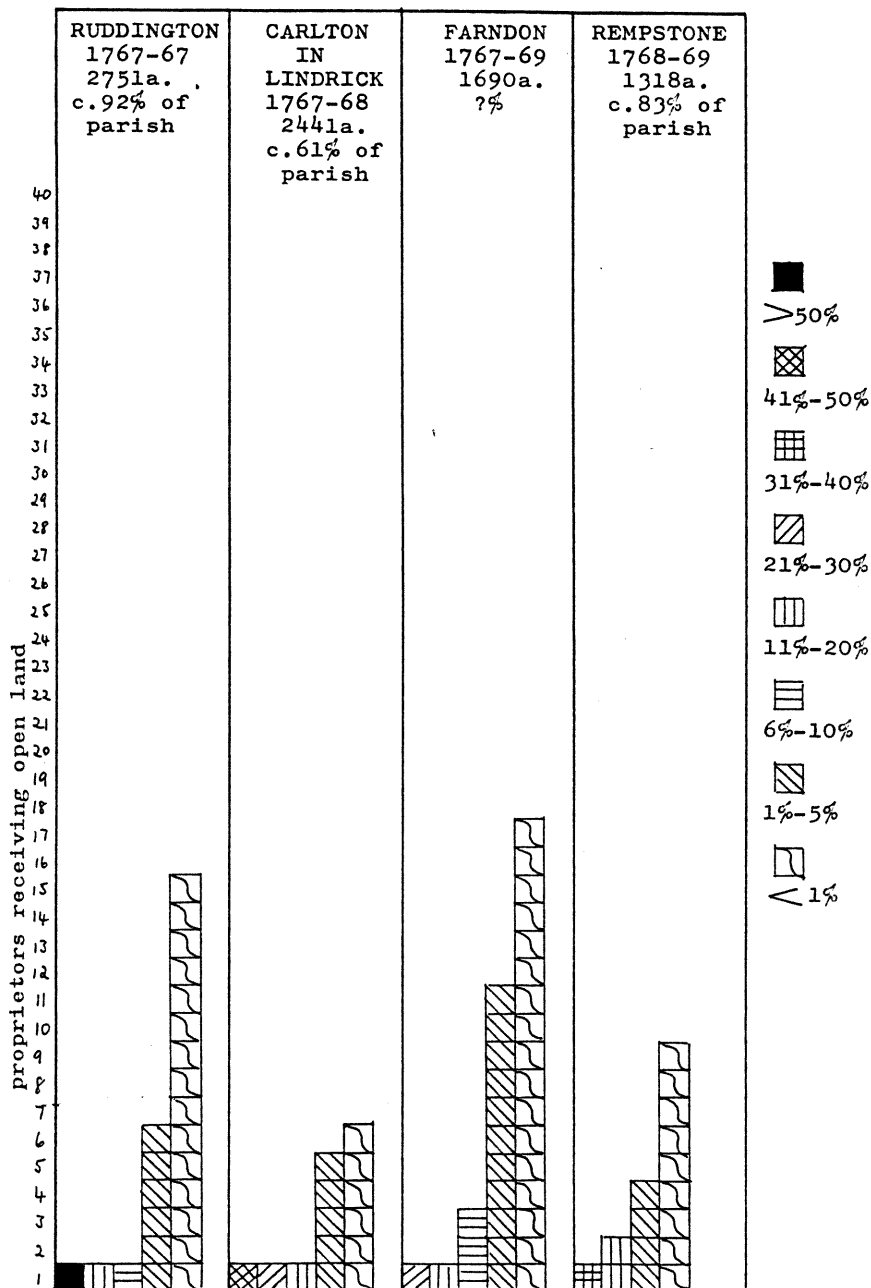
Appendix A

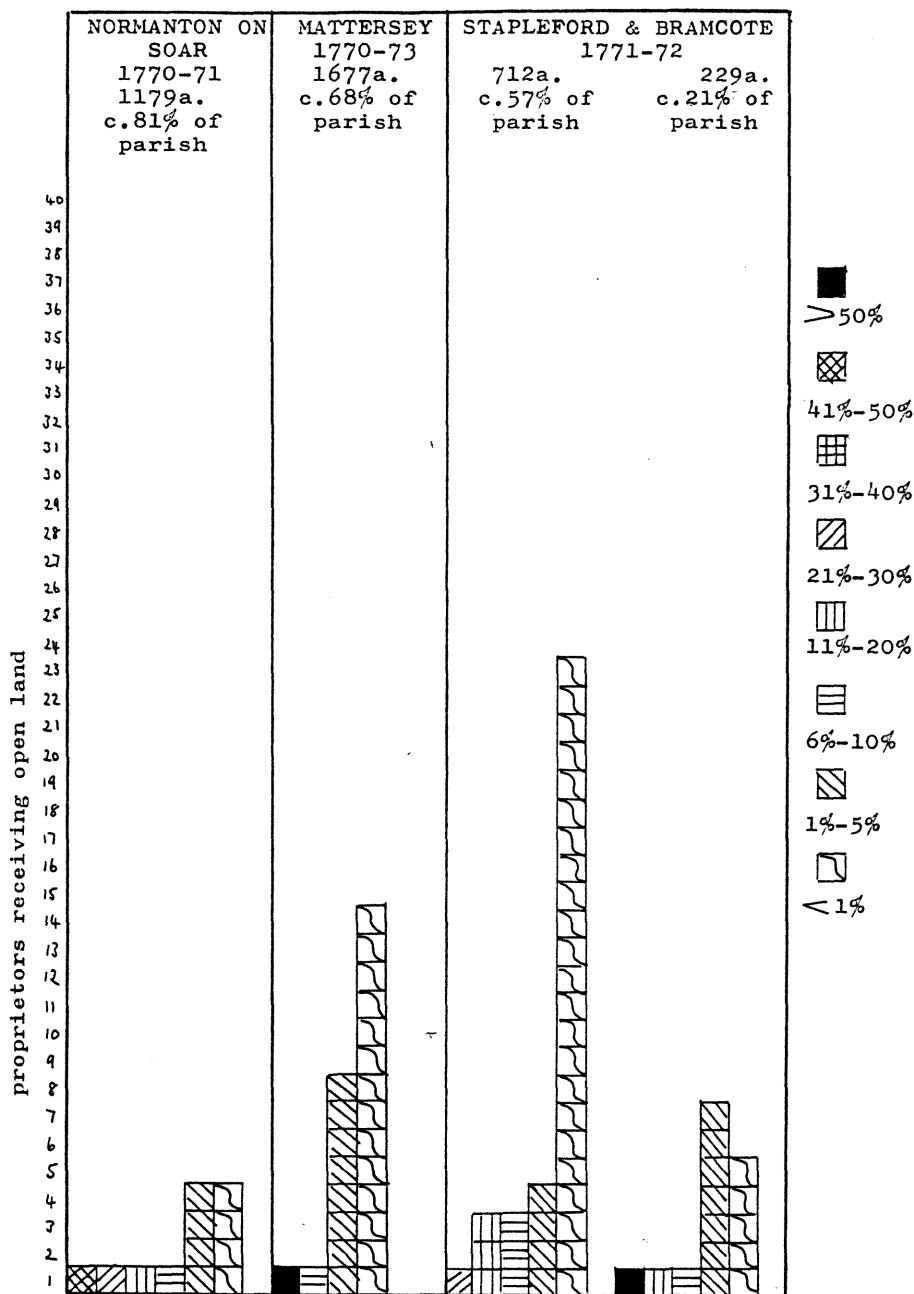
Socio/economic profiles of enclosure: percentages of open land awarded to proprietors.

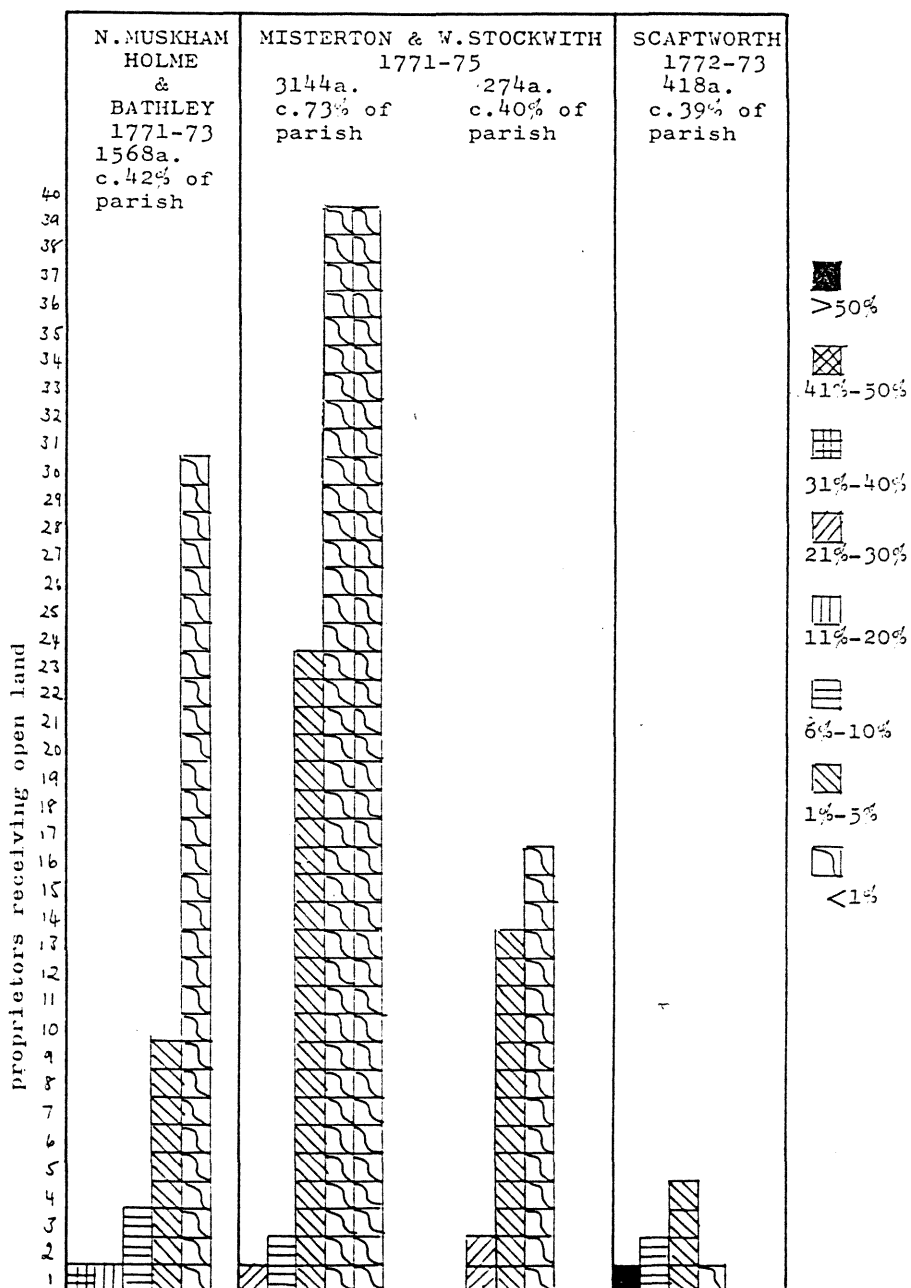




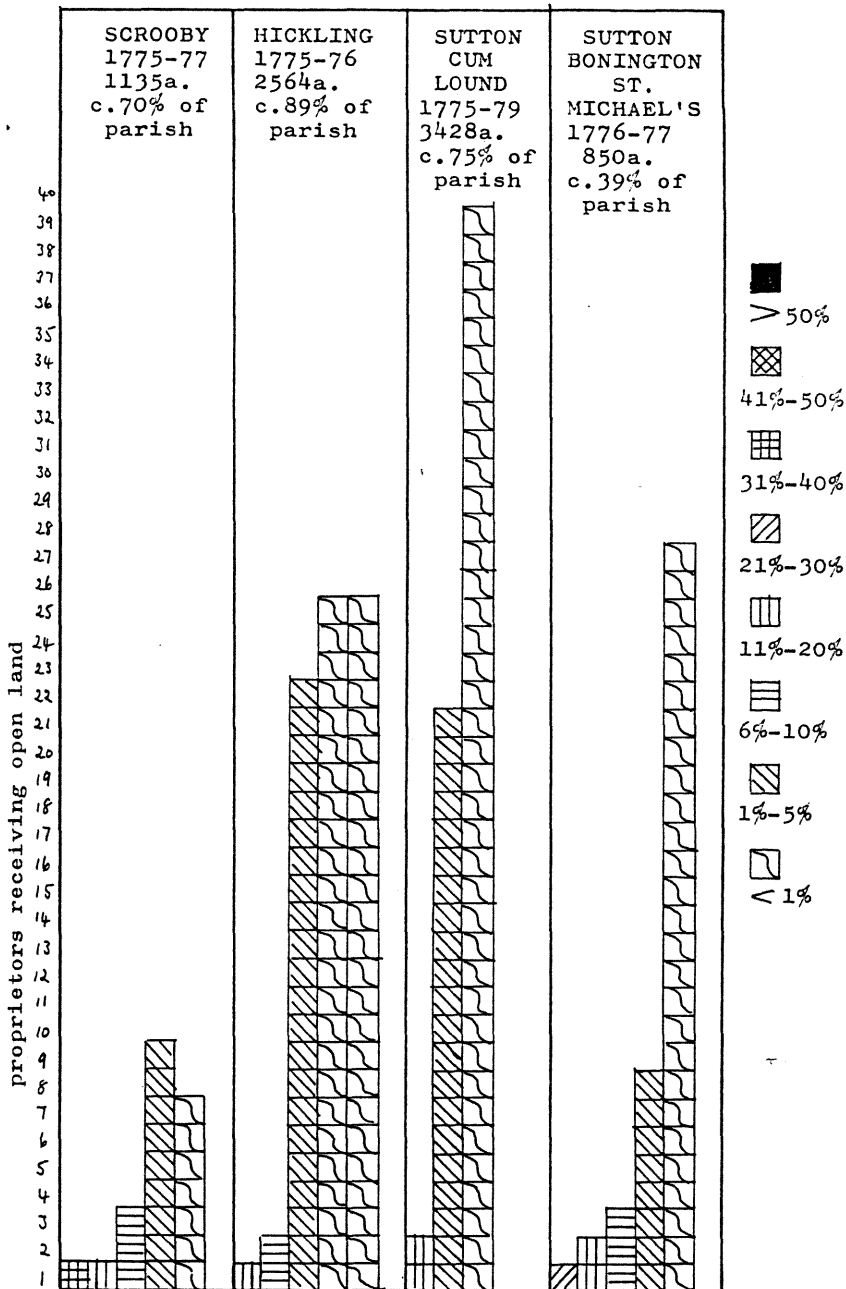


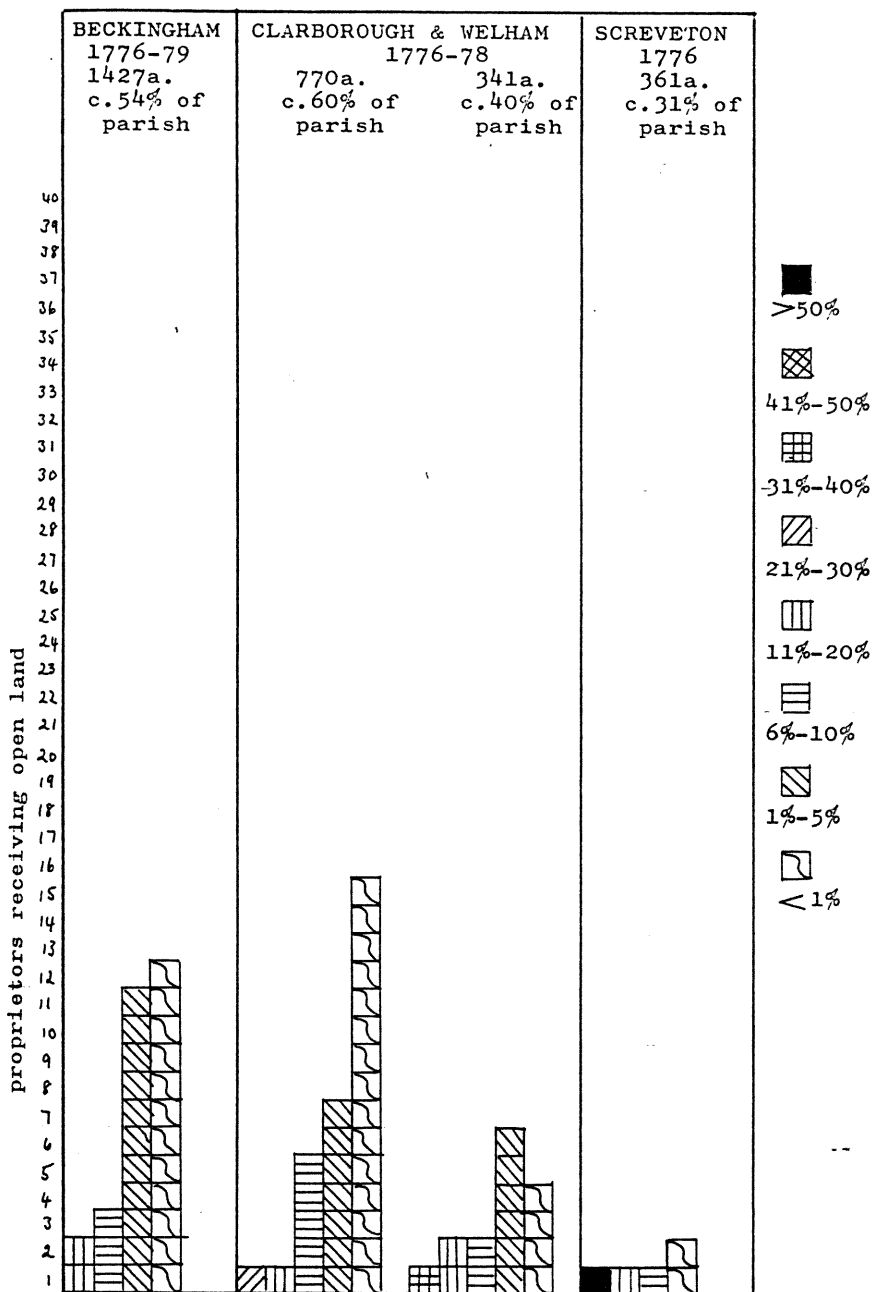


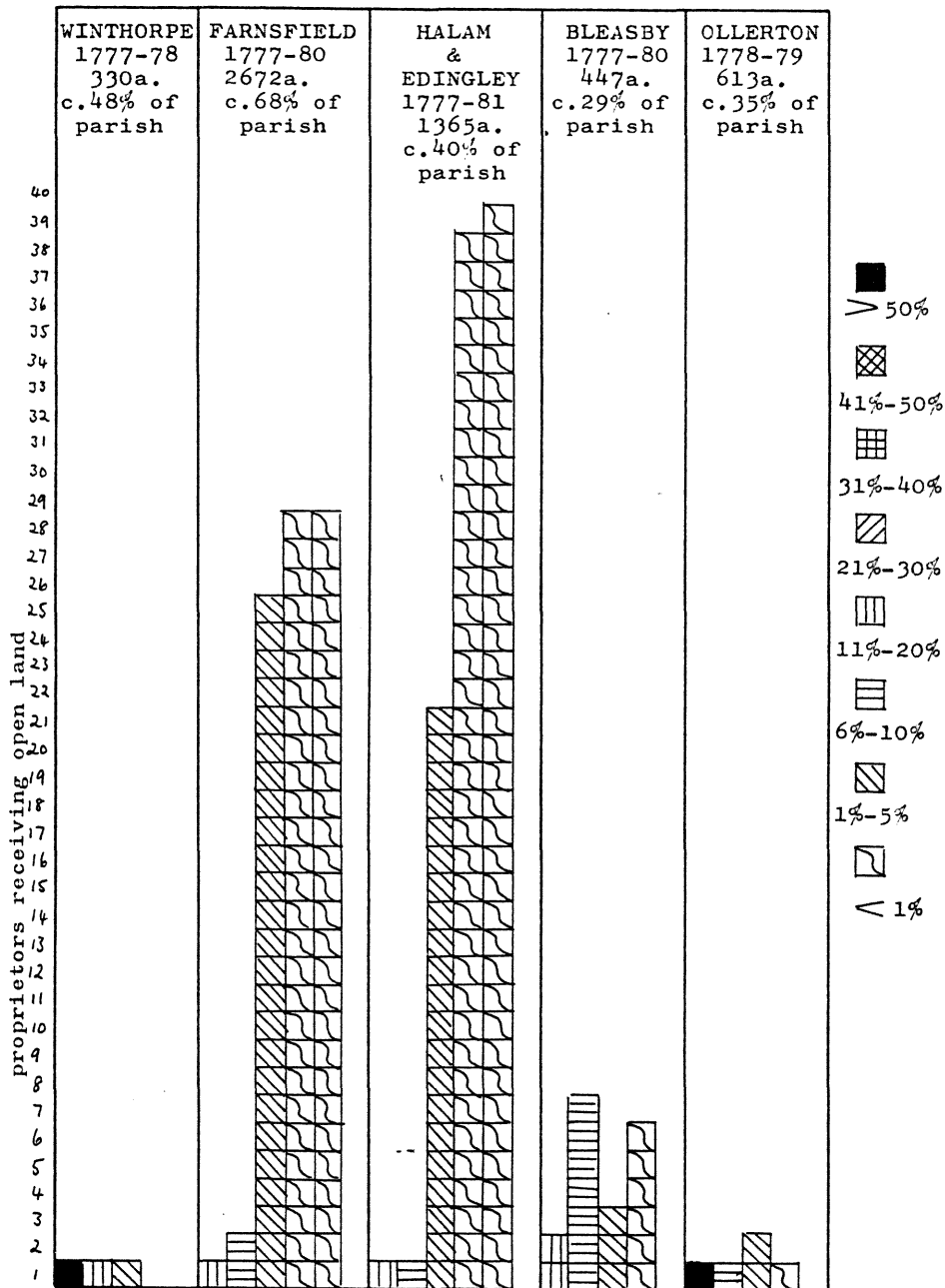


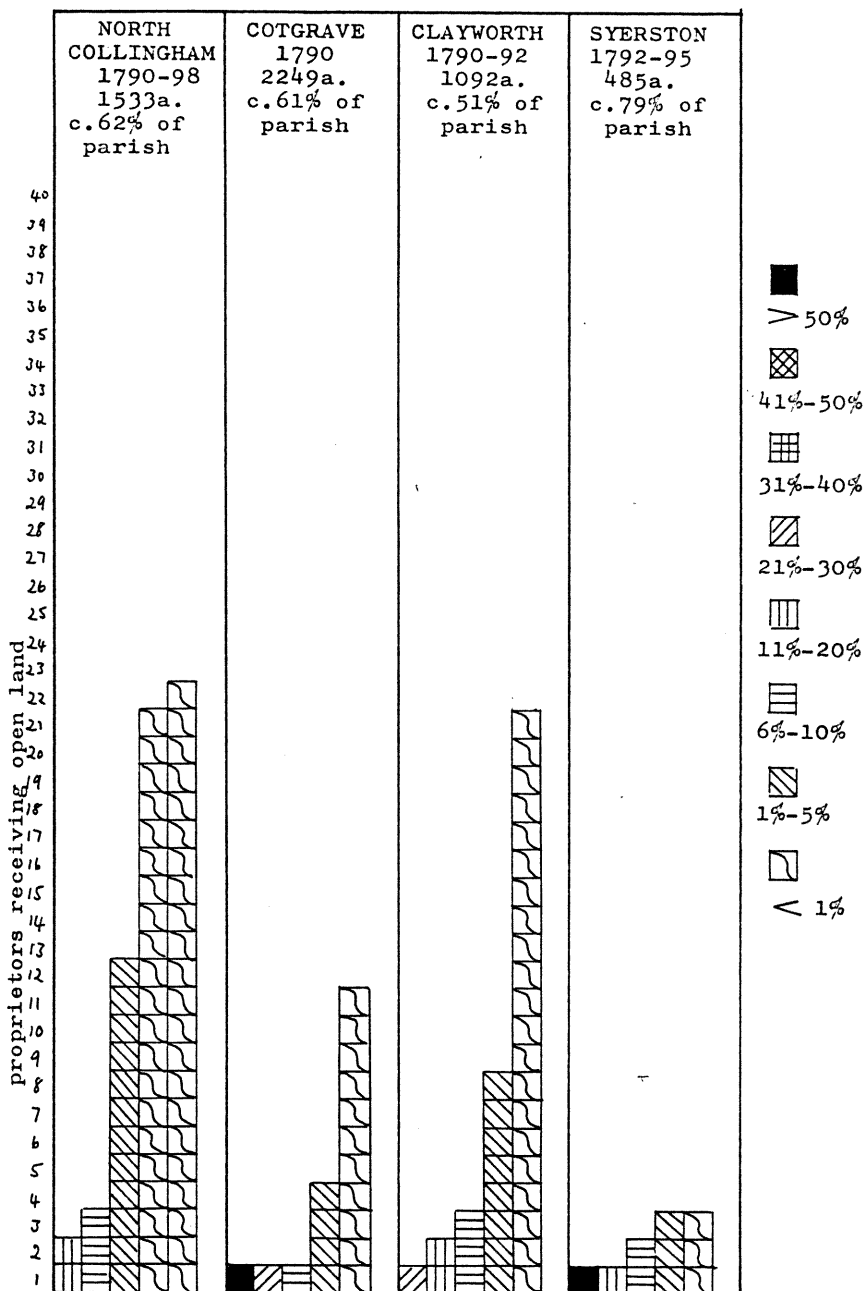


Appendix A (continued)

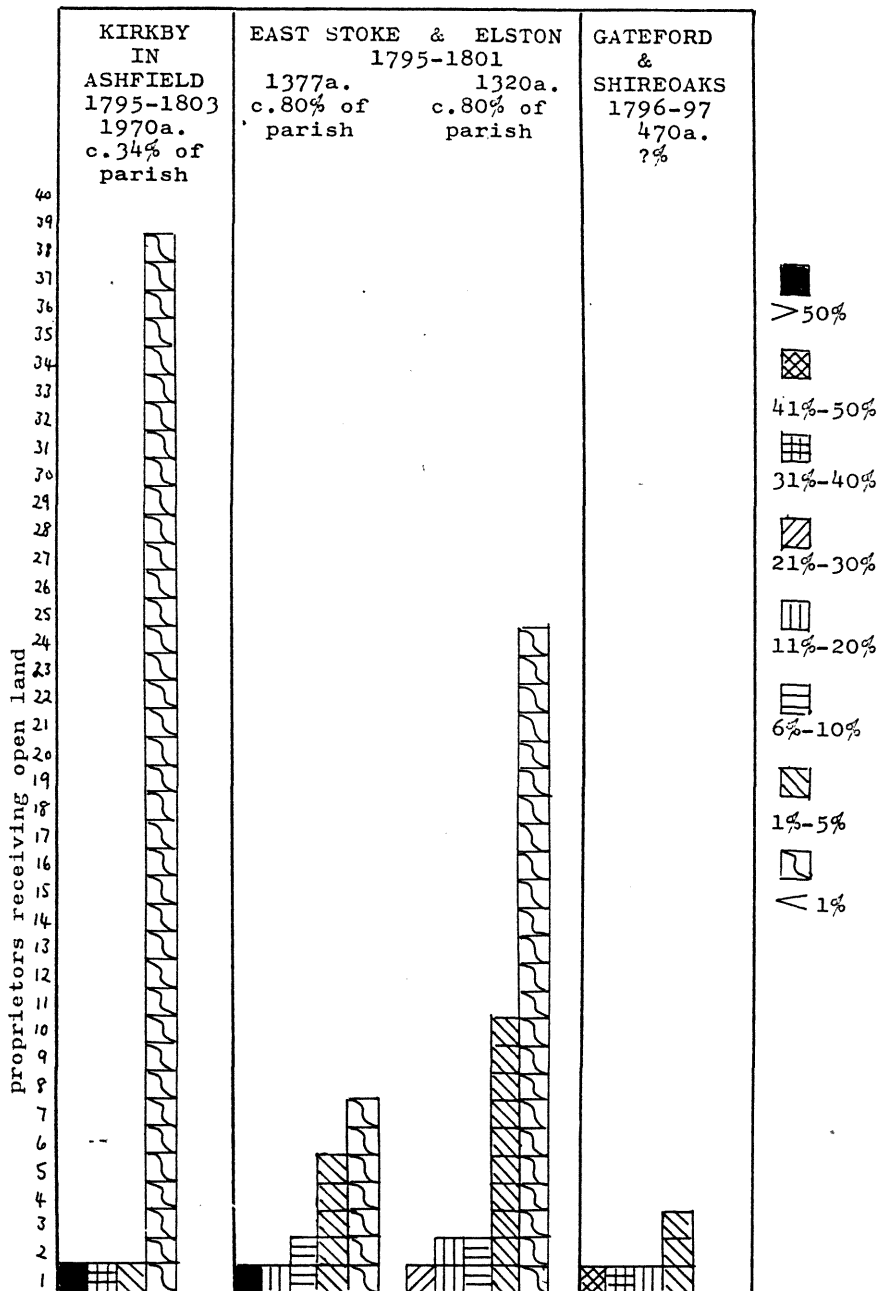


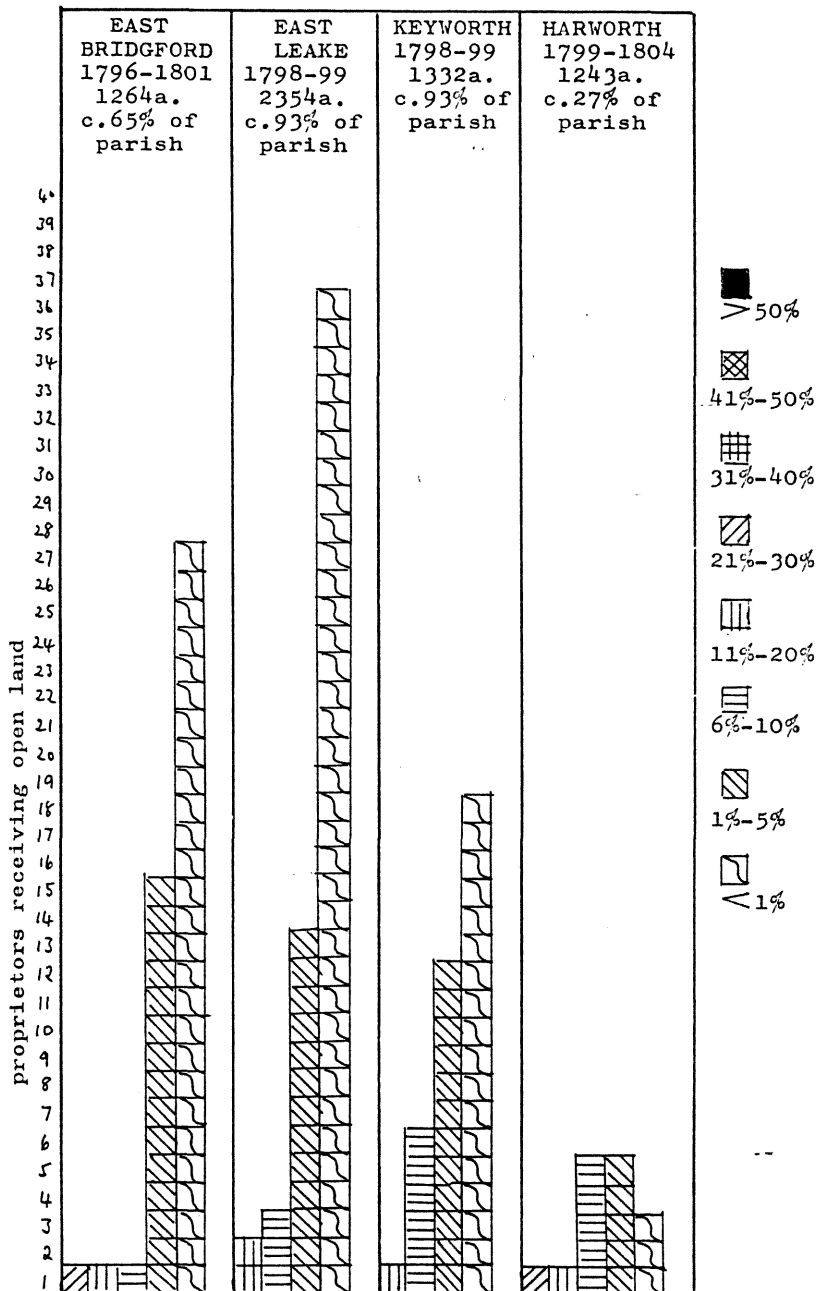


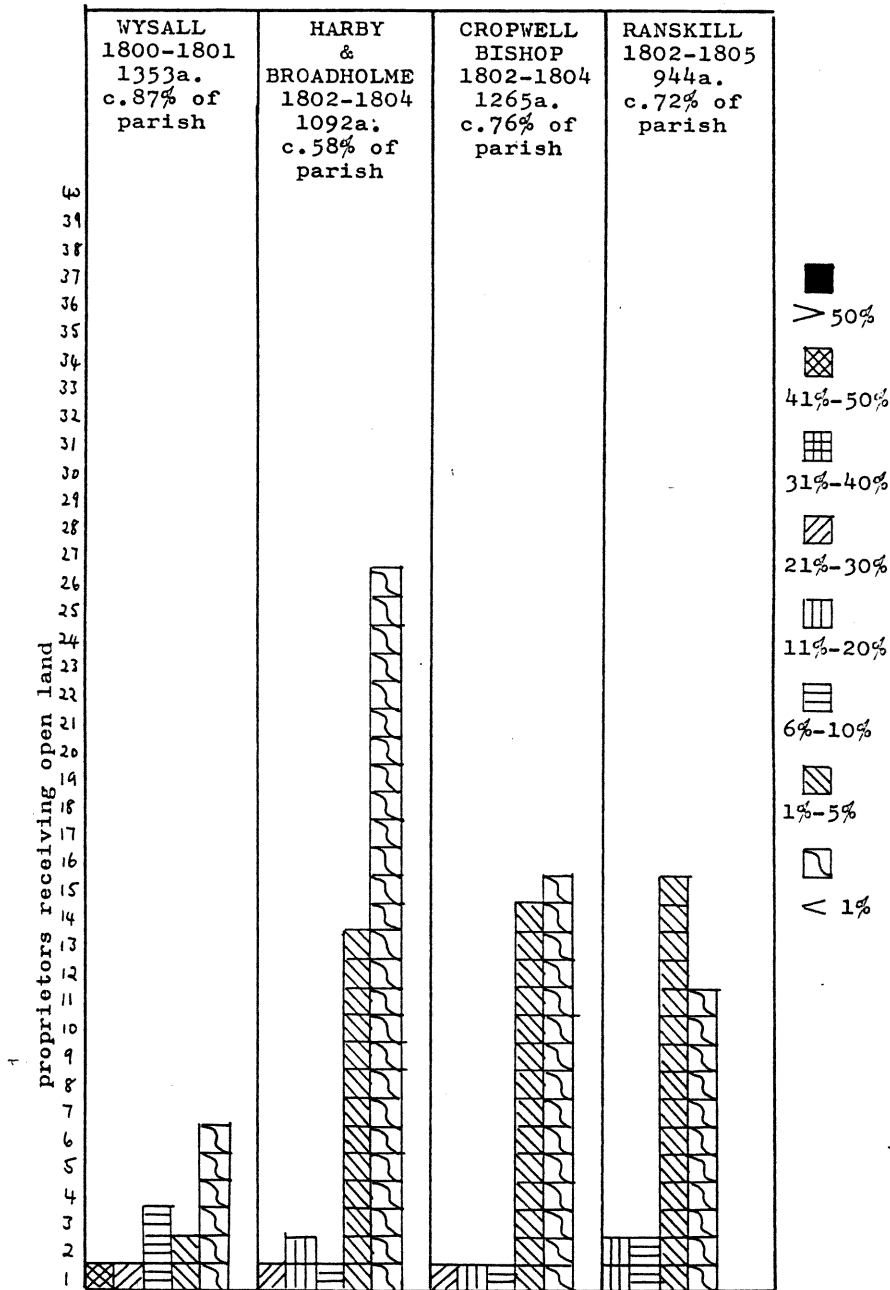




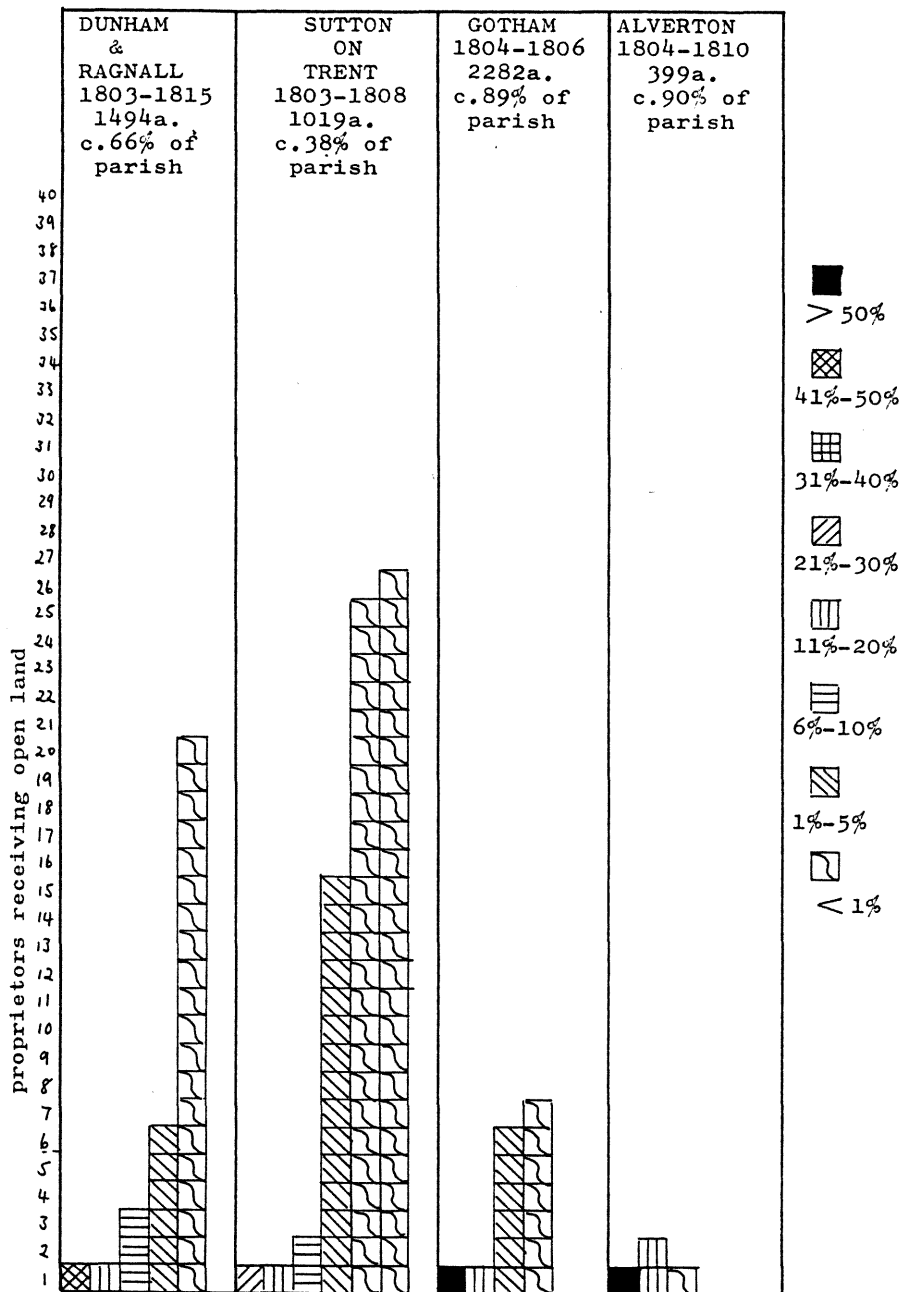
Appendix A (continued)



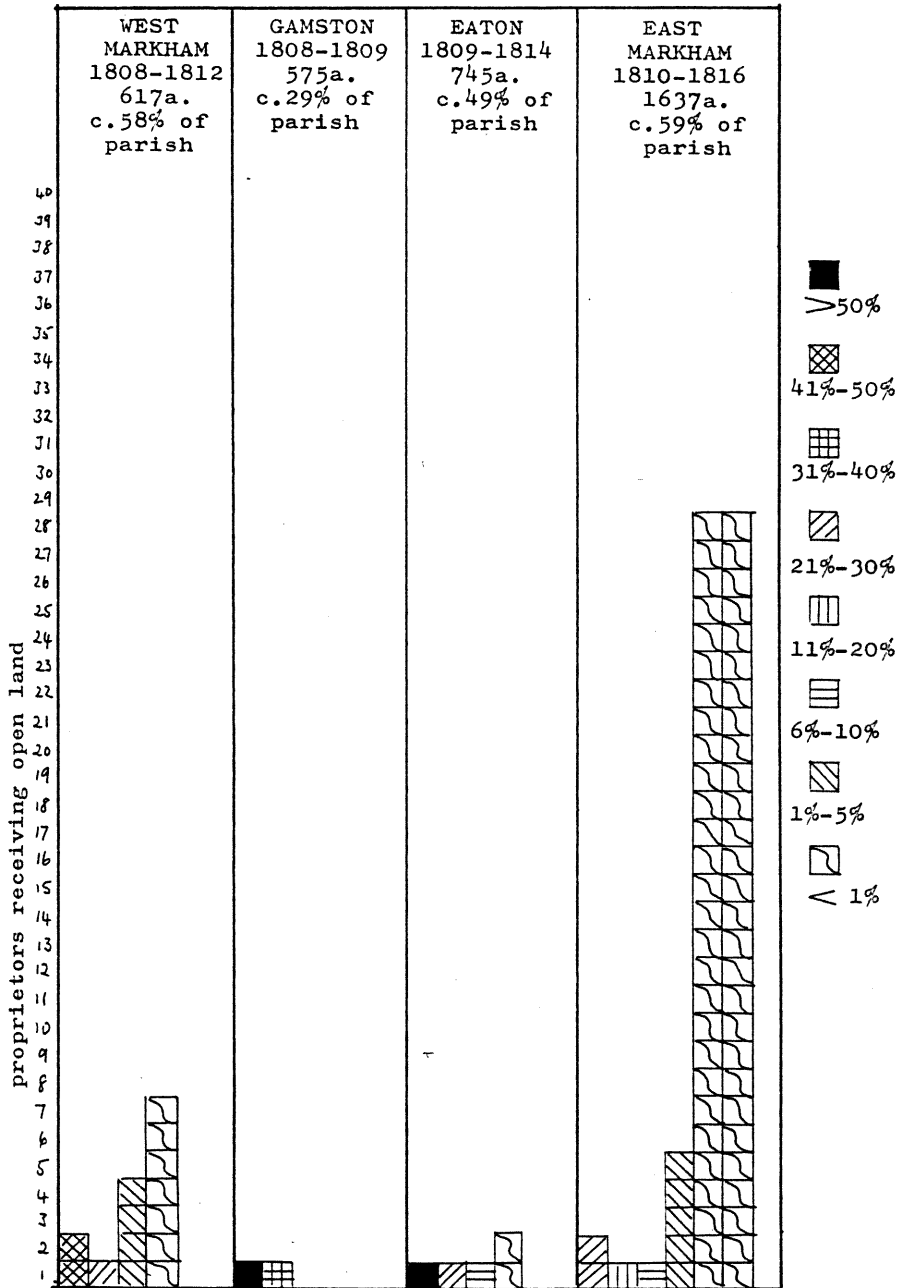


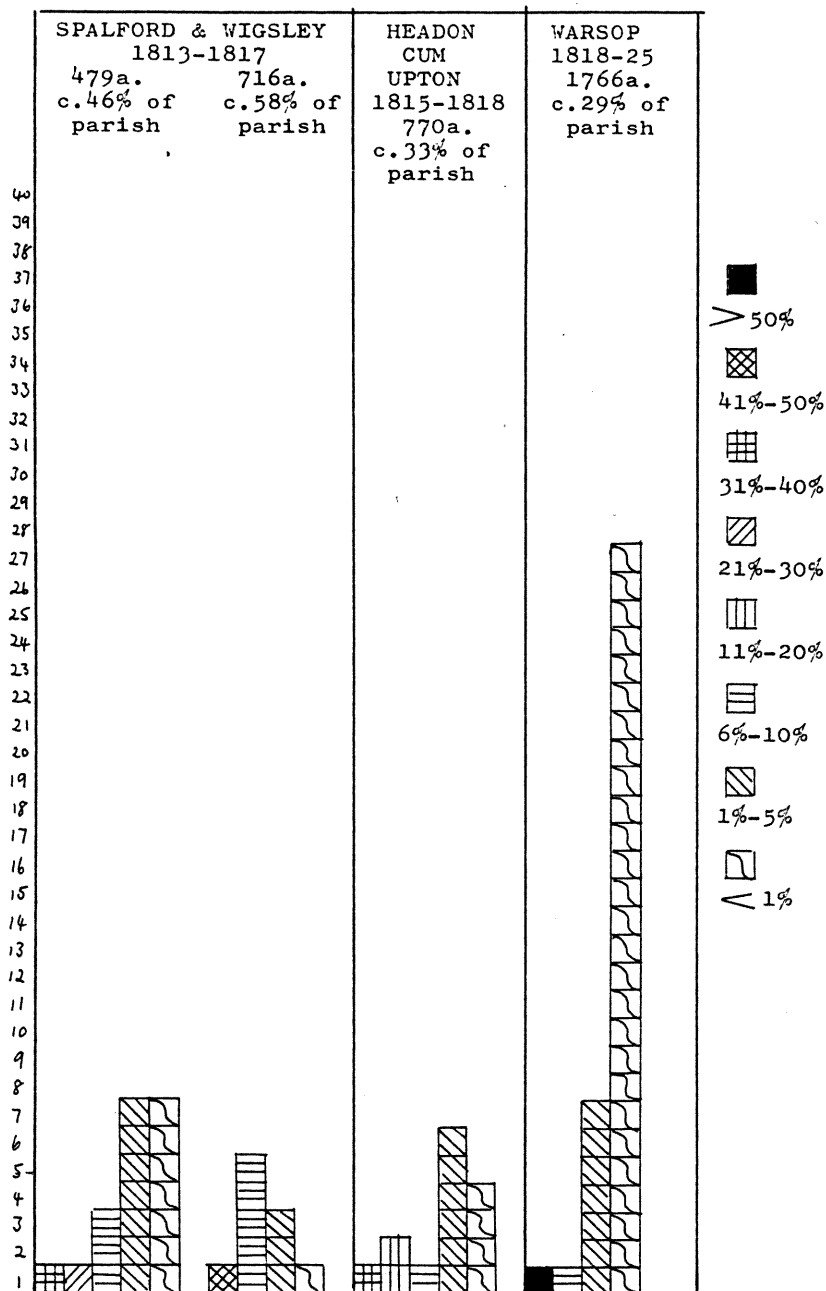


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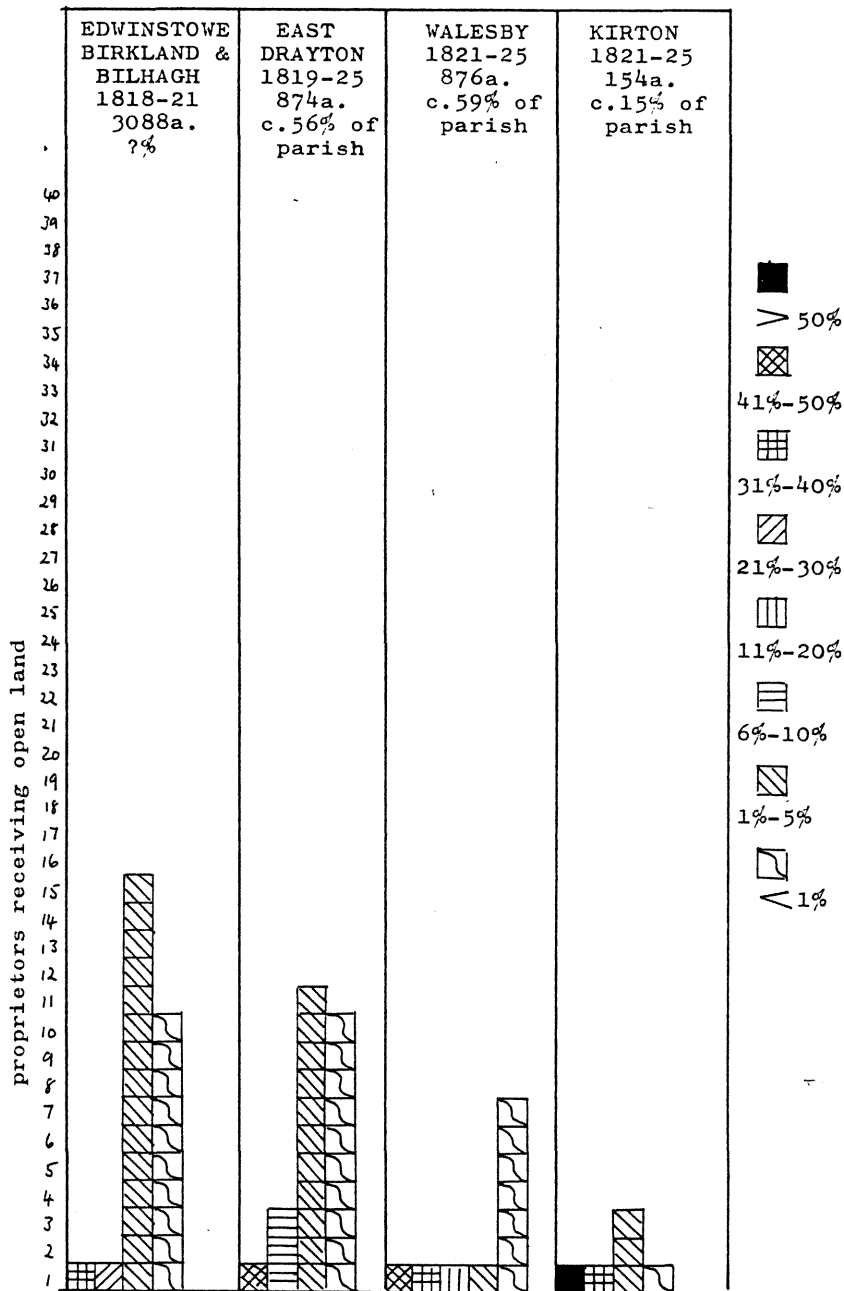


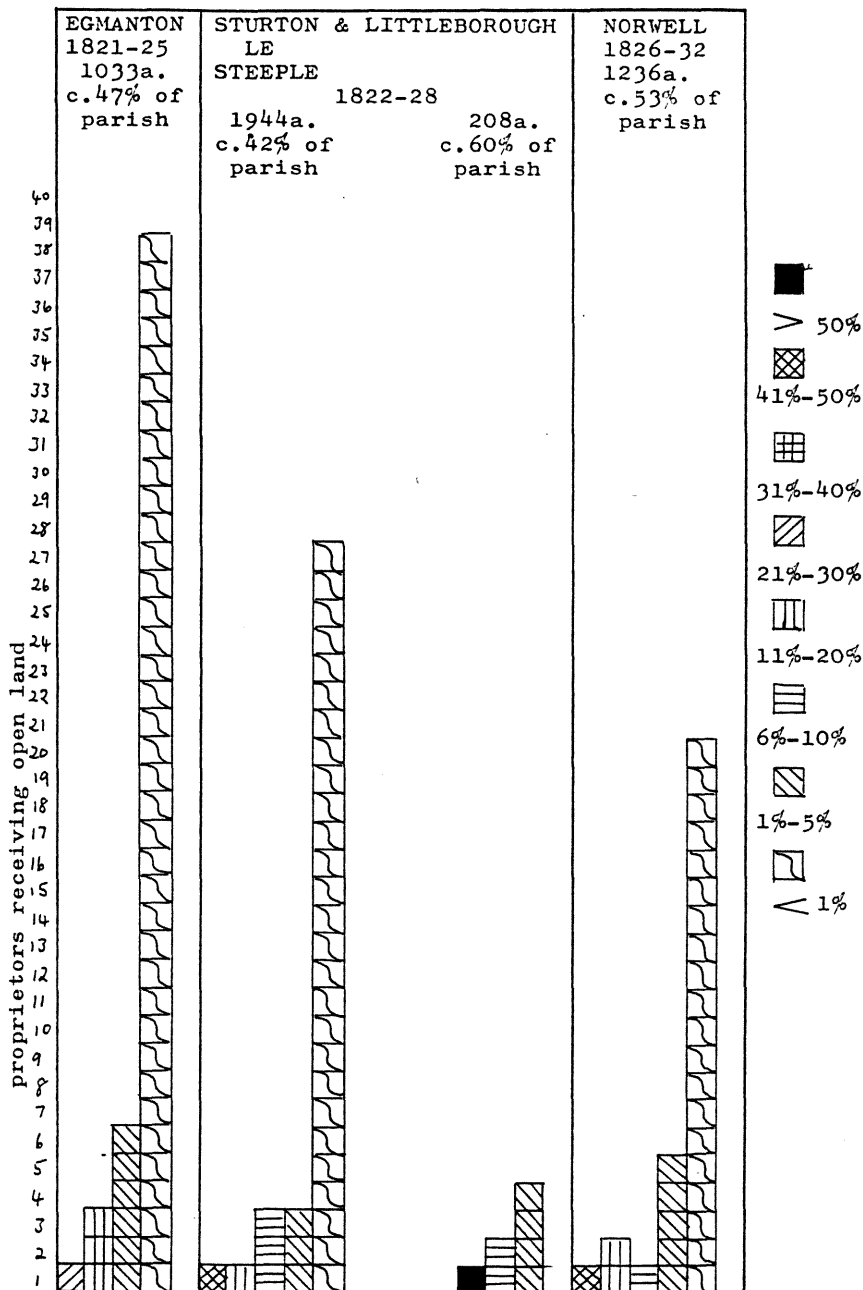
Appendix A (continued)

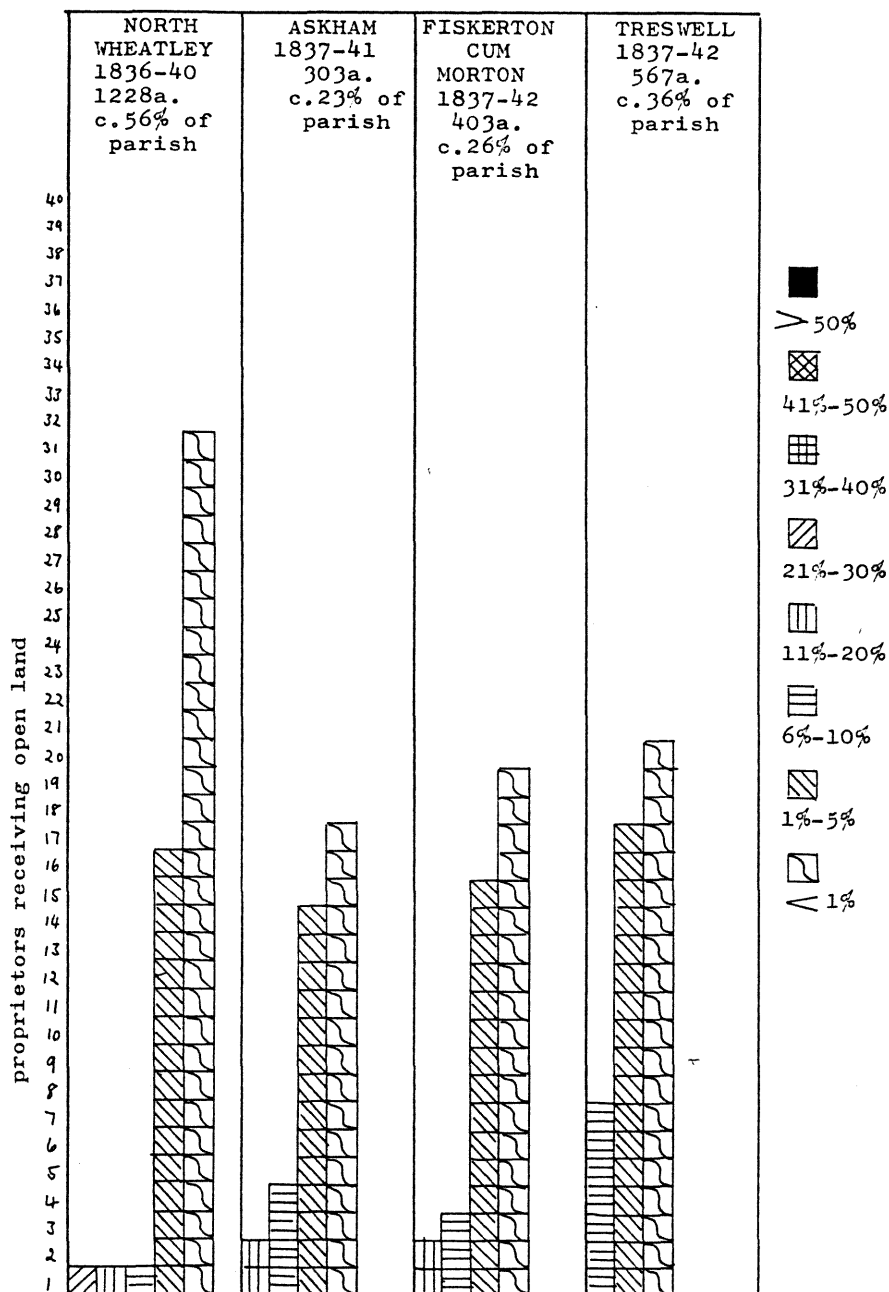




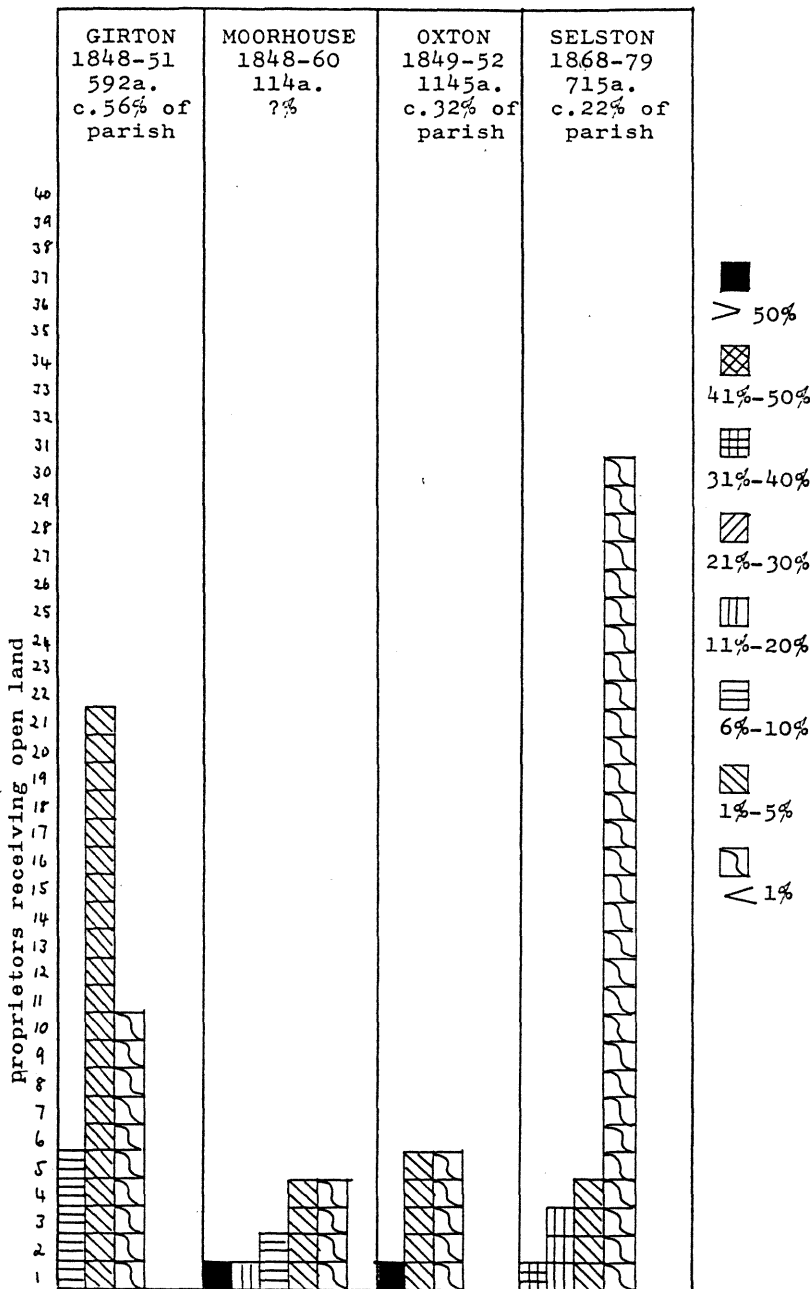
Appendix A (continued)







Appendix A (continued)



APPENDIX B

Acreage allotments of open land

<u>Parish</u>	<u>Total acreage awarded</u>	<u>Acreage allotments of open land</u>										<u>Total number of allottees</u>
		< 1a.	1-5a.	6-10a.	11-20a.	21-50a.	51-100a.	101-200a.	> 200a.			
STAUNTON	919	1	0	0	0	1	3	0	1	1	6	
EVERTON & HARWELL	2569	4	9	7	4	6	4	3	3	3	40	
BARTON IN FABIS	1542	0	1	0	0	0	0	0	2	2	3	
HAWKSWORTH	628	5	1	2	1	2	1	1	1	1	14	
COSTOCK	825	1	3	3	0	0	4	2	1	1	14	
HAYTON	1169	0	7	9	4	4	6	3	0	0	33	
UPPER BROUGHTON	1594	0	13	10	6	13	3	3	1	1	49	
CODDINGTON	1827	0	2	3	5	5	5	3	3	3	26	
NORTH & SOUTH CLIFTON	1910	0	19	4	6	5	5	5	2	2	46	
MISSON	3620	0	6	9	9	19	18	5	2	2	68	
LOWDHAM, CAYTHORPE GUNTHORPE	2653	7	22	5	10	6	1	1	5	5	57	
WILFORD	1136	0	2	1	1	1	0	0	2	2	7	
CARLTON ON TRENT	700	3	2	1	1	3	1	0	1	1	12	
BALDERTON	2997	0	9	10	4	11	6	4	5	5	49	
LENTON & RADFORD	1217	6	12	2	1	6	2	0	1	1	30	
RUDDINGTON	2751	0	8	3	3	3	4	1	2	2	24	
CARLTON IN LINDRICK	2441	0	5	0	1	1	3	1	3	3	14	
FARNDON	1690	3	10	1	5	6	4	2	2	2	33	

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Appendix B continued

Parish	Total acreage awarded	Acreage allotments of open land										Total number of allottees
		< 1a.	1-5a.	6-10a.	11-20a.	21-50a.	51-100a.	101-200a.	> 200a.			
REMPSTONE	1318	1	6	2	0	1	1	3	0	0	3	16
EPERSTONE	948	1	7	2	0	1	1	1	1	2	15	
BURTON JOYCE & BULCOTE	1164	0	8	1	2	8	4	0	0	1	24	
HUCKNALL TORKARD	1009	1	3	3	1	1	2	1	1	1	13	
BLIDWORTH	1511	0	24	10	10	10	7	3	0	0	64	
NORMANTON ON SOAR	948	0	1	3	0	3	2	1	1	2	12	
MATTERSEY	1677	1	7	1	6	4	3	1	1	1	24	
STAPLEFORD	712	4	17	5	0	1	6	1	1	0	34	
BRAMCOTE	229	2	7	3	1	1	0	1	1	0	15	
NORTH MUSKHAM, HOLME & BATHLEY	1568	2	14	10	5	6	2	3	2	2	44	
MISTERTON	3144	10	37	13	10	19	9	3	3	3	104	
WEST STOCKWITH	274	0	23	5	1	0	2	0	0	0	31	
SCAFTWORTH	418	0	1	0	4	2	0	0	0	1	8	
LANEHAM	1008	3	13	15	6	7	5	1	0	0	50	
CROMWELL	983	2	0	0	0	0	2	2	1	1	7	
GREASLEY	338	4	6	2	0	0	1	0	0	1	14	
SUTTON BONINGTON ST. ANN'S	1076	3	13	1	4	1	7	2	2	1	32	

Appendix B continued

Parish	Total acreage awarded	Acreage allotments of open land										Total number of allottees		
		<1a.	1-5a.	6-10a.	11-20a.	21-50a.	51-100a.	101-200a.	> 200a.					
FINNINGLEY	1905	2	3	0	0	1	6	1	2	15				
BRINSLEY	257	0	1	0	1	1	1	1	0	5				
FLINTHAM	1929	0	8	3	3	3	0	3	3	23				
NORMANTON (SOUTHWELL)	426	4	5	2	2	1	3	1	0	18				
SCROOBY	1135	2	5	0	3	5	4	1	1	21				
HICKLING	2564	7	12	12	15	15	10	2	2	75				
SUTTON CUM LOUND	3428	1	6	8	17	13	9	6	2	62				
SUTTON BONINGTON ST. MICHAEL'S	850	11	15	1	5	3	4	2	0	41				395
BECKINGHAM	1427	1	9	0	5	6	3	2	2	28				
CLARBOROUGH	770	2	11	5	0	7	3	1	0	29				
WELHAM	341	1	5	0	4	4	0	1	0	15				
SCREVETON	361	2	0	0	0	2	0	0	1	5				
WINTHORPE	330	0	1	0	0	0	1	0	1	3				
FARNSFIELD	2672	6	26	16	7	10	13	5	1	84				
HALAM & EDINGLEY	1365	4	63	9	5	13	5	0	1	100				
BLEASBY	447	2	4	1	2	7	2	0	0	18				
OLLERTON	613	0	1	1	1	1	0	0	1	5				

Appendix B continued

Parish	Total acreage awarded	Acreage allotments of open land										Total number of allottees
		< 1a.	1-5a.	6-10a.	11-20a.	21-50a.	51-100a.	101-200a.	> 200a.			
KERSALL	369	2	3	2	3	5	1	0	0	0	0	16
CALVERTON	1739	17	25	11	13	5	4	2	3	3	3	80
SCARRINGTON	858	3	11	3	1	2	2	2	1	1	1	25
ASLOCKTON	1093	0	18	1	4	8	3	1	1	1	1	36
RADCLIFFE ON TRENT	1604	2	17	5	2	5	3	2	0	0	0	36
CROPWELL BUTLER	1661	2	12	6	7	1	6	1	2	2	2	37
WHATTON	1429	2	4	2	5	2	3	1	2	2	2	21
ARNOLD	2753	8	14	15	7	9	4	4	2	2	2	63
NORTH COLLINGHAM	1533	7	22	8	9	2	8	2	2	2	2	60
COTGRAVE	2249	0	7	0	4	2	1	1	3	3	3	18
CLAYWORTH	1092	1	13	7	3	4	3	3	1	1	1	35
SYERSTON	485	0	3	2	1	2	1	0	1	1	1	10
EASTWOOD	125	1	4	2	0	1	1	0	0	0	0	9
LAMBLEY	527	0	11	8	3	4	1	1	1	0	0	28
GEDLING, STOKE - BARDOLPH & CARLTON	3487	4	22	2	6	1	2	1	1	3	3	41
BASFORD	1481	2	15	10	7	6	2	1	2	2	2	45
GRANBY	1354	0	5	0	1	5	3	3	1	3	1	18
SUTTON	730	1	2	0	2	3	2	3	3	0	0	13

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Appendix B continued

Parish	Total acreage awarded	Acreage allotments of open land							Total number of allottees	
		< 1a.	1-5a.	6-10a.	11-20a.	21-50a.	51-100a.	101-200a.		> 200a.
ORSTON	1489	4	2	1	5	2	6	3	2	25
THOROTON	666	1	5	1	3	2	0	1	2	15
WILLOUGHBY ON THE WOLDS	1626	2	10	9	9	13	5	1	1	50
SUTTON IN ASHFIELD	3076	70	53	24	8	6	4	1	1	167
UPTON	1121	10	27	5	8	7	1	0	2	60
CAUNTON	784	1	13	4	4	2	1	2	1	28
NORTH LEVERTON & HABLESTHORPE	1435	1	32	5	3	6	4	3	1	55
SOUTH LEVERTON & COTTAM	1547	2	23	7	8	8	2	3	2	55
WOODBOROUGH	1264	6	11	4	4	5	2	1	2	35
KIRKBY IN ASHFIELD	1970	9	23	4	2	1	0	0	2	41
EAST STOKE	1377	1	5	1	2	1	3	2	1	16
ELSTON	1320	2	11	9	4	6	3	3	1	39
GATEFORD & SHIREOAKS	470	0	1	2	0	0	1	1	1	6
SNEINTON	765	1	4	1	1	0	0	0	2	9
WESTON	1082	4	10	7	3	6	1	0	2	33
LENTON & RADFORD	261	1	16	2	1	0	0	1	0	21
GRINGLEY ON THE HILL	2959	3	22	2	13	4	2	3	4	53

Appendix B continued

Parish	Total acreage awarded	Acreage allotments of open land										Total number of allottees
		<1a.	1-5a.	6-10a.	11-20a.	21-50a.	51-100a.	101-200a.	>200a.			
EAST BRIDGFORD	1264	1	14	10	6	7	4	2	1	45		
EAST LEAKE	2354	8	16	5	5	9	5	4	2	54		
KEYWORTH	1332	3	9	5	7	4	6	2	1	37		
HARWORTH	1243	1	1	0	2	3	3	4	1	15		
MOORGATE	85	6	11	3	2	0	0	0	0	22		
GRASSTHORPE	324	14	19	7	4	3	1	0	0	48		
TUXFORD	1670	9	22	6	4	2	1	2	2	48		
NORMANTON ON TRENT	519	21	36	3	3	6	0	1	0	70		
WYŚALL	1353	1	3	1	1	1	2	2	2	13		
HARBY & BROADHOLME	1092	5	11	10	6	5	3	2	1	43		
CROPWELL BISHOP	1265	1	8	3	6	7	4	2	1	32		
RANSKILL	944	1	6	4	4	11	2	2	0	30		
STYRRUP & OLDCOTES	1507	1	6	4	10	6	3	2	2	34		
WALKERINGHAM	1891	8	14	6	3	4	3	1	2	41		
WIDMERPOOL	1793	1	0	0	0	0	0	0	3	4		
TOLLERTON	436	1	0	0	0	0	0	1	1	3		
DUNHAM & RAGNALL	1494	1	12	3	5	4	3	1	2	31		
SUTTON ON TRENT	1019	18	29	5	10	4	2	0	2	70		
GOTHAM	2282	0	5	0	2	0	6	0	2	15		

Appendix B continued

Parish	Total acreage awarded	Acreage allotments of open land							Total number of allottees	
		<1a.	1-5a.	6-10a.	11-20a.	21-50a.	51-100a.	101-200a.		>200a.
ALVERTON	399	1	0	0	0	1	1	0	1	4
PLUMTREE & CLIPSTONE	1959	2	2	0	0	0	0	0	3	7
BLIDWORTH	2323	1	5	7	1	10	2	2	5	33
BEESTON	824	6	20	6	5	5	3	0	1	46
ELTON	892	0	0	0	0	0	1	1	2	4
BARNBY MOOR	1032	1	0	0	0	1	3	1	2	8
STRELLEY & BILBOROUGH	394	0	0	0	0	0	0	1	1	2
ANNESLEY & ANNESLEY WOODHOUSE	568	0	0	0	0	1	0	0	1	2
SIKESBY	253	17	5	0	2	0	1	1	0	26
WEST MARKHAM	617	3	5	2	0	2	0	2	1	15
GAMSTON	575	0	0	0	0	0	0	0	2	2
EATON	745	0	1	1	0	1	0	1	1	5
EAST MARKHAM	1637	17	26	7	6	3	2	1	3	65
SPALFORD	479	2	6	3	3	3	0	2	0	19
WIGSLEY	716	0	1	0	0	4	4	0	1	10
HEADON CUM UPTON	770	1	3	1	1	4	1	2	1	14
WARSOP	1766	6	15	3	4	2	4	1	1	36

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Appendix B continued

Parish	Total acreage awarded	Acreage allotments of open land							Total number of allottees	
		<1a.	1-5a.	6-10a.	11-20a.	21-50a.	51-100a.	101-200a.		>200a.
EDWINSTOWE	3088	0	3	1	1	16	3	1	2	27
BIRKLAND & BILHAGH	874	0	3	8	6	4	3	0	1	25
EAST DRAYTON	876	3	4	0	0	1	0	1	2	11
WALSLEY	154	1	1	2	0	1	1	0	0	6
KIRTON	1033	5	27	6	4	1	1	3	1	48
EGMANTON	1944	4	14	5	4	3	0	3	2	35
STURTON LE STEEPLE	208	0	1	2	3	0	0	1	0	7
LITTLEBOROUGH	1236	5	13	2	2	2	2	2	1	29
NORWELL	1228	1	18	12	6	7	3	2	1	50
NORTH WHEATLEY	303	10	15	5	2	4	1	0	0	37
ASKHAM	403	7	15	4	8	4	1	0	0	39
FISKERTON-CUM-MORTON	567	6	16	9	3	9	1	0	0	44
TRESWELL	116	0	12	3	1	1	0	0	0	17
SOUTHWELL (EASTHORPE)	274	13	9	1	0	0	1	1	0	25
WELLOW	1420	2	9	5	7	2	0	2	1	28
RAMPTON	214	1	2	7	5	2	0	0	0	17
BESTHORPE	529	2	8	12	4	7	3	0	0	36
GIRTON	114	2	5	3	1	0	1	0	0	12
MOORHOUSE	1145	0	2	3	3	1	1	0	1	11
OXTON	715	21	9	2	0	2	1	2	1	38
SELSTON										

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Appendix C
WHEAT PRICES AT LOCAL MARKETS
 (Calculated as shillings per quarter of grain)

Year	Town	Year	Town	Year	Town
1767	NOTTINGHAM	1768	NOTTINGHAM	1771	NEWARK
January	50-56	January	40-48	January	46-48
February	48-52	February	44-46	February	50
March	50-56	March	48-52	March	50-53
April	56-60	April	48-52	April	52-54
May	52-57	May	48-52	May	53
June	48-56	June	48-52	June	53-54
July	48-55	July	46-52	July	54
August	52-60	August	48-51	August	53-56
September	53-58	September	47-50	September	52-54
October	45-58	October	43-48	October	50-54
November	40-46	November	29-46	November	50-54
December	46-48	December	36-46	December	56-57

1772	NEWARK	1773	NEWARK	1774	NEWARK
January	56-58	January	48	January	46-48
February	54-56	February	46	February	48
March	54	March	46	March	48-50
April	54	April	-	April	-
May	54	May	-	May	-
June	54	June	50	June	58
July	-	July	50	July	58-60
August	-	August	50-54	August	60-62
September	56	September	54	September	60
October	52-56	October	50-54	October	56-58
November	50-52	November	46-48	November	54
December	48-50	December	46	December	54

Appendix C continued

WHEAT PRICES AT LOCAL MARKETS
(calculated as shillings per quarter of grain)

Year	Town	Year	Town	Year	Town
1792	NEWARK	1794	GAINSBOROUGH	1795	NEWARK
January	40-44	January	-	January	-
February	39-42	February	-	February	57-62
March	40-42	March	50-55	March	58-63
April	37-42	April	53-54	April	60-70
May	35-42	May	50-55	May	67-72
June	36-43	June	50-56	June	70-94
July	36-41	July	-	July	95-100
August	37-46	August	54-57	August	100-120
September	45-52	September	52-56	September	75-90
October	52-55	October	54-56	October	80-90
November	-	November	55-57	November	86-95
December	-	December	56-59	December	85-93

1796	NEWARK	1797	NEWARK	1798	GAINSBOROUGH
January	100-120	January	48-57	January	45-50
February	85-112	February	42-50	February	47-51
March	100-115	March	-	March	45-56
April	65-100	April	-	April	52-55
May	75-88	May	-	May	52-56
June	80-90	June	-	June	50-56
July	77-84	July	50-51	July	48-55
August	70-80	August	50-53	August	48-54
September	60-76	September	56-72	September	48-52
October	58-75	October	50-67	October	40-46
November	55-63	November	50-64	November	45-57
December	53-59	December	48-54	December	46-48

Appendix C continued

WHEAT PRICES AT LOCAL MARKETS
(calculated as shillings per quarter of grain)

Year	Town	Year	Town	Year	Town
1799	GAINSBOROUGH	1800	NEWARK	1801	NEWARK
January	46-49	January	70-105	January	100-147
February	46-48	February	84-106	February	120-150
March	47-49	March	90-120	March	120-147
April	47-56	April	90-135	April	120-140
May	60-63	May	90-140	May	84-135
June	60-63	June	120-140	June	110-136
July	63-68	July	84-140	July	100-147
August	66-74	August	80-140	August	80-120
September	72-86	September	90-120	September	70-105
October	76-105	October	90-126	October	65-96
November	76-110	November	110-135	November	66-86
December	80-100	December	100-140	December	78-84

1802	NEWARK	1803	GAINSBOROUGH	1804	GAINSBOROUGH
January	80-84	January	54-57	January	40-59
February	78-84	February	55-59	February	34-55
March	80-86	March	57-63	March	34-56
April	75-84	April	55-64	April	46-56
May	70-80	May	58-64	May	45-59
June	72-78	June	57-63	June	-
July	74-82	July	56-58	July	44-60
August	76-80	August	54-58	August	47-80
September	70-76	September	56-60	September	60-75
October	62-67	October	53-59	October	70-92
November	62-65	November	54-60	November	80-110
December	56-64	December	40-59	December	84-108

Appendix C continued

WHEAT PRICES AT LOCAL MARKETS
(calculated as shillings per quarter of grain)

Year	Town	Year	Town	Year	Town
1805	GAINSBOROUGH	1806	GAINSBOROUGH	1807	NOTTINGHAM
January	84-94	January	60-69	January	74-80
February	84-112	February	66-73	February	70-80
March	90-108	March	66-77	March	74-80
April	90-100	April	80-84	April	-
May	-	May	82-92	May	-
June	90-99	June	80-88	June	-
July	80-100	July	80-88	July	70-78
August	80-108	August	80-85	August	74-84
September	70-103	September	80-83	September	-
October	70-82	October	75-84	October	70-76
November	60-76	November	67-75	November	65-72
December	60-70	December	67-74	December	68-78

1808	GAINSBOROUGH	1809	NEWARK	1810	NEWARK
January	70-74	January	80-93	January	90-110
February	72-75	February	90-108	February	90-110
March	-	March	98-110	March	95-112
April	72-77	April	90-110	April	100-120
May	74-84	May	-	May	120-135
June	86-89	June	90-100	June	100-130
July	84-86	July	84-94	July	100-124
August	84-90	August	95-105	August	110-126
September	86-96	September	108-120	September	90-120
October	86-99	October	-	October	94-100
November	86-107	November	92-112	November	90-108
December	84-105	December	-	December	88-100

Appendix C continued

WHEAT PRICES AT LOCAL MARKETS
(calculated as shillings per quarter of grain)

Year	Town	Year	Town	Year	Town
1811	NEWARK	1812	NEWARK	1813	NEWARK
January	90-100	January	90-105	January	112-126
February	90-98	February	96-106	February	115-126
March	84-95	March	100-120	March	116-128
April	80-90	April	120-140	April	110-126
May	84-92	May	120-136	May	110-120
June	80-90	June	130-147	June	105-122
July	-	July	135-150	July	110-120
August	86-96	August	150-162	August	95-112
September	86-98	September	100-170	September	90-105
October	90-100	October	100-136	October	80-100
November	92-110	November	115-136	November	72-86
December	92-102	December	115-122	December	58-64

1814	NEWARK	1815	NEWARK	1816	NEWARK
January	74-82	January	46-60	January	46-56
February	66-76	February	56-86	February	56-62
March	70-84	March	70-84	March	48-62
April	60-78	April	60-88	April	60-78
May	60-78	May	64-80	May	64-95
June	66-75	June	53-74	June	72-82
July	66-76	July	56-74	July	70-76
August	68-94	August	56-66	August	74-80
September	76-92	September	50-66	September	78-84
October	60-92	October	50-62	October	74-114
November	60-75	November	56-60	November	70-120
December	56-70	December	46-56	December	80-120

Appendix C continued

WHEAT PRICES AT LOCAL MARKETS
(calculated as shillings per quarter of grain)

Year	Town	Year	Town	Year	Town
1817	NEWARK	1818	NEWARK	1819	NEWARK
January	70-120	January	72-88	January	80-100
February	60-120	February	76-88	February	78-88
March	75-126	March	80-95	March	80-84
April	80-130	April	80-100	April	76-80
May	80-140	May	70-86	May	66-77
June	100-147	June	76-88	June	58-74
July	70-124	July	84-100	July	70-74
August	60-95	August	80-95	August	70-74
September	50-90	September	84-94	September	-
October	50-80	October	84-90	October	70-74
November	70-84	November	80-94	November	63-74
December	70-90	December	70-84	December	-

Source: *Nottingham Journal*, January 1767 - December 1819.

Appendix D

THE NOTTINGHAM ASSIZE OF BREAD
Weight of the one-penny loaf 1757-1819.

Date	Wheaten oz. dr.	Household oz. dr.	Date	Wheaten oz. dr.	Household oz. dr.
21. 10. 1757	11 2	14 10	7. 3. 1762	12 1	16 6
4. 11. 1757	12 12	17 1	6. 7. 1762	10 2	13 9
23. 12. 1757	13 9	17 15	13. 8. 1762	11 2	14 10
			1. 12. 1762	11 9	15 7
25. 10. 1758	11 2	14 10			
8. 11. 1758	12 12	17 1	6. 4. 1763	11 2	14 10
15. 11. 1758	13 9	17 15	4. 8. 1763	9 11	13 1
29. 11. 1758	12 12	17 1			
22. 12. 1758	13 9	17 15	7. 2. 1765	8 3	10 11
			4. 10. 1765	9 4	12 10
5. 1. 1759	12 12	17 1			
12. 1. 1759	13 9	17 15	9. 4. 1766	9 4	12 10
24. 1. 1759	14 4	19 1	16. 4. 1766	9 11	13 1
9. 2. 1759	13 9	17 15	4. 11. 1766	8 7	11 2
16. 2. 1759	12 12	17 1	26. 11. 1766	9 0	12 1
23. 2. 1759	12 1	16 6	17. 12. 1766	7 10	10 2
2. 3. 1759	12 12	17 1	24. 12. 1766	8 3	10 11
28. 3. 1759	11 9	15 7			
18. 4. 1759	12 12	17 1	8. 6. 1767	8 3	10 11
16. 5. 1759	13 9	17 15	22. 7. 1767	7 14	10 6
to			6. 11. 1767	9 4	12 10
3. 9. 1759	"	"	23. 12. 1767	9 0	12 1
19. 9. 1759	14 4	19 1			
20. 12. 1759	12 12	17 1	9. 11. 1768	9 4	12 10
12. 3. 1760	11 9	15 7	11. 12. 1769	9 11	13 1
30. 4. 1760	12 12	17 1			
10. 12. 1760	14 4	19 1	26. 12. 1770	8 7	11 2
8. 7. 1761	15 4	20 4	12. 4. 1771	7 10	10 2
28. 9. 1761	"	"			
			14. 1. 1775	7 2	9 9
			9. 9. 1775	8 3	10 11

Appendix D continued

Nottingham assize of bread

Date	Wheaten oz.	dr.	Household oz.	dr.	Date	Wheaten oz.	dr.	Household oz.	dr.
1. 11. 1777	9	11	13	1	26. 2. 1780	11	2	14	10
15. 11. 1777	9	0	12	1	4. 3. 1780	10	8	14	4
22. 11. 1777	9	4	12	10	24. 6. 1780	10	2	13	9
20. 12. 1777	8	11	11	9	25. 7. 1780	9	11	13	1
					23. 9. 1780	10	2	13	9
24. 1. 1778	8	11	11	9	7. 10. 1780	10	8	14	4
28. 2. 1778	8	7	11	2	4. 11. 1780	9	11	13	1
28. 3. 1778	8	3	10	11	11. 11. 1780	9	0	12	1
2. 5. 1778	8	7	11	2	25. 11. 1780	9	4	12	10
16. 5. 1778	8	11	11	9	16. 12. 1780	9	0	12	1
18. 7. 1778	9	0	12	1					
1. 8. 1778	9	4	12	10	17. 2. 1781	8	7	11	2
8. 8. 1778	9	11	13	1	3. 3. 1781	8	3	10	11
29. 8. 1778	10	2	13	9	21. 4. 1781	8	7	11	2
13. 9. 1778	10	8	14	4	16. 6. 1781	9	0	12	1
3. 10. 1778	11	2	14	10	23. 6. 1781	9	4	12	10
17. 10. 1778	10	8	14	4	4. 8. 1781	9	11	13	1
5. 12. 1778	10	2	13	9	25. 8. 1781	10	2	13	9
					22. 9. 1781	10	8	14	4
2. 1. 1779	11	2	14	10	13. 10. 1781	10	2	13	9
6. 3. 1779	10	8	14	4	3. 11. 1781	10	8	14	4
22. 5. 1779	11	2	14	10					
18. 9. 1779	10	8	14	4	2. 3. 1782	9	11	13	1
16. 10. 1779	11	2	14	10	29. 6. 1782	8	11	11	9
30. 10. 1779	11	9	15	7	7. 9. 1782	7	14	10	6
20. 11. 1779	12	1	16	6	14. 9. 1782	8	11	11	9
4. 12. 1779	11	9	15	7	28. 9. 1782	7	14	10	6
					11. 10. 1783	7	14	10	6
					18. 10. 1783	7	10	10	2
					27. 12. 1783	"	"	"	"
					10. 1. 1784	7	10	10	2
					19. 6. 1784	8	7	11	2

Appendix D continued

Nottingham assize of bread

Date	Wheaten oz.	dr.	Household oz.	dr.	Date	Wheaten oz.	dr.	Household oz.	dr.
24. 11. 1787	9	4	12	10	4. 1. 1797	7	2	9	9
29. 12. 1787	9	0	12	1	1. 2. 1797	7	10	10	2
					8. 2. 1797	7	14	10	6
16. 1. 1788	9	0	12	1	13. 2. 1797	8	7	11	2
8. 3. 1788	8	7	11	2	1. 3. 1797	7	14	10	6
29. 3. 1788	8	3	10	11	9. 11. 1797	6	15	9	4
23. 8. 1788	8	7	11	2	5. 12. 1797	7	2	9	9
					20. 12. 1797	7	5	9	15
19. 12. 1789	7	10	10	2					
					6. 1. 1798	7	2	9	9
30. 1. 1790	7	10	10	2	23. 3. 1798	7	10	10	2
					16. 5. 1798	7	2	9	9
19. 5. 1792	9	4	12	10	29. 8. 1798	7	5	9	15
					19. 9. 1798	7	10	10	2
6. 4. 1793	6	15	9	4	10. 10. 1798	8	3	10	11
					5. 12. 1798	7	14	10	6
5. 5. 1795	6	10	8	13					
3. 6. 1795	6	7	8	9	26. 2. 1799	7	14	10	6
10. 6. 1795	6	5	8	6	17. 4. 1799	7	2	9	9
17. 6. 1795	6	1	8	0	25. 4. 1799	6	15	9	4
24. 6. 1795	5	9	7	6	1. 5. 1799	6	13	8	15
1. 7. 1795	5	4	7	0	15. 5. 1799	5	15	7	15
8. 7. 1795	4	14	6	9	16. 8. 1799	5	11	7	9
14. 7. 1795	4	10	6	1	23. 8. 1799	5	9	7	5
9. 9. 1795	5	11	7	8	25. 9. 1799	5	6	7	3
17. 9. 1795	5	5	7	2	10. 12. 1799	4	3	5	9
24. 9. 1795	5	2	6	15					
14. 10. 1795	5	2	6	15	12. 2. 1800	4	7	5	14
					7. 8. 1800	4	5	5	13
8. 3. 1796	5	7	7	4	14. 8. 1800	5	2	6	15
4. 5. 1796	5	11	7	10	21. 8. 1800	5	1	6	13
11. 5. 1796	5	13	7	11	28. 8. 1800	4	3	5	9

Appendix D continued

Nottingham assize of bread

Date	Wheaten oz.	dr.	Household oz.	dr.	Date	Wheaten oz.	dr.	Household oz.	dr.
13. 5. 1801	3	12	4	15	7. 1. 1807	5	13	7	12
20. 5. 1801	4	1	5	5	17. 3. 1807	5	6	7	3
27. 5. 1801	3	7	4	10	9. 7. 1807	5	9	7	5
2. 6. 1801	3	9	4	12	13. 10. 1807	5	9	7	5
16. 6. 1801	3	10	4	15	9. 12. 1807	5	6	7	3
2. 9. 1801	4	5	5	13					
9. 9. 1801	4	3	5	9	23. 2. 1808	5	9	7	5
16. 9. 1801	4	5	5	13	19. 4. 1808	5	5	7	1
30. 9. 1801	4	7	5	15	12. 5. 1808	5	1	6	13
7. 10. 1801	4	9	6	3	9. 6. 1808	4	11	6	4
14. 10. 1801	5	2	6	15	6. 7. 1808	4	13	6	5
21. 10. 1801	5	13	7	12	18. 10. 1808	4	7	5	15
3. 11. 1801	5	9	7	5	27. 12. 1808	4	8	6	1
24. 11. 1801	5	5	7	1					
1. 12. 1801	5	6	7	3	4. 2. 1809	4	7	5	15
					20. 5. 1809	4	7	5	15
4. 5. 1802	5	13	7	12	1. 7. 1809	4	15	6	10
21. 9. 1802	5	13	7	12	12. 8. 1809	4	7	5	15
12. 10. 1802	6	4	8	5	16. 9. 1809	4	5	5	13
16. 11. 1802	6	9	8	12	23. 9. 1809	4	3	5	9
					16. 12. 1809	4	7	5	15
7. 3. 1804	7	2	9	9					
28. 8. 1804	5	15	7	15	20. 1. 1810	4	9	6	3
4. 9. 1804	6	9	8	12	10. 3. 1810	4	8	6	1
24. 11. 1804	4	7	5	15	7. 4. 1810	4	7	5	15
					5. 5. 1810	4	0	5	6
4. 5. 1805	4	9	6	3	15. 9. 1810	4	9	6	3
8. 10. 1805	4	14	6	8	3. 11. 1810	4	15	6	10
3. 12. 1805	5	11	7	9	29. 12. 1810	5	2	6	15
7. 3. 1806	5	6	7	3	23. 2. 1811	5	1	6	13
20. 5. 1806	4	14	6	8	17. 8. 1811	4	14	6	8
5. 8. 1806	4	13	6	5	23. 11. 1811	4	4	5	11
20. 9. 1806	5	1	6	13					
14. 10. 1806	5	5	7	1					
27. 11. 1806	5	9	7	5					

Appendix D continued

Nottingham assize of bread

Date	Wheaten oz. dr.	Household oz. dr.	Date	Wheaten oz. dr.	Household oz. dr.
1. 2. 1812	4 9	5 6	1. 1. 1814	6 9	7 2
4. 4. 1812	3 6	4 1	22. 1. 1814	6 5	6 12
13. 6. 1812	3 7	4 2	26. 2. 1814	6 9	7 2
27. 6. 1812	3 4	4 6	5. 3. 1814	6 12	7 5
11. 7. 1812	3 3	4 5	12. 3. 1814	6 9	7 2
15. 8. 1812	3 0	4 0	19. 3. 1814	6 7	6 15
12. 9. 1812	3 1	4 1	9. 4. 1814	6 9	7 2
26. 9. 1812	4 5	5 13	23. 4. 1814	6 12	7 5
3. 10. 1812	3 13	5 2	14. 5. 1814	7 2	7 11
24. 10. 1812	3 8	4 3	28. 5. 1814	6 15	7 8
28. 11. 1812	3 7	4 2	4. 6. 1814	6 12	7 5
5. 12. 1812	3 8	4 3	18. 6. 1814	6 15	7 8
26. 12. 1812	3 12	5 0	25. 6. 1814	7 2	7 11
			30. 7. 1814	6 15	7 8
2. 1. 1813	3 13	5 2	6. 8. 1814	7 2	7 11
16. 1. 1813	3 12	5 0	13. 8. 1814	6 15	7 8
23. 1. 1813	3 10	4 5	20. 8. 1814	6 9	7 2
3. 4. 1813	3 10	4 5	27. 8. 1814	6 2	6 9
10. 4. 1813	3 11	4 7	24. 9. 1814	6 2	6 9
17. 4. 1813	3 13	5 2	8. 10. 1814	6 5	6 12
8. 5. 1813	3 14	5 3	3. 12. 1814	6 2	6 9
3. 7. 1813	3 15	5 4	10. 12. 1814	6 7	6 15
24. 7. 1813	3 14	5 3	24. 12. 1814	6 9	7 2
28. 8. 1813	4 6	4 15			
11. 9. 1813	4 8	5 0			
25. 9. 1813	5 5	6 5			
9. 10. 1813	5 8	5 14			
16. 10. 1813	4 12	5 0			
23. 10. 1813	4 14	5 2			
30. 10. 1813	5 0	5 5			
6. 11. 1813	5 3	5 8			
13. 11. 1813	5 7	5 12			
4. 12. 1813	6 5	6 12			
11. 12. 1813	6 15	7 8			
18. 12. 1813	6 12	7 5			
25. 12. 1813	6 7	6 15			

Appendix D continued

Nottingham assize of bread

Date	Wheaten oz. dr.	Household oz. dr.	Date	Wheaten oz. dr.	Household oz. dr.
7. 1.1815	6 12	7 5	6. 1.1816	8 6	9 4
14. 1.1815	7 2	7 11	13. 1.1816	8 11	9 9
21. 1.1815	7 5	7 15	20. 1.1816	8 6	9 4
11. 2.1815	7 2	7 11	10. 2.1816	8 11	9 9
18. 2.1815	6 12	7 5	17. 2.1816	8 2	8 15
25. 2.1815	6 7	6 15	9. 3.1816	8 6	9 4
11. 3.1815	6 9	7 2	13. 4.1816	8 2	8 15
18. 3.1815	6 12	7 5	20. 4.1816	7 15	8 11
1. 4.1815	6 9	7 2	27. 4.1816	7 5	7 15
8. 4.1815	6 7	6 15	4. 5.1816	6 15	7 8
15. 4.1815	6 9	7 2	11. 5.1816	6 12	7 5
29. 4.1815	6 12	7 5	18. 5.1816	6 7	6 15
20. 5.1815	6 15	7 8	25. 5.1816	6 5	6 12
27. 5.1815	6 12	7 5	1. 6.1816	6 7	6 15
10. 6.1815	6 15	7 8	22. 6.1816	6 12	7 5
17. 6.1815	6 12	7 5	13. 7.1816	6 9	7 2
1. 7.1815	6 15	7 8	20. 7.1816	6 12	7 5
15. 7.1815	7 2	7 11	27. 7.1816	6 9	7 2
5. 8.1815	6 12	7 5	3. 8.1816	6 12	7 5
12. 8.1815	7 2	7 11	10. 8.1816	6 9	7 2
9. 9.1815	7 5	7 15	24. 8.1816	6 5	6 12
16. 9.1815	7 2	7 11	31. 8.1816	6 7	6 15
23. 9.1815	7 5	7 15	14. 9.1816	6 9	7 2
14.10.1815	7 8	8 2	5.10.1816	6 5	6 12
21.10.1815	7 14	8 6	12.10.1816	6 2	6 9
28.10.1815	7 15	8 11	19.10.1816	5 3	5 8
4.11.1815	8 6	9 4	9.11.1816	5 2	5 7
16.12.1815	8 11	9 9	30.11.1816	5 0	5 5
23.12.1815	8 6	9 4	7.12.1816	4 5	4 8
			14.12.1816	4 7	4 11

Appendix D continued

Nottingham assize of bread

Date	Wheaten oz.	dr.	Household oz.	dr.	Date	Wheaten oz.	dr.	Household oz.	dr.
4. 1. 1817	3	15	4	2	5. 7. 1817	4	2	4	5
11. 1. 1817	4	7	4	11	19. 7. 1817	4	6	4	10
25. 1. 1817	4	5	4	8	26. 7. 1817	4	14	5	2
1. 2. 1817	4	6	4	10	2. 8. 1817	5	5	5	10
8. 2. 1817	4	5	4	8	9. 8. 1817	4	14	5	2
15. 2. 1817	4	6	4	10	16. 8. 1817	4	15	5	3
22. 2. 1817	4	7	4	11	23. 8. 1817	5	2	5	7
29. 2. 1817	4	8	4	12	30. 8. 1817	5	14	6	5
8. 3. 1817	4	12	5	0	6. 9. 1817	5	10	6	0
15. 3. 1817	4	6	4	11	13. 9. 1817	6	0	6	7
22. 3. 1817	4	5	4	8	20. 9. 1817	6	5	6	12
29. 3. 1817	4	4	4	7	4. 10. 1817	6	9	7	2
5. 4. 1817	4	5	4	8	11. 10. 1817	6	5	6	12
12. 4. 1817	4	4	4	7	18. 10. 1817	6	0	6	7
19. 4. 1817	4	5	4	8	25. 10. 1817	6	7	6	15
26. 4. 1817	4	3	4	6	1. 11. 1817	6	5	6	12
17. 5. 1817	4	1	4	4	22. 11. 1817	6	0	6	7
24. 5. 1817	4	3	4	6	13. 12. 1817	5	14	6	5
31. 5. 1817	4	0	4	3	20. 12. 1817	6	0	6	7
7. 6. 1817	4	2	4	5	27. 12. 1817	5	2	5	7
14. 6. 1817	4	14	5	2					
21. 6. 1817	4	2	4	5					
28. 6. 1817	4	1	4	4					

Appendix D continued

Nottingham assize of bread

Page	Wheaten		Household		Date	Wheaten		Household					
	oz.	dr.	oz.	dr.		oz.	dr.	oz.	dr.				
3.	1.	1818	5	14	6	5	2.	1.	1819	6	2	6	9
10.	1.	1818	5	12	6	2	9.	1.	1819	5	3	5	8
31.	1.	1818	6	0	6	7	16.	1.	1819	6	0	6	7
28.	2.	1818	5	12	6	3	6.	2.	1819	5	14	6	5
7.	3.	1818	5	7	5	12	13.	2.	1819	5	3	5	8
14.	3.	1818	5	5	5	10	20.	2.	1819	6	0	6	7
21.	3.	1818	5	12	6	2	27.	2.	1819	6	2	6	9
4.	4.	1818	5	8	5	14	10.	4.	1819	5	14	6	5
25.	4.	1818	5	5	5	10	29.	5.	1819	7	2	7	11
2.	5.	1818	5	8	5	14	5.	6.	1819	7	5	7	15
16.	5.	1818	5	5	5	10	26.	6.	1819	7	2	7	11
30.	5.	1818	6	0	6	7	10.	7.	1819	6	0	6	7
6.	6.	1818	6	5	6	12	24.	7.	1819	7	2	7	11
13.	6.	1818	6	0	6	7	11.	9.	1819	6	15	7	6
20.	6.	1818	6	2	6	9	18.	9.	1819	7	2	7	11
27.	6.	1818	5	7	5	12	2.	10.	1819	7	5	7	15
11.	7.	1818	5	12	6	2	6.	11.	1819	7	8	8	2
25.	7.	1818	5	8	5	14	13.	11.	1819	7	5	7	15
8.	8.	1818	6	0	6	7	20.	11.	1819	7	8	8	2
22.	8.	1818	5	12	6	2	27.	11.	1819	7	5	7	15
10.	10.	1818	5	12	6	2	25.	12.	1819	7	8	8	2
7.	11.	1818	6	0	6	7							
14.	11.	1818	5	12	6	2							
21.	11.	1818	5	0	5	6							
28.	11.	1818	5	3	5	8							
12.	12.	1818	5	5	5	10							
19.	12.	1818	5	14	6	5							
26.	12.	1818	6	0	6	7							

Appendix E

Poor expenditure as ratio series, with different base years depending upon dates of enclosure

Parish	Base Year	Year of Act	Year of Award	Seven Years after Award
	*1762	1767	1768	1775
CARLTON-IN-LINDRICK (enclosed 1767-1768)	100	100·1	74·8	252·6
Shelford (no parl. enclosure)	100	158·0	156·5	177·2
Kirklington (no parl. enclosure)	100	174·6	124·7	178·3
	* earliest account found			

	1769	1776		1783
SCREVEYTON (act to confirm)	100	89·9	no award	71·4
Carlton-in-Lindrick (enclosed 1767-1768)	100	252·0		259·2
Elkesley (act to confirm 1779)	100	147·2		188·4
Babworth (no parl. enclosure)	100	69·5		105·2
Kirklington (no parl. enclosure)	100	103·5		191·6
Bilsthorpe (no parl enclosure)	100	157·2		187·1

	1772	1779		1786
ELKESLEY (act to confirm)	100	118·2	no award	119·0
Screveton (act to confirm 1776)	100	148·1		138·5
Ragnall (enclosed 1803-1815)	100	73·9		79·8
Babworth (no parl. enclosure)	100	98·8		76·0
Kirklington (no parl. enclosure)	100	50·6		57·0
Bilsthorpe (no parl. enclosure)	100	156·4		187·7

Appendix E continued

Parish	Base Year	Year of Act	Year of Award	Seven Years after Award
	1782	1789	1791	1798
ARNOLD (enclosed 1789-1791)	100	118·8	133·8	188·7
Clayworth (enclosed 1790-1792)	100	123·0	164·3	360·4
Screveton (act to confirm 1776)	100	164·4	150·3	366·7
Elkesley (act to confirm 1779)	100	157·0	126·3	249·0
Babworth (no parl. enclosure)	100	64·0	84·7	302·3
Kirklington (no parl. enclosure)	100	102·4	72·4	120·4
Bilsthorpe (no parl. enclosure)	100	151·2	116·0	288·0
Hoveringham (no parl. enclosure)	100	103·3	127·1	161·4
South Muskham (no parl. enclosure)	100	128·2	201·6	229·5
	1783	1790	1792	1799
CLAYWORTH (enclosed 1790-1792)	100	89·7	128·9	315·9
Screveton (act to confirm 1776)	100	160·8	205·9	336·7
Elkesley (act to confirm 1779)	100	89·6	101·8	189·8
Babworth (no parl. enclosure)	100	79·5	103·6	305·2
Kirklington (no parl. enclosure)	100	94·8	77·3	109·5
Bilsthorpe (no parl. enclosure)	100	99·6	77·2	195·2
Hoveringham (no parl. enclosure)	100	90·3	103·1	198·3
South Muskham (no parl. enclosure)	100	92·5	120·6	144·3

Appendix E continued

Parish	Base Year	Year of Act	Year of Award	Seven Years after Award
	*1792	1795	1799	1806
CAUNTON (enclosed 1795-1799)	100	73·3	129·6	157·2
East Leake (enclosed 1798-1799)	100	114·9	130·8	164·8
Tuxford (enclosed 1799-1804)	100	151·5	153·7	179·0
Harworth (enclosed 1799-1804)	100	199·0	189·9	375·3
Ragnall (enclosed 1803-1815)	100	144·0	279·0	315·2
Bilsthorpe (no parl. enclosure)	100	145·6	253·0	337·7
Hoveringham (no parl. enclosure)	100	144·7	192·4	412·9
South Muskham (no parl. enclosure)	100	252·2	119·7	286·6
Thorpe by Newark (no parl. enclosure)	100	136·3	264·0	221·5

* No pre-1792 accounts found

	1791	1798	1799	1806
EAST LEAKE (enclosed 1798-1799)	100	116·6	127·0	160·1
Tuxford (enclosed 1799-1804)	100	139·4	160·9	187·4
Harworth (enclosed 1799-1804)	100	178·0	150·4	297·2
Bilsthorpe (no parl. enclosure)	100	248·3	236·1	315·1
Hoveringham (no parl. enclosure)	100	126·9	186·5	400·3
South Muskham (no parl. enclosure)	100	113·8	100·5	240·7
Thorpe by Newark (no parl. enclosure)	100	205·4	267·6	224·5

Appendix E continued

Parish	Base Year	Year of Act	Year of Award	Seven Years after Award
	1792	1799	1804	1811
TUXFORD (enclosed 1799-1804)	100	153·7	224·2	344·3
Harworth (enclosed 1799-1804)	100	189·9	293·1	469·7
Ragnall (enclosed 1803-1815)	100	279·1	255·5	375·0
Bilsthorpe (no parl. enclosure)	100	253·0	298·1	482·9
Hoveringham (no parl. enclosure)	100	192·4	383·4	404·1
South Muskham (no parl. enclosure)	100	119·7	229·1	198·8
	1792	1799	1804	1811
HARWORTH (enclosed 1799-1804)	100	189·9	293·1	469·7
Tuxford (enclosed 1799-1803)	100	153·7	224·2	344·3
Ragnall (enclosed 1802-1815)	100	279·1	255·5	375·0
Bilsthorpe (no parl. enclosure)	100	253·0	298·1	482·9
Hoveringham (no parl. enclosure)	100	192·4	383·4	404·1
South Muskham (no parl. enclosure)	100	119·7	229·1	198·8
Thorpe by Newark (no parl. enclosure)	100	264·0	206·9	269·7
	*1799	1803	1815	1822
DUNHAM (enclosed 1803-1815)	100	116·9	203·9	222·9
Tuxford (enclosed 1799-1803)	100	120·8	202·5	226·6
Harworth (enclosed 1799-1804)	100	179·5	363·2	250·7
East Markham (enclosed 1810-1816)	100	148·0	97·9	108·5
Bilsthorpe (no parl. enclosure)	100	109·1	258·3	121·8
South Muskham (no parl. enclosure)	100	110·5	252·6	323·3
Kirklington (no parl. enclosure)	100	162·0	349·2	305·5

* no pre-1799 accounts found

Appendix E continued

Parish	Base Year	Year of Act	Year of Award	Seven Years after Award
	1796	1803	1815	*1821
RAGNALL (enclosed 1803-1815)	100	121.7	373.2	370.0
Harworth (enclosed 1799-1804)	100	213.7	432.3	356.0
East Markham (enclosed 1810-1816)	100	145.3	96.2	90.1
Bilsthorpe (no parl. enclosure)	100	130.0	308.0	215.4
Kirklington (no parl. enclosure)	100	92.8	200.1	153.0
		* no post-1821 accounts found		

	1803	1810	1816	*1822
EAST MARKHAM (enclosed 1810-1816)	100	60.3	83.5	73.3
Harworth (enclosed 1799-1804)	100	139.6	230.8	139.6
Dunham (enclosed 1803-1815)	100	139.4	179.1	190.7
Bilsthorpe (no parl. enclosure)	100	157.3	221.5	111.7
Dariton (no parl. enclosure)	100	96.5	94.0	106.2
		* no post-1822 accounts found		

	1815	1822	1828	1835
STURTON-LE-STEEPLE (enclosed 1822-1818)	100	92.3	131.3	93.5
Norwell (enclosed 1826-1832)	100	116.8	99.4	87.3
Bilsthorpe (no parl. enclosure)	100	47.2	71.3	60.8

Appendix E continued

	*1820	1826	1832	**1835
NORWELL <i>(enclosed 1826-1832)</i>	100	60·6	64·9	58·2
<i>Sturton-le-Steeple</i> <i>(enclosed 1822-1828)</i>	100	110·1	111·6	83·9
<i>Bilthorpe</i> <i>(no parl. enclosure)</i>	100	60·8	59·4	59·1

* accounts for 1819 not clear

** no post 1835 accounts

Source:

N.A.O. PR.1323; N.A.O. PR.2865; N.A.O. PR.11,420; N.A.O. PR.19,851;
 N.A.O. PR.189; N.A.O. PR.20,442; N.A.O. PR.1579; N.A.O. DD.N.231/4;
 N.A.O. PR.2627-2630; N.A.O. PR.5233; N.A.O. PR.18,295; N.A.O. PR.6727;
 N.A.O. PR.6251; N.A.O. PR.2011; N.A.O. PR.6251; N.A.O. PR.8454;
 N.A.O. PR.5768; N.A.O. PR.877; N.A.O. PR.10,923; N.A.O. PR.14,762
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