

# Common Right and Private Interest



## Rutland's Common Fields and their Enclosure

Ian E Ryder

Rutland Local History & Record Society  
Occasional Publication No 8

## ***About the Rutland Local History & Record Society***

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## ***About the Author***

Ian Ryder has lived in Rutland for over twenty-five years and is married with three grown-up children. A science graduate from Bath and Cambridge, he has spent most of his life in the pharmaceutical industry, but has had a life-long interest in history. He has published work on the civil war in Yorkshire and Ireland and completed an MA in local history at Leicester University. The latter catalysed his interest in the history of Rutland's Common Fields, and gave rise to this publication.



## ***About this book***

The ridge and furrow patterns seen throughout Rutland, and in other parts of the country, are fossils of the common field system of agriculture that governed the lives of generations of farmers and their workers over the past millennium. The system required land to alternate between being available for use by individuals and open for common use by the whole village. It necessitated a high degree of community organisation, regulated by a jury of the villagers meeting to agree on various matters. These included limiting the number of beasts an individual could pasture, ending the period of common use, and adjudicating on disputes. The jury also looked after the needs of the community, providing access to firewood through control of woods and hedges, and supporting its poorer members through their right to pasture animals on common land and glean the arable fields after harvest.

This interlocking of community and agricultural requirements, coupled with a mechanism to regulate change, provided the common field system with a high degree of resilience. This resilience was tested, in the centuries following the Black Death, by a series of economic challenges that gradually forced villages, one by one, to convert from common fields to the enclosed fields seen today. The last Rutland enclosure took place in 1882.

This book identifies Rutland's common fields and describes how the system worked, using maps and documents as illustrations. It explains the reasons for enclosure and how this led first to the desertion of some villages in the late Middle Ages and later to a geographical division in the county between areas dominated either by arable or by pastoral agriculture. Through case studies it examines the processes of parliamentary enclosure that forced the majority of the common fields remaining in the eighteenth and nineteenth centuries into enclosure; the evidence is summarised for every Rutland parish. It also describes how the impact of new agricultural and financial innovations released many of the rural population from the land, often to destitution, and how as a consequence enclosure was fiercely resisted.

# COMMON RIGHT AND PRIVATE INTEREST

*Rutland's Common Fields and their Enclosure*

*Ian E Ryder*

These paths are stopt – the rude philistines thrall  
Is laid upon them and destroyed them all  
Each little tyrant with his little sign  
Shows where man claims earth glows no more divine  
But paths to freedom and to childhood dear  
A board sticks up to notice ‘no road here’  
And on the tree with ivy overhung  
The hated sign by vulgar taste is hung  
As tho’ the very birds should learn to know  
When they go there they must no further go  
This with the poor scared freedom bade goodbye  
And much they feel it in the smothered sigh  
And birds and trees and flowers without name  
All sighed when lawless laws enclosure came

*John Clare – The Mores*

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*Cover illustrations*

Front cover: Map of Thistleton, c1630 (see fig. 5)  
Back cover: Map of Woolfox, 1664 (see fig. 12)

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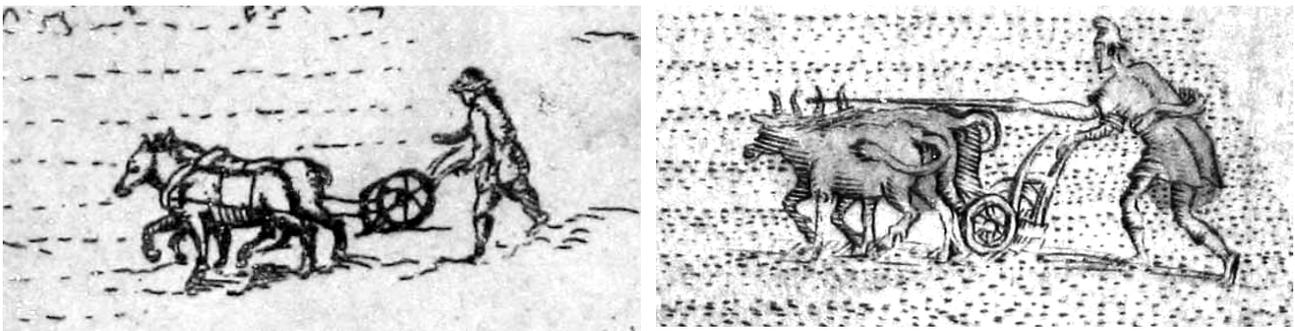
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## Introduction

For many people the traditional view of the English countryside is a patchwork of small fields. Historically, however, this patchwork is a relatively recent landscape, one produced by the enclosures. During the majority of the past millennium the landscape of Rutland, like that of many English counties, had a very different open appearance, similar to that still seen in parts of France. The open landscape arose from a system of agriculture that was based on great common fields, and only when the system changed, from common to enclosed, did the landscape also alter from open to patchwork. More recently, the system has changed once again. The introduction of powerful tractors and grubbing up hedges to amalgamate fields, making them more convenient for machinery, has returned the landscape, in part, to that seen prior to the enclosures.

The operation of the common field system dominated the lives of the villagers, and shaped the villages they and we still inhabit. Its demise brought dramatic change, both in the landscape and socially. This study seeks to identify the common fields of Rutland, the last of which were enclosed in 1882; to describe how the system operated; to investigate why, how and when the fields were enclosed; and to look at the consequences of the enclosure.



*Fig. 1. Details of ploughs drawn by horses and oxen from Speed's map of Rutland, 1612-16*

## Acknowledgements

I would like to thank all those who have assisted me in the compilation and production of this work. First my wife Lin who has accepted the hours spent poring over old documents and trudging over ridge and furrow, all of which was displacement activity for much needed work around the house. For help in directing me to new sources I would particularly like to thank Peter Tomalin and Hilary Crowden and, for his invaluable aid, criticism and mentoring during the editorial process, Tim Clough. I would also like to thank Robert Ovens for photography. I am very grateful for the help and assistance of the staff at various public record offices consulted in the preparation of this work, principally: the Leicester, Leicestershire and Rutland, the Lincolnshire, and the Northamptonshire offices. I would also like to thank owners and staff of the private collections at Burleigh House and Hatfield House for permission to examine their records, as well as the following who gave permission to reproduce documents in this publication, and who retain the copyright of all such illustrations: Mr Edward Brudenell of Deene Park, Lord Salisbury, Grimsthorpe & Drummond Trust Ltd, Constable & Robinson Ltd, English Heritage, Cambridge University Collection of Air Photographs, Oxford University Press, Leicestershire Heritage Services, Leicester, Leicestershire and Rutland Record Office, and Lincolnshire Archives. Finally, I would like to thank all the various owners of land on which I measured samples of the county's remaining ridge and furrow.



*Fig. 2. Aerial photograph of Whissendine in 1947 showing extensive ridge and furrow, indicating that most of the land had remained in pasture since the parish was enclosed in 1763. There is extensive variability in furlong size and shape, and the elongated reversed S shape of the strips that aided turning of plough teams at the furlong end is also visible (photograph: English Heritage (NMR) RAF Photography)*

# 1 – *The Common Field System*

Whilst the common field system produced both arable and pasture crops, its primary function was the production of arable crops. The system was based on an area of land and an associated township. In many cases the area of land was coterminous with a parish. However, some parishes contained several townships. A Rutland example is the parish of Seaton, which contained, besides the village of Seaton, the hamlet of Thorpe by Water; each had its own common field system. The land of a township was divided into three main areas: arable fields, permanent grazing, and fallow fields; all were open to common use at some time and this gave the system its name. The arable land was usually divided into several great fields (also called open fields from their appearance); these great fields were sub-divided into blocks of furlongs, and the furlongs further partitioned into strips. Today the most visible remnant of the common field system is the presence in pasture fields of these strips, as ridge and furrow. If there is sufficient ridge and furrow, different furlongs can also be seen at angles to one another, as in the aerial photograph of Whissendine (fig. 2). This photograph also illustrates that furlongs were of different shapes and sizes. The use of the natural slope of the land for drainage and the shape of field boundaries determined their orientation and size (Orwin & Orwin 1967, 96). Another observable feature is that the strips were not straight, but were shaped like an elongated reversed S. This shape results from the need to turn the plough team at the end of the strip. Originally, in the Middle Ages, the plough teams were oxen; over the subsequent centuries horses gradually replaced these, though in 1794 there was still one ox team in the county (Crutchley 1794, 23). The need to turn the plough-team at the end of a strip often created a margin at the top and bottom of the furlong, called a headland or balk, which was either ploughed or left as pasture to enable common access across the fields. In other furlongs there was no headland and the lands of one furlong abutted direct to those of another. In this situation each strip owner had the right to use the last yards, sometimes called a half balk, of a neighbour's land. Once all the strips had been ploughed the half balks were then either ploughed or, if too small, dug over (Orwin & Orwin 1967, 99). The ploughing of strips of land into a ridge leaving a double furrow between strips, to act as a division, required particular ploughing techniques (see fig. 3).

Historians have noted that the technique of ploughing could raise or lower the height of a ridge according to the nature of the soil; in light well-drained soils the ridges tended to be shallow, but in heavy soils they could be raised into 'high backs' for improved drainage (Orwin & Orwin 1967, 34; Kerridge 1992, 7). They have also observed that the width could depend upon the nature of the soil, '*narrow lands with frequent water furrows being ploughed in wet, heavy soils, and wider ones in lighter soils*' (Orwin & Orwin 1967, 101). A study of Rutland strips (Appendix IV) shows a large variation in both height and width, and that these two variables were not independent, but were linked to each other and to soil type through the strips' cross-section ratio of width over height. The cross-section ratio shows a much better correlation with soil type than either height or width alone. An example from Ashwell illustrates the point: two sets of strips on the same soil type lie within a short distance of one other; as one set is almost twice as wide and high as the other, if width or height were the only determinant of soil type, this would indicate that the two strips were on different soils. However, in calculating the cross-section ratio for each set of strips the extra height and width cancel out to give similar ratios, which correlates with the same soil. From this understanding a generality for Rutland ridge and furrow can be stated: that strips on the same type of soil will have similar cross-section ratios; and that ratios in poorly-drained heavy clay areas will be low due to high ridges or narrow widths, whilst those in light well-drained soils will be high due to low heights or broad widths.

As the strips cultivated by individuals lay scattered amongst the fields, it was necessary when listing landholdings to define their exact location by referring not only to the field name, but also to the furlong and to the owners of the strips on either side. For example, at Normanton, the glebe terriers in 1705 report that the church had two lands each of two roods in size in the Middle Field, both in Nether Furlong, one land having Harrison on the north and Moles on the south, and the other Moles on the north and Bloodwall on the south (Lei. MF494-5). From this description it is clear that the strips in Nether Furlong were oriented east-west and that the church's strips were sandwiched between those of Messrs Harrison, Moles and Bloodwall. Although the Nether Furlong strips were both two roods in size, individual strips within a furlong could vary due to the irregular shape of furlongs and/or consolidation of strips. The five glebe lands in the Upper

Furlong of Normanton's East Field illustrate this: two were a single rood each and three were two roods each. Examination of the names of landowners adjacent to the Normanton glebe also reveals a degree of repetition in neighbours that may reflect either a limited number of owners, or a regular pattern in the ownership of strips. Such regularity would not be a coincidence: in his study of the open fields of Northamptonshire, Hall (1995, 120) has identified that in many fields there was an order of neighbours, called a tenural cycle, irrespective of where the strip was in the fields. He concludes that '*Since a regular order of neighbours clearly exists, or is implied in most of the thousands of terriers examined, the statistical probability is that regular tenural cycles existed in most townships, probably all, at one time*'.

The scattering of strips amongst the fields also necessitated cooperation in what was planted and when animals were allowed to forage. As can be imagined, with no barriers between the strips there was plenty of room for disputes about encroachment, or beasts being allowed to wander. The manor court usually adjudicated upon these disputes. However, if disputes involved different villages or lordships, the royal courts could also be involved. Such a situation arose at Thistleton, in the late sixteenth century, when confrontation between inhabitants of that village and others from South Witham (Lincolnshire), who claimed strips in Thistleton, had led to destruction of crops (VCH I, 222). Such a case would normally be settled at village level, for it was the villagers themselves who, through a jury, made and enforced by-laws: to set aside pasture, to throw open the fields to beasts and limit (stint) their numbers, to impound sick animals, to clear water-courses and to prevent fires. Similarly, they punished trespass and overstocking, and elected and employed officers to enforce the by-laws and either summarily fine offenders or bring them to court (Thirsk 1973, 246). At Ketton in 1701, the jury produced a simple list of ten orders for the running of the fields (Lei. DE2627, box 9), while at Exton, in 1757, a more complex list of fifty-two items ordered both the village and the fields (Lei. DE3214/134/42, reproduced in Appendix II). Orders also survive for Belton (1706), Braunston (1707) and Oakham (1706, 1748, 1790) (all Lei. DE1204/7-8), as well as for Essendine (1779) (Sal. MSS), North Luffenham (1866) (Lei. DE3214/155/4 & DE1940/95) and Seaton (1773) (Nor. Monckton (Fineshade) MSS, box J). In addition to enforcing the orders the village officers also sought and paid for services needed for the common good. At Empingham, amongst other things, payments were made for erecting fences and gates to stop the beasts foraging in crops, for mowing thistles, for killing birds, and for ale while the villagers were at '*common work*' (Lei. DE3854/1, 6).

The common nature of the fields also required that a common rotation of crops be organised. In 1786, a survey of Belton reported '*the respective tenants being on account of the common field state necessitated to follow the old three field course of husbandry, viz. to take a crop of wheat after a whole summer fallow, then beans or peas and afterwards fallow again and so on in the successive round of wheat, beans and fallow*' (Lei. DG7/1/79a-b). Similarly, a 1696 Ryhall terrier and several parish orders refer to the great fields by the crop they contained: Wheat, Peas/Beans or Fallow (Lei. DE1797/4/177). In 1794, a survey of the agriculture of Rutland reported, '*All the open fields are under the old course of two crops and a fallow*' (Crutchley 1794, 8). Although the fallow field was used to forage beasts after harvest their time on the fallow was often restricted; at Exton cows were not permitted on the fallow after 25th March (Lei. DE3214/134/42). This was because fallow gave an opportunity to partially plough down the ridge and a few months later to plough it back up, a process that aided pulverization of the soil (Kerridge 1951, 16). As a consequence of the three-fold rotation many Rutland villages divided their land into three great fields. In this the county is similar to the pattern seen in seventeenth-century Leicestershire, where 79 percent of villages had three fields (Beresford 1949, 94). In Lincolnshire, by contrast, examples of villages with just two fields are relatively common up to enclosure (Thirsk 1973, 256; Russell 1987); in Leicestershire these only occurred in 9 percent of villages (Beresford 1949, 94). From Hall's analysis (1995, 63) of Northamptonshire, the majority of that county's villages operated a two-fold system in the thirteenth century, with a gradual shift after this date to the three-fold system. Some two-fold systems survived in Northamptonshire into the post-medieval period, but only on soils unknown in Rutland.

Information on early medieval field systems is often based on the records of ecclesiastical foundations, such as abbeys. The lack of such foundations in Rutland – its only priory was the tiny one at Brooke (Hilton 2003, 128) – has consequently led to a relative paucity of information on its very early field systems, though as demonstrated by Donnelly (1985, 167) in his study of Westminster Abbey's Oakham records more details on the county's ancient fields may be there to be discovered in other collections. However, it is reasonable to assume that a similar shift from two- to three-fold system occurred in Rutland at the same time as Northamptonshire. A fossilised indicator of a two-fold system occurs at the deserted hamlet of Woolfox in the parish of Greetham, where the Lordship of Woolfox and Temple Fields was still separately recorded in the parish glebe of 1750 (Lei. MF494) even though the area had been long enclosed (fig. 9). While the

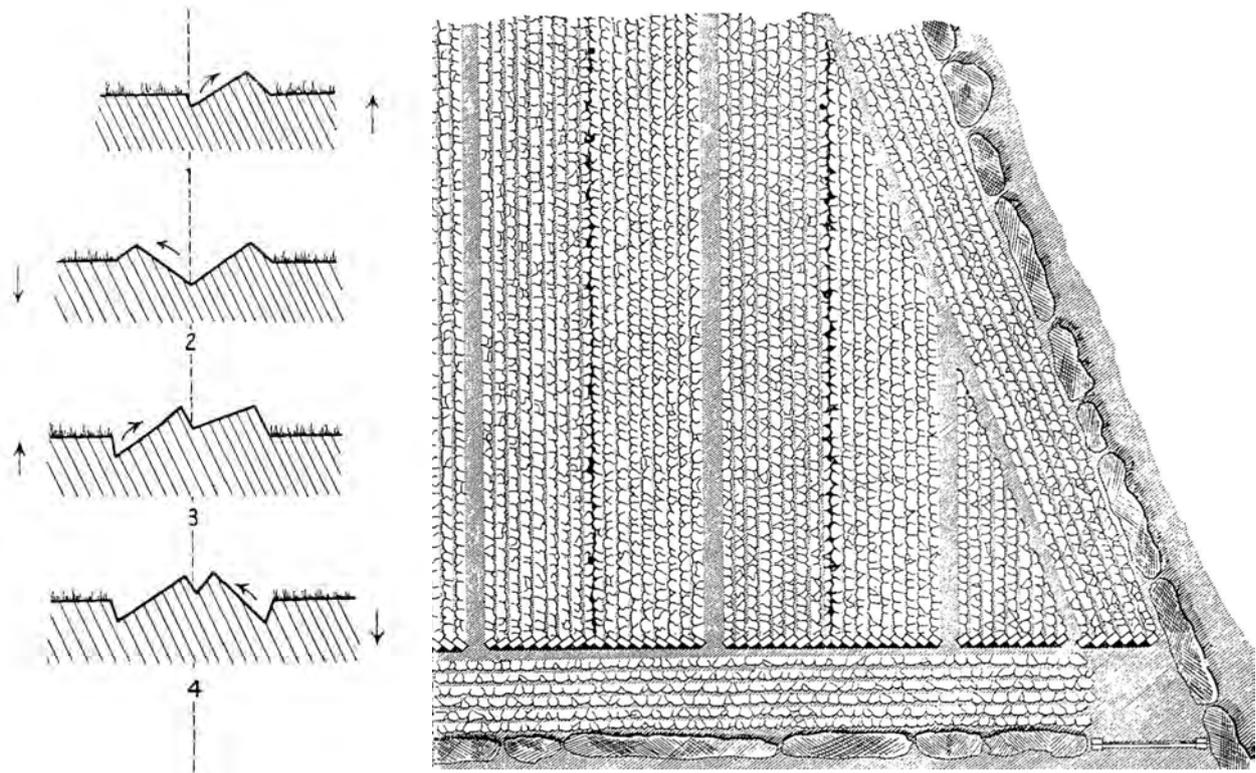


Fig. 3. Diagrams of (left) the ploughing technique used to construct ridge and furrow, and (right) how variability of strip length and shape can arise from irregular boundaries. The latter also shows headlands at the ends of strips (from Orwin & Orwin 1967, by kind permission of Oxford University Press)

change from a two- to three-fold system was associated with a move from two to three great fields, the size of these fields was not necessarily equal as the opportunity was sometimes taken of dividing one field in two. Hall (1995, 57) described such a situation at Harlestone (Northamptonshire), where in 1410 the villagers complained of the inconvenience: ‘...because of the unequal quantities in each third year [when these] were fallow or set for profit’. Consequently a reorganisation of all the land was undertaken to provide a more even distribution between fields. A similar unequal division of land between three fields is indicated at Tinwell in 1400 (Gray 1915, 494) where the lord’s land was split thus: East Field, five pieces; Middle Field, eight pieces; and West Field, thirteen pieces. The East and Middle Fields were probably formed from an older single field. This uneven distribution may have continued unchanged to enclosure as a 1720 glebe terrier (Lei. MF494-5) records a very unequal division: East Field, 13 acres; Middle Field, 2 acres; and West Field, 16½ acres. In such situation the rotations may have followed groups of furlongs rather than the great fields.

Early descriptions of other Rutland field systems, such as Oakham (Donnelly 1985, 168), North Luffenham (Lei. DE3214/140/15), and Exton (Lei. DE3214/2070/6), make it clear that three fields were relatively common by the late thirteenth and early fourteenth centuries. Three-field rotations are also recorded at both Essendine and Whissendine in the 1330s, where two-thirds of the lord’s land was seeded and one-third left fallow each year (Gray 1915, 494). Even in the small hamlet of Tolethorpe, in 1375, of a hundred acres of arable ‘two parts were worth four pence per acre and a third part worth nothing because it lay fallow’ (Blore 1811, 92). In the seventeenth century, some larger villages had multiple field systems of four and even five fields. However, these multiple field systems do not necessarily reflect a change from three-fold rotation, as some fields were given distinct names solely for geographical reference. At Greatham, although there were four fields (Church, Wood, South and North), a 1652 survey records arable land in only three: Church, Wood and ‘in the field called the South and the North Field’, the latter being combined for cropping (Lei. DG/7/1/71). Similarly, there were five fields at Whissendine, but a 1677 terrier divides the recorded land into three even parts in Breach Field, Bretland Field and the combined North, East and South Fields (Lei. DE1797/4/200). In 1806 North Luffenham also had four fields, which were operated as three for cropping (Parkinson 1808, 49). However this statement belies the level of sophistication into which the basic three-field system could be developed (see Table I). Each cropping field was subdivided into three parts and followed a nine-fold rotation. The cereal crops, wheat and barley, were produced every third year in an individual cropping field. With each of the other two cropping fields operating the same rotation, but out of

**Table I – North Luffenham field rotation for each cropping field**

Year	Part 1	Part 2	Part 3
1	Fallow, manure, sheep folding	Turnips, manure, sheep folding	Clover, mown once
2	Wheat & barley	Barley	Wheat
3	Peas or beans	Oats or barley, manure, soot, pigeon dung or lime	Beans
4	Turnips, manure, sheep folding	Clover, mown once	Fallow, manure, sheep folding
5	Barley	Wheat	Wheat & barley
6	Oats or barley, manure, soot, pigeon dung or lime	Peas or beans	Peas or beans
7	Clover, mown once	Fallow, manure, sheep folding	Turnips, manure, sheep folding
8	Wheat	Wheat & barley	Barley
9	Peas or beans	Peas or beans	Oats or barley, manure, soot, pigeon dung or lime

phase by one year, this system provided the village with continuous production of all crops. The complex rotation system at North Luffenham was further developed in 1866, when its fields were reorganised from four into six great fields, with five of the fields cultivated by a five-course system and the sixth to be ‘cultivated by itself separately and independently of the other Five Fields, but subject to the same orders and regulations under a five course system of husbandry, and following the same rotation of cropping’ (Lei. 3214/155/4 & DE1940/95). This six-field reorganisation reflects both the flexibility of the common field system and its weakness, as this complicated system was a compromise for the lack of enclosure: the six fields survived only a few years before enclosure finally took place in 1881. In some townships a reorganisation of the common fields was associated with partial enclosure. A good example is Whitwell (see Gazetteer), whose three fields (fig. 4, map 1) were first subject to enclosure in the early seventeenth century by partial enclosure of the South and West Fields (fig. 4, map 2). Later that century the balance of the South Field was enclosed and the remaining parts of the West and North Fields reorganised into three new fields, Nether, Middle and Clay (fig.4, map 3), which continued until they were enclosed in the nineteenth century.

Of vital importance to the operation of the common fields was the presence of pasture and meadow. These areas provided the essential grassland for the draught animals and other beasts of the village, and their use was strictly administered to avoid abuse. Many Rutland villages still have Lammas fields, which denote land in which the animals were only permitted common grazing after Lammas day (1st August), and by which time the owner of the land would have gathered the hay. The Belton 1786 survey reported ‘the grass ground lying interspersed in the Fields and consisting of Leys and Hades to the arable land are mown two years in three and the meadows are mown every year’ (Lei DG7/1/79a-b). Leys were strips of pasture intermixed with the arable strips and hades were headlands at the end of strips. They were mown two years in three because the third year the field of which they were part was fallow and laid open to common pasture.

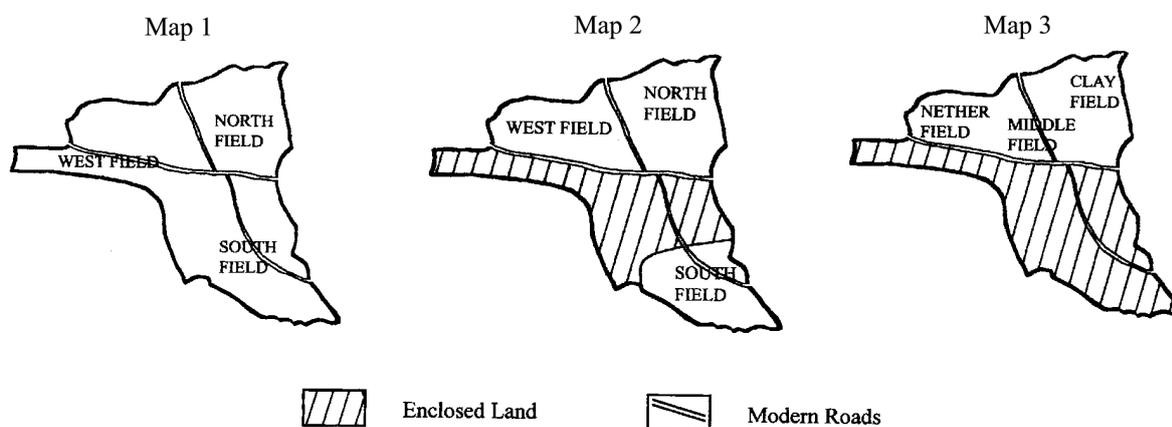


Fig. 4. The effect of progressive enclosures on Whitwell's open fields

Pasture was also provided in the by-ways that provided access to the fields; often these were tracts of land unfit for tillage, either low-lying and wet or too steep (Orwin & Orwin 1967, 97). Meadow was the most productive grassland and therefore the most valuable. A 1647 survey and rental of Essendine valued meadow at 13s 4d per acre, and pasture between 4s and 10s (Lei. DE4996/21). Livestock was an important contributor to the total wealth of a farmer. Hoskins (1965, 236) has shown, for Wigston in Leicestershire, that the livestock provided as much value as the crops, despite about 80 percent of a farmer's land being in arable production. When Crutchley (1794, 14-16) surveyed the agriculture of Rutland, he was not impressed with the quality of the local livestock. Of the open-field sheep he comments, '...they are of a very inferior sort, and little pains taken about them'. Similarly, of the few locally-reared cattle he writes that they are '...of no particular breed; in general bad ones' and of the horses, 'some tolerable good black horses are bred, but not the very best'.

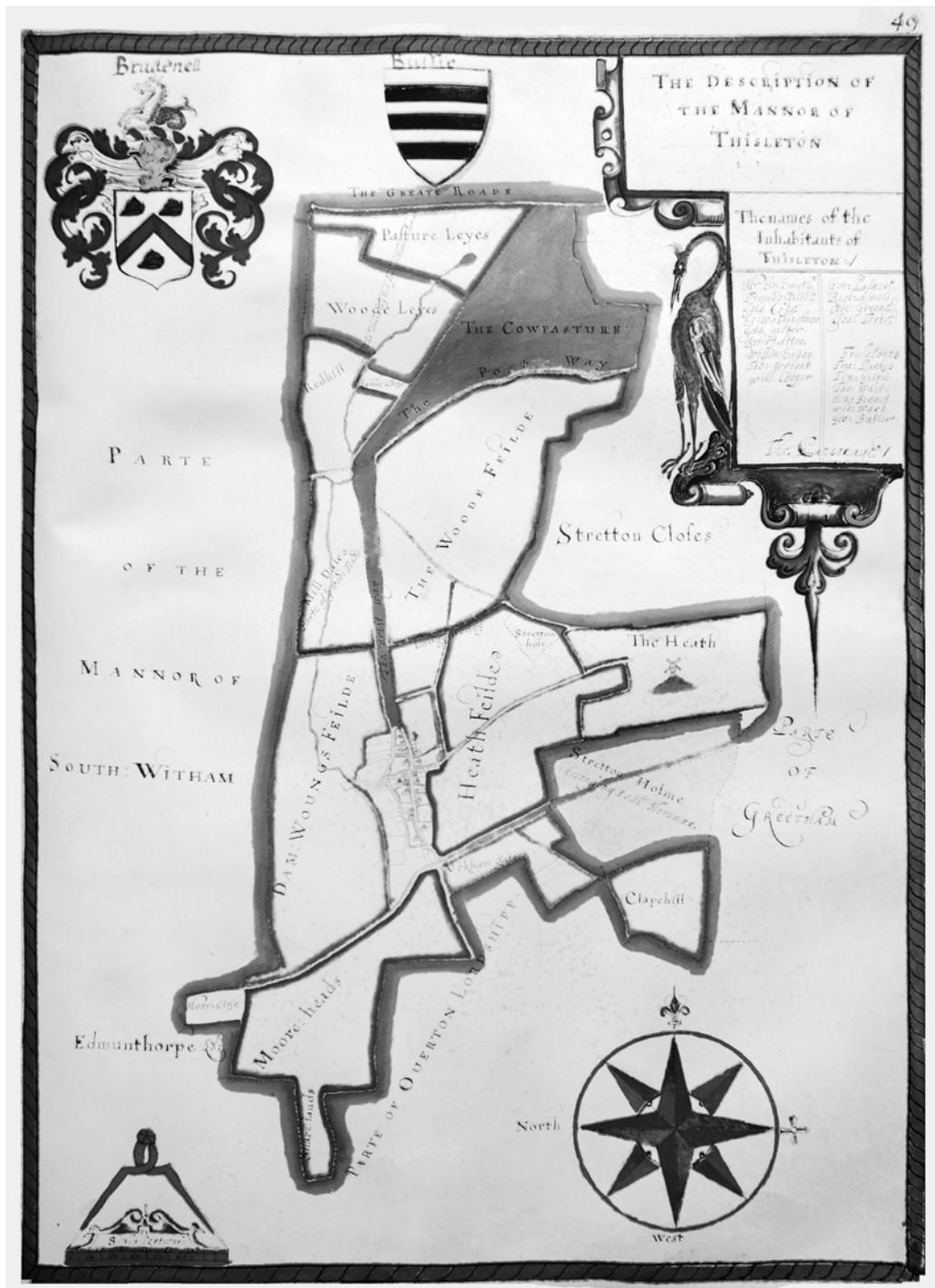


Fig. 5. A map of Thistleton c1635 showing the open fields (Dam Wong, Wood and Heath), as well as the extensive pasture used to feed the village beasts (Mr Edward Brudenell, Deene Park)

## 2 – Common Right

Common Right gave individuals usage rights over land that they did not own. Thus, when fields were thrown open for pasture after harvest, the community's animals could graze on land which, when in crop, was the sole preserve of an individual. Similarly, on common pasture and meadow the animals of a smallholder would graze with those of the lord of the manor. Common Right was not a uniform right, but varied according to whether it consisted of land or cottage rights (Neeson 1993, 59). In 1592, Ridlington cottagers (those with no land or less than half a yardland, a yardland being about 30 acres) were restricted on the town commons (the common pasture) to '*...1 kine (cow) and 6 sheep yearly from May day to Lammas*', whereas tenants (those having above half a yardland) had '*...commons for every yardland the keeping of 34 sheep [and] 6 kine from May Day till Lammas and four horses after harvest*'. Similarly, whilst all the inhabitants had commons in the adjacent forest '*without stint*' and had '*liberty to gather bryche wood [broken or dead wood] two days in the week carrying it away on their back*', the tenants had the right to a full load of thorns (hawthorn), but the cottagers only a half-load (Lei. DE3214/177/1). Cottage rights were not necessarily tied to a building, but often to the land on which it stood; thus even when a cottage had long vanished ownership or tenancy of its former site (called a toft) still conferred common rights. At Langham in 1600 the village is described as containing 50 messuages (dwelling houses with land and outbuildings), 50 cottages and 40 tofts (Lei. DE3214/182/2). Although the number of yardlands was the major determinant of the Common Right (also for assessment of parish rates, as at Whissendine (Lei. DE1831/15) until enclosure in 1763), the amount of land which made up a yardland could vary considerably, even in the same village. At Ridlington, one yardland, with commons for four cows, ranged from 22 to 32 acres (Lei. DE3214/177/1). The precise nature of the Common Right could also vary from village to village, as it was part of the custom of the manor. In Oakham in 1821 Thomas Freer had '*stint for common of 4 yardlands*', consisting of common for twelve cows, twelve horses and 64 sheep in winter, reduced to 56 sheep in summer (Lei. 16D52/5/5). In Exton in 1757, while the stint for cow or horse commons was the same as in Oakham, three per yardland, the sheep commons were higher at twenty per yardland. Similarly, at Greetham in 1763 (Lei. DG7/4/3, 2) and Ryhall in 1696 (Lei. DE1797/4/177), the Common Right was for three cows plus fifteen sheep, and three cows with a follower (calf) plus twenty sheep respectively. At Braunston in 1706 the stint was much higher at four horses, six cows and 32 sheep per yardland; even cottagers were permitted two cows and a follower plus four sheep (Lei. DE1204/7-8). In contrast, at North Luffenham in 1866 the stints were very restricted, '*one cow for two commons*' on the cow pasture and '*three sheep for every eight acres*' on the sheep common (Lei. DE3214/155/4 & DE1940/95). The stint could also vary between the fields in the same village. At Belton in 1706 yardlanders were permitted sixteen sheep in the Park and Mill Fields and twenty in the West Field (Lei. DE1204/7-8).

The by-laws that regulated the common fields were not immutable but were varied according to the community's needs. In 1757 an Exton jury ordered that '*the agreement made for the stint of cattle in 1666 shall hold good as long as the jury think fit*' (Lei DE 3214/134/42). At Seaton in 1773 it was '*ordered that no person or persons whatsoever shall keep above half stint of sheep for every farm or cottage the whole stint for a cottage being twenty sheep*' (Nor. Monckton (Fineshade) MSS, box J). In places the stint remained unchanged, often for long periods, as at Oakham from at least 1706 until enclosure in 1821 (Lei. DE1204/7-8).

Sometimes common rights in one village extended into another. This could arise from the layout of field systems, where often the common pasture was situated towards the edge of the system. Where it was adjacent to common of another parish or parishes large areas of shared common (intercommon) arose, with consequently ill-defined parish borders. The hamlet of Belmesthorpe was reported in Domesday to plough fields in Uffington (Lincolnshire), and each village retained 50 acres of land in the other's common fields until enclosure in 1800 (Blore 1811, 194). Similarly, Essendine and Carlby (Lincolnshire) had intercommon on Aunby Heath (Blore 1811, 13; Lin. PC/17), and the villagers of Ayston had the right to common their cattle in the forest in extraparochial Beaumont Chase (Nor. 2991/11). Intercommon between villages inevitably led to friction. At Empingham Heath, shared between Ketton and Empingham, it was reported '*the Empingham farmers as well as the Pinders have impounded the Ketton cattle when beyond the meers*' (Lei. DE2627 box 9). However, the uncertainty surrounding parish borders and rights on these intercommons also

provided a measure of protection against enclosure. The Duke of Rutland, as lord of the manor of Bisbrooke, refused in 1782 a petition to sponsor a bill to enclose the parish unless the common shared with Seaton, Lyddington and Thorpe could be included (Lin. ASW/D/19/12).

Common right could also extend to having a stud animal provided for serving the village beasts. At Empingham the obligation to provide a 'common bull' or boar rested with the prebend (Lei. DE3854/1, 6), while the Ketton orders required '...that no person shall take the town bull or brawn out of his masters yard but shall bring them again without abuse...' (Lei. DE2627, box 9). Rights to pasture pigs and geese were rarely stunted and they existed where pasture and custom allowed. In fact there were usually regulations that governed the ringing of pigs' snouts to protect the surface of the land (Lei. DE3214/155/4; DE1940/95).

Common Right was of crucial benefit to the smallholder. Stephen Addington (1780, 14) examined the advantages and disadvantages of parliamentary enclosure and wrote, 'Strip the small farms of the benefit of the commons and they are all at one stroke levelled to the ground'. In his *General Report on Enclosures* Young (1808, 12) pointed out that, while advocates of enclosure stated '...that enclosing commons has been universally beneficial to the poor ... this is directly in the teeth of their [the poor's] own feelings', the poor might truthfully say '...all I know is I had a cow, and an Act of Parliament has taken it from me'. By dividing common rights into cottage rights as well as land rights, the poor were provided with access to more

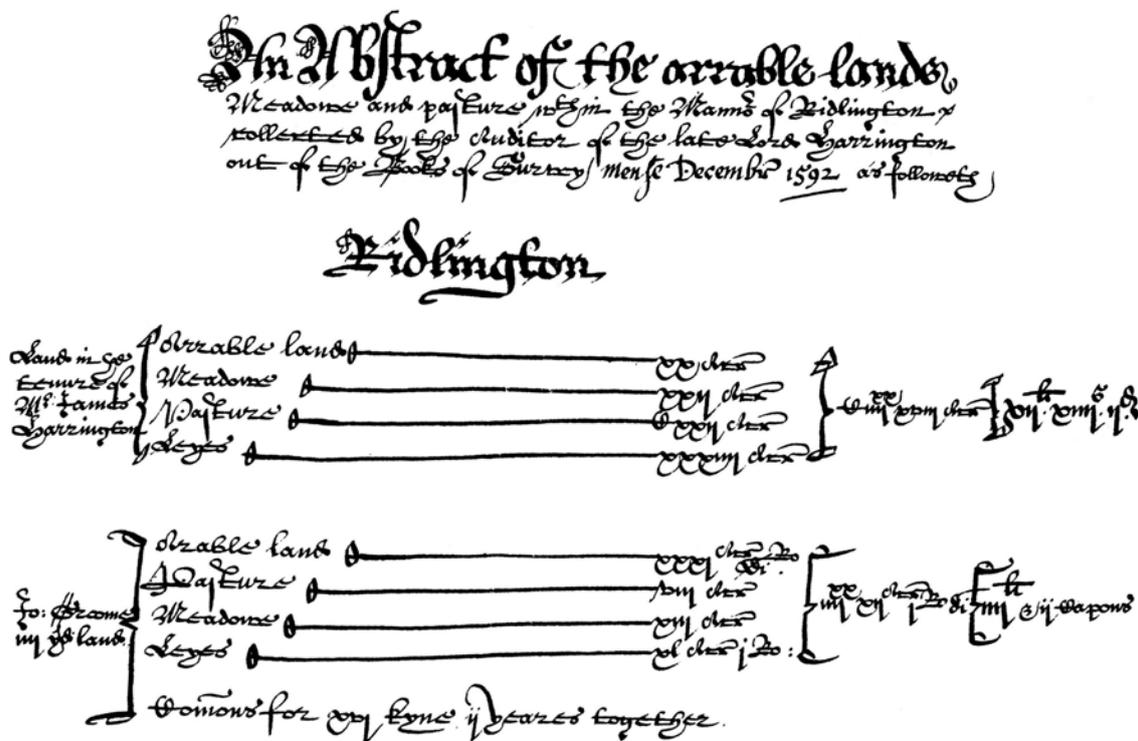


Fig. 6. Part of a sixteenth-century survey of Ridlington that details individual land holdings and rentals into arable, meadow, pasture and leys. The amounts of land and the rentals are listed in roman numerals. The second proprietor on the list, John Groome, has four yardlands consisting of 31 acres 1/2 rood of arable, 8 acres of pasture, 13 acres of meadow, and 40 acres 1 rood of leys, a total of 92 acres 1 1/2 roods. For this he paid £4 and two capons (chickens), and received common for 16 kine (cows) in both the crop fields after harvest, two years together. The third fallow field was mainly used for grazing sheep (Lei. DE3214/177/1)

land on which to support themselves than their own land-holdings would permit. In being able to pasture a cow on the commons, a cottager was provided, through calves and milk, with the potential equivalent of half a labourer's annual wages (Neeson 1993, 311). In 1795 the Earl of Winchelsea stated that, on his Rutland estate, 'I am informed that those who manage well clear about 20d per week, or £4 6s 8d per ann[um] [from milk] by each cow' (Slater 1907, 134). Even if the cottager could not pasture a cow, the open-field sheep breeds could produce 1-3 pints of milk per day in season (Neeson 1993, 312). The practice of allowing the beasts to wander in the fields after harvest also ensured that everyone, both rich and poor, shared the fertilising benefit of the animals' dung (Kerridge 1992, 75). It is therefore of little surprise that attempted suppression of common rights had long been the subject of disputes taken to law. In the Court of Chancery, in the early part of Elizabeth I's reign (VCH I, 222), various freeholders from Cottesmore claimed 'covetous

and greedy persons now being farmers and occupiers of the said fields of Weston [sic: probably Wenton, a lost hamlet in the parish of Cottesmore] will not allow them to use said rights of common which they have been wont to use before the memory of man and ever since'. Similarly, following some enclosures at Tinwell in 1571 it was claimed, 'the poor men of the town were debarred from their commons' (VCH I, 221). The need to avoid such legal complications ultimately drove landowners to seek enclosure through court-approved agreements and later by Acts of Parliament.

Besides Common Right, many parishes provided 'Use Rights or Commons' that enabled its poor to pasture stock. However these 'Use Rights' provided no legal claim over the land as they were usually an alternative to poor rate and could be lost at enclosure or on demand by the landowner without recompense (Birtles 1999, 74). In his survey of agriculture in Rutland, Richard Crutchley (1794, 8) described such cottagers as '*occupiers of small portions of land just sufficient to enable them to keep one or two cows, without preventing them from working constantly as day labourers; this custom does not prevail in all parishes, but wherever it does, the benefit of it is felt by the cottagers themselves in the greatest degree, and by the proprietors and occupiers of the lands in the lowness of the poor rates, and in the industry and good order of that description of labourers*'. The enlightened custom of letting small portions of land to labourers survived into the twentieth century on the Finch estate villages of Burley, Egleton, Hambleton and Greetham. In his book on rural England Rider-Haggard (1902, 260) reported that in these enclosed parishes there were '*forty-three small occupiers, whose acreage varied from five acres to forty acres, the holdings being all grass. Originally there were many more, the Hambleton cow pasture, which is 102 acres in extent, being divided into eighty cow-commons. Some holders occupy two or more small fields, but the general system has been for the tenants to graze large fields in common, and to have separate small fields reserved for mowing hay for the winter. In the fields which are grazed in common five roods [1¼ acres] have been taken as being sufficient to keep a cow*'. Parkinson (1808, 101) details the arrangements for each of these four parishes, with similar arrangements in Empingham, Ketton, Langham, Lyndon and Whissendine.

Gleaning the fields for the grain that had been shed during harvest was also a major benefit to the poor. Commentators reckoned that a family could obtain through gleaning sufficient grain to provide bread for the autumn (Neeson 1993, 313). Like use rights, gleaning was not a right but a privilege as the grain belonged to the farmers who had grown it. However, gleaning had existed and had been regulated by the manor court from medieval times (Ault 1961, 211). Most gleaning regulations are concerned to limit who can glean, prevent gleaning before the harvest had been cleared from the fields, or limit the time for gleaning as this delayed the turning out of animals onto the field. At Exton gleaners had to be approved by the overseers of the poor (Lei. DE3214/134/42). At Essendine in 1779 the Jury ordered that '*no person shall glean or gather any pease or beans in the fields within this manor except on his her or their own respective lands before such time as the crop be carried from the said lands*' (Sal. MSS, Essendine Court). At Oakham the gleaners were not allowed in the fields before seven in the morning or after six in the evening (Lei. DE1204/7). A bell, sounded at 8am and 5pm during harvest, announced gleaning time at Lyddington (Ovens & Sleath 2002, 219), with similar practices in many other parishes (ibid, 376). At Ketton gleaners were prohibited from carrying '*...any sort of grain ... in any coat sheet or blanket but in gleanings [handfuls?] only...*' (Lei. DE2627, box 9).

### 3 – *Land Ownership, Tenants and Tithe*

The origin of the common field system has been much debated, but many elements were in place well before the Norman Conquest (Hall 1995, 125). However, like any economic system, it was the subject of evolution until enclosure (Thirsk 1964, 3). This system was practised throughout the Midlands and had permitted Rutland to treble its population from that at Domesday (1086) to become by 1377 the fifth most densely populated county and one of the richest (Hoskins 1965, 57). However, the wealth generated was far from evenly distributed amongst the community in which it originated. This community consisted of three broad groups; landowners, tenants and church incumbents. Their relative wealth depended upon property. Control and ownership of property in turn were governed by the law, which in medieval times was overlaid by the feudal system. With the disappearance of the feudal system legal governance of necessity evolved, but protection and regulation of the transmission of property remained at its core. It is therefore important, for a fuller understanding of a common field community, to examine the mechanisms by which property, whether land, tithes or rights, was controlled and thereby wealth distributed, and also to examine how these mechanisms evolved with time and affected the movement for enclosure.

#### ***Feudal Tenure***

The earliest survey of Rutland is that contained in Domesday Book. This divides the county's villagers into different classes: sokemen, villeins, bordars (cottagers) and slaves (slaves did not hold land and were part of the lord's demesne). The sokemen and villeins were the principal tenants, with the villeins the most numerous, but unlike the villein the sokeman was relatively free. A villein's holding was usually either a complete or half virgate (also called a yardland). Sokemen appear on average to have had about the same amount of land as villeins, though this was not as rigidly fixed; cottagers held about five acres (Lennard 1946, 224; 1947, 179; 1951, 342). Besides the villagers, Domesday also lists the number of plough teams working the fields and thereby notes the main assets of a primarily arable agricultural system, a system in which there was an extent of co-operation amongst the villagers. For example, in Thistleton it is recorded that '*2 sokemen have 3 oxen in a plough*'. Such co-operation is understandable with the common field system, where an ox team would alternately plough the strips of villagers whose oxen were part of the team. Similarly, in 1120 the clerks of Peterborough Abbey recorded that at Tinwell 33 villagers had 12 ploughs (Bruce 1849, 158), an average of 1 plough per 2.75 villagers, indicating a high degree of cooperative ploughing.

In addition to tending their own land and paying rent and tithe, the villeins were required by the feudal system to provide other customary duties, including working the land kept by the lord (the demesne) for his own use (King 1973, 142). These obligations varied from village to village as part of the custom of the manor. A full list of Oakham's customary obligations is included in the 1305 survey of that manor (Chinnery 1988). In Domesday, the lord's demesne land is listed separately from that of the villagers, and in some cases this reflects a physical separation of the demesne from the common fields (Thirsk 1973, 265). However, Hall (1995, 66) has shown for Northamptonshire that the demesne could also lie dispersed amongst the common fields, and a similar situation applies to Rutland. The demesne at Ayston and Wardley (Nor. 2991/11-12) and Great Casterton (Blore 1811, 97) was separate from the common fields, whereas at Essendine, Whissendine (Gray 1915, 494) and Cottesmore (Lei. DE3214/618/3), it was scattered amongst the fields. The size of the demesne varied from village to village. At Great Casterton it occupied about a third of the land, whereas at Ayston and Wardley it was about a quarter of the agricultural land.

The demesne was not the only land that could be held separate (in severalty) from the common fields. In addition to the royal forest of Rutland, the early medieval period saw the creation of hunting parks in many Rutland parishes (Cantor 1994, 158) though often these parks were not created from common land, but assarted (taken) from woods or from waste (land not in productive use). In 1214, King John gave the Bishop of Lincoln licence to '*enclose, impark or assart woods at Lyddington*' (Foster 1931, 129), and later his son Henry III gave him permission to construct deer leaps in the park (ibid, 174). In the early medieval period there were areas of land in most parishes that were still waste and as the population grew its demands were

met by bringing waste into cultivation. For example, in the early twelfth century St Andrew's Priory at Northampton was granted a licence to cultivate land at Exton (BL Cott. XVIII.41). Eventually, around 1300, the limits of the land and its productivity were reached and the population growth was halted by famines (Postan 1975, 18-43).

The economic unit of the feudal system was the manor, whilst that of the common field system was the township, whether village or hamlet. However, while township and manor were often synonymous, this was not always the case and a township could be divided into several manors or a manor stretch into different townships. Generally, multiple manors arose from either partitioned inheritance, or land grants. For example, at Domesday Whissendine is reported as a single holding, but by the early fourteenth century the village had become divided into four separate manors. Thus, two serfs from adjacent cottages, working adjacent strips in the same field to the same rotations, could owe allegiance to two different lords. However, as has been pointed out by Hoskins (1965, 97), where a village was divided between manors, no single lord could order the economic affairs of the village and it therefore fell to the men of the village to organise their own management of the fields. Clearly, there was an inherent inefficiency in having a common field system shared between several manors, particularly as this could inhibit improvements such as enclosure; once the feudal system decayed there was a benefit to be obtained from re-combination. Whissendine (*VCH II*, 157) was finally reunited into a single lordship around 1680. In other villages multiple manors remained until much later; for example, the three medieval manors at North Luffenham (*VCH II*, 195) were separate until the early nineteenth century.

### ***Post-Feudal Tenure - Copyhold and Leasehold***

Medieval law asserted that the king owned all the land, this necessitating that all others, even lords, were tenants. Tenancies were for life and upon death the tenancy had to be returned (surrendered) to the king, who permitted assignment of the estate to an heir on payment of a fine. The same system also applied to a villein, who in addition had to pay annual rent. However, a villein had no rights in any court except his lord's, which, on his death, put his heirs at the mercy of the lord as to whether any or all of the family's land would be transferred (Allen 1992, 60). The arrival of the Black Death in England in 1348, and its persistence, caused a substantial decline in the population. This dramatic change shifted the balance of economic power from one where there was a shortage of land and surplus of labour to a surplus of land and shortage of labour; this enabled the villeins to break out of the feudal system. By 1485 villeinage had almost completely disappeared in the Midlands (*ibid*, 65) and new tenural arrangements had been created. It had always been an option for a lord to lease out his demesne for short periods, and during the late fourteenth century this became the generality on most manors.

By the sixteenth century, in addition to leasehold, tenure of copyhold had also evolved. Copyhold is named from the process by which the change of ownership was recorded. When a copyhold property was sold or passed to an heir it followed the old feudal procedure of surrender followed by assignment. Both processes were noted in the manor court rolls and the new tenant given a copy (hence copyhold) of the record, as proof of tenancy. Copyhold retained the ancient requirement for an entry fine when the property was taken over, besides the annual rent. This entry fine was sometimes fixed and sometimes arbitrary or variable. In Rutland, Parkinson (1808, 23) reports fixed entry fines, '*certain fine*', at Caldecott and Preston, the former being described as very low. At Lyddington the level of entry fine was the same as the annual rent (*Bur. Court Books*), while at Langham the annual rents for cottages were fixed, but the entry fines arbitrary. Here the Almond family paid the same annual rent in 1768 and 1871 (1s 8d), but the entry fine had increased from a guinea to five pounds (*Lei. DE1176*). Although it would appear that a post-medieval lord of the manor could still control entry to copyhold land by either requiring a high entry fine or refusing to enter the change in the court rolls, by the seventeenth century the royal courts had declared these options unreasonable. At Ryhall in 1605 the Lord Chancellor decreed two forms of entry fine for copyhold land (*Blore 1811*, 30): where the land was inherited a fine of two years' ancient rent was ordered, while the entry fine for purchase was undefined, but had to be reasonable. However, some other feudal obligations had not died out as the Chancellor also decreed that Ryhall copyholders still owed suit to the mill (a requirement to have their grain ground in the lord's mill), and those who kept a cart and draught horse for their business owed the lord eight days' boon and labour in the year on reasonable summons by the lord's bailiff. The court books for Ryhall (*Bur. Court Books*) demonstrate that the entry fines remained fixed at double the annual rent in the succeeding centuries. However, these restrictions apart, royal court decrees gave the copyhold tenant virtual freehold over the property (Allen 1992, 66), and this form of tenure outlasted the common

fields. Parkinson's survey (1808, 23) reported copyhold tenure existing in fourteen Rutland parishes, while common fields existed in only eight. Copyhold was finally abolished and converted into freehold by Act of Parliament in 1922; however, this Act still saved certain 'manorial incidents', such as mineral and sporting rights, for the lord of the manor. To remove these last encumbrances from their new freehold in the 1930s, the ex-copyholders of Manton had to pay supplementary fees to the lord of the manor (Lei. DE3821/3).

Leases differed from copyhold in that they specified tenancy for a period of years, such as 99 years at Preston in 1681 (Lei. DE1797/2/15), or for the life of the tenant, as at Ketton at the time of the enclosure in 1768 (Lei. DE3214/559/2), and while a copyhold tenant could sublet his land, a lessee could not, without permission. Again, the royal courts had intervened by the sixteenth century to provide protection for leasehold tenants, permitting them 'quiet enjoyment and title' during the period of the lease (Allen 1992, 71). Long leases were sometimes referred to as beneficial leases and, as with copyhold, an entry fine was generally required on issue or renewal of the lease, besides an annual rent. The annual rent on the land could be either in cash or in kind. At Ridlington, in addition to a cash rent each tenant had to provide '*two well fed hens or 1s 7d in lieu of the hens*' (Lei. DE3214/130/6). As leases had a finite length, tenants were keen to improve their security of tenure by extending the lease period, and landowners wishing to obtain permission for enclosure, which might otherwise have been difficult, sometimes exploited this desire. At Ridlington the tenants' leases were extended a further 25 years beyond their existing terms following enclosure (Lei. DE3214/130/6-8). Similarly, during the Interregnum Hambleton's tenants gave their approval for the sale of this part of the Duke of Buckingham's forfeited estate after being promised extended leases (CSPD, 1653/54, 27). Beneficial leases declined in Rutland from the seventeenth century as proprietors took advantage of new methods of raising capital, such as mortgages, rather than obtaining it from entry fines. At Market Overton, a 99-year lease granted in the early seventeenth century was extinguished in the eighteenth (Nor. X9519). When Parkinson surveyed Rutland in 1806, he reported beneficial leases only in Oakham. He found a few short-term leases, generally 21 years or less, in other parts of the county, but by that time the majority of land was '*let to tenants from year to year*' (Parkinson 1808, 34).

### ***Tithes and church land***

The church had two main property interests in the common fields, as landowner and in tithes. In medieval times the church, through its bishops or monastic foundations, accumulated huge quantities of land. At Domesday the Church was the lord of several Rutland manors (Tinwell, Lyddington, Horn and Essendine). Pious individuals also donated small pieces of land for the upkeep of the incumbent of the parish, and these accumulated to become the glebe. In some villages the tithe and glebe were used to support a stipend, or prebend, for a cathedral cleric. The Dean and Chapter of Lincoln held prebendal lands at Empingham, Ketton, Caldecott, Hambleton, Lyddington, Lyndon, Manton and Tixover. Similarly, tithes originally provided for the upkeep of the incumbent and church in some parishes were granted away from the parish by medieval lords to monastic or other church institutions, who then installed a vicar to look after the spiritual needs of the parish. Information on the status of tithes in Rutland parishes is given in responses to the *Notitia Parochialis* survey of 1705 (Tomalin 2003, 119). To provide support for the vicar the tithes were split into great and small tithes. The institution retained the rector's, or great tithes; these were the most valuable, consisting of corn, hay and wood. The small tithes supported the vicar, and comprised those items not included in the great tithes, particularly wool and the annual increase in farm stock. At Barrowden in 1566 one lamb and one fleece were tithed for every ten of each produced (*VCH* II, 174). Ten years later, at North Luffenham, the value of tithed wool was disputed between the villagers and the rector, the former claiming 6d per pound and latter 3s 4d (*VCH* I, 240). A measure of the relative size of great and small tithes is given by the 1836 commuted tithes of Thorpe by Water (Lei. Ti/R47/2-3) of 84 percent and 16 percent respectively.

Alongside the tithe was the separate right of advowson, the right to appoint the incumbent of the parish, and many medieval lords had granted advowsons to church institutions. After the Reformation the church lost the majority of its lands. In Rutland, besides the Dean of Westminster's manorial holding in Oakham only the glebe and prebendal lands survived. Also, with the dissolution of the monasteries and subsequent sale of their sequestered property by the Crown, many former church rights such as tithes passed into lay ownership, often into the hands of the lord of the manor, who then received the benefits of the rector's or great tithes. At Greetham, the Earl of Winchelsea owned the great tithes and continued to receive them even after enclosure (Lei. DG4/177). The tithes and advowson of Whissendine had been granted to Sempringham Priory, but after the Dissolution, although following different routes of ownership, both ended in the hands of

the Sherrards, the Earls of Harborough, lords of the manor (Bacon 1786, 844). By owning the advowson, even if the great tithes had remained with the parish church, the lord of the manor could control who was appointed rector, and receive the considerable wealth generated by these rights. From the early eighteenth to late nineteenth century landowners often used this facility to provide livings for their younger sons or relatives (Longden 1940, 3). At Teigh, in 1743, the Earl of Harborough appointed a close relative as rector, who was later to succeed him to the title (Redlich 1926, 48).

Advocates of enclosure viewed tithes as an encumbrance. Parkinson (1808, 172) states that a farmer wanting to improve the land was inhibited by tithes, the farmer reasoning '*I am laying out great sums of money at a risk, and after all, should I be successful, I shall have the tithe-man for a partner in the honest profits of my industry*'. In other words if tithes remained after enclosure the farmer would have borne all the costs, but any increase in return would have to be shared with the owner of the tithes. Parkinson (ibid, 40) also states that '*exoneration from tithe*' was one of the major benefits for enclosure. Certainly, an analysis of his survey of tithes (ibid, 32) (Table II) demonstrates that they remained in a large majority of villages enclosed by private agreement, as well as all those still operating common fields, whereas in all but two of the villages enclosed by Act of Parliament they had been extinguished. It was because of the close connection between enclosure and tithe commutation that Tate (1967, 151) spoke of his '*...difficulty in estimating how largely such clerical opposition as there was to enclosure is to be ascribed to disinterested love of the poor, how much to an apprehension that conversion of arable to pasture, following enclosure, or tithe commutation on insufficiently generous terms, might lead to the impoverishment of benefices*'.

**Table II – Villages Paying Tithes in 1806**

<i>Number of Villages or Hamlets</i>	<i>In Common Fields</i>	<i>Enclosed without an Act</i>	<i>Enclosed with an Act</i>
Paying Tithes	8	17	4
Tithe Free	0	2	24

The agreement of tithe holders and particularly great tithe holders was generally needed for an enclosure. The hamlet of Ingthorpe in the parish of Tinwell was enclosed by agreement in 1715. The Marquess of Exeter owned all the land, except sixteen acres of glebe, but had to have a formal agreement with the Rector of Tinwell before enclosure took place. As part of this agreement, out of the total of almost 600 acres, the rector received, besides allowance for the glebe, an additional 129½ acres (21 percent of the total land) in lieu of tithes, and the Marquess paid the cost of the enclosure (Blore 1811, 85). When examining an Enclosure Bill, Parliament was assiduous in ensuring that tithe rights were fully compensated for by allotted land. Also an Act usually stipulated that the tithe holders did not bear any of the large administrative cost of the enclosure. The corollary of this situation was that if the impropiator (as the holder of the great tithes was otherwise known) was opposed to the enclosure it was rare that the Bill would be passed. The 1836 Tithe Commutation Act replaced the old in-kind payments with an annual rental to be paid from the land, and effectively eliminated this hurdle to enclosure. The commutation was calculated on an estimate of the number of bushels of wheat, barley and oats produced by the land and the application of a price per bushel (Lei. Ti/R41/1/1). As the number of bushels for the commuted tithe was fixed, any improvement in productivity post-enclosure would be solely to the benefit of the improver. The tithe commissioners calculated the commutation via detailed surveys of affected parishes (these surveys were often later used as the basis for enclosure awards). In fact by 1806 most Rutland villages already appear to have operated some form of local commutation system. All but two of the villages quoted by Parkinson (1808, 32) as paying tithes paid a levy per titheable acre, and only Essendine and Thorpe by Water still paid in kind. Parkinson listed Barrowden just as titheable, but this must also relate to a commuted levy, as the great tithe barn had been taken down in 1792 (VCH II, 175). The Act of Parliament enclosing Empingham (Blore 1811, 136) makes reference, in addition to '*tithes, great and small*', to '*compositions in lieu of tithes*'. Similarly, the 1774 Ashwell glebe terrier records: '*...a composition in lieu of tithes in kind late agreed. Amounting to one hundred and sixty pounds a year*' (Lei. MF494-5). At Teigh, the 1702 glebe terriers report, '*...some part of these lands aforesaid was or are said to be given in consideration for the tithe of a great part of the Lordship of which the present Incumbent receives no tithe in kind or by composition...*' (Redlich 1926, 70). The exchange of some tithes for glebe at enclosure probably explains why in those villages enclosed by agreement and paying a commuted tithe, the range of tithe per acre given by Parkinson was lower (1s 6d to 4s 6d) than that (3s to 5s 6d) for common field villages.



Fig. 7. Tithe barns such as this one at Empingham were necessary for the clergy when tithes were given in kind. By the early nineteenth century many tithes had been commuted to money payments, and some tithe barns, such as the one at Barrowden, were demolished (photograph: Robert Ovens)

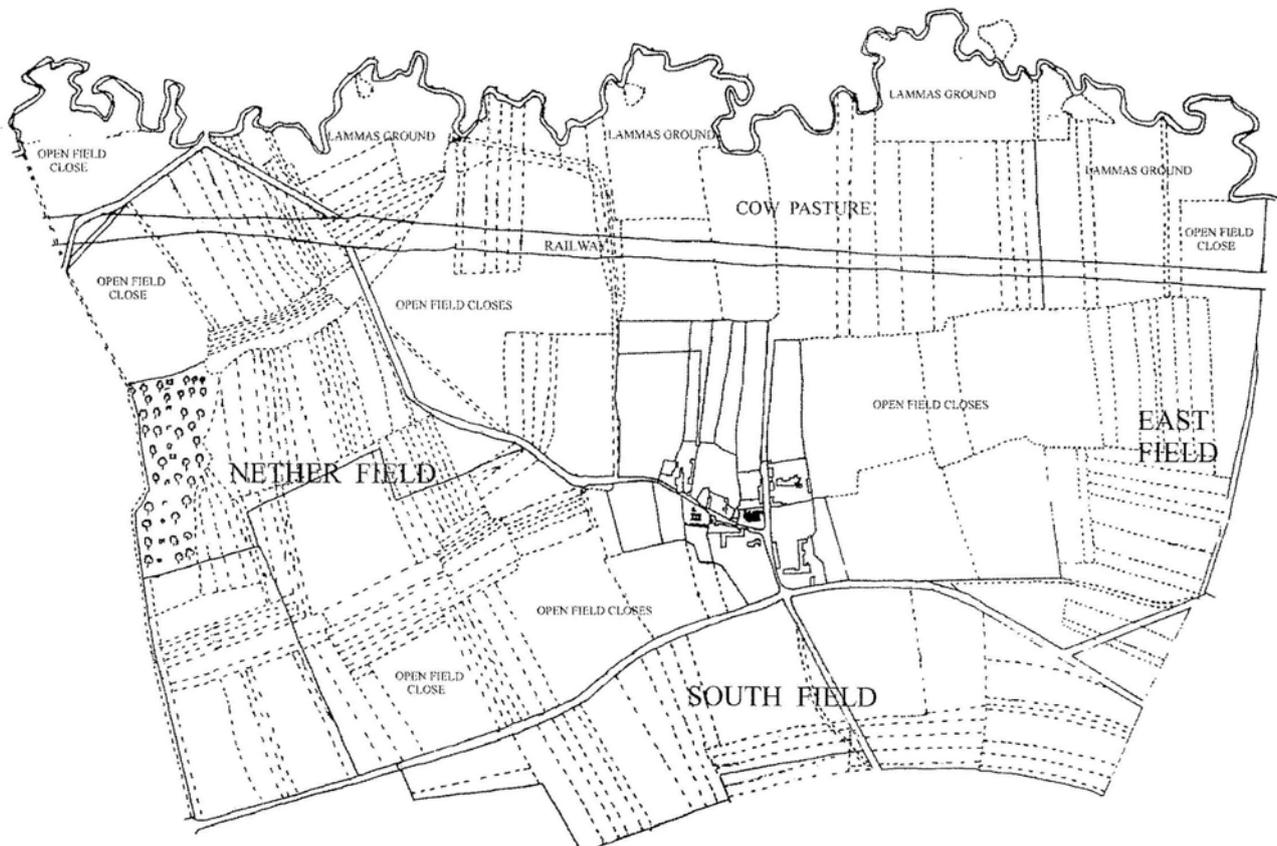


Fig. 8. A sketch of the 1838 Pilton tithe map showing its remaining strip fields

The tithe and glebe lands were not the personal property of an individual incumbent, and what a predecessor had passed up a successor could demand. This situation inevitably led to disputes. At Burley the tithes became confused following the creation of the park in the late sixteenth century and enclosure in the late seventeenth century. In 1784 Lord Winchelsea and the vicar (Lei. DG7/1/62/1-30) agreed a settlement, which then had to be confirmed by Act of Parliament to bind future incumbents. Incumbents had to gain approval from their superiors for either the sale or the exchange of glebe land, and in 1636 the rector of Glaston was suspended by a church court for agreeing to church land being '*alienated and changed without consent*' (ULL Irons). In order to eliminate the common field glebe as an obstacle to his enclosure of Wardley Lord Brudenell in 1630 agreed with the parson to exchange this land with some from his already enclosed demesne (Nor. Bru B XVI 4). The parson seems almost immediately to have gone back on the agreement and had to be threatened with court action. However, the uncertain legal situation persisted and eight years later Brudenell had to indemnify his tenants occupying the old glebe from action by the parson (Nor. Bru H XI 32). The uncertain validity of early enclosures and the consequent concern of the church to keep its legal options open sometimes produced misleading glebe terriers (Williamson 2003, 18). Stoke Dry was enclosed in 1627, but a 1634 glebe terrier describes the land in its old common field terms, while at the same time stating they were '*within the grounds*' of others, in other words enclosed (Lei. MF494-5). Rights extending outside the parish could further complicate tithe and glebe rights. The Dean and Chapter of Lincoln as rectors of Hambleton received in addition to the great tithes of that village and its Braunston chapelry some also from Normanton, Lyndon and Edith Weston, as well as 20 shillings from St Peter's in Stamford (Tomalin 2003, 123). Similarly, the rector of Barrowden had glebe in both South Luffenham and Morcott, in addition to his own parish (Lei. DE2021/23-24).

Thus, while tithes were intertwined with the common field system they were essentially taxation upon it. Moreover, because this taxation was based on an in-kind measure it became an inhibitor of innovation, as the tax gatherer took none of the risk but shared in the benefits of any improvement. Hence the enclosure movement also became linked to a drive to modernise the tax, by promoting replacement of the variable in-kind measure with a commuted system, either in the form of an annual payment or in land. The clergy, under pressure from landowners to agree enclosure, were understandably at pains to ensure that any commutation was based on generous terms. At Carlby in Lincolnshire, which shared a common with Essendine, the proprietors met to discuss enclosure. The rector was offered a ninth of the grassland, which he initially refused stating he expected an eighth (Russell 1987, 2), but later accepted together with a fifth of the arable and a tenth of the woodland (Lin. WHIT/1/14/2). In the longer term even commuted tithe payments became politically unacceptable and were abolished by Act of Parliament in 1936.

### ***Distribution of Wealth***

The dominant portion of the wealth generated by an open field system flowed to the lord of the manor from rents or profits from land he kept 'in hand'. However, there is no direct measurement of relative wealth of the members of a particular community and this must be determined indirectly. One tangible, though not necessarily reliable, measure of a family's wealth is the size of the house it lives in. At one extreme the large landowners were lords of many manors and their combined wealth produced great houses, such as those at Burley and Exton. At the other the family of a poor labourer lived in a one-room hovel. In between were all the other members of the community, including artisans, farmers and incumbent. It is interesting to observe that even in today's village the 'Old Rectory' is usually one of the largest buildings. Unfortunately, this is often a product of Victorian rebuilding and does not relate to the period of open fields. Nevertheless, examination of buildings from that period would give a measure of wealth.

The hearth tax of 1665 (Bourne & Goode 1991) provides a comprehensive survey of each Rutland community at a time before enclosure had any major impact on buildings. Also, by listing the number of hearths in each property it gives a measure of the size of each house. However, it should be remembered that while building size does correlate with wealth, this correlation is not directly proportional. For example the poor labourer living in a rented single room with few possessions would still have one hearth, while each room of a great house with over twenty hearths would represent considerably more wealth in terms of ownership, building quality, decoration and furnishing. Even taking this factor into consideration the relative distribution of wealth can be determined from the number of hearths if a reference point is used. One stable reference in that society was the incumbent, particularly the rector, who had both a fixed social status and a regular income through tithes, even if this varied in scale from one living to another. Thus the number of hearths in a rectory may provide a measure from which the other houses can be judged, as in Table III. This

table demonstrates that a rector, with a tenth of a community's income, was in a privileged minority, with on average only three other families in the parish with homes the same size or larger. The distribution of wealth in the county was pyramidal, with the vast majority of families at the base of the pyramid (66.5 percent) living in a single-hearth house. This pyramid also narrowed very quickly with only 8.4 percent of houses in a parish having a number of hearths the same as or greater than the rector's five. However, compared to the great families (six houses in the county are listed with over 21 hearths), the wealth of the rector was modest. The data for vicars are also included for comparison in Table III, but the presence of chapelries, such as those at Langham, Egleton and Brooke for Oakham, makes interpretation more difficult. Nevertheless, the lower number of hearths for vicars compared to rectors does reflect the lower share of wealth received by the former.

**Table III – 1665 Hearth Tax**

**Average Number of Hearths and Dwellings in a Parish relative to the Incumbent**

Incumbent	Number of parishes	Incumbent's average number of hearths	Average number of other houses with same or more hearths	Average number of other houses with fewer hearths
Rector	28	4.9	3.0	43.7
Vicar	11	3.8	11.7	113.0

The 1665 incumbents were identified in some hearth tax returns and the names of the remainder were obtained from parish lists or Longden (1938-52). The rector of Wardley, Francis Mears, was not listed as a taxpayer either in that parish or its chapelry of Belton. At Whissendine the vicar Charles Welsh also was not listed, but an entry was made for the 'Tithe House'. The vicar of Manton had died in 1657 and a replacement not installed until after the tax. The form of incumbency – rectory, vicarage or chapelry – was obtained from Bacon (1783, 843).

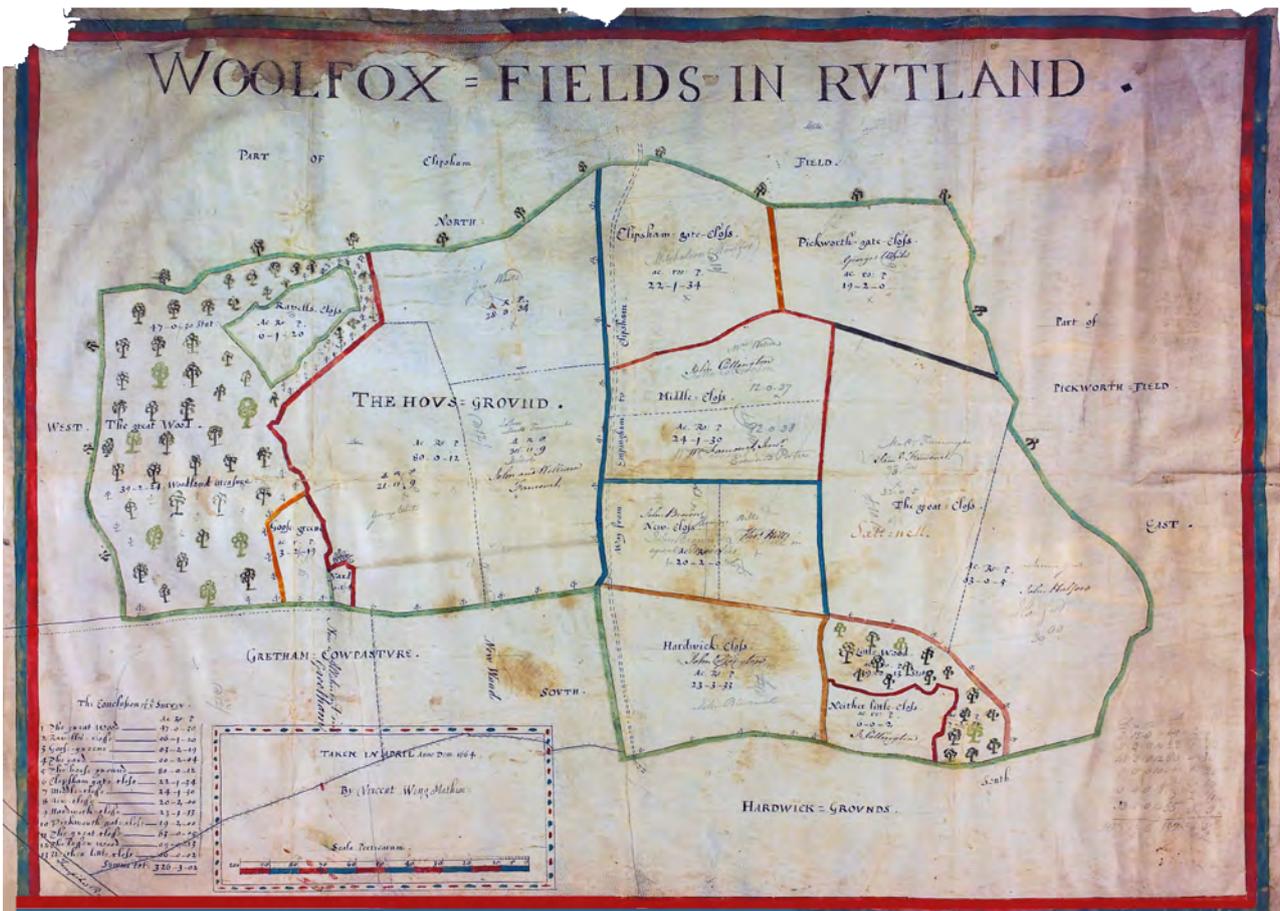


Fig. 9. Map of Woolfox in 1664. The village was deserted before 1500, and all the fields are either enclosed or woodland. Only the manor house remained in occupation (Grimsthorpe & Drummond Trust Ltd)

## 4 – Villages and Deserted Settlements

The common field system imposed its mark on the village as well as on the landscape. Under this system of husbandry it was impossible for an individual's dwelling to be surrounded by the land he worked, as this lay scattered throughout the great fields. Regionally, the collective nature of common field husbandry therefore also tended to bring the dwellings of the village together into nucleated settlements typically clustered around the church, rather than in scattered farmsteads. Even when enclosure brought the lands into more convenient blocks there was still a reluctance to move from the village and abandon existing buildings, and therefore Rutland's villages still largely retain the character that was dictated by the common fields. However, over time some movement to outlying farmsteads occurred. America Lodge in Brooke is an example, the name deriving from the remoteness of its position near the parish boundary (Cox 1994, 78). Nevertheless, while the system dictated the formation of nucleated villages, considerable changes in the size and shape of villages did take place. The population of England is thought to have reached a peak in excess of five million before the Black Death in 1348, when the land could barely support that number of people. Repeated visitations of the plague reduced the population to less than two million by the middle of the fifteenth century, from which it only slowly recovered over several centuries (Allen 1992, 64). In Rutland the pre-plague pressure on land is reflected in the limited holding size of Hardwick's 39 customary tenants (VCH I, 214). In 1315, fourteen of these held just half a virgate (15 acres), whilst another fourteen had to survive on only a quarter virgate. This can be contrasted with the situation described at Whissendine in 1349 following the plague (VCH I, 218) where '*15 virgates of land ... are now worth nothing because all the tenants of the same are dead*' and a similar situation at Hambleton where '*11 tofts and 11 virgates of land [were] in the lord's hands for want of tenants, which paid £11 yearly before the pestilence*' (CIPM X, 527). The huge decrease in population impacted on the shape of the village through abandonment of dwellings. At Tixover, the church is isolated from the present village (fig.11), suggesting abandonment near to the church. Similarly, archaeological work at Whitwell (Adams 1980, 44) has established that in medieval times the village alignment was north-south, in contrast to the modern east-west. In extreme cases whole settlements were deserted, as at Gunthorpe and Pickworth, and their abandoned field systems became the first complete enclosures in the county. As the Black Death affected all villages, but only a few were deserted, it is important to look at why this happened. The dramatic appearance of the Black Death or some other calamity is often given as the reason for desertion. Matthews (1976, 25) thought Pickworth was abandoned as a consequence of depredation caused by the battle of Losecoat field in 1470. However, many settlements that later became deserted survived the initial onslaught of the plague and were still occupied fifty years later, and the real reason for most desertions was more mundane: economics.

When considering deserted or shrunken settlements it is important to recognise that in this context the word 'settlement' is a broad term encompassing villages, hamlets and clusters of houses and cottages (Rowley & Wood 1995, 6). Also Hoskins (1965, 9) suggested that some individual field systems in Leicestershire were operated, in the medieval period, by 'double vills' (twin settlements), and it is probable that some deserted settlements in Rutland may reflect the disappearance of one or more sites from a parish with such multiple settlements. Clearly, at a time of population contraction as occurred after the Black Death, a multiple settlement parish could quite easily have diminished to a single site. Domesday mentions two settlements at Caldecott, Caldecott itself and Snelston; the latter existed into the fourteenth century, but had disappeared by the end of the Middle Ages. In the parish of Ketton there were besides the village of Ketton several other recorded settlements (Fregthorpe, Geeston, Kelthorpe, Manthorpe and Newbottle), some of which became deserted. A list of settlement sites deserted by the sixteenth century is given in Table IV, where they are divided into two categories: primary settlements (settlements known to have been the centre of a field system, e.g. Tolethorpe), and secondary settlements (other population centres working the same field system alongside a primary settlement, e.g. Snelston working the fields of Caldecott).

In the case of deserted primary settlements, historians (Beresford 1998, 176) have divided the reasons into two categories: desertion due to abandonment by the population, and desertion due to eviction. In either case their open fields ceased to be worked. Such desertions can also be looked upon as enclosure by abandonment or forced enclosure. Those settlements that were abandoned tend to be associated with poor or depleted soils,



*Fig. 10. Horn was one of a cluster of deserted medieval settlements on poor soil in the east of the county. The outlines of the cottage platforms can be seen on the left of the stream, while a manorial moated enclosure dominates the other side (photograph: Cambridge University)*

the population taking the opportunity of the labour shortage and breakdown of the feudal system, after the Black Death, to move to more productive land. By contrast desertion due to eviction was forced enclosure: a consequence of the lord of the manor adjusting to the new economic situation and labour shortage by converting to pastoral agriculture, particularly sheep (Allen 1992, 45 & 65). As only a few shepherds are needed to tend a large flock of sheep this economic change would remove many from the land, often into destitution.

Rutland would appear to have had both forms of desertion. The soils in the cluster of deserted settlements at Horn, Pickworth, Hardwick and Woolfox, in the east of the county, are relatively poor, which is consistent with abandonment. Parkinson (1808, 14, 16 & 31) refers to the land *'through which the great north road runs [as] being in general of a shallow staple, upon limestone rock, with a small mixture of cold woodland clay soil'*. He described Pickworth's soils as *'1300 acres of poor stony land'* and *'653 [acres of] woodland of poor quality...'*, and he recorded for it the lowest rent per acre of any enclosed village in Rutland. In 1716, despite some attempt at soil improvement, Hardwick was described as *'...extremely poor and [containing] land that could never be let...'* (Lei. DG7/1/59). However, poor soil was not the reason for desertion in the county's other deserted settlements. Parkinson (1808, 13-14) reported Gunthorpe as having *'200 acres of gravely soil of good quality, 200 of an inferior kind'* and Martinsthorpe as *'268 acres of very rich clay, 208*

**Table IV – Settlements deserted or highly reduced by the sixteenth century**

<i>Primary Settlements (Parish)</i>	<i>Secondary Settlements (Parish)</i>
Alsthorpe (Burley)	Bradcroft (Tinwell)
Gunthorpe	Fregthorpe (Ketton)
Hardwick (Empingham)	Geeston (Ketton)
Holyoaks (Stoke Dry)	Newbottle (Ketton)
Horn	Nether Hambleton (Hambleton)
Martinsthorpe	Sculthorpe (North Luffenham)
Pickworth	Snelston (Caldecott)
Tolethorpe (Little Casterton)	Wenton (Cottesmore)
Woolfox (Greetham)	

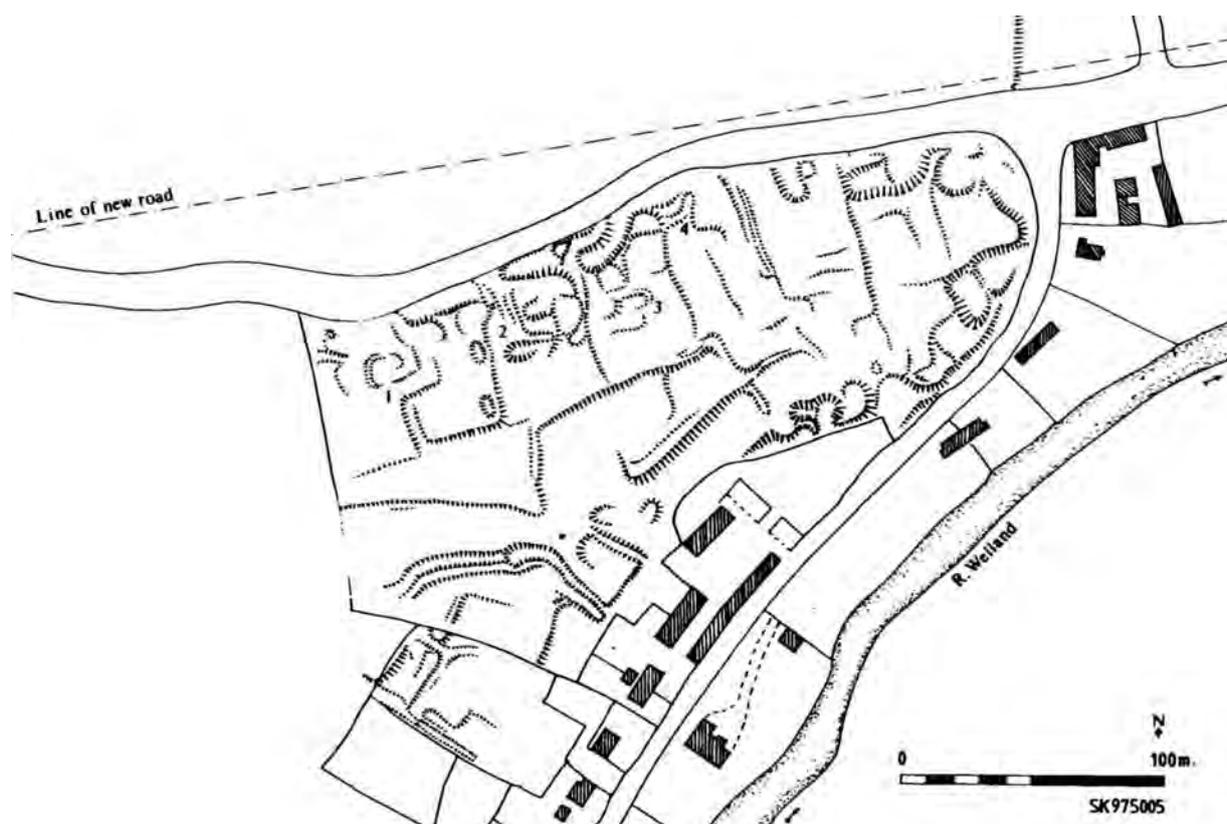


Fig. 11. A plan of Tixover showing the extent of the medieval village as revealed by earthworks and its contraction after the Black Death to the small present-day village (Hartley 1983, 45).  
Today the church remains isolated to the south of the village

of very rich loam'. These desertions may therefore reflect eviction. In 1496, at Holyoaks in Stoke Dry parish it was reported that 30 families were evicted and 'they have departed thence and are either idle or have perished' (Parker 1948, 44; Hoskins 1977, 210). It is noticeable that these 'evicted villages' are either small parishes or hamlets, Rutland following the pattern noted by historians such as Yelling (1977, 25) for other counties that a small size made them more vulnerable to a lord of the manor determined to enclose. Allen (1992, 46) has found in the South Midlands, as did Hoskins (1957, 24) for Leicestershire, that the period 1450-1524 rather than the period immediately following the first visitation of the Black Death had the largest number of desertions. This marries with Holyoaks and what is known about Martinsthorpe. In 1327, prior to the Black Death, Martinsthorpe had fourteen households, and after its passage 39 were still paying poll tax in 1377 (Wacher 1963-64). However, in 1445 and 1489 relief was high, indicating a large drop in population, and by 1522 the village was deserted (Cornwall 1980, 7, 86). Gunthorpe was also deserted at that time, but this did not stop complaints later in the century that the freeholders would not allow others their common rights (*VCH I*, 222). There is an indication that the Gunthorpe desertion took place around 1400 as leases for tithes of crops were granted in 1390, but in 1400 the tithe owner issued a writ for wasting of crops, which may indicate conversion to pasture (Wes. 20634-6).

Two desertions occurred after the medieval period, Normanton and Hambleton Parva (not to be confused with Nether Hambleton). The Heathcotes (*VCH II*, 86) removed their tenants from Normanton to Empingham when they emparked the village in about 1764. Hambleton Parva, a hamlet at the end of the Hambleton peninsular bounded by Whitwell and Normanton, was reported in 1588 (Lei. DE3214/176/15) to have four messuages but seems soon after to have been deserted. This probably occurred when parts of either Whitwell or Normanton were enclosed in the seventeenth century. Certainly, Hambleton Parva was manorially linked in the late sixteenth century to Whitwell (Lei. DE3214/176/15), but to Normanton in the seventeenth (Lin. 3/ANC/1/36) and is included on the 1726 Normanton estate map. However, it remained a distinct entity for tithes until 1845 (Nor. T275).

## 5 – Forest, Woodland and Trees

King Henry I established the royal forest of Rutland, incorporating into it those parishes recorded in Domesday as containing woods. It encompassed the greater part of the county, together with a strip of Leicestershire (Cantor 1980, 13). The forest was carefully managed, though its extent was reduced through assarting even in King John's reign (Raftis 1974) and by 1235 it was limited to Rutland parishes. Encroachment continued, and by the late sixteenth century the royal forest had been reduced to the western part of the county, though it still encompassed the whole of Leighfield and Beaumont Chase, together with parts of Ridlington, Belton, Braunston, Brooke, Stoke Dry and Wardley (Cantor 1980, 13). Numerous deer parks were also established in the county in the medieval period and later (Cantor 1994, 158). These had varying life spans: one formed in Ridlington in the twelfth century remained in being until it was disparked in the early 1620s (Squires 2003), while that at Exton was established in 1654 and continues to the present day. In 1620 warrants were still issued for protection of the king's game in Leighfield (BL, Add 34217, 6) and up to the 1799 enclosure of Beaumont Chase, the lord of the manor retained ownership of all the deer in the Chase and was 'entitled to herbage and Deer Browse in and over the whole Chase' (Lei. DE3214/558/6). To aid in its management, the forest, in a manner recalling the division of the great fields into furlongs, was divided into blocks called sales. Some of these sales are depicted in a seventeenth century map of Wardley (Nor. 2991/12) (fig. 12). Forest common rights also existed (Lei. DE3214/184/44), and these were exchanged for land when Leighfield was enclosed in 1623 (VCHI, 224). Enclosure of Leighfield had rapidly followed its purchase from the Crown in 1622 by the Duke of Buckingham and others (Squires 2003, 107; Lei. DG7/1/65 & DE1797/3/157). Similarly, when Beaumont Chase was enclosed the commoners of Ayston, Stoke Dry, Uppingham and Wardley received land 'free from Deer' in lieu of their common in the Chase. At a time of limited fuels and building materials trees were considered an important asset. At the enclosure of Greetham (Lei. 3214/583/31) the Earl of Gainsborough was particularly concerned to secure access to the 'great number of valuable oak and ash trees' growing in the hedge between Exton and Greetham. A similar plundering of woodland happened during the Interregnum, when Parliament disposed of the Dean and Chapter of Lincoln's land at Lyndon (Lin. CC36/152851/6) and all the trees were cut down and sold. Parkinson's survey (1808, 2 & 10) reveals that in 1806 there were only 50 acres of wood left at Leighfield, but Beaumont Chase was still 60 percent and Wardley about a quarter wooded.

According to Parkinson (ibid, 40) only 8 percent of Rutland was wooded, but the abandonment of open fields had in some cases led to the creation of woodland and he listed it as one the reasons for enclosure. At Woolfox, in Greetham parish, a large part of this deserted medieval hamlet had been converted into woodland by the seventeenth century (Lin. 5ANC5/B/3/7/4) (fig. 9). Similarly, Parkinson reports 350 acres of woods at Pickworth, and an additional 65 acres of new tree plantations in the county (60 of which were in Empingham, which had just been enclosed). The hedges also supplied both firewood and sometimes timber. Parkinson states that hedges at Teigh contained 'a great quantity of ash timber and some elms' but the hedges of adjacent Ashwell contained only 'a little ash timber in rows'. Ash and elm together with oak were the main varieties of tree in the hedges, which sometimes were pollarded to provide more firewood, as at Langham and Burley. This source of timber resulted from deliberate planting rather than accidents of nature. At Market Overton the rector was reported to have planted elms in the hedgerows (Parkinson 1808, 7), and at Greetham John Hack purchased 200 oak and 100 ash trees for his new enclosure hedges (Lei. DE6256).

At a time when wood was the main source of heating, any rights to collect wood or cut thorns (hawthorn) from hedges and furze (gorse) growing on common and heath were highly valued, and these fuels were an additional and renewable crop to be obtained from the common field. Even Parkinson (1808, 153), when reporting that the canal to Oakham had enabled coal to become 'the general fuel', also commented that it was 'mostly used with wood; and there are, from my information, four or five parishes where wood is still the principal material for fuel'. Common right to wood and furze (gorse) has been estimated to be worth annually between £1 15s 0d and £4 3s 0d, based on the cost if it had to be purchased (Neeson 1993, 158). Due to its value, heavy fines were imposed for taking these fuels illegally (see Appendix II, Nos 13 & 44). Access to furze was particularly useful as not only could it provide heat when burnt, but when bruised it could also be used as fodder.



## 6 – The Nature of Enclosure

Enclosure, or inclosure as was more often used historically, is a descriptive term for the enclosing of areas of common field by boundaries. In Rutland these boundaries were usually hedges and ditches. The enclosed land was the sole property of an individual on which common rights had been abolished. This was the theory, but as usual with human activities practice often resulted in more varied and idiosyncratic situations. At the enclosure of Beaumont Chase the cottages of Ayston, Uppingham, Lyddington, Stoke Dry and Wardley were given parochial land close to each parish on which common right was retained (Lei. DE3214/558/6).

The term enclosure suffers from the disadvantage that it implies a single event, whereas in many townships enclosure was a process of events, occurring over a protracted period of time. At Whitwell (Lei. DE3214/601; Parkinson 1808, 8) the first large-scale enclosure occurred in the early seventeenth century, with a second phase either later that century or early the next and a final phase in the nineteenth century. Historians (eg Yelling 1977, 5), in attempting to categorise the different and often complex nature of enclosure, have defined two broad terms: ‘general enclosure’, where all or the vast majority of a township’s land was enclosed at a single time, and ‘piecemeal enclosure’, where there was a series of enclosures. Both general and piecemeal enclosures are present from early times. The deserted villages can be thought of as general enclosures, while in 1517 a royal commission reported many small piecemeal enclosures (*VCH I*, 221). For example, at Brooke, the Prior had enclosed 3½ acres and others had converted 8½ acres into pasture. If the demesne was held separate from the common fields this was often enclosed early, as at Ayston and Wardley (Nor. 2991/11-12). Sometimes, before enclosure, there was a period of engrossment, namely an amalgamation of a number of holdings into a single holding, the land continuing to be worked in common. Engrossment was as much feared by the tenantry as enclosure, as both could cause depopulation. At Ketton it was reported ‘*one plough land*’ and a cottage had been abandoned (*VCH I*, 221); similarly there are many reports of fires destroying cottages, including at Empingham where there was ‘*another plough land decayed caused by fire, late occupied with 23 acres*’. It is an essential aspect of piecemeal enclosure that scattered strips needed to be gathered together under an individual’s control before enclosure could take place. Engrossment was an important part of this process as it increased an individual’s flexibility to exchange strips and thereby facilitated enclosure. The complexity of arranging exchanges of land for enclosure is clearly illustrated by Lord Campden’s incorporation by agreement in 1636 of twelve acres of land in Braunston into his new park at Brooke (Lei. DE3214/338/21; 419/7). The twelve acres were in twelve separate parcels, and eight separate exchanges of land were needed to bring these under Campden’s ownership.

General and piecemeal enclosure also reflect differences in levels of agreement between landowners over enclosure. Where there was full agreement or compliance could be enforced, a general agreement could be made. This was most likely to happen if a single individual owned all the land, or virtually all the land, and was prepared, if necessary, to override the wishes of the tenants and minor owners. Such events happened at Hambleton and Langham. Where there was a significant number of other landowners a general agreement on enclosure was inherently more difficult, and enclosure was either not possible or took place on a piecemeal basis. At Glaston in 1640 ‘*...several plots or parcels of ground...*’ were enclosed by agreement, freeing them from ‘*...all manner of common and right of common...*’ (Lin. ASW/D/7/1). The remainder of the land was kept in common fields until they were enclosed about 1700. Alternatively, even where there was a general agreement, a difference in geography in the township between one part favouring pasture and another arable could lead to piecemeal enclosure. This happened at Market Overton in 1636 (*VCH II*, 141), when half the village was enclosed by general agreement and converted to pasture; the remainder of the village stayed as common fields until enclosed by Act of Parliament in 1807.

Forced enclosures were potentially vulnerable to legal challenge, and in 1636 there were suits against the ‘*covetousness and malignity*’ of enclosures at Stretton (*ibid*, 146) which had apparently destroyed twelve farms and caused depopulation. By the mid seventeenth century, to protect themselves against such challenge, the proponents of enclosure also resorted to the courts, in their case to have the enclosure confirmed. Ayston was enclosed in the 1630s, but in 1667 Lord Cardigan and the parson appealed to the

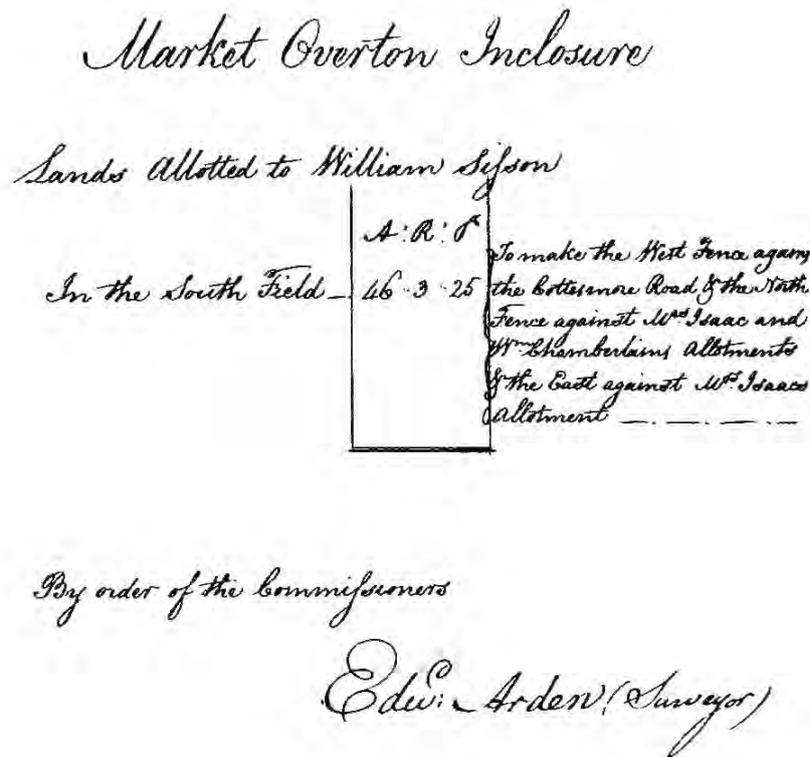


Fig. 13. An example of an enclosure allotment given to an individual proprietor as proof of title to land (Lei. DE1797/4/161)

courts that the 'Inclosure might be established and confirmed in the honourable Court of Chancery or otherwise' (Nor. Bru/O/XIV/15a). Similarly, after enclosure in the 1650s the owners of land in Hambleton contrived a legal case in 1662 (Lei. DG11/751 & 761). This case required one group of individuals to sue another for recovery of the common fields, a process that included paying a formal fine for enclosure. The purpose of the case was solely to have the court confirm the enclosure. However, these court judgements had the inherent weakness that unless they involved everyone who had a stake in the common fields, and often those with common rights were left out, they were open to later challenge by those not party to the agreement. To overcome this weakness, and also to force minority proprietors into enclosure, recourse was increasingly made from the late seventeenth century to private Acts of Parliament (Mingay 1997). One of the first Enclosure Acts in England was employed to settle finally in 1692 the contentious Hambleton enclosure (Tate & Turner 1978, 221). By the mid eighteenth century the legal options for enclosure had become more defined, and in 1766 Homer was able to state 'An inclosure of common fields is either brought about by general consent of the proprietors interested therein, in which case a deed of mutual agreement confirmed by the Court of Chancery is sufficient to establish the exchange of property; or where a general consent can not be obtained, a concurrence of so many of the parties as are possessed of four fifths of the property is now looked upon as sufficient ground for an application to the legislative to inclose by Act of Parliament, providing the Lord of the Manor and the Impropiator [owner of tithes] who have been considered as separate and leading interests, consent in the application' (Yelling 1977, 6).

Until the 1836 General Enclosure Act, each enclosure was considered separately, and required its own Act, though the General Enclosure Act of 1801 made passage easier through the provision of model clauses. However, because an Act enabled opposition to enclosure to be overcome, Parliament took particular concern to ensure that a majority of the proprietors were in favour of enclosure, though how the majority was measured varied considerably; it might be expressed in acres, yardland, common rights, rentals, land tax or any combination of these. Until 1836 what constituted a majority was not defined, but as Homer indicated 80 percent was usually sufficient. After 1836 a two-thirds majority was required. A feature of the parliamentary process of enclosure was the appointment of commissioners to oversee the enclosure. These individuals were given power to take control of the management of the land from the manor court, to examine claims of ownership, to survey the land, and to make allotments. As this was a potentially expensive exercise, the 1836 Act made provision for enclosure to take place without commissioners if the majority in favour of enclosure was seven-eighths. The Tithe Commutation Act of the same year (placing a monetary value on the tithe).

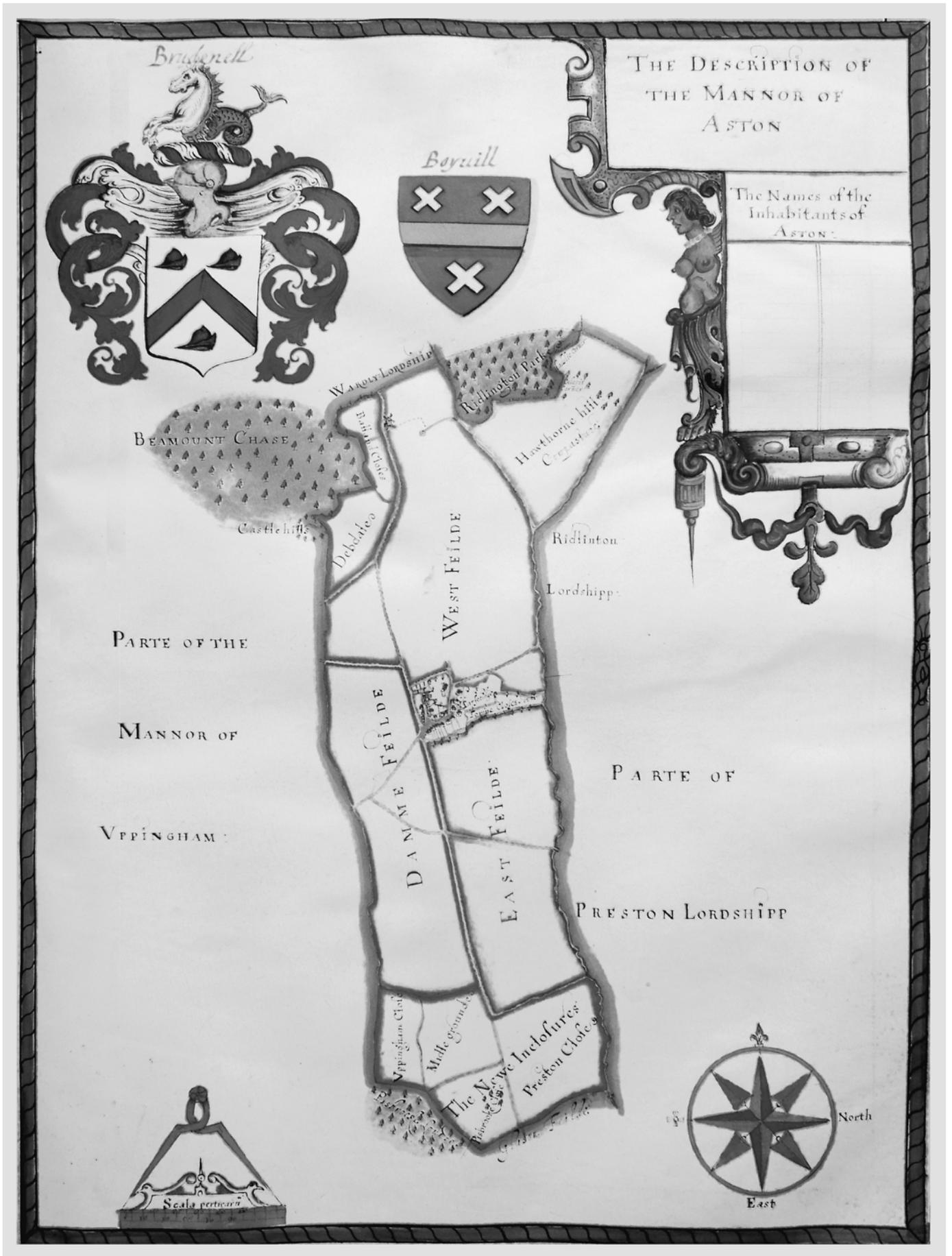


Fig. 14. Map of Ayston c1635, showing its open fields (Dam, East and West) together with new enclosures probably of the lord's demesne land (Mr Edward Brudenell, Deene Park)

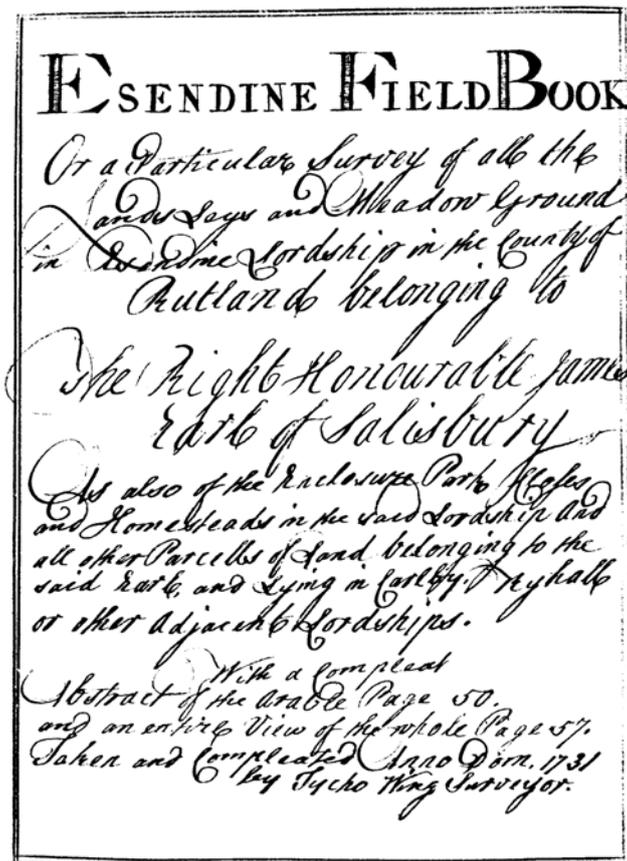


Fig. 15. The title page from a 1731 survey of Essendine which shows that by then the manor was already partially enclosed, as the survey is divided into common fields (the lands, leys and meadows) and enclosures (Lord Salisbury, Hatfield House)

helped to make enclosure simpler, as previously each Enclosure Act had to make allowance for these rights. Also, as the commutation of tithes usually necessitated a detailed survey of the parish, these surveys were often used as the basis for later enclosure awards, as at Seaton, Thorpe by Water, North and South Luffenham, and Barrowden. In 1845 a further General Enclosure Act established the Enclosure Commissioners to oversee future enclosures, to whom those wishing to enclose could apply. These approved enclosures were then sanctioned in a series of annual Enclosure Acts (Yelling 1977, 7; Tate 1967, 135).

In all parishes some part of the land had long been separated from the common fields and the enclosure awards describe these as 'old enclosure'. The word 'old', in this context, does not signify anything with regard to their age, but simply means 'already enclosed'. In Ryhall (Blore 1811, 29) the 'old enclosure' consisted of homesteads and gardens. The homestead could also include orchards. At Langham in 1600, together with 50 farm houses and 50 cottages there were listed 100 gardens and 100 orchards (Lei. DE3214/182/2). However in some villages, besides the homesteads, there were other relatively large areas of land that had been long separated from the common field system. At Empingham there was a large wood in the middle of one of the great fields, not surprisingly called Wood Field. Similarly, if the medieval demesne land had been held as a consolidated block, rather than lying scattered in strips amongst the fields, this would also form a large area of 'old enclosure', such as Woodhead in Great Casterton (Blore 1811, 97). Small areas of 'old enclosure' had also long existed in the common fields. A detailed survey of Teigh, in 1597, shows the village consisting mainly of common fields, but includes a few small pieces of enclosure, which are described by means of sketch maps rather than the alignments and abutments used for the strips (Lei. DG40/457).

## 7 – Reasons for Enclosure

Clearly, there had to be very good economic or practical reasons for proprietors to go to all the trouble and expense involved with enclosure. As mentioned earlier, some enclosures were a response to the surfeit of land relative to labour after the advent of the Black Death. This resulted in the replacement of a feudal by a capitalist economy, with an increased desire to maximise return on capital. In the Tudor and Stuart period the production of wool, mutton and beef through conversion of arable into pasture provided such an opportunity (Thirk, 1954, 199; Dahlman 1980, 164). Both sheep rearing and cattle fattening played an important part in Rutland's pasture farming. Gunthorpe appears to have been converted early to a sheep run. In 1627 the only dwellings there were two shepherd's cottages (Lei. DG44/503), and Parkinson's survey (1808, 115 & 126) recorded eight hundred sheep compared to only four cattle. In Langham, by contrast, he reported 960 cattle, 800 of which were for fattening, and 1,000 sheep. By the late eighteenth century, if not before, Rutland's agriculture had developed to serve the national economy. Its sheep were either sold '*...at London or in Melton Mowbray to go north*' (Crutchley 1794, 15), and though it raised few cattle itself, and had few dairy herds, it acted as a one-year grazing area for animals before they were sent to market. Many of the cattle had come from as far as Ireland, Wales or Scotland (Crutchley 1794, 16). However, in Parkinson's survey, there were still almost ten times as many sheep in the county as cattle. The importance of the London market is made clear by Crutchley's observation (1794, 20) that despite fattening large numbers of animals meat sold locally was inferior as the '*prime meat is sent to London*'.

One almost inevitable consequence of enclosure was increased rents. At Essendine in 1647 rents per acre were: meadow, 13s 4d; pasture, 4s to 10s; and arable, 2s 6d (Lei. DE4996/2). Clearly, conversion of arable to pasture, providing the land was suitable, could at least double the rent per acre. Similarly, at Empingham in 1702 rent for 90 acres of enclosed ground averaged 5s 7d per acre and that for 400 acres '*common among the tenants*' was only 2s 5d (Lei. DG7/1/73/1-2). This confirms the statement in another survey of Empingham, of about the same date, that '*inclosed the rents might be doubled*' (Lei. DG7/1/59). At Lyndon it was reported soon after the Restoration that '*Before the said lands were improved the rent of them was three score and ten pounds. Since the improvement [by enclosure] which was about six year sin[ce] the rent is a hundred and four score pounds. The land which is improved is by estimation two hundred and three score acres*' (Lin. CC36 152851/6). In other words the rent had increased from 5s 5d to 13s 10d per acre. Thus, although the value of individual land depended on its productivity (cf the range of values for pasture of 4s to 10s per acre at Essendine), the generality that 'land could be doubled in value' would seem to hold. This certainly remained the case up to the beginning of the nineteenth century. Even in 1806 (Parkinson 1808, 31) common field rents were generally well below those in enclosed fields. Pilton's common field rents were 15 shillings per acre compared to enclosed rents of 25 shillings at adjacent Wing and Lyndon. Similarly, Oakham common field rents were 17 shillings per acre, while enclosed rents at nearby Langham and Burley were 26 and 25 shillings respectively. Parkinson observed for Oakham that enclosing '*would certainly double its present value*' (ibid, 40). If common field rents were lower than those of enclosed fields their poor rates were much higher; averages of Parkinson's poor rate data show rates of 3s 6d and 2s 3d in the pound for common and enclosed field parishes respectively (ibid, 33). Contemporary commentators such as Crutchley (1794, 8) and Parkinson (1808, 33) attributed the low poor rate to the provision of pasture rights post-enclosure. Further analysis of Parkinson's poor rate data for enclosed villages known to have retained some 'cow commons' post-enclosure and 'others' does show a slightly lower rate of 2s compared to 2s 5d in the pound for 'cow common' and 'other' parishes respectively. However, the lower poor rate for enclosed compared to common field parishes cannot be completely ascribed to the presence of cow commons, but probably reflects the loss of poor by migration from the village post-enclosure. Other factors may also apply, such as whether the villages were 'open' or 'closed' (Allen 1992, 49). A closed village was one where there was a policy of actively discouraging settlement by outsiders by restricting the housing stock (Slack 1995, 36) for fear of becoming responsible for them, under the poor law, if they became destitute. The Exton Pains Order '*that no person shall lodge any travellers above one night except it be on a Sunday*' is an expression of such a policy (Appendix II, No. 47). In contrast, an open village was one that did not actively discourage settlement, though the poor would have struggled to be accepted. Ketton appears to have been such a village

as its orders relate solely to control of the fields and woodland, and imposed no restriction on activities of the village (Lei. DE2627, box 9). Over time the closed policy tended to lead to contraction, depopulation and lower poor rates, while an open policy tended to maintain the population and the poor rate.

While the economic choice between converting arable to pasture in certain parts of the county was clear to most major landowners, the benefits to be gained from enclosing land best suited to arable was economically less obvious. Protagonists of enclosure usually confined themselves to general criticisms; in 1786 William Cullingworth stated of Belton: *'The open fields are for the greatest part very good land, but being commonable at certain times in the year ... are in their present state incapable of much improvement'* (Lei. DG7/1/79 a-b). Similarly, in his survey of Rutland Crutchley (1794, 9) observed: *'While property lies intermingled as it does in the open fields and the practice of common stocking at particular times prevails few improvements can be reasonable expected.'* The second half of the eighteenth century had been a time of great innovation, including the introduction of turnip cultivation in the fallow field, and Crutchley (ibid) also pointed to the *'...the great improvements of draining and varying the crops, by sowing clover and grass seeds they can not be expected [while the lands remained unenclosed]'*. Parkinson (1808, 37) was also an advocate of the new methods of crop rotation, and in his survey calculated theoretical profits per acre for both the old three-fold method and modern four-fold method, of £1 15s 6d and £4 18s 5d respectively. The increase in profitability of the 'modern method' he ascribed to the elimination of the unproductive fallow year together with its consequent *'rent and expense'*. Here was the major drawback to the common fields: even if an improvement was obvious to one commoner he needed to obtain the agreement of his fellow commoners to undertake that improvement and a few objectors could block it. However, the situation was not straightforward. Some open fields could be innovative, as illustrated by North Luffenham's complex nine-fold rotation described earlier, and some enclosed villages backward. In 1806 Clipsham, enclosed since the seventeenth century, was still following the old three-fold pattern of fallow, wheat or barley, then oats (Parkinson 1808, 46). Similarly, John Pickering observed at Morcott in 1836, *'The rotation is kept for the sake of adhering to the old open field course of two crops and a fallow, the seeds [clover] being substituted for the alternated [turnip] fallow season'* (Allen 1992, 14). On the other hand the 1779 Orders for the common fields of Essendine (Sal. Orders) state that individuals, on payment of one shilling per acre to the town, *'have leave and licence to take in any number of acres'* in the fallow field *'in order to sow the same with turnips'*. Parkinson's survey (1808, 45 & 126) can be analysed for adoption of innovations such as turnips, clover/seeds and the recently developed breeds of sheep, as in Tables V and VI.

**Table V – Adoption of arable innovations in villages / hamlets**

	<i>Total</i>	<i>Using turnips</i>	<i>Not using turnips</i>	<i>Using clover/seeds</i>	<i>Not using clover/seeds</i>
Common Fields	9	5	4	5	4
Enclosed Fields	43	37	6	34	9

**Table VI – Breeds of sheep in village / hamlet flocks**

<i>Number of Villages or Hamlets</i>	<i>Total</i>	<i>Flocks with some New Leicesters</i>	<i>Flocks with Old Leicesters, Lincolns or both</i>	<i>Mixed Flocks (no breed specified)</i>
Common Fields	9	0	0	9
Enclosed Fields	46	16	16	14

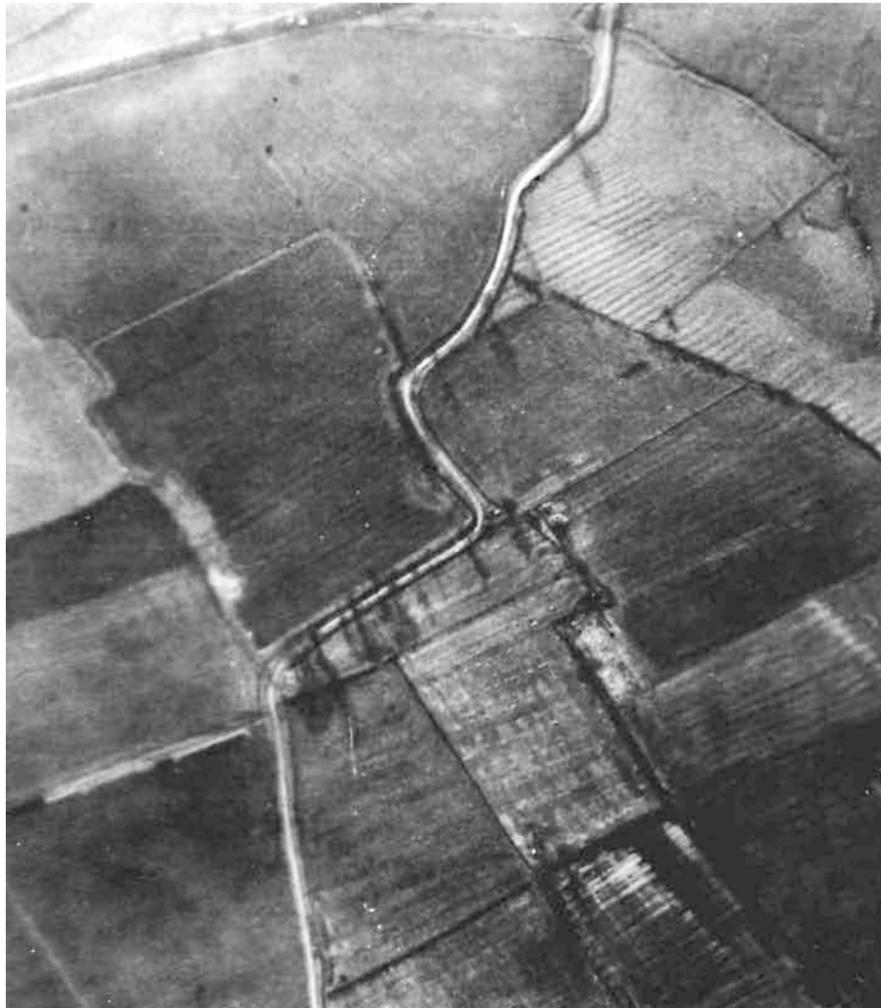
These two tables clearly illustrate that the benefit of improvements and innovations had been more readily adopted in enclosed field villages compared to their common field counterparts. Whereas 86 percent and 79 percent of enclosed villages had adopted turnips and/or clover/seeds into their rotations respectively, the figure for common field villages was only 55 percent. Similarly, a third of the enclosed villages had improved the quality of their animals by purchasing new and identifiable breeds of sheep (eg Leicesters or Lincolns), which were then husbanded in separate fields to maintain quality. In contrast the open-field sheep were mixed in great common flocks, making improvement in quality impractical, and these therefore contained no identifiable breeds. The mixed flocks which dominated the common fields arose from a high mortality rate and constant replenishment from itinerant stockmen who sold indeterminate mixtures of breed (Allen 1992, 114).

## 8 – Costs and Consequences of Enclosure

Enclosure was expensive. Even the simplest form of enclosure, carried out by agreement, required surveyors to set out the land and make allotments, then workmen to dig ditches, build fences and plant hedges. If an Act of Parliament was needed, this necessitated lawyers to advise on contentious issues that might be raised, as well as costs associated with preparation and managing of the Bill through its various parliamentary stages. Such a potential issue existed between South Luffenham and Barrowden, two parishes that had long shared 290 acres of common. In 1857 Lord Ancaster, when considering whether to enclose, sought advice on whether the land was ‘...sufficiently with South Luffenham to take before the enclosure commissioners or has Barrowden sufficient case to raise parochial questions?’ (Lin. 9/ANC/2/11/6/11). Parkinson (1808, 40), a strong advocate of enclosure, lamented, ‘*I cannot but express my sorrow, that an Act of Parliament for this desirable purpose is so very expensive*’.

Before 1836, each Act of Parliament established commissioners to oversee the enclosure, generally three in number, but there could be more or fewer. Tate (1967, 109) has made the observation that one of the three was usually a nominee of the lord of the manor, the second of the tithe holder and the third of the other proprietors. Such was the case in the 1800 Act for enclosure of Cottesmore and Exton (Lei. DE3214/419/1). Also, each Act required a charge to be made for the fees and expenses of the commissioners. In the 1768 Ketton Act (Lei. DE3214/559/2) these charges were left to the discretion of the commissioners themselves, while in later Acts, presumably because of abuses, commissioners’ daily fees were specified. At Bisbrooke (1795) and Uppingham (1799) two guineas per day plus expenses was paid, while at Market Overton (1803) the daily rate was higher at £2 12s 6d, but included expenses (Lei. DE3215/558/6/1-3). By 1820 the Oakham commissioners were paid three guineas per day inclusive of expenses (Lei. DE3214/571/9), although in practice some of these were reimbursed separately. Receipts for inn bills covering the period August 1820 to March 1826 show about a quarter were charged to the public expense (Nor. YZ4799). That this period was so prolonged was probably due to disputes over the Award. Landowners were incensed at the small size of the allotments announced by the commissioners. Dr Thomas Freer only received 50 percent of his common field land (Lei. 16D52/5/5). Sir Gerard Noel Noel sought legal advice (Lei. DE3214/571/9); his brief to his lawyers included a copy of the Act in which he had underlined the portion where it states the commissioners were to pay their own expenses. Usually, each Act made provision for the awarded land to be mortgaged to permit the raising of the necessary capital. At Greetham (1763) a mortgage of up to £3 per allotted acre was allowed (Lei. DG7/4/3), while at Manton (1772) the charge was only up to £2 (Lei. DE2199/8). Francis Cheseldene (Lei. 38’ 30/6) used the Manton Act to take the opportunity to raise the full permitted amount on his allotted 243 acres. In this case, the mortgage agreement was between three parties: Cheseldene, the person lending the money, and the enclosure commissioners who confirmed the amount of allocated land.

Authors who have examined costs of enclosure (Turner 1894, 53; Martin 1967, 128) have observed that the public cost of enclosure represented about half the actual costs. These included legal and parliamentary fees, charges of the commissioners, expenses of surveying the parish, the cost of fencing the tithe owners’ allotment, and the cost of public roads, bridges, drains etc. In Rutland this is reflected in John Hack’s recorded expenses for 65 allotted acres at Greetham and in the Earl of Gainsborough’s 8-acre allotment at Thorpe by Water (see Case Studies and Appendix III). In the former, public expenses constituted 42 percent of Hack’s, and in the latter 57 percent of Gainsborough’s total first year expenses. Even this may be an underestimate, as John Hack’s capital investment costs for the five years post-enclosure were four times larger than those of his public costs; by this time his total costs were close to the maximum mortgage per acre allowed by the Greetham Act. One reason for the difference of 15 percent between the Greetham and Thorpe public expenses was the level of public works. At Greetham there was relatively little construction of new roads, whereas the Thorpe enclosure involved extensive road building and straightening of waterways. The quality of road building was varied. Parkinson (1808, 155) complained that many new roads formed at enclosure, especially over ridge and furrow, were ‘*rendered useless*’ for, although a 40 ft width was allotted, the method of construction, involving ‘*raising a high bank in the middle, with two steep sides*’, reduced the road to 9 or 10 ft. Also as the surface of the road on this limited area was only covered in ‘*...large stones, a track, or hollow place, is soon formed on top or middle of it, by the horses in carts etc and ruts of*



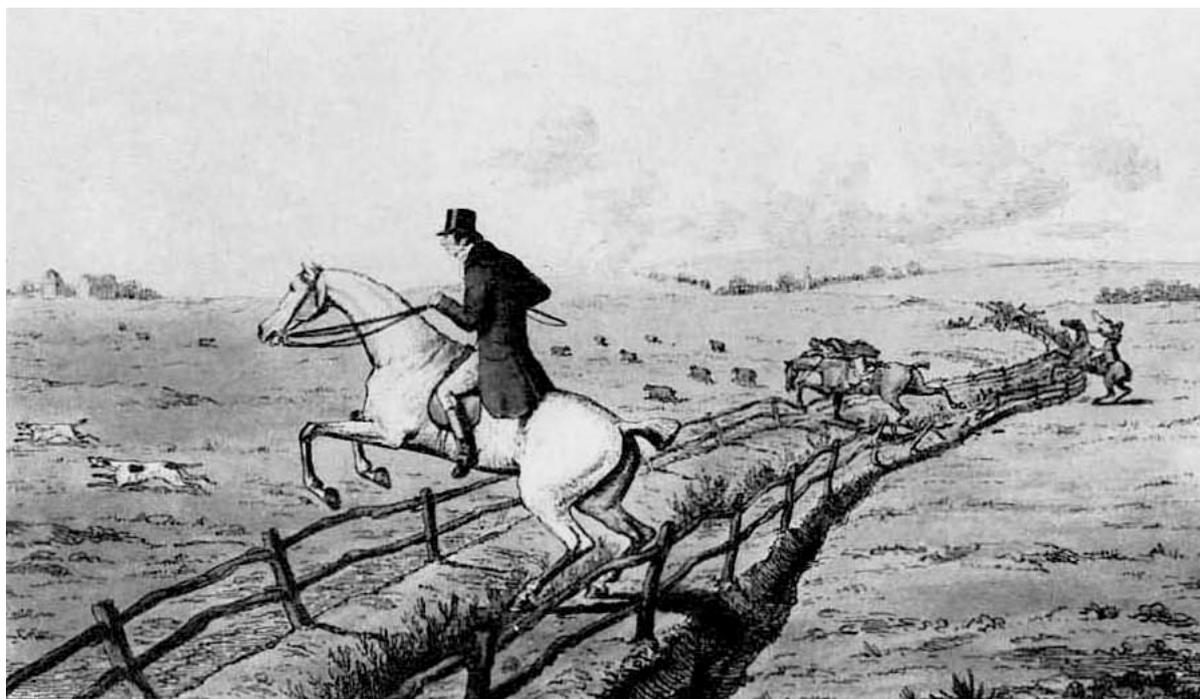
*Fig. 16. Enclosures by local agreement often left existing road systems intact, whereas parliamentary enclosures gave power to change them. These two 1947 air photographs illustrate how these two processes can create differences in the landscape. Both Ashwell and Teigh were enclosed by local agreement in the seventeenth / early eighteenth century, and the upper photograph shows the road between them continuing to meander around old open field boundaries. In contrast, the lower photograph of Barrowden shows the new straight roads created by surveyors during its enclosure in 1882 (English Heritage (NMR) RAF Photography)*

*considerable depth on the sides*'. In fact the nature of a parish's roads can give some clue as to whether it was enclosed by parliamentary Act or not. The new roads created by parliamentary enclosure were laid out by surveyors and tended to be straight, crossing ridge and furrow, as described by Parkinson. In contrast enclosures by agreement often left old road structures intact, and these continued to follow tortuous routes around disappeared open field features, such as furlong boundaries, and have resulted in the sometimes apparently crazy meandering of modern roads (fig. 16).

According to Slater (1907, 129), in addition to the public costs, the extra capital investment in a farm required by enclosure was particularly high when enclosures were laid to grass: '*...to stock rich grass lands demands a far greater sum than open field arable; the farmer may not possess it; this has often happened, and drove them to seek other investments [a euphemism for being forced to sell]*'. Even in a primarily arable parish like Greetham (Parkinson 1808, 2), John Hack's capital investment costs, as described above, were substantially larger than his public costs. Also the 'extra profit' to repay the investment, as promised by enclosures proponents, had to be generated from a smaller landholding due to allotments to the tithe holders. Although tithes were nominally a tenth of the produce of the land, the amount of land allotted in return for the abandonment of tithes was often more. Generally, in Rutland tithe allotments were one fifth of the arable land and one ninth of the remainder, meadow, pasture and waste. However, there were some variations from the norm, such as one sixth of the arable at Bisbrooke (Lei. DE3214/558/6/1) and one eighth of the remainder at Oakham (Lei. DE3214/571/9). At Ketton the prebendary preferred to receive £300 as tithe rent rather than a land allotment that he would then have had to rent out (Lei. DE3214/559/2). Similarly, the lord of the manor received an extra allocation in compensation for loss of such rights as right of soil, which at Bisbrooke was one eighteenth of the total. If a proprietor could not pay the sum demanded of him, the commissioners were empowered to withhold either all or a portion of his land and rent it out until the enclosure costs had been met. Alternatively, they could sell land to meet the costs, as happened at Egleton (Lei. RQS 2/16, 60). The vicar of Oakham was not '*willing to be at the expense of inclosing and securing the land or grounds to be allotted to him*', and in consequence the commissioners sold about 10 percent of his allotment to defray the costs.

For landowners who had tenants, the cost of enclosure could be recovered from increased rents. The average rent of the seven contiguous Rutland open field villages (Barrowden, North and South Luffenham, Morcott, Pilton, Seaton, and Thorpe by Water) in 1806 was 13s 9d per acre (Parkinson 1808, 31). This contrasts with the average of 27s for enclosed villages nearby that were maintained as pasture (Lyndon and Lyddington) or of 19s 6d for those that were arable (Edith Weston and Ketton), pasture being defined as 20 percent arable or under, and arable as over 50 percent of total land in arable production. Assuming that the total cost of enclosure was £3 per acre (see Appendix III), then if a landowner let all his land to tenants, the increase in average 1806 rent from enclosure and conversion to pasture would yield a return of over 20 percent per annum on the investment. Even if the land were maintained in arable production there would still be a healthy return of nearly 10 percent. Nevertheless the question arises as to how the tenants were able to afford increases in rent. Some historians have agreed with the proponents of enclosure that they were able to generate extra income through improved crop yields which resulted from the adoption of modern rotations, once they were released from the constraints of the common field system. Others, including Allen (1992, 187) for Rutland, have argued that if there were any benefits from improved yields, these were relatively small and the increase in rents reflects a redistribution of wealth from tenants to landowners.

Rural inhabitants feared enclosure as it was associated in their minds with depopulation, replacing arable farms with sheep pasture. While this view was generally true of enclosures up to the mid sixteenth century, after this period government action substantially reduced this type of enclosure. Not only were there specific measures against enclosure, but the introduction of the Poor Law made a parish responsible for its own poor; thus aggressive depopulation became impractical as the landowner still had to provide for those displaced (Slack 1990, 26). However, a decline in the number of farms continued, ascribed by some historians (Grigg 1989, 100) to the continuing progress of enclosure, and particularly the parliamentary enclosures of the eighteenth century. Allen (1992, 79) has cast doubt as to whether these changes were a direct consequence of enclosure, or a consequence of the engrossment of smaller farms into larger ones. The basis for his argument was a similar average size of farm for both common and enclosed field villages. Thirsk (1987, 35) described how two Lincolnshire villages were subject to aggressive buying of land by two separate individuals (one in each village). This decreased the number of farms in the villages and enabled each individual, when his landholding was sufficient, to push each village into enclosure. Nevertheless, even if Allen's view that a decrease in the number of farms was not directly connected with enclosure is accepted, both enclosure and increased farm size can be seen as manifestations of the rise of the 'great estates' (Allen 1992, 88 & 95).



*Fig. 17. A hunting print from Sir Robert Frankland's Indispensable Accomplishments (1811), showing a background of open fields*

From the end of the Civil War there was a remorseless growth in great estates, which has been ascribed to the development of the modern mortgage system, whereby capital could be raised on land without losing control over it (Allen 1992, 102). Prior to this development, in the late seventeenth century, if land was mortgaged the person granting the mortgage could immediately enter the land and take possession of revenues until the mortgage was paid. Clearly, the old system for raising capital was one to be avoided, and most landowners, in preference, used the beneficial lease system to raise capital from their tenants. However, once the modern mortgage was developed the landowner had less need of capital from his tenants, and hence the inconvenience (as far as the landowner was concerned) of long leases was avoided. Thus during the late seventeenth and eighteenth centuries beneficial leases tended to be run out, these tenancies being converted to tenancies at will, with a rack rent. Similarly, new mortgage capital permitted copyhold and freehold land to be purchased when it became available, this being used to amalgamate or engross holdings to increase the average farm size. Also, on the rare occasions that manors came onto the market they could be purchased. Analysis of manorial histories described in *VCH Rutland II* demonstrates that around 1650 only 27 families controlled the main manors in 52 Rutland parishes; allowing for a turnover of families in the meantime, exemplified by the Earl of Winchelsea having purchased the estates of the bankrupt Duke of Buckingham, this number had decreased to 21 by about 1800. The main driving force behind this movement was the increased efficiency and increased rents that could be obtained from large compared to small farms. This efficiency applied equally to common or enclosed fields. Analysis of Parkinson's survey (1808, 2 & 26) shows that for Rutland, excluding the towns of Oakham and Uppingham, the average size of farm (acreage divided by number of farmhouses) was virtually the same for both common villages (199 acres) and those that were enclosed (207 acres). The losers in this drive for amalgamation and efficiency were the small proprietors and tenant farmers. This decline in the number of farms can be seen in Tables VII and VIII. For example, the number of individuals at Teigh paying rates during the eighteenth and early nineteenth centuries survives, as also does the number of farmers holding land above 30 acres. This gives a more accurate time perspective on the decline of farmers and cottagers from this village and the rise in average land holding of the survivors (Redlich 1926, 48).

Another by-product of the availability of mortgages to the great estates was the provision of capital to enable the expensive parliamentary process to be undertaken, which in turn enabled them to reap increased benefits through higher rents. In contrast many small proprietor farmers sold out, either taking the opportunity of high land prices caused by the enclosure or through force of circumstances. The latter might arise from either an inability to obtain credit to cover enclosure costs, or the reduction in land allotted making survival untenable. These individuals were caught between a hammer and an anvil: for at the same time that enlargement of farms converted smaller farmers into labourers, the major effect of enlargement and



Fig. 18. Another print from Frankland's *Indispensable Accomplishments*, showing a background of enclosed hedged fields

enclosure was an improvement in productivity that decreased the requirement for labour (Allen 1992, 235). With the loss of land and common rights came the labourer's fear of dependency, poverty, and control by the parish overseers of the poor. This was expressed in the local poet John Clare's *The Lament of Swordy Well* (1821-4): '*Till vile enclosure came and made a parish slave of me*'.

In Rutland concern was expressed at the other end of the social scale. In 1795 the Earl of Winchelsea stated, '*I am more and more confirmed in the opinion I have long had, that nothing is so beneficial, both to them and to the landowners, as their having land to be occupied either for the keeping of cows, or as gardens, according to circumstances. By means of the advantages, the labourers and their families live better, and are consequently more fit to endure labour; and it makes them more contented, and gives them a sort of independence, which makes them set a higher value on their character...*' (Slater 1907, 133). Nevertheless Winchelsea admitted (*ibid*, 135) at the same time that in many parts of the Midlands such custom had fallen into disuse through the reluctance that '*...the generality of farmers have to seeing the labourers rent any land*'. The reasons he gives for the farmers' dislike of this custom are: '*...that the land, if not occupied by labourers, would fall to their share; and another, I am afraid, is, that they rather wish to have the labourers more dependent upon them*'. The latter they achieved with the complicity of the great estates by '*...hiring the house and land occupied by a labourer, under pretence, that by that means the landlord will be secure of his rent, and they will keep the house in repair. This the agents of estates are too apt to give in to, as they find it much less trouble to meet six than sixty tenants at a rent day, and by this means avoid the being sometimes obliged to hear the wants and complaints of the poor*'. Besides fear of poverty there was the emotional loss of independence mentioned by Winchelsea. Somerville (1852, 101) wrote about conversations held with locals throughout the country; on his finding a common and enquiring of them about what benefits would come from its enclosure, he says '*in all cases they reply with a bitterness expressive of no milder belief that they think me an agent of some one about to rob them, about to invade their little privileges and despoil them of an independence which even if not worth a penny, they would still cherish merely because it was a soil other than the bare highway, on which they could set the soles of their feet in defiance of the rich man, their landed neighbour*'.

As time moved on the labourer offered his services in an increasingly competitive market. The population of Rutland in 1665 has been estimated at between 12,300 and 13,700 (Bourne & Goode 1991), which by 1801 had risen to 16,350 (Parkinson 1808, 160). However, the housing stock had not increased proportionately and had in fact shown a small decrease of 7.5 percent (*ibid*, 26; Bourne & Goode 1991). This indicates an increase of 35 percent in population density per house. Such a change in the more sociologically aware late nineteenth and twentieth centuries would have been taken as a strong indicator of increased poverty. As Allen pointed out (1992, 235-62), the agricultural revolution preceded the industrial revolution

by a least a century and during this time its ‘...premature release of labour contributed nothing but poverty’. In contrast to the deprivation of the agricultural labourer the landowners, besides increasing rents, were able to ‘enjoy improved sport’. In a study of the Cottesmore Hunt it was observed that ‘...the closing years of the 18th century changed the whole character of hunting. The first of the changes was the rapid increase in enclosures. These along with modifications for drainage and reinforcement to prevent cattle pushing through added to the difficulties and excitement of the chase. These obstacles were first taken at walking pace, then a trot, but as selective breeding enhanced dogs speeds, so they made the fox go faster, resulting in fox hunting being a cross country dash, with everything taken at speed’ (Proctor 1977). Even pastimes such as fishing that had been a common right on rivers that adjoined open fields, as at Barrowden (*R. Sel.* 1969, 276), became a matter of individual property rights on enclosure, requiring the approval of the riparian owners.

**Table VII – Summary of various ownership surveys**

Village (date of enclosure)	Survey date	Number of landowners & tenants in Survey		Households in Hearth Tax 1665 (Bourne & Goode 1991)		Dwellings in 1806 (Parkinson 1808)		
		Farmers	Cottagers	Over £1	£1 & under	Farms	Cottages	Others
Ayston (c1635) {Nor. 2991/11-13}	1635	12	9	22	5	5	5	0
Essendine (c1800) {Lei. DE4996/2}	1647	11	8	16	3	6	6	10
Langham (c1605) {Lei. DE3214/182/4}	1605	46	13	70	44	25	35	25
Ridlington (c1650) {Lei. DE3214/177/1}	1592	24	8	36	6	5	7	30
Teigh (c1700) {Lei. DG40/457}	1597	17	11	24	4	6	4	12
Thistleton (1761) {Nor. 2991/11-13}	1635	15	5	19	8	6	5	4
Wardley (c1635) {Nor. 2991/11-13}	1635	14	6	17	8	6	5	5
Whissendine (1763) {Lei. DG1831/15}	1762	41	25	91	35	21	40	40

Farmers are defined in the various parishes thus:

Ayston:	including 7 farmers and tenants and 5 parcellors and those with half a yardland.
Essendine & Teigh:	those having 20 acres or more.
Langham, Ridlington & Whissendine:	having half a yardland or more.
Thistleton:	including 8 tenants, 3 chief renters and 4 freeholders (a 1641 document (BL Egerton MSS 2986 f137) lists 29 inhabitants of this village, very similar to the hearth tax numbers).
Wardley:	including 6 tenants and 8 parcellors.

**Table VIII – Teigh Rate Payers (Redlich 1926, 126)**

Year	1705	1708	1715	1725	1740	1760	1772	1797	1803	1808
Rate payers	30	28	22	20	20	19	19	18	22	22
Farmers >30 acres	8	8	8	7	6	6	6	5	6	6
Average land holding of farmers >30 acres	100	115	120	137	150	163	152	-	-	-

## 9 – Enclosure 1500-1882

The desertion of villages and enclosure of arable land alarmed governments of the fifteenth and sixteenth centuries, who reacted with a series of anti-enclosure measures (Yelling 1977, 20). The first, in 1489, made it illegal to abandon a farm that had more than 20 acres under the plough. In 1515 it was made an offence to convert land from tillage to pasture, and a commission was established to investigate enclosures. The 1517 return for the jurors of the Soke of Oakham and the East Hundred (*VCH I*, 221) indicates that enclosure had been proceeding slowly but steadily over the previous thirty years. Most of these enclosures were small in size. The largest consisted of 41 acres at Little Casterton (this probably relates to the deserted hamlet of Tolethorpe). Despite these two Acts, and others enacted throughout the fifteenth century, there were relatively few prosecutions and by the early seventeenth century such prosecutions that there were seem more motivated by a desire to increase revenue, through fines, than to punish enclosure. The late fifteenth century saw a revival of enclosure, prompted by the creation of parks as an adjunct to a great house, and to separate the nobility from the populace. At Burley Lord Harrington built a mansion and deer park (Lei. DG7/1/62/6), which was later purchased and extended by the Duke of Buckingham. A stone wall enclosed the park, which included land taken from Exton, Oakham, Egletton and Hambleton as well as Burley (Lei. DG7/1/70). This enclosure was achieved through consent and exchange of lands with other landowners. However, the commoners do not appear to have been consulted, and as a consequence of a court case in 1631 Viscount Campden had to compensate some of his Exton tenants for their loss of commons within the park (Lei. DE3214/338/34; 132/7-10). Campden himself created parks, at Brooke in 1636 (Lei. DE3214/338/21-28) and at Exton in 1654. In the latter case the villagers received land in exchange for common of pasture ‘*lately taken for a park and impaled*’ (Lei. 3214/338/8). However, advantage seems to have been taken of the Interregnum to deprive the vicar of his glebe, it being reported in 1723 that the glebe had been ‘*lost ever since the Grand Rebellion in 1648 and is not now known*’ (Lei. MF494/5).

The early seventeenth century saw the pace of enclosure increase, with a number of complete villages being enclosed. Often this was preceded by a purchase of the property or some other major expenditure. Langham was acquired by the Noels through purchase in 1600 (*VCH II*, 50) and in 1605 it was reported to the Dean of Westminster by his tithe lessee that workmen and labourers were ‘*diking and quicksetting*’ (digging ditches and planting hawthorn) to ‘*inclose five hundred acre of arable land at the least*’ (*VCH I*, 223). He continued ‘*I have discharged the workmen [enclosing the fields], but they will take no discharge from me*’ and ‘*the simple people there will enclose also, and the arable land will be converted into pasture and there will be neither tithe corn for me nor the college*’. However, because the tithe had traditionally been leased the Dean was little interested, as tithe rentals would still be received whether enclosed or not. No doubt Sir Andrew Noel, when he planned this enclosure, gambled on such a lack of interest. The need to raise revenue also probably precipitated the enclosure of Ayston and Wardley around 1635. Thomas Brudenell, lord of both manors, had to raise a considerable amount to ransom his son who had been captured by the Spanish. He did this by leasing two-thirds of his lands including these manors, the cost of the lease being paid for through increased rents after enclosure (Wake 1953, 121).

The tenantry feared enclosure, as they viewed it as causing depopulation, increased rents and reduced holdings. Such was the fear that in the sixteenth century Rutland had been involved in riots against enclosures, a consequence of which, according to the Earl of Huntingdon (*VCH I*, 223), was that many were ‘*condemned and have suffered for the same*’. We do not know for certain whether the tenants in most of the Rutland villages enclosed in the sixteenth and early seventeenth century objected to enclosure, but this can be surmised. At Langham, the Dean of Westminster’s lessee reported that the tenants unsuccessfully attempted to hold on to their arable land by offering money (*ibid*, 223). There was also opposition at Hambleton, which provides a good illustration both of how unscrupulous owners determined on enclosure could be and of the pressure that could be applied to tenants to agree to enclosure. Colonel Thomas Waite (a Parliamentarian) had purchased the Duke of Buckingham’s forfeited estate at Hambleton from the Parliamentary Trustees in 1651/2. Before the sale took place the Trustees seem to have required that the inhabitants of Hambleton agree the purchase. To obtain their agreement Waite pretended to the villagers that he had already obtained a lease for six years, and as the inhabitants later recalled in an appeal to the Council of State (*CSPD*, 27, 83 & 330), ‘*...[Waite] promised*

us, if we would consent to the purchase that he would make us new leases of our farms, at the former rents, and without diminution of our farms and would not enclose our cow pasture without our consent. But if we refused he said he would leave us neither house nor lands'. The deceit was possible as the Trustees were based in London and the inhabitants would not have had a simple way of checking Waite's assertions. Given their situation, the villagers agreed to the purchase, and Waite seems to have immediately gone back on his agreement, the inhabitants reporting: '*...he has since lessened our farms, taking some for himself, forced us to enclose our pastures, or he would do it, refused to renew our leases unless we would double our rents, enclosed the water springs and turned the brook, so that we cannot get water without trespassing on enclosures and will not suffer us to reap the corn we have sowed by his consent, unless we pay 10s an acre for it. The tenants, being 80 families, will thus be undone, 30 families of labourers thrown out of work, and the parish depopulated as he says he will pull down houses as they become his by the death of the tenant*'. Not everyone was as rapacious as Waite. At Belton the freeholders had common rights in Leighfield forest and refused to agree to the enclosure until some provision was made for the poor of the parish. As a consequence of this magnanimity a close of 34 acres was held in trust for the poor. Unfortunately, in 1688 the charity commissioners found that later trustees had sometimes not acted so philanthropically and had misappropriated the rents and profits from this land (VCH I, 224).

That the pace of enclosure was varied is illustrated in Table IX. Prior to 1750, enclosures took place at a slow and declining rate and all were made, with the single exception of Hambleton, without recourse to Parliament. In several cases these represented the completion of a process of piecemeal enclosure that had started in the sixteenth and early seventeenth centuries. At Burley (Lei. DG7/1/62/1-30) for example, the first major enclosure took place at the end of the sixteenth century, with a second and final enclosure about 1670. The major factor that affected the rate of enclosure in the early eighteenth century was the depressed state of agriculture. Thirsk (1984, 124) observed, '*In contrast to the conditions prevailing before 1640 and those found after 1750 the period was marked by a frequency of low prices and difficult markets for products, which hit the east Midlands harder than regions having alternative routes of escape*'. This period saw landlords finding it difficult to rent properties, with some tenants giving up their farms. To compound the crisis further the 1740s saw heavy losses due to cattle plague. In contrast after 1750 prices improved steadily, as did rents. As wages and poor rates remained unchanged, profits were good and with this came a desire to invest to 'improve' by enclosure (Allen 1992, 284). It is no coincidence that the peak period for enclosure of 1800-10 was also a time when prices were at their height due to the Napoleonic Wars. After 1815 both prices and wages fell, the latter though the impact of demobilisation, but prices declined faster and together with bank failures many farmers were ruined. Only two parishes (Oakham and Manton) were enclosed in this difficult period, which prevailed until the 1840s (Addy 1972, 36). The repeal of the Corn Laws in 1846 did not lead, as had been predicted, to a disaster, but while wheat prices remained stable prices for wool and meat rose considerably, prompting further enclosure to enable change from arable to pasture (Grigg 1989, 20).

**Table IX – Number of final enclosures by date from 1600**

<i>Date</i>	<i>Number</i>
1600 - 1649	6
1650 - 1699	7
1700 - 1749	4
1750 - 1789	12
1790 - 1799	7
1800 - 1810	12
1811 - 1882	9

The history of parliamentary enclosure of Rutland starts in 1692, with one of the earliest Acts in England being used to confirm the contentious forced enclosure of Hambleton. Sixty years then passed before the next Acts were passed in 1756 for Egleton and Tinwell. Thereafter, parliamentary activity falls into three phases, as in Table X, with lulls between each phase. It is difficult to be precise as to why an individual village or hamlet was enclosed in a particular phase, but there are some general influencing factors. Enclosure in the first phase would appear to be based on a combination of two principal factors. First, there was some tidying up of estates: the Brudenell family, of Deene Park, Northamptonshire, had enclosed their Rutland estates by the seventeenth century, with the exception of Thistleton. It is therefore perhaps not surprising that Thistleton was included in early parliamentary enclosures. A similar argument may also apply to the enclosure of the Earl of Winchelsea's villages of Egleton and Greetham. Secondly, in places that



*Fig. 19. A rare photograph of worked strip fields at Epworth, Isle of Axholme, Lincolnshire, whose common fields survived into the twentieth century (Slater 1907, frontispiece)*

economically were better suited to pasture and historically had been prevented from being enclosed, such as Whissendine and Barleythorpe, there was now a sufficient majority amongst the proprietors to obtain an Act and force through the enclosure.

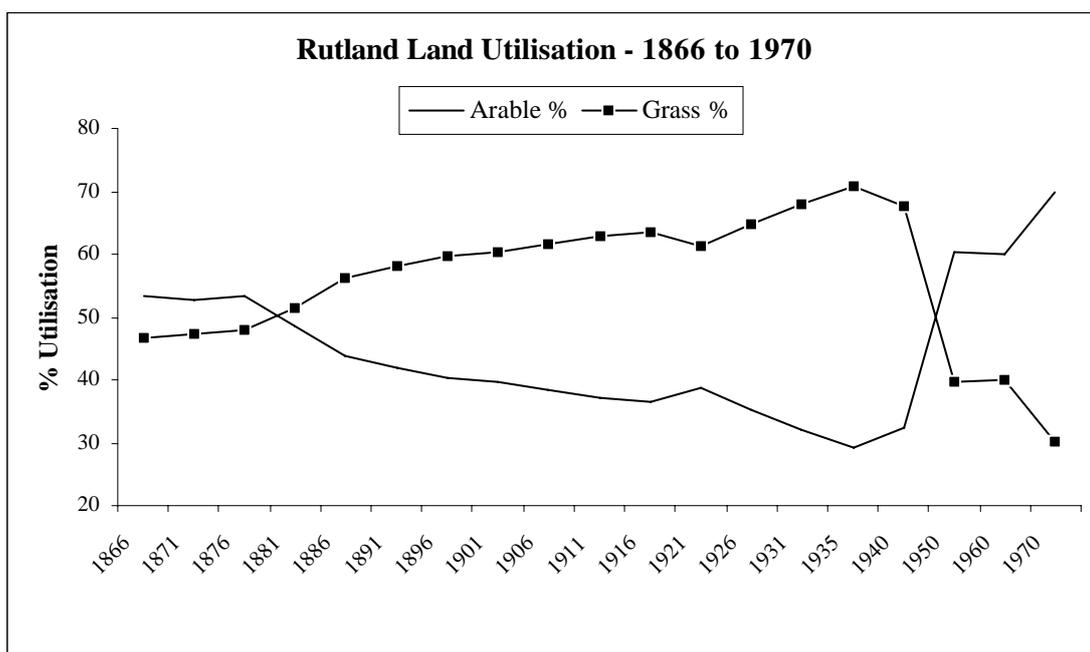
**Table X – Villages and hamlets enclosed by Act of Parliament from 1750**

<i>Phase</i>	<i>Date</i>	<i>Number</i>
I	1750 - 1775	11
II	1790 - 1810	16
III	1820 - 1882	8

The second phase reflects some different circumstances. First, the process of expansion of the great estates had continued; with the buying up of copyhold and freehold land this would have enabled more villages to pass the four-fifths majority test usually required by Parliament. Secondly, innovations in arable crop rotation provided increased incentive, at a time of historically high prices, to enclose land better suited to arable and to retain it in arable production, but converted to the new rotation, as at Cottesmore, Barrow, Market Overton and Exton.

The third phase consists of two parts, the early single enclosure of Oakham in 1821, the last Rutland parish enclosed under its own separate Act, and the enclosure of the remaining common fields under the General Acts of 1836 and 1845. The last Rutland common fields to survive were those of the Luffenhams and Barrowden, which were finally extinguished in 1881/2. A great deal of information on them and the reasons for their enclosures survives through evidence supplied to an 1877 Parliamentary Select Committee inquiry into the Enclosure Commissioners (*R. Sel.* 1969, 282-363). The fields' late survival was due to a combination of overlapping parish rights and the intransigence of two lords of the manor. South Luffenham and Barrowden shared a disputed common and the heath between the Luffenhams had also been the subject of argument. Schemes to enclose Barrowden and South Luffenham had been proposed for at least fifty years

prior to their actual enclosure, but these had foundered on the mutual antagonism of the two lords of the manor, Lord Exeter and Lord Aveland (later Earl of Ancaster). Such was their antipathy that prosecutions by one lord, of poachers found shooting on Barrowden common, were regularly sabotaged by the other to prevent any rights over the common being asserted (ibid, 273, 275 & 277). However, the feud died with the antagonists, and the onset of the great farming depression that lasted from 1875 until the First World War (Thirsk 1954, 245) created overwhelming pressure to enclosure and improve efficiency. The depression was a result of cheap imported food, whose initial impact was greater on prices for grain than for meat, though in the longer term both declined. Its impact in Rutland is clear from the Select Committee evidence: one of Lord Exeter's farms in Barrowden was reported as being untenanted for two years, even though the rent had been reduced to only that required to cover the tithe, and three other tenants had also given notice to quit. As a consequence the state of the land was beginning to deteriorate; in evidence to the Select Committee (*R. Sel.* 1969, 271-3) it was recorded: '...you can not see a rabbit upon it [the common] two yards in front of you ... on account of the thistles; they are up to your middle at the moment'.



The balance between the amount of Rutland land in arable or pasture had been roughly 50:50 from the beginning of the nineteenth century (Parkinson 1808, 2) until around 1880 (Broughton 1937, 37). From that time there was a steady conversion from arable to pasture that continued well into the twentieth century, as shown in the land utilisation chart above. The First World War temporarily arrested the decline, but by 1935 the level of arable in the county had reached a low of only 29 percent (ibid). The requirements of the Second World War began a reversal in the trend and by 1940 arable had risen to 32 percent. The directives of wartime agricultural committees and continued government post-war support for the industry maintained the pressure towards arable, which had risen to 60 percent in 1950 and 70 percent by 1970 (National Statistics).

Rutland's common fields survived longer than those in Leicestershire, the last of which was enclosed in 1839 (Tate & Turner 1978). In Lincolnshire, some common fields in the Isle of Axholme survived into the twentieth century (Lin. Belton in Axholme Par/4/2), but those at Stamford were the last to be enclosed by parliamentary process, in 1871 (Tate & Turner 1978). Stamford is situated in the Welland valley, as were most of Rutland's last surviving fields. Looking across the valley, the fields of Gretton (1832) and Collyweston (1841) on the Northamptonshire side were also relatively late survivors in that county (ibid).

## 10 – Case Studies of Enclosure

Although no two enclosures were exactly the same, due to local circumstances, the processes of parliamentary enclosure were relatively standard and are best illustrated by examples: one from a relatively early 1764 individual Act for Greetham; another from the peak period of parliamentary enclosures for Rutland, the 1799 Act for the enclosure of three parishes, Lyddington, Caldecott and Uppingham; and one made under the General Act of 1845 for Thorpe by Water. These three studies provide different perspectives on the parliamentary enclosure process as seen by proprietors, surveyors, lawyers and commissioners.

### Greetham – 1764

The information on this enclosure consists of four principal sources: the Act itself (Lei. DG4/177), the Commissioners' minute book (Lei. DG7/4/3), the Award (TNA C54/6147), and the notes made by John Hack, one of the farmers involved (Lei. DE6256). The passing of the Act took just over two months. A petition to present a Bill by the lord of the manor, the vicar and proprietors was presented to the House of Commons on 21st January 1763 (*JHC*, 410). The Bill was given first and second readings on 28th January and 1st February and referred to committee (*JHC*, 414 & 421). The committee reported and made some amendments on 28th February (*JHC*, 508). The Bill including amendments was passed and sent to the Lords on 2nd March (*JHC*, 514) who approved it unamended on the 15th (*JHC*, 557) with the Royal Assent being given on the 24th of the same month (*JHC*, 608). The committee which examined the Bill had received some objections, particularly from the Earl of Gainsborough, and reported to the House *'That the committee had heard the said Earl by his council and had also heard council in favour of the said Bill, against the said Petition; and that the committee had examined the allegations of the Bill, and found the same to be true; and that the parties concerned had given their consent to the Bill, to the Satisfaction of the Committee, except William Hopkinson whose Property in the said lands consists of eight acres; and that the whole of the lands intended to be inclosed, contain 44 yardlands and 35 acres, or thereabouts; and that no other Person except the said Earl, who had been heard by his counsel, appeared before the Committee to oppose the said Bill, and made several Amendments thereunto; which they had directed him to report to the House'*. What Gainsborough was concerned about was passage from Exton Park to adjacent villages and the Great North Road, also for access to the hedges and the timber they contained (Lei. DE3214/583/31). It was the resolution of these issues that led to some or all of amendments brought in by the Committee, as roads for the Earl were specified in the Act.

The Act provides a great deal of background information about the village immediately prior to the enclosure. It informs us that Greetham had four open fields at that time (North, South, Church and Wood) and that the *'several Open and Common Fields, Heath and Waste Grounds'* comprised 44 yardlands or 2,200 acres. The ownership of the common fields is detailed together with the tithes. The Earl of Winchelsea and Nottingham was lord of the manor and also owned the advowson as well as most of the great tithes, which had been commuted to rents. The vicar owned the remainder of the great tithes (from 217 acres), as well as all the small tithes. The vicar's great tithes were those from the deserted hamlet of Woolfox, together with some other lands in the parish, which had only been granted to the vicar in 1702 (Bacon 1783, 843). Another proprietor, Sir Gilbert Heathcote, was entitled to all the timber and underwood from a piece of land called *'Woolfox Bushes within the Dyke'*. This entitlement also probably relates to vestigial rights from the manor of Woolfox, owned by Sir Gilbert. Similarly, these rights are echoed in the 1752 parish glebe, which records the *'Lordship of Woolfox and Temple fields'* (Lei. MF494-5), and in the Commissioners' minute book, which makes a distinction between these and other Greetham fields.

The Act appointed three Commissioners, all local, Robert Tomblin of Edith Weston, William Sisson of Barrow, and John Ponton of Little Ponton in Lincolnshire. Any two of them had authority to act and it is stipulated that *'all persons with interests in the land'* were to participate in the election of a replacement should any of the Commissioners die or refuse to act. The Commissioners were given the power to *'set out, divide, and allot'* the lands subject to certain predetermined allotments. In addition they were empowered to

determine differences between parties, in respect of land, tithes, common right or other property, to take over direction of the '*Course of Husbandry*', to fence the allotments of those who refused to fence their land and to let out the allotted lands of proprietors who refused to pay the costs of the enclosure, until the costs were recovered. The Commissioners were required to set out the only lawful roads and ways, the Act stipulating that such roads and ways should be '*Forty feet broad at the least, clear of Ditches*'. However, while the Commissioners were specifically prevented from altering the Great North Road, they were required to provide a way 20 ft wide from Exton Park to the Great North Road for the use of the Earl of Gainsborough and his servants. To enable these roads to be repaired the Commissioners were also directed to provide four acres of public stone pits (possibly the origin of Greetham's quarries). At the same time as naming the Commissioners, the Act also appointed Miles Lowley to '*survey and measure all the Lands and Grounds in the said open and common Fields, Heath and Waste Grounds and reduce such Survey and Admeasurements into Writing*'. The Commissioners were also required to draw up the Award for presentation at either the royal Courts of Record at Westminster or to a Clerk of the Peace in Rutland, within six months of the division and allotments being completed.

The Act makes special allowance for allotments to be made in lieu of '*Sir Gilbert Heathcote's Rights, in and over the said Piece of Common Ground called Woolfox Bushes within the Dyke*'; and for the vicar's great and small tithes. However, while Sir Gilbert's allotment (part of Woolfox Bushes, the other part going to the Earl of Winchelsea) is geographically described, the vicar's allotment is only expressed in terms of acreage (31 acres to recompense the loss of both great and small tithes from the 217 acres, and 8 acres for the small tithes on the remainder of the parish); its geographical positioning was left to the discretion of the Commissioners. In addition to the tithe allotment the Act also specifies that some pieces of land adjacent to the vicarage, a garden and orchard, were to become part of the vicarage, and the Commissioners were directed to compensate the owners from the vicar's allotment. The Act also required that all the vicar's allotment, including that for the glebe, was to be fenced, ditched and quickset at the expense of the other proprietors, but thereafter the vicar would be responsible for upkeep. Clearly, the level of detail contained in the Act about the vicar's and Sir Gilbert's allotments demonstrates that there had been prior negotiations about the nature of compensation to be given for the loss of rights. Prior agreement of these issues would have been a requirement if the Bill were to be passed into an Act.

The Act also addressed many of the practical and legal issues raised by the enclosure. It specified that the fences and ditches should be completed within six months of the Award and that to protect planted hedges, an owner was entitled for a period of ten years after the Award to have, in addition to the required fence on his own land, another on his neighbours' land within three foot of the ditch. Similarly, the proprietors of land which had had trees or bushes, and which under the Award had been allocated to others, were entitled for a period of six months after the Award, to cut these down and carry them away. Also the Act specified that gaps and openings were to be left in fences and enclosures for a period of twelve months after the Award to enable work such as fencing and felling to be completed. An exception to the entitlement to fell trees and cut bushes was made for existing hedges assigned by the Commissioners as boundary hedges; these were to be left for the benefit of the person to whom the enclosure would belong. The new owners made '*such Allowance and Satisfaction for the same to the Persons as were the former owners*'. John Hack paid £4 for part of the old town hedge, which formed one border of his allocated land (see Appendix III). Clarification of legal issues included voiding existing leases so that new leases, based on the new allotments, could be established; permitting exchange of land during the enclosure process; and confirmation of the validity of wills and settlements. To aid the payment of the costs of enclosure, the Act permitted mortgages to be taken out on allotted land, to a maximum of £3 per acre. Also it confirmed that annuities payable from certain lands to trustees of alms houses would continue after enclosure, as well as the vicar's rights to other payments such as '*Mortuaries, Easter Offerings, Churchings, Buryings or other surplice Fees*'. The Act protected any other rights of the lord of the manor not mentioned in the Act, and those of the king. Greetham's great tithes were owned by the lord of the manor and are listed as annuities in the Act. As the Act did not contain any requirement to replace these tithes with an allocation of land these payments continued after the enclosure. Greetham was one of only two Rutland villages enclosed by Act of Parliament which Parkinson lists as continuing to pay tithes in 1806, the other being Thistleton. In this context it must be significant that both of these villages were amongst the earliest parliamentary enclosures in the county.

Following the passage of the Act, and a formal notice having been pinned to the church door, the Commissioners commenced their work on 6th April 1763, meeting at the vicarage. At this meeting the Commissioners ordered that '*all the Church field, North field and South field of Greetham be immediately sown with a sufficient quantity of such grass seeds as we the said Commissioners and the chief part of the*

*occupiers of Lands in Greetham shall think most proper*'. The North and South fields were treated as one for cropping and therefore this order left one of the three cropping fields (Wood) for arable production. The meeting on the next day ordered that the grass seed should be purchased and sown, the expense of which was to be borne by the Proprietors, and the Commissioners appointed Pochim Lister of Oakham to act as their Clerk. At the third meeting of the Commissioners on 8th April the minutes report that *'at this and the two preceding meetings, [the Commissioners] made a valuation of the open field land and agreed that the Nottingham Road [Thistleton to Great North Road] shall be continued and be set out of the breadth of forty feet clear of the ditches*'. Parkinson (1808, 154) later described Greetham's roads as good. At this meeting the Commissioners also ordered that notice was to be given for another meeting on 21st April where the Proprietors were to give *'account of their Rights and claims of lands and Common in and the Open field Heath and Waste grounds of Greetham*'. The minutes of this meeting are very limited, recording only that the surveyor was ordered to *'set out a road from the East end of Greetham into the Nottingham Road and also another from the Broad Lane into Nottingham Road*'. Similar brevity of minutes applied to a series of meetings leading up to 7th June where it was stated the *'Commissioners agreed that they approve of the situation of the allotments as laid before them this day by the surveyor, and they do hereby order the said surveyor to stake out accordingly forthwith*'. A few days later they ordered posts, rails and quickset for the fencing of the vicar's tithe allotment and church lands. However, while the tithe allotment was to be fenced at the expense of the proprietors, the fencing of church land was paid for by a *'Church Levy upon all the inhabitants and occupiers of the houses lands and grounds in Greetham aforesaid and Woolfox and Temple fields within the Parish of Greetham*'.

Some time passed before the next meetings on 22nd and 23rd September, no doubt because nothing more could be done until harvest had been completed. This is illustrated by an order made at this time that requires that *'the old roads on the north and south sides of the town betwixt the old inclosures be made and stopped up, as soon as the corn and grain is cleared out of the fields*'. The meetings also addressed problems with cattle, sheep and swine being turned onto the newly sown fields, threatening owners with impounding for damages. However, the most important part of the meeting was to declare *'the allotments shall stand as they are now agreed to be staked out ... and further order that the several Proprietors shall forthwith begin to make their fences in such manner as the surveyor shall direct*', and also that the *'Clerk do forthwith draw the draft of our Award and be ready to attend us with the same at our next meeting*'. At this meeting held on 7th November the last open fields from which the harvest had just been gathered were ordered to be closed: *'no kind of stock shall go any longer on the Wheat field on pain of trespassing for damage and that the Common be open for one month from the date hereof and no longer*'.

By December matters had progressed to the point where the Commissioners were able to order that the clerk and surveyor *'apportionate the part of those expenses which every Proprietor of land is to bear in proportion to the value of their several estates and give notice of the same to every one of them, which we hereby order shall be paid by them at our meeting before the Award is signed*'. Also at this time they approved several deeds of exchange and ordered that the fencing contractor be paid for his work on the vicar's land. They also ordered that the *'allotments shall stand as the same are now fixed and laid out and that the several Proprietors may proceed in and finish their fences and manage their respective allotments designed for them as they shall think proper and also that our said Clerk do forthwith engross our Award as the Draft now stands*'. In January 1764 a meeting was called in order to correct an error: *'one land lying in Long Cugglestones [one strip in Cugglestones furlong] belonging to Thomas Sharman hath been through mistake laid out in the allotment designed for John Stubbs and which has been fenced in with his said allotment. We do therefore hereby order our surveyor to deduct from the said allotment so much land as shall be equivalent to the land through such mistake laid out ... [and such alteration] shall be done at the Public expense*'.

The final meetings of the Commissioners took place on 29th March and 3rd April 1764. At the first the Award was read and orders made for Sir Gilbert Heathcote to have a carriageway from the south-west corner of Woolfox Wood to the turnpike [ie, the Great North Road] and a private bridleway from the same point to the Pickworth road, and also to clarify that Sir Gilbert's rights to access with carriages to cut and carry away wood on the Earl of Winchelsea's allotment could only be exercised *'at such times of the year only when no corn, grain or meadow shall be growing*'. The Commissioners signed the Award on 3rd April, after first ordering that parties who exchanged lands were to pay expenses for *'drawing, engrossing and perfecting the several deeds of exchange*', the money to be used for the repair of public roads in Greetham. Despite the Commissioners having taken a year to complete their work, Sir Gilbert Heathcote seems to have woken up late to his needs for roads, for although he had been granted two on 29th March, these did not meet all his

requirements, as Miles Lowley records: 'The Greetham Award was signed by the three Commissioners sometime in the night of the 3rd of April 1764. One of them (Mr Sisson of Barrow) went immediately home and the remaining two went to bed. Before they were up in the morning of the 4th came Mr Robinson (Sir Gilbert Heathcote's Agent) and petitioned the two Commissioners then there to order Sir Gilbert Heathcote a carriage road out of Woolfox Wood [north west corner] into the Pickworth road and enter such order on the back of the Award'. This they refused, saying that 'they had given up their power the night before' but adding 'If it would be any satisfaction to him they would enter an order of that sort in the Minute Book which was done accordingly'. The inclusion of this order in the minute book and the book's attachment to the Award are the probable reasons for the unique survival of this record for Rutland.

*Memoran<sup>on</sup>: The Greetham Award was signed by the three Commissioners sometime in the Night of the 3<sup>d</sup> of April 1764 — One of them (M<sup>r</sup>. Sisson of Barrow) went immediately home and the remaining two went to Bed — Before they were up in the morning of the 4<sup>th</sup> came M<sup>r</sup>. Robinson (S<sup>r</sup>. Gilbert Heathcote's Agent) and Petition'd the two Commis<sup>rs</sup>. then there to order S<sup>r</sup>. G<sup>ilb</sup>. Heathcote a carriage Road out of Woolfox Wood into the Pickworth Road and enter such Order on the back of the Awards This they refus'd saying that they had given up their Power the Night before, but added, "If it would be an satisfaction to him they w<sup>o</sup> enter an order of that sort in the Minute Book," w<sup>h</sup>ich was done accordingly as above*

*Witness Miles Lowley Jun<sup>r</sup>  
Surveyor.*

Fig. 20. The note added to the commissioners' minutes detailing a late request for an extra road that ensured the survival of this unique record for Rutland (Lei. DG7/4/3)

The commissioners determined the total public cost of the enclosure as £1,063 10s 0d, or 10s 6d per allotted acre; details of this expenditure are shown in Table XI. The charges of the officials constitute 68 percent of the total costs, with the clerk and solicitor's fees alone being 47 percent of the total. In contrast the Commissioners' fees represent a modest 6 percent. The residue of £55 3s 3d was left to the use of the Overseers of the Highway to pay for repairs to the public streets. This was the only public cost for roads in this enclosure, the cost of bridleways granted to Sir Gilbert Heathcote and the Earl of Gainsborough being left to them.

**Table XI – Allocation of Commissioners' Costs of Greetham Enclosure**

<i>Recipient</i>	<i>£</i>	<i>s</i>	<i>d</i>
Pochim Lister – Clerk & Solicitor	499	3	3
Miles Lowley – Surveyor	164	15	9
Matthew Stubbs – enclosing the vicar's land	214	5	7
Miles Lowley & William Gilson – attendance on House of Commons due to opposition to passing of the Act	14	14	0
J Stubbs, J Draycott & William Allan – Victuallers, for expenses supplying Commissioners & Proprietors etc. at meetings	32	10	7
Servants and Labourers	23	0	7
The Commissioners	59	17	0
Overseers of the Highway of Greetham - The residue	55	3	3
	<b>1,063</b>	<b>10</b>	<b>0</b>

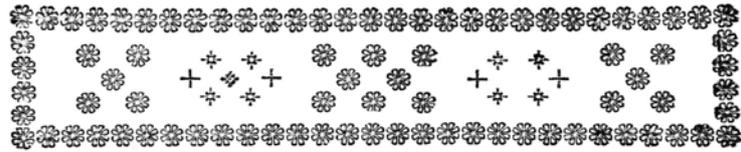
## Lyddington, Caldecott and Uppingham – 1799

*The author is grateful to Mr Peter Tomalin for this case study. A copy of Palmer's account book is held by Uppingham Local History Study Group.*

As was seen at Greetham the largest element in the public cost of enclosure was the clerk and solicitor's costs. It is fortunate therefore that John Abearn Palmer's account book (1785-1807) survives, which details his activities as clerk and solicitor to the Lyddington, Caldecott and Uppingham enclosure (TNA C107/95, 88386). This book provides a wealth of detail about the administrative and legal activities undertaken by such a clerk and solicitor both prior to and during an enclosure. A large part of Uppingham had been enclosed in 1771, and the question of enclosure at Lyddington had been first raised in 1782 when the Duke of Rutland had refused to sponsor a Bill for the enclosure of Bisbrooke unless the intercommons between Bisbrooke, Lyddington, Seaton and Thorpe by Water were included (Lin. ASW/D/19/12). This objection had been overcome by 1795, permitting an Act of Parliament for enclosure of Bisbrooke and Lyddington Common. An attempt had been made to include an area of Uppingham known as the Brand in the Bisbrooke enclosure, but this proposal was removed from the Bill during its passage through Parliament (Lei. DE3214/558/6). These actions now left the Earl of Exeter, lord of the manor of both Lyddington and Caldecott, free to pursue their enclosure, and in early 1797 Palmer visited Burghley House to receive instructions. The complication caused to enclosure by an intercommon, as seen at Bisbrooke, also affected these other parishes and Palmer therefore drafted an extended enclosure plan to eliminate the problem by including, besides Lyddington and Caldecott, the remaining area of Uppingham and by providing for the extinction of common rights on Beaumont Chase. This in turn added Stoke Dry, Ayston and Wardley to the parishes affected by the enclosure as they also had common rights on the Chase. He laid this plan before Lord Exeter (who was also lord of the manor of Stoke Dry), and consulted Lord Gainsborough at Exton (lord of the manor of Uppingham), Mr Brudenell at Ayston (lord of the manors of Wardley and Ayston), Mr Adderley at Hams Hall, Warwickshire, who was a principal proprietor, and the cottagers of Uppingham. An enclosure was generally approved, with the exception of Lord Gainsborough who had requested time to consider the proposal. Palmer meanwhile continued to plan the enclosure, and in August he drew up a notice of intended application to Parliament and affixed copies to the church doors at Lyddington, Caldecott, Uppingham, Stoke Dry, Wardley and Ayston and sent another, together with one for a meeting, for insertion in a local paper.

After the meeting Palmer's work began in earnest. In September, he travelled to Ketton and Castor (Northamptonshire) to obtain statements of property in Uppingham and Lyddington. In October he went again to Exton *'to explain the proposal and discuss the propriety of the measure'*. At about the same time he met several proprietors and others in Lyddington, Uppingham, Caldecott, Wardley, Ayston, and Stoke Dry to gather information about the fields and their usage of the Brand and Beaumont Chase. He went again to Exton during the same month for information about Beaumont Chase, and he notes that Lord Gainsborough permitted him *'to examine the grants and papers in his custody'*. He visited the Augmentation Office in London to ask them to make searches of the old records regarding the Brand and Beaumont Chase, and wrote to Lincoln (Lyddington was a Peculiar of Lincoln Cathedral) on the same matter. Early in 1798 Palmer drew up a draft Bill and made copies for the proprietors. He then drew up a petition for leave to bring in the Bill, and during February travelled to various proprietors for their signatures and despatched the draft Bill and petition to London. Palmer went once again to Exton and saw Col Gerard Noel Edwards, the nephew and representative of Lord Gainsborough, *'to know his sentiments respecting the inclosure'*. The Earldom became extinct when Lord Gainsborough died in April, leaving his estate to his nephew who changed his name to Noel and inherited a baronetcy; it is as Sir Gerard Noel Noel that he is named in the eventual Act as one of the principal proprietors. As no decisive answer was obtained and it was late in the parliamentary session, it was thought better to *'defer the prosecution of the measure until the next session'*. A notice, presumably about the deferment, was affixed to the church doors of the affected parishes in September and another petition was prepared, signed and sent to London.

Early in 1799 Palmer made visits to *'make out the state of property in Lyddington'* and for the same purpose to Caldecott. He produced a fair copy of the Bill and made twenty-two journeys between February and May, mostly in and around the county but also as far as York to obtain consents. For most of May Palmer was in London *'to solicit the Bill and attend the progress of it through Parliament'*. On 27th May he records, *'Col. Noel, Mr Adderley, Mr Bullcock, Mr Hotchkin, Mr Foulkes (for Lord Exeter), Mr Torkington (for Lord Harborough) and myself, having met together in London to reconcile some objections to the Bill it*



A N

A C T

F O R

Dividing, Allotting, Inclofing, and Improving divers Open and Common Fields, Common Meadows, Common Pastures, and other Commonable Lands and Waste Grounds, within the severall Parishes of *Lyddington with Caldecott*, and *Uppingham*, in the County of *Rutland*, and also a Common or Waste, within the same County, called *Uppingham Brand*; and for extinguishing all the Tythes arising within the same Parishes, and all the Deer Browfe and Rights of Common upon *Beaumont Chace*, in the same County, and making a Compensation for such Tythes and Common Rights respectively.

WHEREAS there are certain Open and Common Preamble.  
 Fields, Meadows, Pastures, and other Commonable  
 Lands and Waste Grounds, lying and being within  
 the severall Parishes of *Lyddington with Caldecott*, and  
*Uppingham*, in the County of *Rutland*, containing to-  
 gether by Estimation Three Thousand Two Hundred Acres, or  
 thereabouts, and there is also a certain Common or Parcel of  
 A Waste

Fig. 21. The title page of the 1799 Act of Parliament for the enclosure of Lyddington, Caldecott and Uppingham (Lei. DE3214/558/6)

was agreed some fresh clauses should be drawn and the Bill should be read a second time and committed for the 5th June; and that in the interim a meeting should be held at Uppingham to learn the sentiments of the small proprietors there to the proposed alterations'. Palmer then drew up clauses for the appointment of an arbitrator and the regulation of his conduct in dealing with disputed claims, and also clauses requiring the Commissioners to set out the allotments to Uppingham cottagers. The clause in the Act allowing for an arbitrator makes provision for disputes to be referred either to the arbitrator, Mr John Balguy of Duffield (Derbyshire), in preference to adjudication by the Commissioners, or to an Assize Court (Lei. DE3214/558/6). Clearly the demand for these provisions must have come from a concern of some proprietors as to whether the Commissioners would prove their worth and probity. A fair copy of the clauses was produced and consents were obtained from the Bishop of Peterborough, Mr Hunt at Oundle, and Mr Jackson and the Revd Mr Wagstaff at Newark.

On 1st June Palmer travelled again to London 'to attend the progress of the Bill through its remaining stages and to give evidence before the Committee of both Houses'. He was there until 22nd June. While in

London he went to Fulham for the consent of the Bishop of London, who held the advowson of Uppingham, and paid the Bishop's secretary for perusing the bill on his behalf. Similarly he attended the Bishop of Lincoln (who was presumably in London at that time) and paid his secretary for perusing the Bill on his behalf and on behalf of the Bishop of Peterborough. All these ecclesiastical permissions reflect the importance attached by Parliament to the Church approving the arrangements and the complexity of glebe, tithe and advowson in the parishes, which are detailed in the Act. Included in the expenses at this point are payments for work done to '*prove the state of property*' in Uppingham, and for like work in Caldecott and Lyddington. Miscellaneous expenses are also recorded for fees and other expenses incurred in passing the Act and for the preparation, amendment and copying of paperwork, certain committee fees, and payments to housekeepers, messengers, doorkeepers, and to Deputy Black Rod in the House of Lords.

Once the Bill had been passed, the next entry in the accounts is for the carriage of the Acts from London, followed by a journey to visit Mr Edward Hare of Castor (Northamptonshire), the closest of the three Commissioners named in the Act, to fix a date for their first meeting. The other Commissioners were Thomas Eagle of Baginton (Warwickshire) and John Renshaw of Owthorpe (Nottinghamshire); Renshaw died in the course of the enclosure and was replaced by Joseph Cooke of Edith Weston who, with Hare and Eagle, signed the Award. After his visit to Hare, Palmer drew up a notice for a meeting at the Falcon Inn in Uppingham on 14th August 1799. This notice was then affixed to the church doors in the various parishes and a copy sent to Stamford for advertisement. Palmer then wrote to the other Commissioners to inform them of the date. The same procedure for calling a meeting was followed at all the subsequent meetings. He attended the meeting of 14th-15th August, and then drew up the notice for another meeting on 30th September at which claims were to be received. Although each meeting was called for a specific date, the accounts indicate that generally each continued for two to six days and that one of the later meetings (7th-19th December 1801) went on for two weeks. After the receipt of claims the next meeting was held on 25th November, when the Commissioners received '*a large number of objections*'. Palmer issued notices of the objections and arranged to '*hear the parties*' involved, then condensed his findings for the benefit of the Commissioners at their next meeting. In January 1800 Palmer was '*extracting the names of claimants and examining objections to find out to whom the objections were to be served*'. He records a payment for printing 250 objections and 100 copies of additional claims, then served the objections to claimants in Lyddington, Caldecott, Thorpe, Uppingham, Wardley, Ridlington, Preston, Seaton, and '*other claimants about the country*'. Palmer next concerned himself with the issues of common rights and the stock on the Brand and in Beaumont Chase, and the use of Lord Exeter's sheep walk (sheep pasture in Lyddington and Caldecott). At about this time he also drew up an order respecting the course of husbandry, which was affixed to the church doors.

Meetings continued throughout the year, the only recorded activity being another order for the course of husbandry in October. The enclosures at Greetham and Thorpe by Water involved only a single field system and were completed within one agricultural year; control of husbandry in these was therefore only dictated for that year. Palmer and his Commissioners had a much more complex task involving multiple field systems and parishes, which necessitated their taking control of husbandry for two years, hence the two sets of orders. By January 1801, a notice respecting provisional determinations had been drawn up ready to be published with the notice of the next meeting. This meeting was held on 16th-20th February, when the Commissioners confirmed their determinations and also designated the roads. On 21st February Palmer drew up an '*advertisement*' of the roads and a notice of the next meeting. At this meeting, on 16th-20th March, alterations were made to the roads, and on the 24th a notice regarding the changes was prepared and published in the usual way. A series of meetings were subsequently called and by the July meeting Palmer was able to make a statement of those claims that were settled and those to be settled. Meetings continued into the autumn, during which the outstanding disputes were settled or ruled upon, and on 21st-24th January 1802 there was a meeting '*to show allotments*'. Shortly after this, Palmer drew up a notice stating '*when common and tithes ceased*', which was displayed on the church doors as usual. He also prepared an advertisement for '*undertakers of public fencing*'. Although the Commissioners work continued to complete the administrative process this action ended the common fields and from this time the proprietors took possession and worked their new enclosed allotments to their choice of husbandry. Palmer now spent time '*drawing the rate from the surveyor's sheets of calculations*', which was sent to each of the 198 proprietors.

Administrative meetings continued throughout 1802-03. On 13th November 1802 letters were sent to persons who had still to pay the rate, and a further 2d rate was ordered from the proprietors. Instructions had also to be given in 1803 to those who had not paid the ploughing rate. Closure of the old field systems and transfer to the new enclosed allotments took place after harvest and before the new season to avoid valuation

of transferred crops. This however was the time for ploughing, and any ploughing necessary before the allocation was paid for from a general rate. The general rate was needed because of uncertainty about both the site of the new allotments and their size. Enclosed acreages were well below those held in the old fields as one fifth of arable land and one ninth of pasture was allocated to the tithe holders. In either case individuals would have been reluctant to plough acreage that was not theirs without payment of a general rate. Slater (1907, 129) reports that where the enclosure process took a prolonged period between initiation

**Table XII – Legal and administrative costs of Lyddington, Caldecott and Uppingham enclosure**

	£	s	d
<b>PREPARING AND PASSAGE OF THE BILL</b>			
Second Reading of the Bill	84	0	0
Committee fees	41	4	4
Engrossing and expediting	57	10	6
Second Reading in the Lords	162	0	0
Printing 70 copies of the Bill and 370 copies of the Act	42	15	0
Meetings, printing and advertising costs	7	9	6
Travel costs	89	6	0
Palmer's fees	317	2	3
Other expenses	202	5	9
Total cost of the Bill	1,003	13	4
<b>EXECUTION OF THE ACT</b>			
Drawing General Award (1385 folios), Lyddington Award (618 folios), Caldecott Award (521 folios) at 1 shilling per folio	126	4	0
Copy of Awards at 4 pence per folio	42	6	4
Drawing schedules to the Awards 7 skins	7	0	0
Engrossment of General Award (100 skins), Lyddington Award (44 skins) and Caldecott Award (37 skins) at 11 shillings per skin	100	1	4
Cost of Parchment 181 skins at 4 shillings 4 pence per skin	40	14	6
Duty on Engrossment £1 per folio plus 10 shillings per document	181	10	0
Meetings costs	55	1	10
Printing and advertising costs	77	15	9
Travel costs	10	8	0
Palmer's fees	683	16	0
Other expenses	73	9	9
Total cost of preparing the Award	1,398	7	6

and award, this could lead to degeneration of land as the farmers '*not knowing where their future lands will be allotted, they save all their dung till much of it is good for little; they perform all the operations of tillage with inferior attention; perhaps the fields are cross cropped and exhausted and not well recovered under a course of years*'.

Further meetings continued throughout the year to deal with such matters as payments for '*old hedges and deficiency of fencing*'. By February 1804 Palmer had drawn the general Award, the Lyddington particular Award, the Caldecott particular Award, and '*the Award upon disputed claims*'. In July he prepared the general accounts of payments and receipts between the Commission and the proprietors, and the particular accounts between the contractors of public fencing and the surveyors of the new roads which resulted in an additional 3d rate sent to 179 proprietors. It is interesting to note that the number of proprietors had declined by nineteen during the fifteen months since the last rate, reflecting smaller or more remote proprietors taking the opportunity of higher prices for enclosed land to sell their allotments. On 20th August, Palmer engrossed the Awards, drew the schedules to them and purchased tin boxes and a wooden box for their storage. From 27th August to 1st September there was a meeting for the examination of the engrossments and signing of the Awards. A notice that the Award had been signed was placed on the various church doors on 9th September and a final meeting was held to close the accounts on 7th-8th January 1805.

The Act permitted the Commissioners to charge £2 2s 0d (2 guineas) per day for their '*Trouble and Expense*', and Palmer charged the same rate for his work on the enclosure. The Arbitrator was given a higher rate (£5 5s per day), but was required to pay his own expenses. Similarly, a rate per sheet of the final Award

'reckoning seventy-two words to each sheet' of 1 shilling for the original and 4d per copy was specified. Palmer's account book provides a wealth of detail about his expenses: for journeys to churches to put up notices while preparing the Bill, he records 5s 0d for horse hire; on execution of the Act, these dropped to 3s 6d. When he went to York he hired a horse to go to Grantham, where the horse remained until his return; he completed the journey by coach at a total cost of £9 14s 6d. The coach journey from Uppingham to London plus expenses cost £3 3s 0d, and while in London to progress the Bill the daily expenses for him and his clerk were 15s 0d. While executing the Act his expenses include charges for drawing up and producing seven copies of the notices for meeting of £1 10s. For a two-day meeting his expenses might be 13s 0d, his charge for paper, pens and ink 2s 6d, and payment to servants 12s 6d. There are also many payments to the Stamford printer, including 7s 6d for binding the Act and 13s 4d for making an index of it. The total of all the entries in Palmer's account book is £2,402 0s 10d for the work on the Bill and for the execution of the Act; this may be broken as shown in Table XII.

### **Thorpe by Water (parish of Seaton) – 1854**

It is fortunate that many of the incidental details of this enclosure have survived, as these have been mostly lost for other villages. The reason for their survival in this case was that the Earl of Gainsborough was a minor proprietor in this enclosure and all the correspondence associated with the enclosure was handled and kept together by the Earl's agent William Baker (Lei. DE3214/205/7).

The 1845 General Enclosure Act appointed a board of Commissioners for Inclosure, whose purpose it was to oversee future enclosures and to whom those interested in an enclosure could apply for inclusion in an annual Act. Thorpe was included in 1851 and by early September of that year Henry Garner (the agent of the Earl of Harborough, the lord of the manor) wrote to William Baker stating the Commissioners had confirmed that power of attorney (power for the agent to act on the proprietors' behalf) would need to be laid at the first meeting. On 25th October the Commissioners issued a Provisional Order requiring a '*Notice to be affixed to the principal outer door of the church ... on Sunday next before Divine service*'. The order further stated that if all interested parties would sign a form included with the order the proprietors would save the cost of a meeting which was set for 26th November, at Uppingham, to examine the numbers for or against enclosure. It is evident that not all proprietors agreed with the proposal for in February 1852 the Commissioners declared that as in excess of two-thirds of interested parties in the land had consented they would proceed with the enclosure. Obtaining permission for the Thorpe enclosure was more complicated than normal, due to the additional need for approval of the lords of the manor and incumbents of adjacent Seaton and Lyddington in Rutland and Gretton in Northamptonshire. The boundary between Thorpe and the latter two parishes had historically been a stream and the river Welland respectively. However, these had, in the course of time, meandered and land that historically was part of Thorpe's fields had become part of these parishes. As a consequence permission had also to be sought from the Clerks of the Peace for both Rutland and Northamptonshire as the enclosure involved a boundary change for the two counties.

Two months later, in April, the Commissioners ordered another notice to be affixed to the church door for a meeting to appoint a valuer, the notice to be placed at least twenty days before the meeting. The meeting took place and an unknown valuer was agreed and the proprietors informed the Commissioners of this fact. However, on 3rd June the Commissioners wrote refusing to accept the local valuer as his '*qualifications are unknown to them*'. They followed up with an order, dated 12th June for a parish meeting to be called for the appointing of Mr Wooley of Newark as valuer. The successor to Wooley's firm, Smith Wooley & Wigram of South Collingham, was involved as surveyor to the last Rutland enclosure at Barrowden (Lei. DE5445/81-83). It was August before Wooley commenced his duties, sending notices requesting claims to land, common rights and so on in Thorpe and giving public notice via an advertisement in the *Lincoln, Rutland and Stamford Mercury* of a meeting for 25th August at the Falcon Inn, Uppingham, for receiving these claims, stating, '*This will be the last for this purpose*'. Subsequent to the meeting Wooley informed all claimants that a statement of claims would be deposited for viewing at Thorpe manor house on 2nd September, and any objections must be delivered to him by the 28th of that month.

In the meantime Wooley got on with the practical issues involved in the enclosure. There was no need to conduct a survey as the Tithe Commissioners had produced an accurate survey and map, in 1836. He was therefore able to write to the proprietors, as Garner recounts, calling a meeting at Lyddington on 1st October '*for purpose of laying before the different proprietors his plan for dealing with the road, lane and water course at Thorpe by Water*', the latter involving extensive straightening. Following this meeting Wooley published in the newspaper a formal notice of diversion of roads, with a later notice calling a meeting at the

Names of Owners -	Quantities of Dissents	of of Consenting	Amount of Poor Rate on Dissents	Amount of of on Consents
	a n p	a n p	£ s c	£ s c
James Thomas	2.3.9	" " "	3.3.0	" " "
Byran Thomas Esq	" " "	6.3.13	" " "	8.7.2
Curins William	2.2.26	" " "	3.6.9	" " "
Harborough Carl of	" " "	343.3.25	" " "	373.18.4
Heathcote Sir Gilbert	" " "	3.2.16	" " "	5.15.0
Huskisson Thomas	" " "	1.2.30	" " "	7.0.0
Gainsborough Carl of	" " "	11.2.29	" " "	11.18.10
Monckton Esq	166.2.77	" " "	187.4.11	" " "
Railway Company	" " "	13.7.17	" " "	77.0.0
Winchelsea Carl of	" " "	7.2.17	" " "	11.0.0
Rector of Seaton	" " "	44.7.134	" " "	191.6.6
Railway Company (Grill)	" " "	" " "	" " "	20.0.0
Churchwardens & Overseers	" " "	2.7.38	" " "	" " "
Common Right Owners	" " "	36.2.35	" " "	" " "
Town Street &c	" " "	4.3.16	" " "	" " "
	171.2.72	446.2.30	187.14.8	706.5.6
Esq Monckton Esq	57.3.26	" " "	57.19.9	" " "
Railway Company	" " "	2.0.0	" " "	" " "
	231.7.38	448.2.30	245.14.5	706.5.6

a n p	£ s c
231-7-38	245-14-5
448-2-30	706-5-6
<u>680-0-28</u>	<u>951-19-11</u>
226-2-36	317-6-7 1/2
453-1-32	634-13-5

Fig. 22. When is a majority not a majority? At Thorpe by Water those proprietors opposing enclosure held greater than the third (226 acres) required to block the enclosure. However, by changing the calculation to one based on contribution to parish rates the enclosure commissioner was able to show that on that measure the opponents contributed less than the required third (£317), and permitted the enclosure to proceed. The reason for the difference in the measures was that while the rector only had a small amount of land at Thorpe, his contribution to rates was based on the whole parish, including Seaton (Lei. DE3214/205/7)

Falcon for determining claims on 26th November. Again Wooley used the time between formal meetings to continue working on the details of the enclosure, writing to Barker in early November, 'Having now made the valuation of the lands I shall be glad to know in what situation you would wish Lord Gainsborough's allotment to be laid. I presume you would like them to be in the meadow and field land in like proportion to the open land. I will do my best to meet your views as far as I can consistent with the general arrangement'. Barker replied, 'We shall be glad to get as much land as we can near to the houses and premises and the remainder in the meadow, beyond say[ing] this we have no desire to dictate or to be unnecessary troublesome to one who knows the nature of such business'. Barker's desire for land close to the village is understandable, for if the allotment were a distance away then extra costs might have been needed, for example to build barns more convenient to the allotment. However, all this good work was thrown into confusion at the meeting on 26th November, when in Wooley's words 'Mr Monckton being averse to an enclosure at present the meeting could not proceed'.

We do not know why Monckton objected, but his landholding, together with other objectors, was just greater than the critical one third needed to prevent the enclosure. Nevertheless, despite Monckton's objection, after a short time the enclosure continued through application of a different measure for determining the majority, contribution to poor rate. The use of contribution to poor rate would appear to modern eyes to be heavily biased, for although the rector of Seaton was a minor landholder (2 percent of the land) he was a major contributor to the poor rate (20 percent of that used to determine the enclosure). The reason for this disparity was that while the rector's land holding was specific to Thorpe, his contribution to poor rate was based on the parish total, including Seaton (fig. 22). Overcoming this objection, together with

poor weather and Wooley's ill health, delayed further progress on the enclosure until March the following year. Baker complained to Wooley that Gainsborough's tenant 'informs me like many other [he] has done nothing to his land since Michaelmas last. We have been anxiously lacking for some time for possession of our allotment'. It is clear from this letter that after gathering the harvest the previous year, work in the fields had ceased, pending the enclosure Award, as individuals did not want to plough or work land that others would possess. Wooley replied, 'allotments to Lord Gainsborough were staked out on Friday and I have no doubt they will be satisfactory to you', and although he could not give formal possession he also said, 'there is nothing to prevent you giving any direction you think proper as to fencing cultivation etc'. A contractor was engaged by the major landowners to fence and build roads and later that month he provided an estimate to Baker: 'to plant the quick and fix the fences my price for two rows of three-year-old quick (not less than 12 in a yard), with two three-rail fences – oak posts and piles with the usual size rails – and two ditches is 28/- per chain fixed complete or to fill the lines up and weed it for two year afterwards 29/- per chain'. This activity was complete by 23rd May when the contractor reported to Baker 'the quick is shooting'. While the fencing and quick-setting proceeded Wooley was finalising his administrative details, publishing an order in the newspaper for the stopping of old roads.

**THORPE by WATER INCLOSURE.**

**I** THOMAS SMITH WOOLLEY, of South Collingham, in the county of Nottingham, the Valuer acting in the matter of the Inclosure of the Waste and Commonable Lands situate in the Hamlet of THORPE BY THE WATER, in the county of Rutland, hereby give Notice that the under-mentioned PUBLIC ROADS & WAYS—that is to say—

The Public Footpath leading from the Village Street of Thorpe by the Water aforesaid, in a Southwardly direction, over the Old Inclosures and Open Lands to the Boundary of the said Hamlet, in the direction of Caldecot, including the Branch diverging therefrom to the Water Corn Mill;

The Public Footpath leading from the Village Street of Thorpe aforesaid, across the Old Inclosures and Open Lands to the Boundary of the Parish of Lyddington, near Thorpe Common, including the Branch diverging therefrom to the Black Horse Public-house;

So much of the Public Highway leading from Thorpe to Lyddington as lies between the North-western Corner of a Piece of Open Land numbered 147 on Thorpe Tithe Map, and the North-western Corner of an Old Inclosure numbered 22 on the said Tithe Map;

The ancient Highway leading from the Village Street of Thorpe aforesaid, near the North-western Corner of the Old Inclosure numbered 15 on the said Tithe Map toward the Village of Caldecot, including the portion thereof now occupied by the Railway;

Are intended to be STOPPED from and after the Twelfth day of August next.

Given under my hand, this sixth day of April, in the year of our Lord 1853. THO. SMITH WOOLLEY.

Fig. 23. A newspaper advertisement from the Thorpe by Water enclosure commissioner announcing permanent footpath and road closures (Lei. DE3214/205/7)

In August 1853, a year after he commenced work, Wooley issued tracings of the allotments and formally authorised proprietors to take possession on the 15th of that month. In November there was a final meeting, and in January 1854 a rate assessment for the enclosure of £1,633 was issued, with payment required by 8th February. Gainsborough was awarded 8a 15p from a common field total of 11a 2r 29p, or a reduction of about 30 percent. His costs for the enclosure were £28 9s 0d from the Commissioners (£3 10s per acre), with an additional £21 8s 0d of contractor's costs (£2 12s per acre). The public costs of this enclosure are relatively high when compared to those of Greetham and reflect different circumstances. The commissioners at Greetham were local gentlemen, agreed by the proprietors, whereas Wooley was an appointed professional. Also, whereas there was little if any road construction at Greetham, there was extensive building at Thorpe. These costs would have been even greater had the Tithe survey not already been conducted. The issuing of the rate assessment completed Wooley's work, but not local disputes. Baker complained to Wooley that land held by Gainsborough before the enclosure and now held by Harborough and Monckton had been ploughed three times and the ploughman not paid. Wooley merely replied that they should settle it themselves. Clearly, there were also other disputes as in the following July a letter to Baker reports that the Inclosure Commissioners were calling a meeting for the purpose of appointing a rating officer to adjudicate 'in the matter of claims'.

## 11 - Geography of Enclosure

Rutland has within its boundaries two main soil areas. To the west and south are water-retentive clay soils, either Boulder or Jurassic, which are well suited to pasture. To the north and east we find well-drained limestone-based soils, best suited to arable. On the border between these two main types are also areas of Jurassic ironstone soils, which are suitable for both pasture and arable. The division between the two main soil areas is most clearly visible in the long escarpment that divides the parishes of Market Overton, Cottesmore and Burley. The land to the west is low-lying with clay-based soil; that to the east, above the escarpment, has limestone soils. These geographical features had a profound effect on when, historically, enclosures took place (OS Geological Survey). At first enclosures occurred in both geographical areas, but for different reasons. Those in the east of the county were probably due to desertion by the inhabitants of poor quality land, while those in the west were more likely due to enforced enclosure of good pasture land. Once this initial phase was over, by about 1500, enclosures took place in a geographically more orderly manner. If a line is drawn through the county to reflect the soil division, a geographical comparison of the two areas can be made, as in fig. 24. This line takes account of two factors: first, and most important, soil type; and second, parish boundaries. For convenience these two areas are described as East and West. As with any simplification, some complexities are masked, such as the presence in the extreme north-east of the county, at Clipsham and Stretton, of a significant amount of clay soil, and the presence in some border parishes of a mixture of both clay and limestone soils. However, this simple division of the county can be used to compare the number and dates of final enclosure from 1600, as in Table XIII.



Fig. 24. Geographical division of Rutland by soil type into east (limestone) and west (clay) regions



*Fig. 25. A view towards Market Overton, sited on top of the escarpment overlooking the Vale of Catmose. The clay soils below the escarpment were enclosed and converted to pasture in the mid seventeenth century. The limestone fields on the escarpments were enclosed much later, in the first decade of the nineteenth century, and kept in arable production. Since the Second World War much of the former clay pasture area has been converted back to arable (photograph: author)*

What is immediately noticeable is that the majority of enclosures in the period up to 1700 are in the west, the area of clay soil best suited to pasture. This pattern is enhanced when it is observed that, of the four enclosures in the east, three have significant amounts of clay soil: Clipsham, Stretton and Burley. An even clearer picture appears if piecemeal enclosures are examined. Parts of Market Overton (VCH II, 141), Barrow and Cottesmore were all enclosed in the first half of the seventeenth century. In all cases the portion enclosed was the low-lying, western, clay soil part of the parish. At Cottesmore in 1622 new enclosures were reported ‘beneath the hill’ (Lei. DE3214/230/2), and at Barrow in 1652 there were closes ‘which lie below the town’ (Lei. DE1797/4/73). Hunt (1955, 241) observed a similar pattern in Leicestershire; in that county

**Table XIII – Number of parishes by date of final enclosure**

	<i>Enclosed up to 1700</i>	<i>Enclosed 1701-1790</i>	<i>Enclosed after 1790</i>	<i>Number of villages</i>
East	4	7	16	27
West	13	6	9	28

the eastern and south-eastern clay lands towards the Rutland border were the first to be enclosed. The initial phase of parliamentary enclosure in Rutland (1701-1790) shows enclosure progressing at an equal pace in both geographical areas, indicating that by this time conversion to pasture was not the sole driving force in enclosures. Only in the final period after 1790 does the east overtake the west in the number of enclosures; this reflects a catching up, the majority of the west having already been enclosed by this time.

The same geographical division can be used to analyse Parkinson’s survey (1808, 2). The arable land in each recorded village or hamlet is allocated to either common or enclosed fields, with the latter split into three sub-divisions of over 50 percent of land arable, 20 to 50 percent arable, or less than 20 percent arable, as in Table XIV. As can be seen from this table, despite enclosure, the majority of eastern fields systems still had over 50 percent of their fields in arable production, while the majority of western fields were operating with less than 20 percent arable; some villages in this area had no arable production at all. It is clear therefore that this dividing line does represent a major division in the county between historical arable and pastoral agriculture. The common field village, by its nature, operated a primarily arable system, irrespective of geography.

A similar method of analysis can be applied to economic factors such as average rent per acre and crop yields per acre. Examination of rents (Table XV) demonstrates that while there was little difference between the average common field rents for the two geographical areas, there was a substantial difference in favour of

the west for the enclosed field. This difference reflects the benefit of greater conversion to pasture in the west compared to the east. Comparison of rents between common and enclosed systems in the same geographical area shows only a modest increase upon enclosure in the east compared to a near doubling in the west. In the east agriculture remained primarily arable after enclosure; the small increase seen in average rents demonstrates that in these circumstances the economic benefits of enclosure were either limited or slow to appear. The near doubling of rent in the west matches the increase in rents seen historically in individual villages and claimed by the protagonists of enclosure. However, this analysis makes clear that a substantial increase in rents post-enclosure was dependent upon a change from arable to pasture agriculture.

**Table XIV – Arable production of villages / hamlets (based on Parkinson 1806)**

	Number with Common Fields	Number with Enclosed Fields Percentage of Fields in Arable Production		
		>50%	20 - 50%	<20%
East	6	17	1	2
West	3	1	6	20

**Table XV – Average rent per acre in shillings (based on Parkinson 1806)**

	Common Fields		Enclosed Fields	
	East	West	East	West
Rent	15.2	14.5	18.1	25.7
No. of Villages/Hamlets	6	3	21	25

**Table XVI – Average bushels produced per acre (based on Parkinson 1806)**

	Common Fields		Enclosed Fields	
	East	West	East	West
Wheat	18.0	24.0	21.1	25.5
No. of Villages/Hamlets	6	3	20	20
Barley	24.7	32.0	29.6	37.4
No. of Villages/Hamlets	6	3	20	22

The measurement of average bushels per acre (Table XVI) provides an indication of soil productivity, and in terms of both wheat and barley production the figures favour the west for both common and enclosed fields. This productivity also contributed to the quality of pasture in the west, which is supported by a 1809 report (Pitt, quoted by Yelling 1977, 191) from the nearby Vale of Belvoir in Leicestershire: *‘the course of agriculture has since the enclosure been turned topsey turvey, the richest land in the vale, formerly tillage, has been laid to grass, and the poorest land up on the hills, and skirtings of the vale, formerly sheep walk, have been brought into tillage’*. For each geographical area there is also an increase in productivity that favours enclosed compared to common fields. This productivity is probably associated with greater innovation in the enclosed fields and would explain the modest increase in average rents between common and enclosed fields seen in the primarily arable eastern area. An alternative explanation for the greater productivity of the west could be that some of the land was so-called ‘up and down’ land, by which is meant land which was ploughed and used as arable for some years, then seeded and left as pasture to recover for a period, then ploughed again. This process has been seen in other counties and would, in theory, lead to less depletion and higher productivity (Allen 1992, 139). However, this does not seem to be the case in Rutland, as the difference in average bushels between east and west is approximately the same or lower for the enclosed fields compared to the common fields for both areas, indicating that the difference is due to geography rather than husbandry. This is supported by maps based on 1947 aerial photography which show that the strips and furlongs are still extensive in the landscape in the west, indicating that the land was not re-ploughed once it was laid to pasture following enclosure (Hartley 1983). The presence of strips alone does not indicate that the land was last ploughed before enclosure, as in some parts of the country enclosed arable was deliberately raised in ridges for drainage (Kerridge 1951, 27). What is important is that the strips form into furlongs that flow across enclosure boundaries. This is seen in the majority of the 1947 photographs of Rutland strips (such as that of Eggleton, fig. 26), demonstrating that in this county they are survivors of the



Fig. 26. Aerial photograph of Egleton in 1947 showing strips and furlongs flowing across the later enclosures (English Heritage (NMR) RAF Photography)

last ploughing before enclosure. Keeping the new pasture as ridge and furrow was also a deliberate act as it continued to aid drainage (ibid, 24), though Crutchley (1794, 12) complained about the common practice in Rutland of not first reducing the ridge height that was designed for growing wheat: *‘the land has been almost all laid down with too high ridges, by which means the furrows are frequently wet, unproductive, and the grass on the top of the ridges at the same time burnt up: this is an old bad custom, and I am sorry to say, that in the latest inclosed lordships, it has not been corrected’*.

Parkinson (1808, 17) judged Rutland’s geographical variation to be to its advantage, the soils varying at *‘such small distances, causes each sort to be much more valuable than it would be, were it of one kind throughout the whole of a lordship. There being a proportion of each sort on different farms, so as to have convertible high lands for tillage: low lands for grass ... having the advantage of being proper for breeding and store stock; thus producing every thing useful within themselves’*.

## 12 – Conclusion

Rutland's common fields operated from the Saxon period to the late nineteenth century. They brought most of the county's land under the plough and enabled it to become one of the most prosperous in England, a wealth that is reflected in its fine churches. By the late thirteenth century Rutland's fields were evolving into the classic three-year rotation system of two crops and a fallow, but in the fourteenth their slow decline was presaged by the huge decrease in population associated with the plague and the collapse of some rural settlements. This calamity accelerated the development of the capitalist system, whose impact was to result by the late fifteenth century in the desertion of a number of Rutland villages. Desertions fall into two groups: those in the east of the county (Horn, Pickworth, Woolfox and Hardwick), associated with abandonment of poor quality land by 'freed serfs' who moved to better land in other lordships; and those in the west (Holyoaks, Gunthorpe and Martinsthorpe) whose villagers were evicted to enable conversion of the land into sheep pasture. The majority of field systems that survived into the seventeenth century can be identified. All of these systems contained three or more great fields, and in this Rutland reflects the pattern seen in Leicestershire and Northamptonshire rather than the older two-field pattern seen in many parts of Lincolnshire. In villages that possessed more than three fields, two or more of the great fields were combined for cropping to permit the three-fold rotation. However, by the early nineteenth century the open field system at North Luffenham had developed into a much more complex nine-fold rotation.

The common field system was a cooperative activity that was reinforced by local by-laws, which were imposed, amended and administered by the villagers in a manor jury. However, overlapping rights from adjacent townships sometimes complicated matters in Rutland. Details of at least ten sets of by-laws survive for the county, ranging in date from the early eighteenth to mid nineteenth century. A major limitation of the cooperative nature of the system was that it restricted innovation; this is well illustrated in the county by the greater adoption of both new arable crops and breeds of sheep in enclosed compared to common field villages. However, the common field system did provide the poorer cottager with support through common pasture rights, whose nature and limits (stint) were determined by the jury. In many Rutland villages common pasturing continued long after enclosure and on the Winchelsea estate, at least, it extended into the early twentieth century as the last agricultural vestiges of this ancient system in the county. In the Rutland portion of Leighfield Forest a right of forest common existed that provided its commoners with both pasture and wood-gathering privileges. At a time before mass transportation, when wood was the only source of fuel, the latter was an important right. It is therefore not surprising that local by-laws usually included provision for the protection of woods and hedges. The enclosures saw a great increase in the planting of hawthorn hedges together with ditches to divide the fields, and many farmers also took the opportunity to plant trees in the hedgerows. In some villages complete new woods were planted. The cost of creating these new hedges and ditches was by far the largest single item of enclosure expenditure for an individual proprietor.

In Rutland as in other parts of the country enclosure was greatly feared by the small proprietor and tenant, as it was associated with depopulation and poverty. These fears, though less well founded with time, together with the threat of legal action, limited the number of enclosures in the seventeenth to mid eighteenth centuries. Initially, enclosures were concerned with the conversion of arable to pastoral agriculture. Rutland can be divided into two broad soil areas; those parishes to the north and east tend to have poorer limestone-based soils, and those to the south and west have richer clay-based soils. From a study of the dates of final enclosure of parishes it is clear that the bulk of seventeenth century enclosures took place in the south and west clay area of the county. The dependence of early enclosure on soil type is even more clearly illustrated by the piecemeal enclosures at Market Overton, Barrow and Cottesmore, which contained both types of soil. In all three townships the low-lying clay soil area was enclosed and converted to pasture in the seventeenth century, whereas the higher-lying limestone soils were retained in common fields until the early nineteenth century.

The incentive for enclosure and conversion to pasture was the ability to obtain higher profit levels, as reflected in the doubling of rents seen in those villages or parts of villages that were enclosed compared to those areas still held in common. The evidence from both Langham and Hambleton demonstrates that this incentive was large enough for coercion to have been used to impose enclosure. By the late eighteenth

century large parts of Rutland had been converted to pasture, and it served as a fattening area for beasts destined for the London market. Even in those villages that were not enclosed the number of farmers declined as the average size of Rutland farms rose steadily between 1600 and 1800. This change was driven by the desire for the increased efficiency that was obtainable from larger farms and the higher rents that could be charged as a consequence. This change paralleled the rise of the great estates from the late seventeenth century onwards, which was also facilitated by new methods of raising capital that lessened dependence on capital provided by tenants. This new capital enabled an estate to increase its size through purchasing small farms and for it to run out the long leases that had characterised much land tenure up to the end of the seventeenth century and limited the action of landowners. By the end of the eighteenth century most Rutland tenant farms were rented year-to-year. These changes together with an accompanying movement in parliamentary sentiment away from anti-enclosure dramatically increased the pace of enclosure in the eighteenth century.

All but one Rutland enclosure, up to 1750, occurred without recourse to Parliament, but after this time the majority of enclosures were enforced by Acts of Parliament. The peak period for parliamentary enclosure in Rutland was 1790 to 1810, which coincided with the high point of prices for arable crops as a consequence of the Napoleonic wars. In contrast to earlier enclosures, it is a feature of later enclosures that the land involved tended to be retained in arable production, and consequent rent increases were limited. The opportunity was also usually taken with parliamentary enclosures to remove the burden of tithes, which were exchanged for increased glebe land. Some tithes remained after early enclosures, but even these were commuted in the mid nineteenth century to fixed payments, under a separate Act of Parliament. However, a link between tithes and enclosure still remained, as the detailed surveys used to conduct the tithe commutations were often employed as the surveys for subsequent enclosure awards. The final enclosures of Rutland's common fields took place in the late nineteenth century and involved a group of villages and hamlets along the Chater and Welland valleys. That these had retained their common fields for so long was a consequence of the complex overlapping common rights between these parishes and mutual antagonism between two of their lords of the manor. The deaths of these individuals together with severe economic pressure created by the late nineteenth century agricultural depression finally forced the enclosure of these fields.

Today only the villages themselves and the ridge and furrow in pasture fields are visual reminders of the common fields that had dominated the lives of countless Rutland villagers. The villages retain the characteristic clustering of houses that was forced upon them when individual farmers were unable to have their houses on their land as this lay scattered in strips throughout the fields. Ridge and furrow is the archaeological evidence of those strips: strips that were for centuries laboriously ploughed for two years, then left fallow for one year for the villager's herds and flocks to wander over; strips that were seeded, tended, harvested and gleaned, and were narrow enough to permit conversations between neighbours at their work; strips over which neighbours argued and on whose disputes their fellow villagers adjudicated at the manor court; strips that at enclosure were grassed and then left undisturbed for more centuries ... until recently, when many have again been put to the plough: but this time to flatten and remove forever these reminders of times past.

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## Collections and Abbreviations

BL	British Library Manuscripts
Bur.	Burghley House Manuscripts, Stamford, Lincolnshire
CSPD	<i>Calendar of State Papers Domestic</i>
CIPM	<i>Calendar of Inquisitions Post Mortem</i>
JHC	<i>Journal of the House of Commons</i>
Lei.	Record Office for Leicestershire, Leicester and Rutland
Lin.	Lincolnshire Archives
Nor.	Northamptonshire Record Office
OS	Ordnance Survey: 1:50,000 First Series, 1974 Geological Survey: Sheets 143, 156-7, 171
RCM	Rutland County Museum
RR	<i>Rutland Record</i> , Rutland [Local History &] Record Society
R. Sel.	<i>Reports of Select Committees on Legislation</i>
Sal.	Salisbury Manuscripts, Hatfield House, Hertfordshire
TNA	The National Archives, formerly Public Record Office, Kew, London
ULL	University of Leicester Library, Manuscript Notes of E A Irons
VCH	<i>Victoria County History of Rutland</i>
Wes.	Westminster Abbey Manuscripts, Westminster, London

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## Appendix I

### *Gazetteer of Rutland Common Fields and Enclosures*

The gazetteer provides an alphabetical index of historical Rutland settlements. Each settlement is or was a parish unless otherwise stated; where the parish was ecclesiastically administered from another parish (a chapelry), this is also indicated. Cross-reference is made to other settlements within the parish. The common fields associated with each settlement, if any, are listed together with dates for enclosure. Other relevant information, such as the combining of fields for cropping, is also included.

- Alsthorpe** Deserted hamlet in parish of Burley, part incorporated into Burley Park (Lei. DG7/1/62/1-30). In 1296 had 9 taxpayers compared to 29 at Burley (Lay Subsidy). Hamlet still occupied in 1365 (messuages reported). In 1507 no mention of messuages, only Althorpeland (BL. Add. Ch. 47797, 47808).
- Ashwell** Enclosed c1600. In 1702 the glebe terrier (Lei. MF494-5) records that sometime between 1604-10 part of the glebe was in already in closes; it also refers to '*before the enclosure*'. A 1654 mortgage records only closes and enclosed grounds (Lei. DG4/143). Field names: West c1345 (Cox 1994). Much later geographical references may relate to earlier open field names: East (OS 1974, East Field Farm), West and Middle Field (RCM, Ashwell Estate sale catalogue, 1912, 15).
- Ayston** Enclosed c1635, confirmed in 1667 by Chancery Decree (Nor. Bru/O/ XIV/15a). Map and Survey c1635 (Nor. 2991/11); all land in survey listed as being in closes. Three fields: East, Dam and West. Names and positions from Map. Parochial common land was created from Beaumont Chase to replace common rights lost in the 1799 enclosure of the Chase.
- Barleythorpe** Hamlet of about 1000 acres in parish of Oakham, enclosed by 1772 Act of Parliament (Tate & Turner 1978). Copy of 1773 Award (RCM). Three fields: West, South and Nether. Names and positions from Award.
- Barrow** Hamlet in parish of Cottesmore, manor shared with Wenton. In 1296 with Wenton had 22 taxpayers compared to 35 at Cottesmore (Lay Subsidy). Piecemeal enclosure, initially in early 17th century, of low-lying western land; remainder by 1800 Act of Parliament, with Cottesmore and Exton (Tate & Turner 1978). 1807 Award and Map (Lei. DE2182). Two fields named in 1295: West and East (Cox 1994); possible third unnamed fallow field. Three fields in 1651 after first phase of enclosure: Mare Bush, Cow Hill and New (Lei. DE1797/4/73). Three fields in 1807: Ling, Heath and Town. Names and positions from Map.  
*See also* Wenton.
- Barrowden** Enclosed under 1878 General Act of Parliament (Tate & Turner 1978). 1882 Award and Map (Lei. DE1381/509-510). Three fields: Stone, Scrapwell and East. Names and positions from Map. Alternative field names: East=Nether (Lei. MF494-5).
- Beaumont Chase** Extent 463 acres, an extra-parochial district of Uppingham (*VCH* II, 61). Forest Common Rights extinguished by 1799 Uppingham Act of Parliament (Tate & Turner 1978).
- Belmesthorpe** Hamlet in parish of Ryhall, enclosed by 1800 Act of Parliament, with Ryhall (Tate & Turner 1978). 1806 Award and Map (Lei. DE2425/15). Fields: see Ryhall. Domesday reports this hamlet and Ryhall as part of the same manor, but separately records both settlements, indicating different field systems. Also at that time only the villagers of Belmesthorpe were recorded as working land in Uffington, Lincolnshire. Later the fields of Ryhall and Belmesthorpe appear to have been combined for cropping. In the 18th century land is described as '*lying dispersed in the fields and precincts of Belmesthorpe and Ryhall*' (Lei. DE1797/4/178); a 1799 terrier details land in four of the five fields and combines two of them, Star and Darnell (Lei. DE1797/4/182).

- Belton** Chapelry of Wardley. Enclosed by 1794 Act of Parliament (Tate & Turner 1978). Award 1800 (Lei. DE2260 portfolio K/3).  
Three fields: West, Park and Mill. Names and positions from 1632 Survey (BL. Eg 2986, 60-66) and 1786 survey (Lei. DG7/1/79).
- Bisbrooke** Enclosed by 1795 Act of Parliament, with Lyddington Common (Tate & Turner 1978). 1798 Award and Map (Lei. DE5166).  
Three fields: Nether, Church and Lound. Names and positions from Map.  
Alternative field names: Nether=South or Mill; Church=East, Lound=North (Lei. MF494-5; Cox 1994).  
A small peninsular of land in Lound Field, jutting into Glaston, was called West Field; this was further subdivided into East and West parts, hence the somewhat confusing 1735 reference describing the East Field as '*part of the West Field*' (Lin. ASW/D/19/8).
- Bradcroft** Deserted settlement in the parish of Tinwell, enclosed in 1875 (see Tinwell). No evidence of separate field system. In 1296 had 9 taxpayers compared to 38 at Tinwell (Lay Subsidy).
- Braunston** Chapelry of Hambleton. Enclosed by 1801 Act of Parliament (Tate & Turner 1978). 1807 Award and Map (Lei. DE1823/1-2, DE1748/2, MF VII/21).  
Three fields: Nether, Middle and Wood. Names and positions from Map.  
Alternative field names: Middle=Flitteris or Merrill's; Nether=East (Lei. MF494-5; DE3214/338/21-29; 249/6; 419/7).
- Brooke** Chapelry of Oakham. Extensively wooded in the late 16th century, piecemeal enclosure throughout 16th and 17th centuries, including creation of a park. Final enclosure c1745 (Lei. DE3214/177/15 & 20; 180/17; 436/10).  
Three fields in 1594: Heath, West and Hadley (Lei. DE3214/180/16).  
Alternative field names: West=Mill; Heath=East; also Oak and Horn Fields (Lei. DE3214/266/11, 57/19; MF494-5).
- Burley** Piecemeal enclosure, the majority c1600 at time of newly created park. The remainder, about 60 acres, around 1670 (Lei. DG7/1/62/1-30; DE1797/3/7).  
Three fields in 1652: Mill, Astrop and High (DG7/1/70).  
A common cow pasture existed into the 20th century (Rider-Haggard 1902, 260).  
*See also* Alsthorpe.
- Caldecott** Chapelry of Lyddington. Enclosed by 1799 Act of Parliament, with Lyddington and Uppingham (Tate & Turner 1978). 1804 Award and 1800 Map (Lei. DE1702/16).  
A single manor court governed both Lyddington and Caldecott (Bur. Lyddington Court Books).  
Three fields: Upper, Middle and Lower. Names and positions from Map.  
Alternative field names: Upper=North or Snelston; Middle=East; Lower=Nether or South (Cox 1994; Lin. V/VIII/V/1/5).  
*See also* Snelston.
- Casterton, Great** Enclosed by 1795 Act of Parliament (Tate & Turner 1978). Map 1798 (Nor. 4134/1-2).  
Three fields in 1795: Water, Middle and Boyhall (Lei. MF494-5). Note Boyhall Wood recorded in Empingham in early 17th century (Nor. X7458/42 & 44).  
The manor of Great Casterton was also known as Woodhead after the demesne land and site of the manor house (Blore 1811, 97).
- Casterton, Little** Enclosed by 1796 Act of Parliament (Tate & Turner 1978). 1797 Award and Map (Lei. DE1748/1).  
Three fields: Water, Middle and New Close. Names and position from Map.  
*See also* Tolethorpe.
- Clipsham** Enclosed by 1684, Map 1687 (Lei. DE1175).  
Three fields in 1553: East, South and West (Cox 1994).
- Cottesmore** Piecemeal enclosure, first phase of low-lying western land in 16th and early 17th centuries, the remainder by 1800 Act of Parliament with Barrow and Exton (Tate & Turner 1978). 1807 Award and Map (Lei. DE2182).  
Four fields in 1592: Mill, Wood, West and Moor. 1807 names: Heath, Wood, West and Dale. Positions from Map.  
Alternative field names: Mill=Heath (Lei. DE3214/618/1-2).  
*See also* Barrow and Wenton.

- Edith Weston** Enclosed by 1758 Act of Parliament (Tate & Turner 1978). Award 1758 (Lei. RQS 2/16, 112 & 123).  
Three fields: West, South and East. Names and positions from Award.  
Alternative field names: East=Mill (Lei. MF494-5; Lin. 1ANC/2B/21 VII).
- Egleton** Chapelry of Oakham. Enclosed by 1756 Act of Parliament (Tate & Turner 1978). Award 1757 (Lei. RQS 2/16, 52).  
Three fields in 1566 and 1652: West, North and South (Lei. DG/7/1/67; Cox 1994).  
A common cow pasture existed into the 20th century (Rider-Haggard 1902, 260).
- Empingham** Enclosed by 1794 Act of Parliament (Tate & Turner 1978). Award 1795, Map 1852 (Lei. DE3854/1; DE1382/511).  
Four fields in 1650: West, Wood, South and Chapel; a fifth, Little Field, was described as part of Wood Field (Lin. V/VIII/V/1/9). In 1698 South Field was described as '*alias Chapel field*' (Cox 1994), indicating these were part of same field and therefore there were only three fields for cropping. Positions from Map.  
Alternative field names: South=Bridge (Lei. DE3854/1).  
A common cow pasture existed into the 19th century (Parkinson 1808, 101).  
*See also* Hardwick.
- Essendine** Chapelry of Ryhall. Piecemeal enclosure, about 40 percent enclosed by 1731 (Sal. Rut 25/21-22). Remainder between 1779 and 1804 (Sal. Legal 210/29; Parkinson 1808).  
Aunby Heath, shared with Carlby, Lincolnshire, was enclosed under 1804 Carlby Act of Parliament (Lin. PC/17).  
Three fields c1600: West, Park and Broadholm. Positions from 1600 and 1815 Maps (Sal. General 63/16; CPM Sup. 46 with Rut 25/29).  
Alternative field names: Broadholm=Freewood (Sal. Rut 25/21-22).
- Exton** Enclosed by 1800 Act of Parliament with Cottesmore and Barrow (Tate & Turner 1978). Award and Map 1807 (Lei. DE2459/66/1-4).  
Three fields from 1386 to 1790: North, West and South (Lei. DE3214/201/11-12 & 207/6, MF494-5), but four fields are shown on the Enclosure Map: Cottesmore, Burley, Empingham and Little. As the 1757 court orders describe a three-fold rotation it is probable that Little Field was combined with one of the others for cropping (DE3214/134/42).
- Fregthorpe** Settlement in parish of Ketton, recorded in c1300 (Cox 1994). No evidence of separate field system.
- Geeston** Settlement in parish of Ketton, recorded in 1286 (Cox 1994). No evidence of separate field system.
- Glaston** Piecemeal enclosure, initially c1640, remainder c1700 (Lin. ASW/D/7/1; Nor. Monckton Fineshade, box D).  
Three fields in 1635: North, Mill and South (Lei. MF494-5).  
Alternative field names: Mill=West or East or Beacon.
- Greetham** Enclosed by 1763 Act of Parliament (Tate & Turner 1978). Award 1764 (TNA. C54/6147).  
Four fields in 1556 to 1763: Church, South, Wood and North (Lei. DG7/1/68; DG/7/4/3).  
Positions from Act and Award. Although divided into four fields a three-fold rotation was used as the South and North Fields were combined for cropping. A 1652 survey reports arable land in Church Field, Wood Field and '*in the field called South and North Field*' (Lei. DG7/1/71).  
A common cow pasture existed into the 20th century (Rider-Haggard 1902, 260).  
*See also* Woolfox.
- Gunthorpe** Chapelry of Oakham. In 1296 had 14 taxpayers (Lay Subsidy), deserted and enclosed before 1522 (Cornwall 1980). A possible date for this desertion is indicated by a 1390 lease of tithes, followed in 1400 by a writ for wasting of crops (Wes. 20634-36).
- Hambleton, Great (Magna)** Enclosed 1652, Deed 1662 and 1692 Act of Parliament to confirm enclosure (Lei. DG11/751).  
Three fields in 1566: East, South and West (Lei. DE1797/3/51).  
A common cow pasture existed into the 20th century (Rider-Haggard 1902, 260).  
*See also* Little and Nether Hambleton.
- Hambleton, Little (Parva)** Hamlet in parish of Hambleton, bounded by Great Hambleton, Whitwell and Normanton. This manor was included with Normanton in a 1726 estate map (Lin. 3ANC/5/104/1).  
Piecemeal enclosure complete by about 1700. Always relatively small, only 5 taxpayers in 1296 (Lay Subsidy) and 4 houses in 1588 (Lei. DE3214/176/15).  
Two fields in 1635: Over Park and Nether Park (Lin. 3ANC/1/34/4; VCH I, 71). A wood called '*le Park*' was recorded at Hambleton in 1360 (CIPM X, 527)

<b>Hambleton, Nether</b>	Deserted settlement in parish of Hambleton (Cox 1994). No evidence of separate field system.
<b>Hardwick</b>	Hamlet of about 360 acres in parish of Empingham. In 1315 had 37 customary tenants, deserted by 1445. Described as old enclosure in Empingham award ((Lei. DE1382/511; Blore 1811, 42; VCH I, 214; II, 242).
<b>Holyoaks</b>	Hamlet in parish of Stoke Dry, deserted by eviction in 1496. After 1885, by Government order, became part of Stockerston, Leicestershire (Cox 1994).
<b>Horn</b>	Parish until 1578 when it was united with Greetham (VCH II, 140). In 1296 had 18 taxpayers (Lay Subsidy). Depopulated and in pasture by 1376. Large proportion was later incorporated into Exton Park.
<b>Ingthorpe</b>	Hamlet of about 600 acres in parish of Tinwell, enclosed by Agreement c1713. Enclosure map gives no details of common fields (Bur. Map 61; Blore 1811, 87). Three fields reported in undated pre-enclosure glebe terrier: East, Middle and West (Lei. MF494-5).
<b>Kelthorpe</b>	Hamlet and separate manor of about 290 acres in parish of Ketton, enclosed by 1768 Act of Parliament with Ketton (Blore 1811, 147).
<b>Ketton</b>	Enclosed by 1768 Act of Parliament with Kelthorpe (Tate & Turner 1978). Award 1769, Map 1768 (Lei. DE1381/600; EN/a/R23/1). Three fields in 1650: Newbottle, Steadfold and Barrowden Hay (Lin. R.O. V/VIII/V/1/20). Enclosure award describes six fields, the above three plus: Wortwell, Soward and Kelthorpe Little. The latter are small fields around Kelthorpe and it is possible they indicate the old field system for that manor. However by the 18th century these fields were combined with the three larger ones for cropping (Lei. DE2627 box 9, Field Orders). Positions from Map and Award. A common cow pasture existed into the 19th century (Parkinson 1808, 101). <i>See also</i> Fregthorpe, Geeston, Kelthorpe, Manthorpe and Newbottle.
<b>Langham</b>	Chapelry of Oakham. Enclosed c1605-1624 as leases ran out. 1624 Map shows only enclosed fields (Lei. DE3214/502; 182/4; VCH I, 223). Three fields in 1605: Holbeck, Langborough and South (Lei. DE3214/42/27/1-2). A common cow pasture existed into the 19th century (Parkinson 1808, 101).
<b>Leighfield</b>	Extra-parochial district of Oakham. Forest enclosed and common rights abolished 1623 (Lei. 3214/184/44; VCH I, 224; II, 15).
<b>Loudell</b>	A place called Loudell (also Loodle, Lowdale and Lowdell), whose site can be identified from field names on high ground near the junction of Whissendine, Ashwell and Langham parishes (Lei. DE1381/535; DE1831/15; DE1797/4/200), is shown on Speed's Map of 1611 (RCM; Lei. Ma/R10) with a symbol for a mill. A mill at this position is also recorded in a 1651 document (Lei. DG40/320). That it was only a mill site is indicated by the lack of mention in medieval surveys of Rutland of any settlement of that name (Lay Subsidy; Feudal Aids, 213).
<b>Luffenham, North</b>	Piecemeal enclosure initially in the area between Luffenham and the deserted settlement of Sculthorpe, which separated the South Field from the other fields, the remainder under the 1845 General Act of Parliament (Tate & Turner 1978). Award and Map 1881 (Lei. DE1381/516). Three fields in c1270: East, West and Upper (Lei. DE3214/140/15). Four fields in 1627: East, Colewood, Watermill and Beck (Lei. DG11/502). Four fields in 1845: Windmill, Watermill, South and Beck (Lei. DE1940/97, Tithe Map). Six fields in 1866, after a reorganisation: West Windmill, East Windmill, Watermill, South, Beck and Stamford (Lei. DE1940/95, includes Map). Alternative field names: East=Watermill or Upper; Coleswood=Cockpit or Windmill. Positions from Maps. <i>See also</i> Sculthorpe.
<b>Luffenham, South</b>	Enclosed under the 1845 General Act of Parliament (Tate & Turner 1978). Award and Map 1882 (DE1381/517). Three fields in 1720: East, West and South. Alternative field names: West=Mill; South=Morcott (Lei. MF494-5). Positions from 1845 Tithe Map (Nor. T271).
<b>Lyddington</b>	Piecemeal enclosure, first phase 1653, remainder by Acts of Parliament 1795 with Bisbrooke, and 1799 with Caldecott, Uppingham and Beaumont Chase (Tate & Turner 1978). Award and Map 1804 (Lei. DE2459/54; DE3260, DE3950). A single manor court governed both Lyddington and Caldecott (Bur. Court Books). Four fields in 1804: Middle, Nether, Holbrooke and Mill. Positions from Map.

- Four fields in 1804: Middle, Nether, Holbrooke and Mill. Positions from Map.  
 Three fields 1649 to 1789: Upper, Middle and Nether. This indicates that Holbrooke field was not independent and was combined with one of others for cropping (Lei. MF494-5; Lin. V/VIII/V/1/5; Nor. Monckton (Fineshade) box J; Cox 1994).  
 Parochial common land was created from Beaumont Chase to replace common rights lost in that enclosure.
- Lyndon** Piecemeal enclosure, initial phase late 16th century (*VCH* II, 73) remainder mid 17th century (Lei. DG11/689-693, /548, /1092; Lin. CC36/152851/6).  
 Three fields in 1614: North, South and West (Lei. DG11/1086).  
 A common cow pasture existed into the 19th century (Parkinson 1808, 101).
- Manthorpe** Deserted settlement in parish of Ketton (Cox 1994). No evidence of separate field system.
- Manton** Enclosed by 1772 Act of Parliament (Tate & Turner 1978). Award 1772 (Lei. DE2199/8; DE1797/4/155).  
 Three fields in 1573 and 1772: North, South and West (Lei. DE3214/112/5-6). Positions from Award.
- Market Overton** Piecemeal enclosure, first phase in 1636 of low-lying land in west of parish (*VCH* II, 141).  
 Remainder by 1803 Act of Parliament (Tate & Turner 1978). Award and Map 1807 (Lei. DE1381/520; DE3584).  
 Three fields in 1807: South, Middle and North. Positions from Map.  
 Alternative field names: South=West; Middle=East (Lei. MF494-5). A 1659 lease mentions meadow in the Nether Field. This may be a reference to the earlier field name of the low-lying ground enclosed in 1636 (Nor. X9519, 141-150).
- Martinsthorpe** In 1296 had 11 taxpayers (Lay Subsidy) and 14 households in 1327 (Wacher 1963-64).  
 Deserted and enclosed before 1500 (*VCH* II, 84).
- Morcott** Enclosed under 1836 General Act of Parliament (Tate & Turner 1978). Award 1836, Map 1841 (Lei. DE1381/519).  
 Three fields in 1702: South, North and West (Lei. MF494-5). Positions from Map.
- Newbottle** Deserted settlement in parish of Ketton recorded in 1297 (Cox 1994). No evidence of separate field system.
- Normanton** Piecemeal enclosure, first phase in early 17th century of land towards Hambleton, remainder by 1793 Act of Parliament (Tate & Turner 1978).  
 Three fields 1631-1774: East, Middle and West. Positions from 1726 Map (Lin. 3ANC/5/104/1).  
 Alternative field names: East=Next Empingham or North or Great; West=Next Weston or South (Lei. MF494-5).
- Oakham** Enclosed by 1820 Act of Parliament (Tate & Turner 1978). Award announced and enclosure from 1821 (Lei. 16D52/5/1-19), disputes appear to have delayed written Award and Map until 1836 (Lei. DE1381/521/a-b).  
 Three fields 1275 to 1820: South, West and North (Lei. MF494-5; Cox 1994; Donnelly 1985, 167). Positions from Map.  
*See also* Barleythorpe.
- Pickworth** Parish until 1734 when it was united with Great Casterton (*VCH* II, 268). In 1296 had 31 taxpayers (Lay Subsidy), still occupied (messuages reported) in 1472 (BL. Add. Ch. 38972-73), but deserted before 1522 (Cornwall 1980). Remaining Common Rights extinguished by 1795 Act of Parliament for Great Casterton (Tate & Turner 1978).  
 Three fields: two are named in 1313, East and North (Cox 1994); these names indicate the presence of a third probably fallow field. Examination of Lincolnshire two-field systems shows these named either North and South or East and West (Russell 1987).
- Pilton** Enclosed under 1845 General Act of Parliament (Tate & Turner 1978). Award 1851, Map 1846 (Lei. DE1381/522).  
 Three fields in 1705: East, South and North. Positions from 1838 Tithe Map (Nor. T265).  
 Alternative field names: East=Well, South=Upper, North=Nether or West.
- Preston** Enclosed by 1773 Act of Parliament (Tate & Turner 1978). Award 1774 (Lei. DE2461/134).  
 Three fields 1705 to 1752: South, North and East.  
 Alternative field names: East=Siek (Lei. MF494-5).
- Ridlington** Enclosed mid 17th century. Common fields were reported in 1619 (Lei. DE3214/185/16), but glebe was enclosed by 1633 (Lei. MF494-5). A series of leases were issued in 1650 for fields in 'closes' (DE3214/130/8 & 10; 180/5; 122/12), indicating general enclosure by that time. These

leases also indicate that a common cow pasture had been retained at Ridlington Lount.

A 1592 survey (Lei. DE3214/177/1) refers to cow commons for two years, indicating a three-field system, two in crop (to which the common applied) and one fallow; the names of two are known, East (1488) and South (c1300) (Lei. DE3214/380/17; /121/8). The survey was later annotated with details of enclosure allotments.

- Ryhall** Enclosed by 1800 Act of Parliament with Belmesthorpe (Tate & Turner 1978). Award and Map 1806 (Lei.DE2425/15).  
Five fields: South, Star, Bretland, Darnell and Belmesthorpe East. Positions from Map.  
Alternative field names: Bretland=Riddle (Lei. MF494-5).  
*See also* Belmesthorpe.
- Sculthorpe** Deserted settlement in parish of North Luffenham, reported by Domesday together with Luffenham, indicating same field system. Still in existence in 1312, but probably deserted in late 14th or early 15th century (Lei. DE3214/141/1).
- Seaton** Enclosed under 1845 General Act of Parliament in 1855. Award 1858, Map 1856 (DE1381/523).  
Three fields 1400 to 1845: North, West and South. Positions from Maps.  
Alternative field names: North=Mill or Windmill; West=Red or Uppingham; South=Nether or Harringworth (Lei. MF494-5, Ti/R41/1/1; Cox 1994).  
*See also* Thorpe by Water.
- Snelston** Deserted settlement in parish of Caldecott, reported by Domesday together with Caldecott, indicating same field system. The tax of 1296 shows Snelston to be half the size of Caldecott, 9 compared to 18 taxpayers, but as both settlements paid about same level of tax this indicates greater wealth at Snelston (Lay Subsidy).
- Stoke Dry** Enclosed 1627 (Lei. MF494-5). Although a later glebe record states that enclosure took place in 1627, the 1634 glebe terrier confusingly records the lands in common field terms. However, it also describes them as ‘*within the grounds*’ of particular individuals, which makes clear they had been enclosed.  
Three fields in 1634: Mill, Hill and Little (Lei. MF494-5).  
Some shared commons with Uppingham remained until enclosed by the 1799 Act of Parliament for Uppingham and Beaumont Chase. Parochial common land was created from Beaumont Chase to replace common rights lost in that enclosure.  
A 1765 Map shows two Rutland Forest Sales (Snelsons and Lady) still intact and part of the parish, though Snelsons was detached from the remainder of the parish (Bur. Map 87).  
*See also* Holyoaks.
- Stretton** Piecemeal enclosure, first phase in 1630s (VCH II,146), remainder in late 18th century (Lin. 2ANC5/16; 3ANC/1/43/3).  
Three fields c1633-7: East, Park and North (Lei. MF494-5). Four fields c1702: East, West, Cley and Holme (Cox 1994). Positions from Map (Lin. 2ANC5/16A).  
Alternative field names: North=Temple; East=Wood.
- Teigh** Enclosed c1700. The glebe was enclosed by 1702 and a general enclosure around this time is indicated by the decline in ratepayers between 1705 and 1725 (Lei. MF494-5; Redlich 1926).  
Three fields in 1597: Mill, Ashwell and Conygree.  
Alternative field names: Ashwell=South; Conygree=North (Lei. DG40/457; MF494-5).
- Thistleton** Piecemeal enclosure, first phase c1635, Map and Survey (Nor. 2991/13), remainder by 1759 Act of Parliament (Tate & Turner 1978). Award 1762 (TNA. C54/6104).  
Three fields c1635: Dam Wong, Heath and Wood. Positions from Map.  
Alternative field names: Heath=North; Dam Wong=West or Moor Heads; Wood=East or Ditch or Michael Dale (Lei. MF494-5).
- Thorpe by Water** Hamlet in the parish of Seaton. Enclosed under the 1845 General Act of Parliament in 1852 (Tate & Turner 1978). Award and Map 1854 (Lei. DE1381/524).  
Three fields in 1720: North, West and East (Lei. MF494-5). Positions from Tithe Map (Lei. Ti/R47/2-3).
- Tickencote** Enclosed after 1771 (Lei. MF494-5) and before 1806 (Parkinson).  
Three fields in 1705: Street, Middle and Far.  
Alternative field names: Street=Home; Far=West (Lei. MF494-5).
- Tinwell** Enclosed piecemeal, the majority by 1756 Act of Parliament (Tate & Turner 1978). Award 1757, Map 1756 (Lei. RQS 2/16, 78 & 90). The remainder was common land shared with

- Stamford Act (Lei. DE1381/525).  
Three fields *c*1400: East, Middle and West (Gray 1915, 494).  
Alternative field names: West=High; East=Stamford (Lei. MF494-5).  
*See also* Bradcroft and Ingthorpe.
- Tixover** Chapelry of Ketton. Enclosed *c*1723 (Nor. Monckton (Fineshade) box L).  
Three fields in 1723: North, Church and East.  
Alternative field names: North=Next the Bridge (Lei. P106/2; DE1797/4/192).
- Tolethorpe** Hamlet in parish of Little Casterton. Deserted and enclosed before 1500. Constituted a large part of the old enclosure in the east of parish when the latter was enclosed in 1797.  
Three fields in 14th century, ‘*two parts arable one part fallow*’ (Blore 1811, 92); two known field names *c*1300: Old and Middle (*ibid*, 217).
- Uppingham** Two stages of enclosure, both by Act of Parliament (Tate & Turner 1978): first a 1770 Act for enclosure of 1000 acres, Award 1771 (Lei. RQS 2/16, 360); secondly a 1799 Act, together with Caldecott, Lyddington and Beaumont Chase. Map 1804 (Lei. MF VII/21).  
Three fields in *c*1650: Wood, Brand and Lound.  
Alternative field names: Lound=North or Mill; Brand=South; West=Wood (Lei. MF494-5; DE3214/365/30; Cox 1994).  
Parochial common land was created from Beaumont Chase to replace common rights lost in that enclosure.
- Wardley** Enclosed *c*1635, Map and Survey (Nor. 2991/12), all land in survey listed as being in closes.  
Three fields in 1633: Heath, West and Chapel (Lei. MF494-5). Positions from *c*1635 Map.  
Alternative field names Heath=Nether.  
Parochial common land was created from Beaumont Chase to replace common rights lost in the 1799 enclosure of the Chase.
- Wenton** Deserted settlement in parish of Cottesmore, deserted before 1600. Medieval documents record manor of Wenton and Barrow; some 17th century records mention Upper and Nether Wenton (Lei. DE3214/8/11 & 21, 131/17, 180/14; Lay Subsidy; *VCH* I, 222). Position of settlement on the limestone escarpment, between Barrow and Cottesmore, shown on Speed’s map of 1611 (RCM; Lei. Ma/R/10). The site has probably been destroyed by iron ore extraction.  
*See also* Barrow.
- Whissendine** Enclosed by 1762 Act of Parliament (Tate & Turner 1978). Award and Map 1763 (Lei. DE1831/25; DE335/3).  
Five fields in 1677: Bretland, Breach, South, East and North; the last three were combined for cropping. Positions from Award and Map (Lei. DE1797/4/200).  
The parish of Whissendine is large and other Rutland parishes of similar size historically had two settlement sites. Domesday records this village, uniquely in Rutland, as a double manor, indicating that the same situation existed here. Also the historical topography of the village shows two distinct parts, each built high on opposite sides of a valley, with each part having different street orientations, one east-west and the other north-south, see fig. 2.  
A common cow pasture existed into the 19th century (Parkinson 1808, 101).
- Whitwell** Enclosed piecemeal in three stages, first *c*1630-40, second late 17th/early 18th century, final between Parkinson’s 1806 survey and the 1838 Tithe surveys (Nor. T258). Maps cover each enclosure: *c*1630 (Lei. DE3214/601), *c*1700 (Lei. DE3214/M51), *c*1820 (Lei. DE3214/490/21).  
Three fields in 1592: West, North and South (Lei. DE3214/176/3). Three fields *c*1800: Clay, Nether and Middle.
- Wing** Enclosed by 1772 Act of Parliament (Tate & Turner 1978). Award and Map 1772 (Lei. DE1381/526).  
Three fields 1631 to 1767: South, West and North (Lei. MF494-5; Cox 1994).
- Woolfox** Hamlet of about 330 acres in parish of Greatham, deserted before 1500 (*VCH* II, 136). 1664 map shows it fully enclosed (Lin. 5ANC 5/B/3/7/4). Probably had two fields, which were still referred to in 1750 as the lordship of Woolfox and Temple Fields (Lei. MF494; TNA C54/6147). Temple Field was also known as Stretton Field. The name Temple Field probably originates from land granted in the 12th century to the Knights Templar (*VCH* II, 135).

## Appendix II

### Exton Court Pains 1757 (Lei. DE3214/134/42)

Manor of Exton in the County of Rutland Orders and By Laws made by the homage or jury at the Court Leet and Court Baron of the Right Honourable Baptist Earl of Gainsborough as minor Lord of the said Manor by the Right Honourable Elizabeth Countess of Gainsborough his mother and guardian and held for the said manor on Monday the four and twentieth day of October in the year of our Lord one thousand seven hundred and fifty seven before Robert Ridlington gentleman steward thereof.

	£	s	d
[1] First It is Ordered that no person shall keep above three horses for a yard-land upon pain for every horse kept contrary to this order to forfeit to the Lord of the said manor	10	0	
2 It is Ordered that no person shall have any yearling foals follow their teams in seed time or harvest on pain of	3	4	
3 It is Ordered that no person shall keep any horse in the opentide without common on pain of	10	0	
4 It is Ordered that no person let any horse commons out of the town or stock his common with out town cattle on pain of	10	0	
5 It is Ordered that no person shall keep any horse kind infected with the mange or blanders in the fields at any time on pain of	10	0	
6 It is Ordered that no person shall turn any stoned horse into the fields at any time on pain of	3	4	
7 It is Ordered that no person shall keep any cows or sheep above the stint of his common upon pain for every cow so kept and every sheep	7	4	1
8 It is Ordered that every farmer send his cart with his servants to the common work upon notice of the overseers upon pain for every day's neglect to pay	5	0	
9 It is Ordered that every cottager send a sufficient person to help at the common work upon pain of for every default	1	0	
10 It is Ordered that every person shall have a balk of a foot broad in the several fields between neighbour and neighbour upon pain for every default to pay	2	6	
11 It is Ordered that no person shall plough up any hades on pain for each offence	10	0	
12 It is Ordered that no person shall take any cattle from the pinderd or make any pound breach on pain for each offence to forfeit	3	4	
13 It is Ordered that no person shall carry any wood from the Lord's wood without leave or break any hedges except their own on pain of	5	0	
14 It is Ordered that no person shall stop or turn any water course within this manor on pain of	3	4	
15 It is Ordered that no person shall keep any cows in the fallow field after Lady Day [25th March] upon pain of	5	0	
16 It is Ordered that no person shall glean any peas beans wheat or barley but such as are really poor and shall have liberty for so doing from the Overseers of the Poor of the said manor for the time being on pain of	3	4	
17 It is Ordered that no person tether any horses upon any grass but what is upon his own ground before harvest is inned upon pain for every such tethering to pay	1	0	
18 It is Ordered that no person shall keep any horses in the fallow field at any time on pain of	2	6	
19 It is Ordered that no person shall turn any horses loose into the fields before corn be inned upon pain of	5	0	
20 It is Ordered that no person refuse to go forth with the Jury having two days' notice given them by the Foreman on pain of	5	0	
21 It is Ordered that no person shall keep any sheep in New Wood before Saint Luke [18th October] upon pain for every default	5	0	

Appendix II - Exton court pains

		£	s	d
22	It is Ordered that no person shall keep above one horse or three cows for a yard-land upon the common ground nor let any upon pain of		5	0
23	It is Ordered that the Agreement made for the stint of cattle in the year 1666 shall hold good as long as the Jury think fit that is to say three cow commons and twenty sheep commons to a yard-land and that stocks above without consent of the Jury shall pay		10	0
24	It is Ordered that the wheat field be laid several at Saint Simon and Jude [28th October] from horses and cows and at Martinmas [11th November] from sheep on pain for every horse cow or sheep kept contrary to this order to pay		3	0
25	It is Ordered that no person keep any stock in the pease field after Lady Day [25th March] upon pain of		3	4
26	It is Ordered that no person shall keep any steers upon the common pasture on pain of		3	4
27	It is Ordered that no person shall turn any swine into the fields for the space of one month after the fields are cleared on pain for every swine kept contrary to this order to pay		1	0
28	It is Ordered that every farmer shall send one horse to go out with the town plough to drain the pasture the second day of February or when the Jury thinks fit upon pain for every default to pay		5	0
29	It is Ordered that every person having right of common shall go out to drain the Pasture having notice by the Foreman of the Jury on pain for every default to pay		1	0
30	It is Ordered that Overseers of the Poor shall take care of their office according to law and do the best they can for the town's security upon all accounts belonging to their office upon pain of	1	0	0
31	It is Ordered that no person shall carry any fire in the streets uncovered upon pain of		XXXXXX	
32	It is Ordered that no person smoke tobacco in the town street or in any barn or stable on pain of		3	4
33	It is Ordered that no person frequent alehouses in time of divine service upon pain of		3	4
34	It is Ordered that all persons keep their chimneys in good repair on pain for every offence to pay		10	0
35	It is Ordered that all parish officers shall give up their accounts within three months after their time is up upon pain for every default to pay		5	0
36	It is Ordered that the four tellers shall have for pounding every flock of sheep one shilling and for every horse six pence and every cow three pence and for every sow or hog three pence			
37	It is Ordered that every juryman shall have the same privilege and the same pay as the four tellers have			
38	It is Ordered by the Jury that the tellers are not to pay for any half or quarter cow common upon pain of		2	6
39	It is Ordered that the Drift be fenced by the first day of May and the fencing to stand till the harvest be inned on pain for every default to pay		10	0
40	It is Ordered that no person shall erect any cottage without laying four acres of land to it or take any inmates without the consent of the Lord of the Manor and the Jury on pain of		10	0
41	It is Ordered that no person shall keep any ridgel sheep in the fallow field after Lammas on pain for every ridgel sheep kept contrary to this order		1	0
42	It is Ordered that Harbuck Leys be laid at Ladyday as New Wood is			
43	It is Ordered that no person shall keep any more sheep than what he hath common for according to the stint of common on pain for every sheep kept above the stint to pay		1	0
44	It is Ordered by the Jury that no person shall cut any thorns or furze in the New Pasture without paying the intrinsic value to the tellers upon pain of	1	15	0
45	It is Ordered that no person remove or take away any ploughs sledges harrows or rolls in the fields of Exton upon pain of		10	0
46	It is Ordered by the Jury the several sheep walks shall be yearly allotted and any person refusing his lot shall forfeit to the Lord of the Manor	5	0	0
47	It is Ordered that no person shall lodge any travellers above one night except it be on a Sunday on pain for every offence		5	0

	£	s	d
48 It is Ordered that no person shall tether any hades before the wheat be cut but shall have liberty to mow their grass till Lammas [1st August] and then to tether only upon their own ground on pain of		10	0
49 It is Ordered that no person shall turn any cows or two year old heifers upon the common pasture without knobs upon their horns on pain for every cow found thereon unknobbed as aforesaid to pay		10	0
50 It is Ordered by the Jury that all the common ground in the several fields of Exton aforesaid shall be yearly let to the best bidder for ready money on the Monday sennight before May Day and the money applied to the town's use any person refusing to keep this order to pay	1	10	0
51 It is Ordered and Agreed by the Jury that the quick which is set at the land ends in the Nether Brooks shall be sufficiently fenced at the expense of the owners or occupiers thereof and shall be repaired by them from time to time till the said quick shall become a sufficient fence and also Cottesmore gap shall be fenced and maintained in such manner as is before mentioned on pain of	1	0	0
52 It is Ordered that no person shall turn any hogs unrunng into the common streets of Exton aforesaid on pain for each hog found therein so unrunng as aforesaid to forfeit and pay		5	0

### Notes to Court Pains

- 1 Yardland: about 30 acres.
- 3 Opentide: period after harvest when the crop fields were thrown open for common use.
- 5 Mange: parasitic mites; blanders: local variant of glanders, an infectious respiratory disease.
- 6 Stoned horse: a non-castrated male.
- 7, 23 Stint: the maximum amount of beasts allowed per yard-land or acreage.
- 8, 9 Common work: such as clearing watercourses, drainage and hedging.
- 10 Balk: a boundary mark or dividing piece of land left to enable strips to be reploughed, particularly after ridges had been ploughed down and then back up during fallow.
- 11 Hades: headland at the end of strips on which plough team turned. When left unploughed these often provided byways though the fields.
- 13 This order was later crossed out.
- 12 Pinder: pinder, the parish officer responsible for impounding stray or trespassing beasts.
- 16 This order was later crossed out.
- 24 Several: opposite of common, giving farmers sole use of strips.
- 27 This order was later crossed out.
- 28 Town plough: a great trench plough used to create a furrow to allow the land to drain.
- 31 Amount of pain was later obliterated.
- 36 Tellers: parish officials responsible for checking the number of each commoner's animals and impounding stray animals.
- 38 Rents for part commons could be proportionately higher than for complete commons. This restriction inhibited commons being divided.
- 39 Drift: a track.
- 40 Restricting building to those with 4 acres ensured that cottagers had some land to support themselves, and so did not become a burden on the parish.
- 41 Ridgel sheep: non-castrated males.
- 43 This order was later crossed out and '*in before*' written in the margin, referring to 7.
- 44 Thorns: hawthorn; furze: gorse.
- 46 Sheep walks: land used for pasturing sheep.
- 47 The parish was always vigilant not to let the poor of other parishes become resident in their 'town' and therefore become their responsibility.
- 48 See 11. Animals pastured on the hades were tethered as they were in the arable fields.
- 50 Town common: pastureland let out to provide the town administration with an income.
- 51 Quick: quick-set (hawthorn).

**Appendix III**  
**John Hack's Enclosure Costs 1764 to 1769**  
*(Lei. DE6256)*

1764	£	s	d
<b>Commissioners' and Surveyor's Costs</b>			
Paid the Commissioners and Surveyor of the Act of Parliament	36	4	6
Paid for dividing the lands to the Surveyor [further sub-division of allotment]	3	3	0
<b>Land in Pipers Pit</b>			
Paid for the town old hedge on the northside of Sallowtreelease joining on the Earl of Winchelsea lands about 288 yds	4	0	0
For fencing a 3 barred fence 14 acres joining on by Mr Dawes at 13s 6d	9	9	0
Fencing 8 acres on by the Lords in Sallowtreelease Close of a 3 barred fence	5	8	0
For 25 acres of a 3 barred fence on by the road	16	17	6
For 8 acres of hedge on by the road at 5s	2	0	0
Paid for banking on by the road 33 acres at 6d per acre	0	16	6
For making a bed hedge from Pipers Pit to Mr Dawes fence 17 acres at 5s per acre	4	5	0
<b>Home Closes, Land Close and Smith Close</b>			
Paid for partitioning of buildings home closes	3	0	0
Paid to Tho. Stibbs for an acre of 2 barred fence	1	0	0
For five acres of 3 barred fences Gapsteads [gaps in fences] etc at 13s per acre	3	7	6
Paid for back diking same	0	2	0
<b>Cockpit Close</b>			
A gate and rail	0	5	0
<b>TOTAL</b>	<u>89</u>	<u>18</u>	<u>0</u>
<b>1765</b>			
<b>Land in Pipers Pit</b>			
Paid to John Broom for quick setting on by the road and on by Mr Dawes Ground by the Lords lands, Piper Pits Mr Dawes fence in [all] 712 acres at 3d per acre	10	14	6
Paid for 200 of oak trees	0	10	0
Paid for 100 Ash Trees	0	1	6
Paid for making a pond by Wm Andrews in the Close	0	12	0
For making an inside hedge on by the road 33 acres and the thorns and carriage	8	5	0
For making another hedge from Pipers Pits to Dawes trees 17 acres	4	5	0
For hedging 22½ acres on the west end by Mr Dawes and the Lord at 5s per acre	5	12	6
<b>TOTAL</b>	<u>30</u>	<u>0</u>	<u>6</u>
<b>Building the Barn, Sties and Garden Wall</b>			
4 loads of stone of J Bell and 2 loads of weather barges	0	11	0
For carriage of the stone from Clipsham	1	7	0
Paid for stone and mortar digging in Cockpit lane	1	14	2
For 7 days carries of the stone and mortar	1	8	0
Paid to the masons bill for walling the barn	15	15	9
For three pair of couples and four side pieces 10 spars and the ring tree and the carriage	1	15	0
Paid for 14 pound of large spikes	0	4	8
Paid for drill nails for eight hundred and half of larch at 15d per hundred	0	10	6
Paid to the carpenter for cutting out the wood roof	1	10	0
A pair durns [door posts] and two barn doors and a steer hole door and the durns	0	10	6
For seven loads of stubble	3	10	0
Carriage of stubble	1	1	0
Paid for hooks and bands hoops and staples	0	6	2
Paid for 2 thousand larch nails	0	4	8
Paid for Tarmark [tarred twine] for sewing the thatch	0	3	4
Paid the Thatcher	0	13	0
<b>TOTAL</b>	<u>30</u>	<u>1</u>	<u>0</u>

1766

**Home Closes, Land Close and Smith Close**

Paid for setting quick on by Cottesmore Field side on by south and paid for setting the Gapsteads with quick and trees	0	10	6
	0	3	0
<b>TOTAL</b>	<u>0</u>	<u>13</u>	<u>6</u>

1767

**Land in Pipers Pit**

For making a three barred fence on by the westend through the old pond mouth 24 acres at 13s 6d per acre	16	0	0
For making a two barred fence from Pipers Pit to Mr Dawes fence 17 acres at 10s 6d per acre	8	18	6
For making 8 acres of a two barred fence on by the road on the outside in the lane at 10/6 per acre	4	4	0
<b>TOTAL</b>	<u>29</u>	<u>2</u>	<u>6</u>

1768

**Land in Pipers Pit**

Paid to Wm Hack for making the dike deeper the westend from Piper Pit to Mr Dawes Close 39 acres at 1s per acre	1	19	0
For fencing with a two barred fence in the inside on by the road nigh the town at 10/6 per acre	7	7	0
14 acres and 2 acres against the gate at the northend	1	1	0
<b>TOTAL</b>	<u>10</u>	<u>7</u>	<u>0</u>

1769

**Land in Pipers Pit**

Paid to Wm Hack for making a deep dike on by the road on the inside the quick 33 acres at 18s per acre	2	9	6
---	---	---	---

**Cockpit Close**

Paid to Daniel Idle for fencing and setting down	0	11	0
<b>TOTAL</b>	<u>3</u>	<u>0</u>	<u>6</u>
<b>GRAND TOTAL</b>	<u>193</u>	<u>3</u>	<u>0</u>

{1} Hack states that the land in Piper Pit amounted to about 62 acres and in Home, Lane and Smith Closes to about 3 acres. The cost per acre over five years before he bought more land in 1770 was therefore £2 19s, close to the allowed level of mortgage permitted by the Act of £3 per acre, though it is not known whether Hack made use of that facility.

{2} In the enclosure award (NA C54/6147) Hack's lands are not specified directly as they were part of an allotment of 95a 3r 27p awarded to a group of four persons, including Hack, who had collective rights to 2¼ yardlands. However, when allocating costs of the enclosure for this allotment the commissioners required Hack to pay three-fifths, specifying £36 4s 6d (the same amount as quoted by Hack). The allotment was divided into four parts:

Part 1	60a 3r 20p	In Wood Field
Part 2	32a 3r 23p	In Wood Field and the Common called Between Woods
Part 3	2a 0r 27p	'Two field closes called Land Close and Smiths Close'
Part 4	37p	Common Land 'by house barnyard and an old inclosure' belonging to John Hack

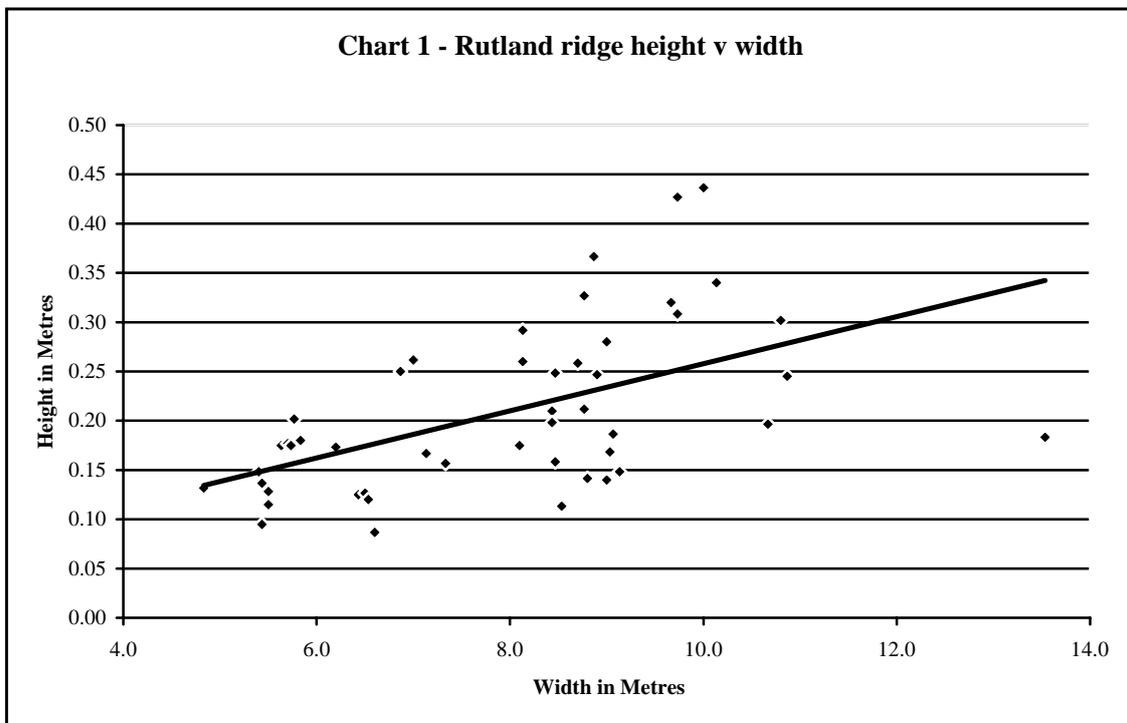
It is clear from his book that Hack owned Part 3 and it would seem likely, given his statement on the size of Piper Pit and the proximity of his property to Part 4, that for the remainder of his three-fifths portion he also took possession of Parts 1 and 4. It is also probable that Part 4 came to be called Cockpit Close as Cockpit lane is mentioned in the construction costs of his new barn.

## Appendix IV

### *Dimensional Survey of Rutland Ridge and Furrow*

Maps based on 1947 aerial photography (Hartley 1983) reveal that in some parishes relatively little ridge and furrow survived the first half of the twentieth century, while in others it was extensive. The survival of pre-enclosure ridge and furrow depends on land being retained as permanent pasture from the period of enclosure. The National Statistics of Agriculture for Rutland show that by 1970 almost 70% of agricultural land was in arable production; to this should be added pasture consumed by the post-war building expansion. More recently the high natural fertility of land retained as permanent pasture, which for a period needed little input from expensive fertilizers, prompted this land to be brought into rotations that included a 'set aside' time. It is an irony that while the 'set aside' requirements of the European Common Agricultural Policy have rested land in a way reminiscent of the old fallow year that followed two years in crop, they have also seen many of the strips identified by Hartley ploughed out. Within the last years the Government has required approval for changes in permanent pasture, which has given some protection to the remaining ridge and furrow.

As can be seen from aerial photographs (for example, figs. 2 and 20), the length of a strip was highly variable, being dependent on the slope of the ground and positioning of adjacent furlongs, and consequently there appears little to be gained by undertaking a study of strip lengths. However, apart from some generalised statements from a few historians about correlations between width / height and soil type, there is a paucity of physical measurements. Consequently a survey was undertaken to measure a sample of these cross-section dimensions from a range of sites throughout the county. Each sample was selected to have four consecutive ridges of approximately the same dimensions, to avoid distortion caused by inclusion of engrossed strips (adjacent strips which had been ploughed into a larger width strip). The measurements were taken away from the strip ends, as the furrow depth at the ends was sometimes exaggerated to provide better drainage into water channels. The width



was determined by measuring the distance from the middle of the first ridge to the middle of the fourth. The height was defined as the distance from the base at the middle of a furrow between two ridges to the averaged top of the ridges. The height of each ridge and furrow was determined using a level laser beam shone at right angles across the ridges. Measurement across four ridges gave an average width over three strips, three measurements of

furrow to ridge height were averaged, and a cross-section ratio was calculated from average width over average height. A full list of sample sites together with dimensions is given in Table 4. Comparisons of these dimensions were made against a classification of local surface geology (note 1). These comparisons are shown in Tables 1-3 for those samples that could be unequivocally sited in a geological classification.

There is a broad range of strip widths within the county, from 4.8 to 13.5m, with the most frequently measured width around 8m. As width varied throughout the county so did height, but it should be remembered that these heights do not reflect actual height while in cultivation, due to erosion from ridge to furrow. While there is no specific information on the rate of erosion or whether this varies with the type of soil, measurements from villages known to have been deserted by 1500 and on very different soil types (Gunthorpe and Pickworth) show that the ridges are still pronounced. This indicates that most erosion took place in the first few years after the last ploughing, before grass consolidated the ridge and furrow. In the eighteenth century Crutchley (1794, 12) commented that enclosed fields were put straight to grass, leaving ridge and furrow intact. Nevertheless, furrow to ridge height should be viewed as a relative and not absolute measure of height, ranging from 0.09 to 0.44m with the most frequently measured heights between 0.1 and 0.2 m. Thus while the width of a Rutland ridge varied by a ratio of up to 1: 2.8, its height could vary by almost 1: 5, double that amount.

While there was a limited correlation between strip width and height (note 2), with a wide scatter from the trend line (Chart 1), there was little or no obvious correlation between width and surface geology (Table 1). The latter is in contradiction to those who have asserted '*narrow lands with frequent water furrows [were] being ploughed in wet, heavy soil, and wider ones in lighter soils*' (Orwin & Orwin 1967, 101).

**Table 1 – Number of samples by strip width and surface geology**

	<i>Less than 7m</i>	<i>7 to 9m</i>	<i>Greater than 9m</i>
Limestone / Sandstone	3	6	4
Jurassic Clay / Silt	9	9	2
Boulder Clay / Alluvium	3	1	4

**Table 2 – Number of samples by strip height and surface geology**

	<i>Less than 0.18m</i>	<i>0.18 to 0.25m</i>	<i>Greater than 0.25m</i>
Limestone / Sandstone	8	5	0
Jurassic Clay / Silt	7	7	6
Boulder Clay / Alluvium	0	3	5

**Table 3 – Number of samples by strip cross-section ratio and surface geology**

	<i>Greater than 45</i>	<i>32 to 45</i>	<i>Less than 32</i>
Limestone / Sandstone	12	1	0
Jurassic Clay / Silt	1	15	4
Boulder Clay / Alluvium	0	2	6

However, observations of correlation between height and surface geology (ibid, 34; Kerridge 1992, 9) are also seen in Rutland (Table 2), but the correlation can be substantially improved by replacing height with the cross-section ratio of width over height (Table 3).

A high cross-section ratio and low ridge heights are associated with well-drained limestone or ferruginous sandstone (ironstone) soils, and a low ratio and high ridge heights with poor draining clay soils. However, not only was the cross-section ratio correlation with local geology better defined than that with just height, but it also accounted for different ridge dimensions on the same soil. In some places two sets of ridges that are in close proximity on the same soil type have very different ridge dimensions, as shown in Table 5.

Although the soil is the same for each pair of strips, each has one set of strips with almost twice the width and height of the other. If height alone were used as the criterion for surface geology this would indicate two very different types of soil, which is not the case. In contrast the two cross-section ratios are similar with no statistical difference between them, in accord with the soil type. As a consequence of this correlation between cross-section

**Table 4 – Average Dimensions in metres of Samples of Rutland Ridge and Furrow**

Sample Place	Map Reference	Width	Height	Cross-Section Ratio	Surface Geology
Alsthorpe	SK 894 18	8.8	0.14	62	Oolitic
Ashwell	SK 865135	9.7	0.31	32	Jurassic Clay
	SK 865136	5.4	0.15	36	Jurassic Clay
Barleythorpe	SK 835094	8.1	0.26	31	Boulder Clay
Barrow	SK 882153	8.8	0.21	41	Jurassic Clay
Belmesthorpe	TF 043104	10.7	0.20	54	Oolitic
Belton	SK 819019	8.8	0.33	27	Jurassic Clay
Bisbrooke	SP 890000	8.4	0.21	40	Oolitic
Braunston *	SK 832064	8.1	0.29	28	Clay
Caldecott	SP 867934	10.0	0.44	23	Alluvium
Clipsham	SK 974163	6.6	0.09	76	Oolitic
Edith Weston *	SK 922054	8.7	0.26	34	Clay
	SK 922054	6.5	0.12	54	Oolitic
Egleton	SK 877077	9.0	0.28	32	Jurassic Clay
Empingham	SK 957091	13.5	0.18	74	Oolitic
Exton	SK 925115	9.1	0.15	62	Oolitic
Gunthorpe	SK 868057	6.9	0.25	27	Boulder Clay
Ketton	SK 986045	8.1	0.18	46	Oolitic
Langham	SK 847119	7.0	0.26	27	Jurassic Clay
Lyddington	SP 872969	5.8	0.18	32	Jurassic Clay
Lyndon	SK 904047	8.4	0.20	43	Jurassic Clay
Market Overton	SK 880159	8.9	0.25	36	Jurassic Clay
	SK 894165	9.0	0.14	66	Oolitic
Manton	SK 878051	8.9	0.37	24	Jurassic Clay
Morcott	SK 916012	5.7	0.18	33	Jurassic Clay
North Luffenham	SK 941029	8.5	0.16	53	Oolitic
Normanton	SK 935062	6.5	0.13	51	Oolitic
Oakham	SK 843078	10.1	0.34	30	Boulder Clay
Pickworth	SK 986135	9.1	0.19	49	Oolitic
Pilton *	SK 916031	5.4	0.09	57	Oolitic
Preston	SK 867016	7.1	0.17	43	Jurassic Clay
	SK 867016	4.8	0.13	37	Jurassic Clay
Ridlington	SK 849033	5.8	0.20	29	Jurassic Clay
South Luffenham *	SK 940021	8.5	0.11	75	Oolitic
Seaton	SP 905979	6.2	0.17	36	Jurassic Clay
Stoke Dry	SP 856971	5.7	0.18	32	Boulder Clay
Stretton	SK 946163	9.7	0.32	30	Boulder Clay
Teigh	SK 863159	10.8	0.30	36	Jurassic Clay
	SK 863159	5.4	0.14	40	Jurassic Clay
Thistleton	SK 908179	5.6	0.18	32	Boulder Clay
Thorpe	SP 883963	6.4	0.13	51	Silty Clay
Tolethorpe	TF 022103	9.0	0.17	54	Oolitic
	TF 022103	5.5	0.12	48	Oolitic
Uppingham *	SP 856995	7.3	0.16	47	Oolitic / Clay
Wardley	SK 834001	8.5	0.25	34	Jurassic Clay
Whissendine	SK 824139	9.7	0.43	23	Boulder Clay
Whitwell	SK 923084	5.5	0.13	43	Jurassic Clay
Wing *	SK 887028	10.9	0.25	44	Oolitic

\* Denotes strips sited near geological border and excluded from Tables 1-3. Surface geology assigned from cross-section ratio.

ratio and surface geology the following generalisation can be made for Rutland: the further the cross-section ratio is above 45 the greater is the probability that the strips are on limestone or sandstone soils, and the further it is below 45 the greater it is that the soils are clay based. These observations raise the question as to why the cross-section ratio should correlate with surface geology.

Ridge and furrow were ploughed for several reasons: to permit identification of each strip; to build up a deeper tilth on thin soils; and to aid drainage: but drainage was the perennial issue. While water is essential for plant growth, in excess it makes the land cold and inhibits growth. By ploughing a field into ridge and furrow, drainage was enhanced by allowing greater rainwater run-off and the percolation of water from the body of the ridge into furrows that acted as drainage channels. The amount of water contained in any ridge is a function of the cross-sectional area of the ridge, which depends upon its height and width. The height of the ridge can also be seen as

**Table 5 – Measurement of different ridge dimensions and cross-section ratios in same soil**

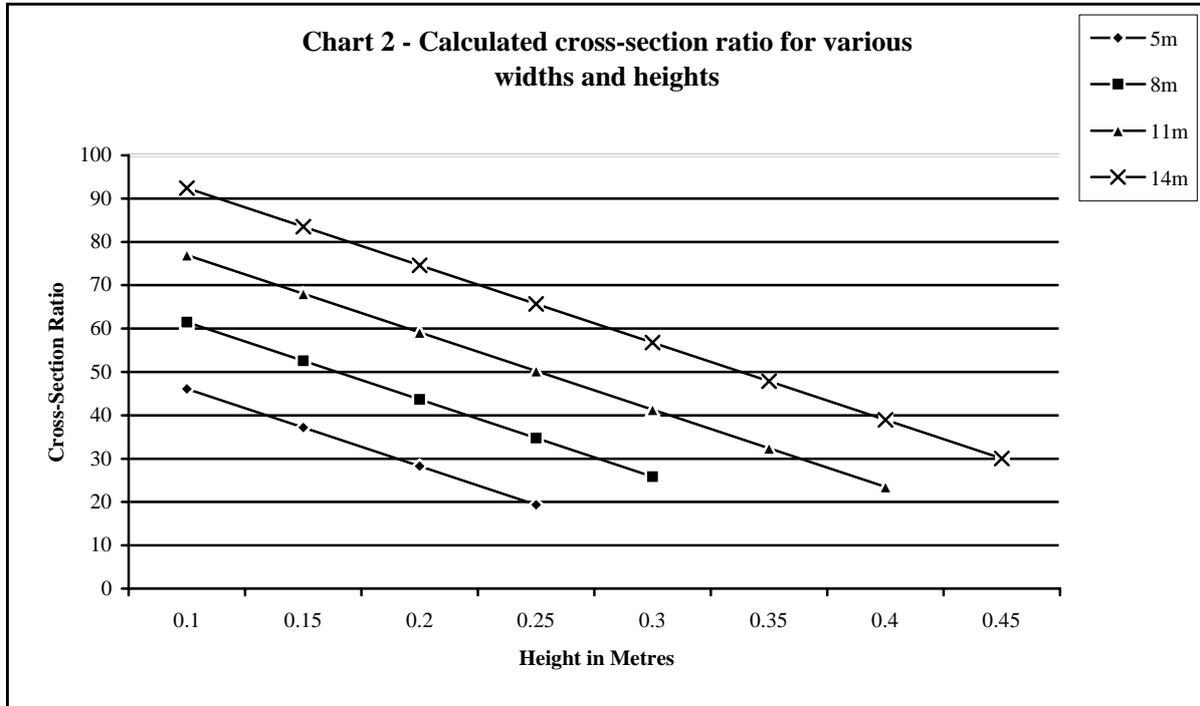
<i>Place</i>	<i>Width in m</i>	<i>Height in m</i>	<i>Cross-section ratio</i>
Ashwell	9.7	0.31	32
Ashwell	5.4	0.15	36
Teigh	10.8	0.30	36
Teigh	5.4	0.14	40

the head pressure on the water, which is opposed by the resistance of the soil to percolation. In light soils the resistance is low and the head pressure (ridge height) therefore low. In heavy soils the resistance is high and the head pressure high. The width of a ridge affects the amount of water needing to be drained, and by doubling the width a ploughman doubled its water content, which he countered by doubling the head pressure (height of the ridge). In some cases on very light soils the draining effect of even low ridge height had to be countered. At Toilethorpe the ridges on a steep hill are oriented at right angles to the natural slope of the ground probably to conserve water, in contrast to 'high back' boulder clay ridges at Whissendine which are oriented with the slope to permit greater run-off.

The situation on the ground was often a complex mix of the potential options. A ploughman's choice of strip dimensions was influenced by several factors. The length of a strip was determined by the furlong size, but its width depended upon the width of the furlong and the number of commoners who shared the land as well as the surface geology. At Teigh, as the two sample sites were in adjacent furlongs with the same soil, the width of the furlong together with the number of commoners probably explains the different strip widths, but in other places geology also affected matters. At Market Overton the width of strips on low-lying Jurassic clay was similar to that of those on limestone or sandstone soils on top of the hill (8.9 and 9.0m respectively), but the lowland strips were higher than their hillside counterparts (0.25 and 0.14m respectively). The complexity is increased in other furlongs by the presence of engrossed strips. At Preston, broad strips (7.1 and 0.17 m) are next to narrow ones (4.8 and 0.13 m); these dimensions indicate that some of the narrow strips had been redistributed to give the broad 1½- sized engrossed strips, and as expected the wider strips are higher. At Edith Weston there is also a mix of strip sizes; those on flat ground are narrower and shallower (6.5 and 0.12 m) than adjacent ones on a slope (8.7 and 0.26 m), but it is unclear whether these differences are a result of engrossment or adjustment to the slope or of a change in geology, the area having a mix of clay with limestone intrusions.

Measurements of width and height were taken to the nearest 10cm and 1cm respectively; and the sensitivity of the cross-sectional ratio to variations in these measurements was examined. As the average width was determined from the total width across three strips any error in the total measurement is reduced to a third in the average width. Hence even a large error of 1m in total width reduces to 33cm in average width, which is an error of only 7% for even a narrow 5m strip. However, it should not be assumed that the width of a strip was uniform along its length; at Preston the same strips differed in width by 11% between top and bottom. This kind of variation probably arose from non-parallel furlong boundaries. Average height is based on three separate measurements, which shows an average error of 2.6cm across all measurements. This size of variation is small for large heights (6% for 45cm), but large for low heights (26% for 10cm), therefore whilst cross-section ratios are relatively unaffected by errors in width they are affected by variations in height, particularly at low heights. Variations in height arise from uneven ground in the furrows, variations in the ridge height, and irregular changes in the slope of the ground. The width, height and cross-section ratios from the forty-eight samples were subject to regression analysis to produce a mathematical model that showed a good correlation (note 2) with the actual data. The model (Chart 2) shows that with broader widths all heights (0.1 to 0.45m) produce a cross-section ratio within the 95% probability range expected from average values, but decreasing strip width produces a decreasing cross-section ratio, with some larger heights falling outside the 95% probability range (below 20). With a 5m width only

heights of 0.25m or lower fall within the probable range. These two situations of broad widths encompassing a wide range of heights and narrower ones only lower heights reflect the extremes in the practical situation faced by the ploughman. Drainage in light soils is not an issue, and therefore height is determined by other factors, such as ease of strip identification and the need for good soil depth, that are applicable across all widths. In heavily waterlogged sites there is a need for greater drainage and consequently a lower cross-section ratio from either greater height or narrower width, but progressive increase in height or decrease in width are limited by ploughing becoming steadily more difficult as the ridge sides become too steep.



The correlations observed in this study of Rutland ridge and furrow between the cross sectional strip ratios and surface geology serve to demonstrate that the composition of strips in each field system was unique to the range of soils in that system. They also reflect the evolution of practical knowledge and experience by generations of ploughmen of what was appropriate for the local circumstance.

**Notes**

1. The British Geological Survey (Keyworth, Nottinghamshire) 1:10,000 maps, where available, were used for geological assignment; when not available the 1:50,000 sheet 157 (Stamford) was employed.
2. The correlation co-efficient  $R^2$  for Height versus Width was 0.27, where 0 is none and 1 a perfect correlation. The co-efficient for Cross Section Ratio versus Width and Height was 0.85, which gave the following mathematical model for Rutland Ridge and Furrow:

$$\text{Cross Section Ratio} = 38 + (5.2 * \text{Width in metres}) - (180 * \text{Height in metres})$$

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3. *Stained Glass in Rutland Churches*, by Paul Sharpling (1997). Introduction; complete survey and gazetteer; lists of glaziers, subjects, dedicatees, donors, heraldry (now £7.50, members £5.00)

4. *Time in Rutland: a history and gazetteer of the bells, scratch dials, sundials and clocks of Rutland*, by Robert Ovens & Sheila Sleath (2002) (now £20.00, members £15.00)

## **Occasional Publications**

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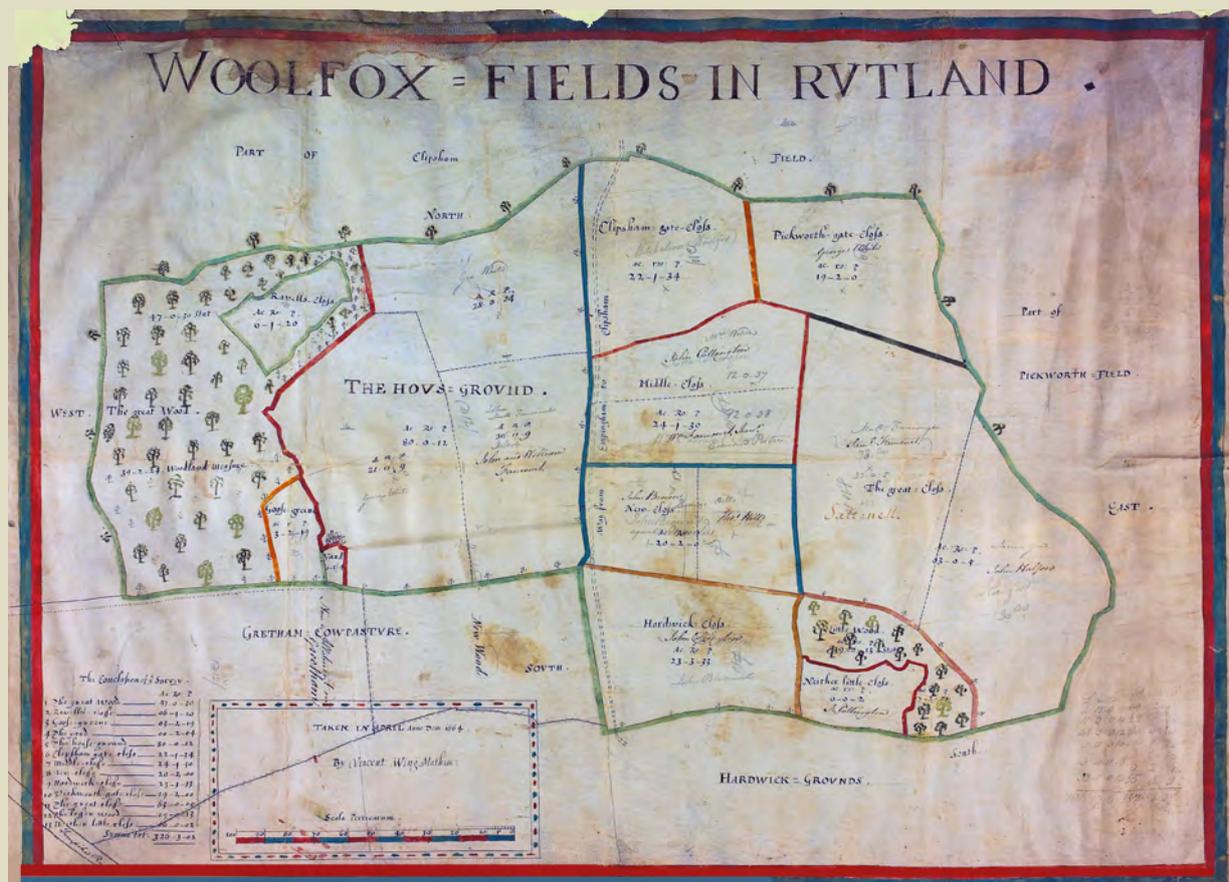
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## About this book

*The ridge and furrow patterns seen throughout Rutland, and in other parts of the country, are fossils of the common field system of agriculture that governed the lives of generations of farmers and their workers over the past millennium. The system required land to alternate between being available for use by individuals and open for common use by the whole village. It necessitated a high degree of community organisation, regulated by a jury of the villagers meeting to agree on various matters. These included limiting the number of beasts an individual could pasture, ending the period of common use, and adjudicating on disputes. The jury also looked after the needs of the community, providing access to firewood through control of woods and hedges, and supporting its poorer members through their right to pasture animals on common land and glean the arable fields after harvest.*

*This interlocking of community and agricultural requirements, coupled with a mechanism to regulate change, provided the common field system with a high degree of resilience. This resilience was tested, in the centuries following the Black Death, by a series of economic challenges that gradually forced villages, one by one, to convert from common fields to the enclosed fields seen today. The last Rutland enclosure took place in 1882.*

*This book identifies Rutland's common fields and describes how the system worked, using maps and documents as illustrations. It explains the reasons for enclosure and how this led first to the desertion of some villages in the late Middle Ages and later to a geographical division in the county between areas dominated either by arable or by pastoral agriculture. Through case studies it examines the processes of parliamentary enclosure that forced the majority of the common fields remaining in the eighteenth and nineteenth centuries into enclosure; the evidence is summarised for every Rutland parish. It also describes how the impact of new agricultural and financial innovations released many of the rural population from the land, often to destitution, and how as a consequence enclosure was fiercely resisted.*