

THE UNIVERSITY OF HULL

Parliamentary enclosure in eastern Yorkshire, 1725-1860

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## S U M M A R Y

Summary of Thesis submitted for Ph.D. degree

by Janice Elizabeth Crowther

on

Parliamentary enclosure in eastern Yorkshire,

1725-1860

The thesis examines the economic and social effects of the parliamentary enclosure movement in eastern Yorkshire, a region which includes the Yorkshire Wolds, the Hull valley, and the Plain of Holderness. An analysis is made of the distribution of parliamentary enclosure through five upland and four lowland districts, and an assessment is made of the relationship between agricultural improvement and enclosure. The influences upon the decision to enclose are enumerated and evaluated, and the experience of the region is compared to that of others elsewhere. A detailed investigation of the enclosure process from the earliest negotiations to the signing of the award is made, and the social and economic backgrounds of the commissioners, surveyors, attorneys and bankers are studied. A major theme of the study is the distribution of landownership in the parliamentary enclosure period, and the enclosure awards are used to assess the relative strength of the various landowning groups. With the aid of the Land Tax returns an investigation is made of the ownership and occupancy of the land in old-enclosed townships and in those enclosed by act and award. Employing a hitherto unused source, the Registry of Deeds, together with manorial court books, a uniquely detailed analysis of the land market at enclosure in 34 townships is made.

The study reveals that enclosure was closely linked with other types of agricultural improvement: on the Wolds it coincided with the introduction

of the 'new' agriculture and the ploughing up of old pastures; in the lowlands it coincided with drainage schemes and the turnpiking of major roads. Although the region was very intensively affected by parliamentary enclosure there was very little overt opposition shown. Many townships where the land was in the hands of numerous proprietors were enclosed relatively early in the parliamentary enclosure period with almost general consent. The study of the land market at enclosure revealed quite widely differing experiences in the 34 townships, but the principal conclusions were that mortgaging, probably to raise enclosure expenses, was more common than has usually been recognised, and that the majority of people retained their land throughout the enclosure period.

	<u>Page</u>
Preface	v
List of tables	vi-viii
List of figures	ix
List of appendices	x
List of abbreviations	xi
 Introduction	 1-8
Chapter One. Geographical background	10-29
The upland districts	10
Farming in the uplands	16
The lowland districts	22
Farming in the lowlands	25
Towns and markets	27
 Chapter Two. Enclosure and improvement in the uplands, 1730-1860	 31-105
District 1. The Jurassic hills	37
District 2. The high Wolds	43
District 3. The Vale of Pickering fringe	67
District 4. The Wold scarp/Jurassic	75
District 5. The lower Wolds	88
Enclosure and improvement in the uplands	103
 Chapter Three. Enclosure and improvement in the lowlands, 1730-1860	 106-49
District 6. The Hull valley	106
District 7. North Holderness	116
District 8. Middle Holderness	124
District 9. South Holderness	132
Enclosure and improvement in the Hull valley and Holderness	145
 Chapter Four. The chronology of enclosure	 150-211
The general determinants of enclosure: the debate	157
Prices and interest rates: the local experience	162
The national and regional patterns compared	165
The influence of the soil (i) The lowlands	167
The influence of the soil (ii) The uplands	176
The diffusion of enclosure in eastern Yorkshire	185
The role of rents	189
Landownership structure and the chronology of enclosure	192
Other factors affecting the timing of enclosure	200
Conclusions	208

Chapter Five. The enclosure process, I: Preliminaries, Parliament and protest	212-55
Preliminaries	212
Parliamentary business	222
Opposition at the report stage	235
Case studies of opposition a) Wallingfen enclosure	241
Case studies of opposition b) Walkington enclosure	246
Opposition to enclosure	251
Chapter Six. The enclosure process, II: Personalities, implementation of the act	256-342
The commissioners: their selection, the size of the commission, evidence of teamwork	256
The commissioners: their counties of origin	265
The commissioners: inter-relationships	272
The commissioners: occupational background	275
The commissioners: their character and integrity	284
Commissioners-cum-surveyors	289
The commissioners as landowners	290
The commissioners' fees	292
The surveyors	295
The attorneys	299
The bankers	305
The work of an enclosure	307
The length of enclosures	313
The costs of enclosure	322
Individuals' costs: general expenses and fencing costs	331
Some conclusions	334
Chapter Seven. Landownership at enclosure, I: an analysis	343-445
Landownership at enclosure (i) by size of allotment	344
Landownership at enclosure (ii) by social and economic grouping	369
The tithe owners	394
The structure of landownership in eastern Yorkshire as shown by the Land Tax returns	407
Owner-occupancy in eastern Yorkshire in 1787	424
The changing pattern of ownership and occupancy, 1787-1827	437
Conclusion	443
Chapter Eight. Landownership and enclosure II: the case studies	446-538
The case studies (i) Property transactions recorded over a 30-year period	451
The case studies (ii) Turnover of properties as recorded in the Land Tax returns	464
The case studies (iii) Individual transactions	477
The varieties of enclosure experience	493
Group A. Townships with marked stability of ownership	494
Group B. Townships where one owner was engrossing land	498
Group C. Large 'open' townships in multiple ownership	513
Group D. The remaining townships	521
Owner-occupiers in the case study townships	531
Some conclusions	534

Conclusion

539-59

Appendices

560-630

Bibliography

631-56

PREFACE

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TABLES

	<u>Page</u>	
2.1	Density of enclosure by act and by agreement, 1730-1860	32
2.2	Incidence of enclosure by act and by agreement, 1730-1860	36
2.3	Enclosure in the Jurassic hills (district 1)	38
2.4	Enclosure in the high Wolds (district 2)	44-5
2.5	Enclosure in the Vale of Pickering (district 3)	68
2.6	Enclosure in the Wold scarp/Jurassic ridge (district 4)	76-7
2.7	Enclosure in the lower Wolds (district 5)	89-91
3.1	Enclosure in the Hull valley (district 6)	107-8
3.2	Enclosure in North Holderness (district 7)	117-18
3.3	Enclosure in Middle Holderness (district 8)	125-6
3.4	Enclosure in South Holderness (district 9)	133
4.1	Lowland townships enclosed by act grouped by decade	168
4.2	Acreage enclosed by act in the lowland districts of eastern Yorkshire by decade	168
4.3	Increase/decrease in wheat acreage after enclosure	171
4.4	Upland townships enclosed by act grouped by decade	178
4.5	Acreage enclosed by act in upland townships of eastern Yorkshire by decade	178
4.6	Distribution of landownership at enclosure, 1725-1858	193
4.7	Mean numbers of owners at enclosure by period	195
4.8	Distribution of ownership (by percentage) at enclosure: broad groups	196
4.9	Distribution of ownership at enclosure: broad groups	198
5.1	Opposition to eastern Yorkshire enclosure bills	252-3
6.1	Numbers of commissioners in eastern Yorkshire and Oxfordshire	260
6.2	Length of enclosures in eastern Yorkshire	313
6.3	John Outram's meetings in 1769	320
6.4	Enclosure costs in eastern Yorkshire. Individual townships	324



	<u>Page</u>	
6.5	Enclosure costs in eastern Yorkshire by period	325
6.6	Distribution of costs for six eastern Yorkshire enclosures	329
6.7	Average expenses for enclosure costs recorded in 1808 General Report	330
7.1	Landownership at enclosure in the nine districts	347
7.2	Landownership at enclosure: broad groups	348
7.3	Average acreage at enclosure	349
7.4	Average no. of owners per enclosure	350
7.5	Landownership at enclosure: cumulative by percentage of total	358
7.6	Landownership at enclosure in Leicestershire and lowland eastern Yorkshire	363
7.7	Landownership at enclosure in Warwickshire	365
7.8	Comparison between landholding at enclosure in the claylands of Buckinghamshire and eastern Yorkshire	367
7.9	Institutional, aristocratic and gentry owners allotted over 500 acres at enclosure	374-5
7.10	Proportion of land allotted at enclosure to aristocracy, gentry, institutions and the church	386
7.11	Proportion of land allotted at enclosure to aristocracy, gentry, institutions and the church in the nine districts	393
7.12	Acreage allotted for tithes at enclosure in eastern Yorkshire	404
7.13	Mean number of proprietors in uplands and lowlands districts, 1787, 1807, 1827	411
7.14	Mean number of proprietors in the nine districts of eastern Yorkshire, 1787, 1807, 1827	414
7.15	Mean number of allottees per township at enclosure in the nine districts	419
7.16	Mean number of occupiers in the nine districts of eastern Yorkshire	422
7.17	Mean number of owner-occupiers in townships in upland and lowland districts, 1787, 1807, 1827	424
7.18	Mean number of owner-occupiers in townships in the nine districts, 1787, 1807, 1827	425
7.19	Owner-occupiers as a percentage of all owners in the nine districts, 1787, 1807, 1827	426

	<u>Page</u>	
7.20	Percentage of total tax paid by owner-occupiers in upland and lowland districts, 1787, 1807, 1827	428
7.21	Percentage of total tax paid by owner-occupiers in Buckinghamshire, 1785, 1825	429
7.22	Percentage of total tax paid by owner-occupiers in the nine districts of eastern Yorkshire, 1787, 1807, 1827	429
7.23	Tax paid by owner-occupiers in the nine districts of eastern Yorkshire, 1787, 1807, 1827	433
7.24	Owner-occupiers as a percentage of owners, 1787, 1807, 1827	440
8.1	Enclosure data for the case study townships	454-5
8.2	Landownership structure at enclosure in the case study townships	456-7
8.3	The number of transactions in the case study townships over a 30-year period	458-9
8.4	Landowners named in the Land Tax returns over a period encompassing the enclosure act and award—changes in numbers and individuals	466-8
8.5	The survival of original owners in the decade including the enclosure act and award in the case study townships	474
8.6	The transactions of those allotted land at enclosure in the case study townships	480
8.7	Breakdown of transactions by allotment size	483
8.8	Lord Hotham's purchases in South Dalton, 1812-30	502-6
8.9	Lord Hotham's purchases in Etton, 1819-20	507
8.10	Sir Christopher Sykes's purchases in Thixendale, 1786-93	508-9
8.11	Transactions recorded in Keyingham manorial court books, 1789-1818	520
8.12	Owner-occupancy in the case study townships before and after enclosure	532

	<u>Page</u>
Figure 1. Eastern Yorkshire: geology and settlement	9
Figure 2. Eastern Yorkshire: the nine geographical districts	11
Figure 3. Eastern Yorkshire: deserted medieval villages and rabbit warrens	19
Figure 4. Eastern Yorkshire: the townships	30
Figure 5. Eastern Yorkshire: percentage of individual townships enclosed by act and award	39
Figure 6. Eastern Yorkshire: chronology of parliamentary-type enclosure	154
Figure 7. Eastern Yorkshire enclosure acts by period	155
Figure 8. Eastern Yorkshire: owners paying Land Tax in 1787	413

<u>APPENDICES</u>		<u>Page</u>
Appendix I.	Sources for enclosure data	561-9
Appendix II.	Enclosure legislation	570-2
Appendix III.	The parliamentary progress of eastern Yorkshire enclosure acts	573-85
Appendix IV.	Work of commissioners and surveyors	586-91
Appendix Va.	The commissioners	592-603
Appendix Vb.	The surveyors	604-6
Appendix Vc.	The umpires and arbitrators	607
Appendix Vd.	Other individuals	608-12
Appendix VI.	Distribution of land at enclosure by period	613
Appendix VII.	Landownership in townships in the nine districts	614-20
Appendix VIII.	Percentage of land owned by social and economic groups at enclosure in individual townships	621-5
Appendix IX.	Tithe commutation at enclosure in eastern Yorkshire	626-30

ABBREVIATIONS

- Ag.H.R. Agricultural History Review
- Allison (1976) K.J. Allison. The East Riding of Yorkshire landscape (1976).
- Beresford (1951-2) M.W. Beresford. 'The lost villages of medieval England [in 4 pts.]', Yorkshire archaeological journal, v.37, no.4, 1951, pp.474-91; v.38, no.1, 1952, pp.44-70; v.38, no.2, 1953, pp.215-40; v.38, no.3, 1954, pp.280-309.
- Ec.H.R. Economic History Review
- Harris (1961) A. Harris. The rural landscape of the East Riding of Yorkshire 1700-1850 (1961).
- H.C.J. House of Commons Journal
- HUL Brynmor Jones Library, University of Hull
- Leatham (1794) I. Leatham. A general view of the agriculture of the East Riding of Yorkshire (1794).
- Legard (1848) G. Legard. 'Farming of the East Riding of Yorkshire: prize report', Journal of the Royal Agricultural Society, v.9, pt.1, 1848, pp.85-136.
- Marshall (1788) W. Marshall. The rural economy of Yorkshire (1788). 2 vols.
- QDE 1 Land Tax returns 1783-1832 deposited in the County Record Office, Beverley.
- R.D.B. Registry of Deeds, Beverley.
- V.C.H. Yorks. E.R. Victoria County History of the Counties of England. A history of the County of York: East Riding; edited by K.J. Allison (1969-79). Vols. 1-4.
- Y.A.J. Yorkshire Archaeological Journal
- Y.C. York Courant
- Young (1770) A. Young. A six months tour through the North of England ... (1770). 4 vols.
- 1801 crop returns Home Office acreage returns (HO 67): list and analysis, 1801.

Note: Unless otherwise stated all manuscripts are deposited in the County Record Office, Beverley.

## INTRODUCTION

Eastern Yorkshire, the region chosen for study, is the former East Riding of Yorkshire, but excluding that part of it which extended into the Vale of York. Because the thesis emphasises the differences in enclosure history between geographical districts it would have been logical either to include the whole of the Vale, or else exclude it entirely. In the interests of keeping the project within acceptable limits<sup>1</sup> and yet covering a variety of geographical districts the Vale has been excluded. Without it the remainder of the East Riding may be divided into three geographical districts: the Wolds, the Hull valley and Holderness. Throughout the thesis the term 'eastern Yorkshire' will refer to the East Riding without the Vale of York (Fig.1).<sup>2</sup> When the term 'East Riding' is employed, it refers to the old county division, an area bounded upon the east by the North Sea, on the north by the rivers Derwent and Hartford, on the west by the river Ouse, and on the south by the Humber.

The study will focus upon parliamentary enclosures, their distribution, implementation and effects, but other enclosures taking place during the period 1725 to 1860<sup>3</sup> without the sanction of a parliamentary act have also been studied. Some of these enclosures were almost indistinguishable in their procedure and consequences from parliamentary enclosures, since they were conducted by commissioners, and awards were drawn up and registered in exactly the same fashion.

The term enclosure has a dual meaning as it is applied to agricultural land: first it may be used for the physical separation of land by means of

- 
1. 273 townships are included in the study.
  2. For a discussion of the western boundary of the region see Chapter 1.
  3. The period of parliamentary enclosures in the region. The first parliamentary enclosure act was for Scagglethorpe in 1726; it confirmed an agreement of 1725. The last enclosure was for Rowlston 1858-60. See Appendix I.

fences, walls or hedges, to keep in or keep out stock or to define boundaries; secondly it denotes the process whereby open fields, common pastures and meadows were reallocated into separate estates held in severalty. At enclosure the scattered holdings in the open arable fields were rationalised and consolidated, and all common rights were abolished. Open-field land was privately owned, but at certain times of the year, from harvest until re-sowing, and when it lay fallow, it was common to all farmers. At other times it was farmed on an individual basis although according to common rules of cultivation. After enclosure had taken place the new owners had to surround their property with boundary hedges or fences and exclude others at all times. Unlike the open fields the common pastures were not individually owned, but certain people by right of their holding of open-field land or their ownership or occupation of houses and cottages could use the commons to graze animals, cut turf or gather firewood. At enclosure all such rights were abolished, the pastures were divided into separate holdings and allocated to those people who could prove their rights to the land. The meadow lands of open-field townships were usually divided into 'dayles' or doles marked off by boundary stones. In some places they were allocated by the drawing of lots each year.<sup>4</sup> The meadows too were divided up at enclosure and allotted in separate parcels.

It would be impossible in a brief introduction to do justice to the voluminous historiography of enclosure in general, and of parliamentary enclosure in particular. Enclosure of the open fields continues to interest social, economic and local historians today, as it has done for many years. Works on the subject include very general studies of landownership and agrarian history, regional, county and parish studies of enclosure and its effects upon a particular area, as well as shorter contributions, usually in an article form, on different aspects of enclosure, and monographs which

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4. A. Harris, The open fields of East Yorkshire (York, 1959). - (E.Y. local history series, no.9)p.12.

attempt to synthesise the work of others.<sup>5</sup> Parliamentary enclosure also excited the notice of contemporaries, and a number of accounts were written by observers of the process and of its effects. Faced with such a large body of literature many researchers have preferred to tackle one or two themes of enclosure across the whole country, such as the timing of enclosure, its economic effects, or its social consequences. On the other hand some researchers have chosen to look at one region's enclosure history in detail, and this is the approach adopted here. There is still considerable scope for this kind of treatment of the topic, since every new study reveals the dissimilarities of enclosure as it was experienced in different areas as well as the similarities.

The first significant historical account of enclosure and its effects was contained in Karl Marx's Das Kapital.<sup>6</sup> His analysis has largely been overtaken by later research, but it remains influential nevertheless. The village labourer, 1760-1832 of 1911 by J.L. and B. Hammond was written with Marxian fervour backed up by original research. It still remains the best-known and indeed the most readable account of parliamentary enclosure, and despite the efforts of many authorities to dismiss the Hammonds' approach as emotive and selective their book still continues to be regarded as an authoritative treatment of the subject in many quarters.

The village labourer was only one of a number of works produced on enclosure in the early years of the 20th century. Probably as a result of the agricultural depression of the late 19th century considerable interest was focussed upon the subject of the ownership of the land in England, especially in relationship to that part of it in the hands of the smaller landowners. Enclosure was linked in the minds of some with the decline of the small owner and as a result a number of scholarly studies of parliamentary

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5. For full details of the works mentioned see the bibliography.

6. K. Marx, Das Kapital (Hamburg, 1867-94) 3 vols. Numerous English editions. The section on enclosure is contained in the first volume.



enclosure and its effects was produced. Perhaps the most important is Common land and inclosure by E.C.K. Gonner published in 1912, but G. Slater's The English peasantry and the enclosure of common fields of 1907, and W.H.R. Curtler's Enclosure and the redistribution of our land of 1920, are also useful. Related historical studies deal with agricultural change, the position of labourers, and the size of estates.<sup>7</sup>

After the Hammonds perhaps the name most closely associated with parliamentary enclosure is that of W.E. Tate. From 1940 onwards Tate produced a stream of articles on the subject,<sup>8</sup> and in 1967 his book The English village community and the enclosure movements was published. A number of other scholars, most notably J.D. Chambers and the Soviet historian V.M. Lavrovsky, also wrote on enclosure both before and after the Second World War. In the post-war period a number of theses on enclosure in several counties has been submitted and their authors' findings upon the chronology and the cost of enclosure, landownership changes, and the social and economic consequences of the parliamentary enclosure movement have kept the topic very much to the forefront of active research.<sup>9</sup> Since Tate's general study of 1967 two more important works have been produced: J.A. Yelling's Common field and enclosure in England, 1450-1850, published in 1977, and M.E. Turner's English parliamentary enclosure: its historical geography and economic history, which appeared in 1980. Both Yelling and Turner drew heavily upon the published works of others, whilst at the same time using their own researches to produce a synthesis of work on enclosure to date.

Numerous studies have been published in recent years on agricultural change and upon landownership in the 18th and 19th centuries and all include sections upon parliamentary enclosure. Special mention must be made of The agricultural revolution, 1750-1880 of 1966 by J.D. Chambers and G.E. Mingay

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7. See the work of Ernle, Johnson, Hasbach amongst others.

8. See bibliography.

9. W.S. Rodgers; H. G. Hunt; B. Loughbrough; J.M. Martin; J.R. Ellis; M.E. Turner; J.M. Neeson.

as it contains an extended discussion of enclosure, while G.E. Mingay's English landed society in the 18th century and the companion volume for the 19th century by F.M.L. Thompson, both published in 1963 are very valuable studies.

Contemporary accounts of agriculture and enclosure in the East Riding vary somewhat in scope and consequently value to the researcher. Most useful are the two reports to the Board of Agriculture: Isaac Leatham's report of 1794 is somewhat brief, but nevertheless very informative; H.E. Strickland's report of 1812 is much more extensive and is an invaluable source. Both men were local to the area and both were involved in its agriculture personally.<sup>10</sup> Arthur Young, the best known of the agricultural journalists, visited the region several times and wrote at length on the progress of agriculture as he saw it. William Marshall included a most valuable section on Wolds agriculture in his Rural economy of Yorkshire of 1788, although it is to be regretted that he did not visit Holderness owing to 'the extreme wetness of the season'. George Legard's 'Prize essay' on the agriculture of the East Riding, published in 1848, provides a useful source of information on the region when parliamentary enclosure was almost at an end.

So far as modern studies of the agricultural history of the East Riding are concerned students of the subject are fortunate. The rural landscape of East Yorkshire, 1700-1850 by A. Harris was published in 1961 and it is an excellent general survey for that period. The same author has written a number of articles on related topics.<sup>11</sup> The East Riding of Yorkshire landscape by K.J. Allison, published in 1976, and the four volumes of the Victoria County History of the East Riding so far published also provide much detailed information. O. Wilkinson's The agricultural revolution in the

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10. Isaac Leatham was the land agent of the Osbaldeston family of Hunmanby and was also an enclosure commissioner. H.E. Strickland was a member of a long-established East Riding landowning family, V.C.H. Yorks. E.R. 2, pp.305-6.

11. See bibliography.

East Riding of Yorkshire of 1956 deals mainly with enclosure and is a useful introduction to the subject.

The topics dealt with in the thesis fall into three broad groups: first, the geographical character of the region, the distribution, density, economic effects and chronology of parliamentary enclosure, which are dealt with in the first four chapters; secondly, the enclosure process including early negotiations, parliamentary progress of enclosure bills, opposition, the implementation of the act by the various individuals involved, and the costs of the proceedings, which are covered in Chapters 5 and 6; and thirdly, Chapters 7 and 8 discuss the subject of landownership and enclosure. Chapter 7 includes an analysis of ownership in newly enclosed townships by size of holding and by social and economic groups, and a comparison of landholding in old-enclosed, newly enclosed and open-field townships using the Land Tax returns, whilst in Chapter 8 an extended study of 34 townships undergoing enclosure in the period 1785 to 1827 is made, examining the transactions of all the persons allotted land in those townships and assessing their survival as owners over the enclosure period.

A variety of documentary sources has been used in the study. Enclosure awards, acts and plans have naturally been the principal source, but extended use has been made of the excellent collections of estate papers and other documents deposited in the County Record Office at Beverley, and in the Brynmor Jones Library at Hull University. Commissioners' and solicitors' minutes and accounts have survived for a number of enclosures and they have provided much useful background information. Apart from enclosure awards the Land Tax returns are the most valuable source of information on landownership and they have been extensively used in conjunction with other sources in the last two chapters. For the detailed study of the land market at enclosure two sources have been used which have allowed a uniquely detailed analysis to be made of the transactions taking place over the enclosure period; these are the records of the Registry of Deeds and manorial court books. All freehold land transactions made in the East Riding

were recorded in the Registry of Deeds at Beverley, and a study of a number of townships undergoing enclosure was made recording all sales, purchases and mortgages undertaken by allottees at enclosure. In some of those townships part of the land was copyhold, and for those properties a search was made in the manorial court books. By this means it was possible to trace every single transaction involving land undergoing enclosure, and thus to assess the degree of buying, selling and mortgaging which took place during the enclosure period. The East Riding Registry of Deeds is one of only four in the whole of England, and its value as a source of information on property transactions can hardly be overstated.<sup>12</sup> The subject of landownership change has long been one of the principal issues in the debate upon the effects of parliamentary enclosure. In recent years the Land Tax returns have been used to analyse in detail the turnover of property during the enclosure period.<sup>13</sup> The present study has followed a similar line of enquiry, but owing to the availability of an almost unique source (the Registry of Deeds) it has been possible to make a more intensive survey of the effects of enclosure upon property ownership. The conclusions to be drawn from such an investigation should prove of interest to others working in the same field and should make a contribution to the debate. Although researchers in other regions may not be fortunate enough to have access to a Deeds Registry they may find manorial court books provide a similar source in those places where there is much copyhold land. Court books seem in general to have been little used.<sup>14</sup>

The approach to the subject of enclosure contained in the first seven chapters of this thesis differs little from that of other researchers on

- 
12. See F. Sheppard and V. Belcher, 'The deeds registries of Yorkshire and Middlesex', Journal of the Society of Archivists, 6 (1980) pp.274-86.
  13. M.E. Turner, 'Parliamentary enclosure and landownership change in Buckinghamshire', Ec.H.R. second series, 28 (1975) pp.565-81; J.M. Martin, 'The small landowner and parliamentary enclosure in Warwickshire', Ec.H.R. second series, 32 (1979) pp.328-43.
  14. Only M.E. Turner has used them to trace changes in landholding during the enclosure period, Turner, (1975), op. cit. p.571; 'Cost, finance and parliamentary enclosure', Ec.H.R. second series, 34 (1981) p.244.

parliamentary enclosures in regions elsewhere. The same sources have been used and the same topics covered. However every new study further emphasises the complexity and diversity of the enclosure process and its effects, and it has become apparent that generalisations are unwise. Until we have more detailed studies of the enclosure movement as it affected different regions of England we shall not be able to understand the process fully nor accurately assess its consequences.

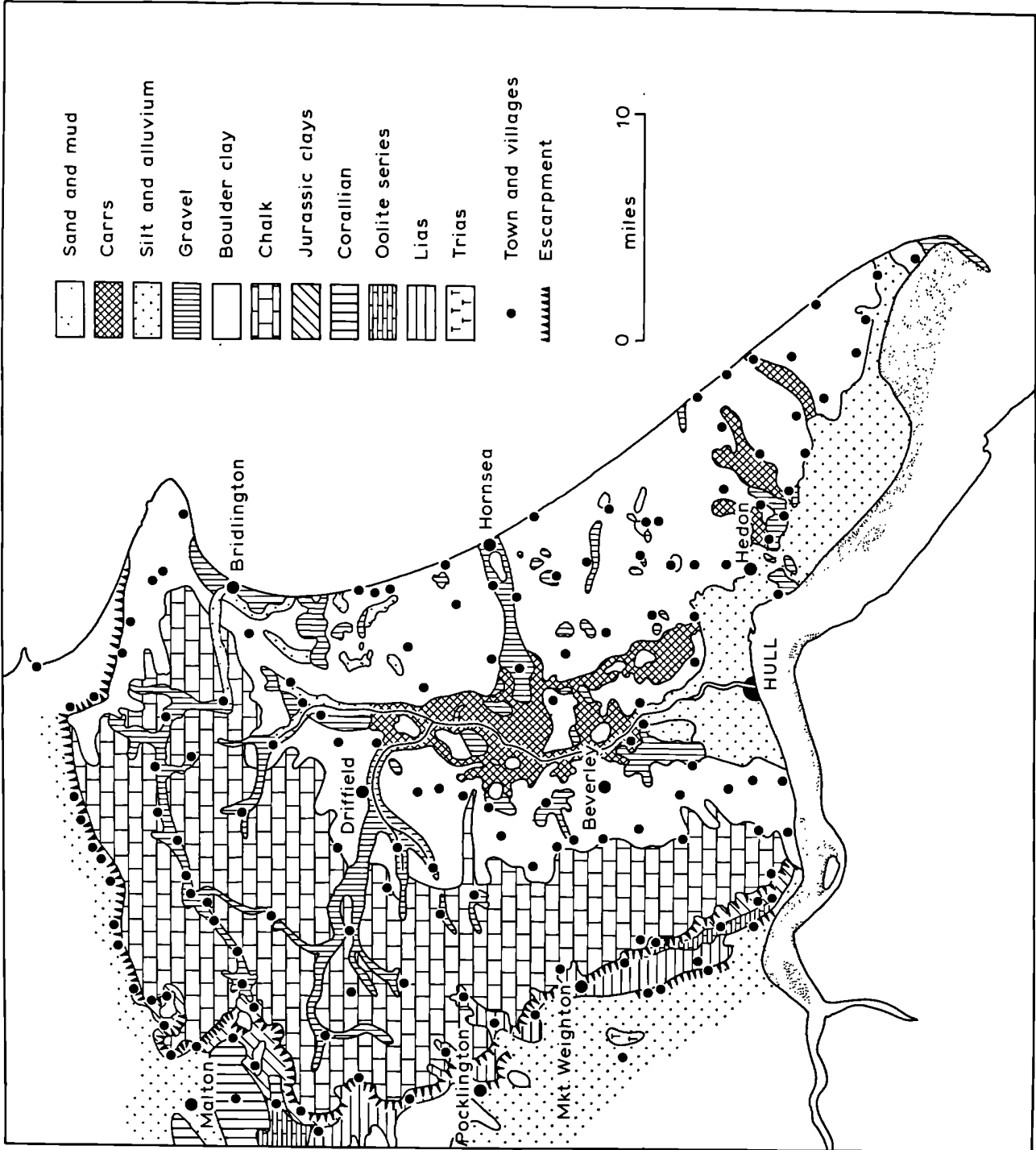


Figure 1. Eastern Yorkshire: geology and settlement

CHAPTER ONE. GEOGRAPHICAL BACKGROUND

The region to be studied, which will be referred to throughout as eastern Yorkshire (Fig. 1) is bounded on the north by the rivers Hertford and Derwent, on the east by the North Sea, on the south by the Humber estuary, and on the west by the Vale of York. It comprises three main geographical divisions: the Wolds, the plain of Holderness and the Hull valley, although to allow a more detailed analysis of the distribution, chronology and effects of enclosure, these three areas have been subdivided into nine smaller districts (Fig. 2).

The upland districts

The Wolds constitute the most prominent physical feature of eastern Yorkshire and cover the largest area - approximately 365,000 acres or about 62 per cent of the whole region.<sup>1</sup> They were described by William Marshall as 'the most magnificent assemblage of chalky hills the island affords',<sup>2</sup> although William Camden, an earlier observer, had been somewhat less complimentary, referring to the Wolds as 'nothing but a heap of mountains'.<sup>3</sup> The range of rolling chalk uplands which makes up the Yorkshire Wolds sweeps in a broad crescent from the cliffs of Flamborough Head in the north-east, to the banks of the Humber in the south. The Wolds constitute the northern limit of the chalklands of Great Britain, and share many of the features of the wold lands of the southern and midland counties. The Lincolnshire and Yorkshire Wolds are almost identical in formation. The

- 
1. See Table 2.1, Chapter 2 for details. This figure over-estimates the area of true wold land, since it includes all the land in districts 1 to 5, the upland districts of eastern Yorkshire. Isaac Leatham estimated the extent of the Wolds as 307,840 acres, Leatham (1794) p.8; William Marshall stated that they covered something over 300,000 acres, Marshall (1788) 2, p.235.
  2. Marshall (1788) 1, p.6.
  3. W. Camden, Camden's Britannia, 1695: a facsimile of the 1695 edition ... (1971) p.735.

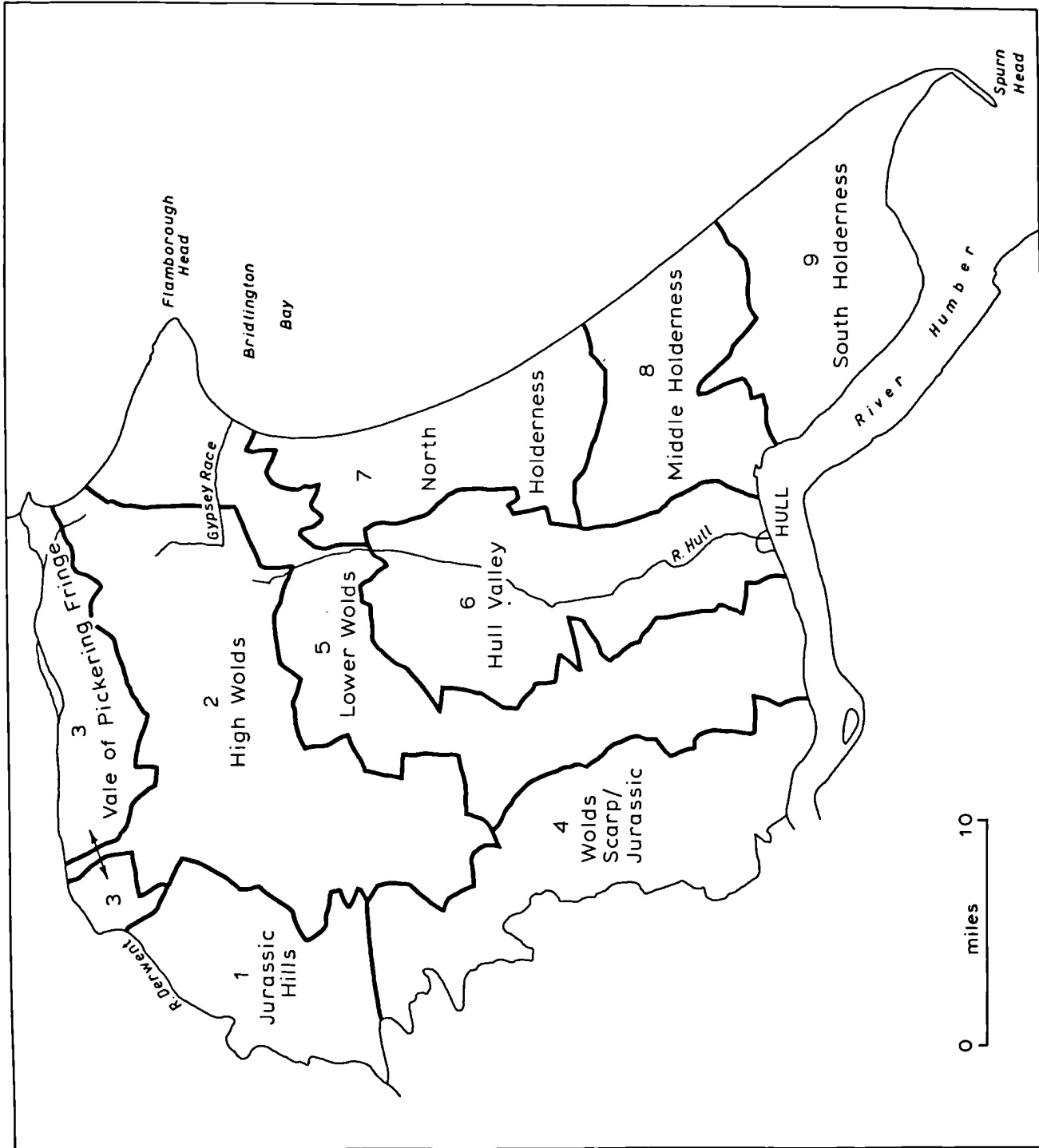


Figure 2. Eastern Yorkshire: the nine geographical districts



latter were described by Marshall as having been:

severed (by the sea-like Humber and its rich broadbanks) from those of Lincolnshire ... they may be considered as the main link, broken off from the chain of chalky hills, which is thrown irregularly over the most southern provinces. The Yorkshire Wolds are the Downs of Surrey on a large scale.<sup>4</sup>

The Wolds are broadest in the north, being approximately 27 miles wide, from Flamborough Head in the east to Settrington in the west.<sup>5</sup> From north to south they stretch about 30 miles. At their highest point, at Garrowby Hill, they reach 808 feet, but in general they rarely exceed 400 feet. In common with other chalklands their topography is gentle rather than dramatic; Leatham described them as having 'easy extensive swells and plains',<sup>6</sup> whilst Strickland wrote of their 'moderately waving surface'.<sup>7</sup> Their rounded slopes are intersected by many steep-sided dry dales or valleys, a feature seen at its most marked around the village of Thixendale. The valleys are generally floored with chalky gravel (Fig.1). The only stream of consequence, the Gypsy Race,<sup>8</sup> flows through the Grindalythe, or Great Wold Valley, which forms a deep indentation in the high Wolds, bisecting them from east to west. On the northern and western sides the Wolds terminate abruptly with a steep-sided scarp face, but on the east they merge gradually into the lowlands of the Hull valley and Holderness. For the purposes of this study the upland region has been divided into five districts:<sup>9</sup> the Jurassic hills; the high Wolds; the Vale of Pickering fringe; the Wold scarp/Jurassic ridge; the lower

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4. Marshall (1788) 1, p.6.

5. Strickland (1812) p.12.

6. Leatham (1794) p.8.

7. Strickland (1812) p.12.

8. This stream is erratic in its flow, being at times a trickle, at times a torrent. Gypsies, the local name for intermittent streams, are a common feature of the area. See A.H. Smith, The place names of the East Riding of Yorkshire and York (Cambridge, 1937) pp.4-5.

9. The boundaries of the districts do not precisely define the geographical regions as they are formed from the boundaries of townships which were the basic units for enclosure but are not necessarily wholly confined to one geographical region.

Wolds (see Fig.2). Each district is distinctive in its topography and its enclosure history, as will become apparent in the discussion.

District 1, the Jurassic hills, is situated in the north-western corner of eastern Yorkshire. The district lies upon an outcrop of Jurassic limestone, and the wooded valleys, numerous streams and stone-built houses produce a landscape which is quite different from the broad, sweeping curves of the Wolds with their brick farmhouses. The soil of this district is mixed, with sandy loam in the north and some boulder clay and sand in the south<sup>10</sup> (see Fig.1). In the 18th and 19th centuries the district contained many gentlemen's residences,<sup>11</sup> probably as a result of its attractive scenery and its proximity to York and Malton. In many respects it hardly seemed a part of the East Riding; because it was somewhat cut off from the rest of the Riding by the barrier of the Wolds its residents generally used markets outside the boundary. The townships of the district are, especially when compared to those of the high Wolds, quite small in area, and in the period studied they were mainly in the hands of large gentry owners.<sup>12</sup>

District 2, the high Wolds, consists of those townships lying in the higher, northern section of the Wolds. This district, the most homogeneous of the five upland districts, is also the largest (Table 2.1). The townships are mostly very extensive in area, not infrequently 5,000 acres or more, but the population in the 18th and 19th centuries was only sparse.<sup>13</sup> The soil of this district is 'with little variation, a light friable calcareous loam,

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10. S.E.J. Best, East Yorkshire: a study in agricultural geography (1930) pp.30-1 and passim.

11. T. Jefferys, Map of Yorkshire (1772); J. Bigland, The beauties of England, volume 16: Yorkshire (1812) pp.387-92.

12. Land Tax returns for 1787. See also Chapter 7.

13. Harris (1961) pp.18-19.

from three to ten inches in depth ...<sup>14</sup> Pieces of chalk and flint are intermixed with the soil, although flint is less common than in the southern chalk-lands of Great Britain.<sup>15</sup> The soil thickens from west to east, gradually merging into the boulder clay of the dip-slope.

The high Wolds before enclosure was a somewhat bleak and severe district in aspect, almost devoid of trees, with short coarse grass and gorse covering the hills. A document dating from the early 18th century gives a graphic description of the district around Wetwang:

Sheep pastures and corn are the only product of the place; Little or no wheat, the Land not being strong enough for that Grain. Seeds of no kind have ever been sown in this place or the adjacent Country ... The Country is open, scarce a Bush or Tree appears for several miles. The Land Stony ... The usual course of Husbandry here is to sow one third of the Tillage Land with Barley, one third with Oats or Peas and one third to lye fallow.<sup>16</sup>

Only a few villages are situated on top of the high Wolds,<sup>17</sup> the remainder are located in the valleys, especially in the Great Wold Valley where a line of settlements is strung along the Vale, taking advantage of the sheltered environment offered by the surrounding hills.<sup>18</sup> George Legard called these townships the Dale Towns, and stated that the gravel of the Valley bottom in this dale, which is as much as a mile wide, is however only thinly spread, forming 'very useful convertible soil'.<sup>19</sup>

District 3, the Vale of Pickering fringe, lies in the north of eastern

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14. Strickland (1812) p.14.

15. Best, op.cit. p.22.

16. E.M. Cole, 'Notices of Wetwang', Transactions of the East Riding Antiquarian Society, 2 (1894) pp.71-3. The document is undated, but is earlier than 1757, Harris (1961) p.14.

17. i.e. Sledmere, Fimber, Huggate and Wetwang. See Fig. 1.

18. M.B. Gleave, The settlement pattern of the Yorkshire Wolds, 1770-1850 (University of Hull unpublished M.A. thesis, 1960) p.127.

19. Legard (1848) p.88.

Yorkshire, where the Wolds present a steep escarpment to the valleys of the rivers Derwent and Hartford. The soil at the foot of the Wolds is sandy, whilst a peaty alluvium lies near the river.<sup>20</sup> Many of the townships of this district are long and narrow, including within their boundaries high Wold land, the escarpment itself, and low marshy land near the river. The village settlements stand at the foot of the escarpment. Before the drainage schemes of the 19th century (see below Chapter 2) the land around the river was of minimal value. In 1788 it was recorded that:

the east Marshes ... still remain a disgrace to the country; lying chiefly in a state of fenn - provincially 'Carr'; over-run with sedges and other palustrian plants; which afford, during a few months in summer, a kind of ordinary pasture to young stock. In the winter months they are generally buried under water, and in the summer months, are subject to be overflowed.<sup>21</sup>

Another account of the district in the 18th century stated that the land from Muston to Yedingham Bridge consisted of 'a black peat, heretofore unproductive, and covered with water during a great part of the year'.<sup>22</sup>

District 4, the Wold scarp/Jurassic ridge district, includes all those townships situated upon the western scarp or just below it. A limestone outcrop extends down the western side of the Wolds to the west of the scarp, but being only a narrow belt it has little effect upon the landscape. The chalk escarpment on the western side of the Wolds is steep, and is intersected by numerous narrow, mainly dry valleys. The townships include a variety of soils and elevations, being situated partly upon the Wolds, partly upon the limestone ridge and partly upon the low-lying vale. The settlements themselves frequently stand upon the limestone ridge.<sup>23</sup> A number

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20. L. Dudley Stamp, Yorkshire: East Riding (1942) p.260

21. Marshall (1788) 1, p.183.

22. Strickland (1812) p.20.

23. G. de Boer, 'Rural Yorkshire', in: J.B. Mitchell, ed. Great Britain: geographical essays (Cambridge, 1962) p.388, fig.52. See also my Fig.1.

of the villages were quite large and populous in the 18th and 19th centuries, and there were two small market towns, Pocklington and Market Weighton.

District 5, the low Wolds, lies on the eastern side of the Wolds where they merge gradually into the lower ground of the Hull valley. William Marshall in 1788 described this region as:

the skirt of the Wold hills ... a lovely line of country.  
On the one hand a fertile plain, abounding with water;  
on the other dry airy downs rising with an easy ascent to  
the highest wold.<sup>24</sup>

The villages located upon the eastern Wolds do indeed enjoy a favourable situation. The townships are linear in form and generally lie on an east-west axis. They include light Wold soil in the west, clay-wold land in the centre and heavier clay soils in the east.<sup>25</sup> The most usual use of this balance of land in the pre-enclosure economy was pasture on the higher wold land and arable on the clay-wold and upon the heavier clays to the east, with where appropriate some meadow land around a stream. South Dalton exemplifies this pattern of land usage; before enclosure a common pasture lay in the far western part of the township, the arable fields were located on the wold and around the village, which lay in the centre of the township upon boulder clay, whilst in the eastern part of the township there was more pasture land and a small area of meadow.<sup>26</sup>

#### Farming in the uplands

A typical open-field upland township (especially upon the high Wolds) had very little old-enclosed land within its boundaries. A few garths or closes lay around the village, but they occupied a much smaller acreage of ground proportionately than was the case in Holderness. Outside the village settlement lay the open fields, usually three in number, less frequently two or four.

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24. Marshall (1788) 1, p.7

25. Harris (1961) p.3.

26. V.C.H. Yorks. E.R. 4, p.86.

Many upland townships had adopted an infield-outfield system of cropping. By this system the fields nearest the village received all the available manure, and were cultivated under a three-year rotation of two crops to a fallow, whilst the outfield was cultivated 'only occasionally',<sup>27</sup> at intervals varying from three to twenty years, according to the custom of the township.<sup>28</sup> When not under cultivation the outfield was used as sheep pasture. **Leatham described the system thus:**

The greater part of Wold townships which remain open, have a large quantity of outfield land in ley land, that is land from which they take a crop of corn every third, fourth, fifth or sixth year ... after which they leave it without giving it any manure or fallow, in the same situation as when they reaped the crop. On this grass ley, and on the fallows, the sheep are depastured and are folded on the latter at night.<sup>29</sup>

An earlier description of the system comes from a document of 1665, which stated that:

upon our Woulds which lyes neare the chalk and flint their husbandry is different, for they have in many townes 7 feilds and the swarth of one is every yeare broken for oates and lett ly fallow till its turne at 7 yeares end, and those seven are outte feilds.<sup>30</sup>

Arthur Young, some 100 years after this was written, noted the infield-outfield system and deplored it for the wastage of land it involved:

Across the wolds I could not but regret the wretched management which left such large tracts of land in so uncultivated a state ... They plough up the turf and sow barley, or more often oats, and then leave the soil to gain of itself a new sward, this is their management every six years.<sup>31</sup>

In some townships on the Wolds, where the open arable fields covered most of the township, the outfield was almost the only pasture available.

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27. Strickland (1812) p.92.

28. Harris (1961) p.24.

29. Leatham (1794) p.42.

30. HUL DX 16/2.

31. Young (1770) 2, pp.8-9.

Such was the case in three adjoining high Wolds townships, Fridaythorpe, Fimber, and Wetwang before enclosure.<sup>32</sup>

The main crop on the high Wolds was barley, the land being unsuited to the cultivation of wheat.<sup>33</sup> Barley was also the principal crop in the southern Wolds in 1665, as reported by Daniel Hotham concerning the area around South Dalton 'our Crop being barley which is always expended or converted into mault the same year'.<sup>34</sup> Wheat was grown extensively in the Wold Valley, however, and in low Wolds townships. Inventories show that wheat (with some rye) and barley, occupied 60 per cent of the crop land on the lower Wolds during the late 17th and early 18th centuries.<sup>35</sup> The remainder of the sown acreage was occupied by oats, beans and peas. Henry Best, farming on the lower Wolds in the 17th century sowed oats as his chief crop.<sup>36</sup>

Neither seeds nor roots are mentioned in the 1665 report; indeed, they were not introduced into eastern Yorkshire until the second quarter of the 18th century<sup>37</sup> - a very late date considering the fact that in counties further to the south they were well established in the 17th century. William Marshall, writing in 1788, commented upon the late arrival of root crops in the region:

The turnep crop may be said to be still a new thing to the Wolds; not more than of twenty years standing, though singularly adapted to the soil; and notwithstanding it has, in Norfolk, whose coasts may almost be seen from these hills, been an established object of culture, more than a century.<sup>38</sup>

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32. Allison (1976) p.116, fig.9.

33. Best, *op.cit.* pp.24-5; Harris (1961) p.26; B. Waites, 'Aspects of 13th and 14th century farming on the Yorkshire Wolds', Y.A.J. 42 (1967) pp.141-2.

34. HUL DX 16/2.

35. Harris (1961) p.25.

36. ex. inf. D. Woodward based on his introduction to a new edition of Best's Farming Book (forthcoming).

37. Harris (1961) p.61.

38. Marshall (1788) 2, p.249.

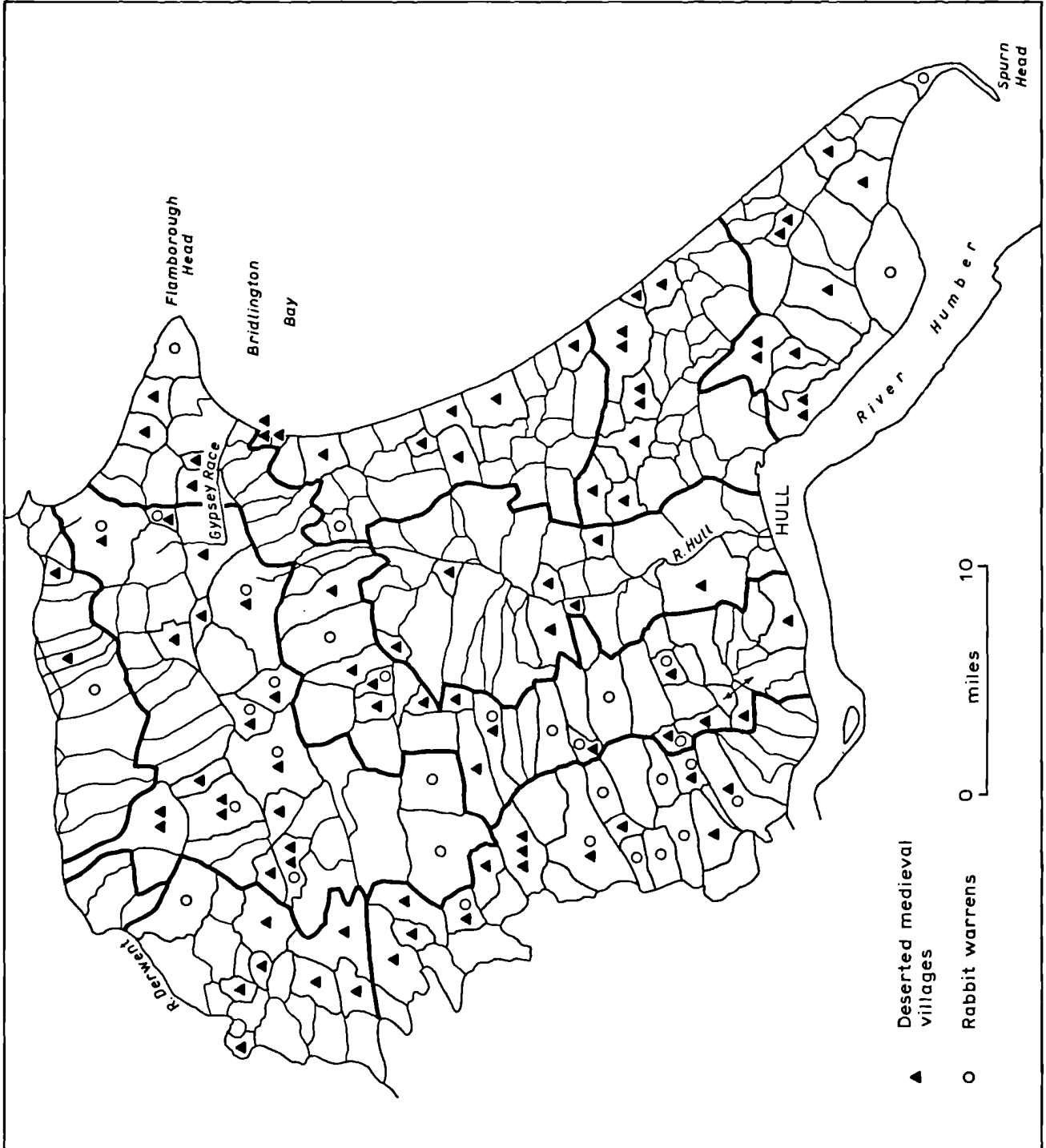


Figure 3. Eastern Yorkshire: deserted medieval villages and rabbit warrens



In 1770 Arthur Young observed that farmers on the Wolds between Boynton and Hunmanby had no turnips to feed their sheep in winter, and that those in the district between Beverley and Drifffield had very few.<sup>39</sup> Sainfoin was first grown in eastern Yorkshire by the Osbaldestons of Hunmanby in the 1730s or 1740s, but its spread throughout the region must have been very slow, for Arthur Young stated that it was 'totally neglected, or rather unknown' on the Wolds when he visited the area.<sup>40</sup>

The traditional picture of the Wolds in the pre-enclosure periods as one vast sheep walk overstates the case, but it is true that from the later Middle Ages large areas of arable land had been converted into sheep walk and rabbit warren, especially where the land belonged to the deserted villages which were a common feature of the Wolds (Fig.3). Even in townships with extensive open fields large areas were devoted to sheep and in the first half of the 18th century the Wolds have been described as 'at least half and perhaps two thirds under grassland'.<sup>41</sup> Sheep were the primary interest of the Wold farmer until the changing economic conditions of the late 18th and early 19th century encouraged the ploughing up of sheep walks and the introduction of variants of the Norfolk rotation.<sup>42</sup> In a study of 17th century inventories W. Harwood Long found that the Wolds had by far the largest number of sheep per holding than had any other of the Yorkshire regions that he had studied.<sup>43</sup> The farming and memorandum books of Henry Best, who

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39. Young (1770) 2, p.2.

40. Ibid p.250.

41. A. Harris, 'The agriculture of the East Riding of Yorkshire before the parliamentary enclosures', Y.A.J. 40 (1959) p.121.

42. Cf. Norfolk - K.J. Allison, 'The sheep-corn husbandry of Norfolk in the 16th and 17th centuries', Ag.H.R. 5 (1957) pp.12-30; cf. Hampshire - E.L. Jones, '18th century changes in Hampshire chalkland farming', Ag.H.R. 8 (1960) pp.5-19.

43. W. Harwood Long, 'Regional farming in 17th-century Yorkshire', Ag.H.R. 8 (1960) p.106.

farmed at Elmswell, near Driffield in the mid-17th century give an excellent picture of the experiences and problems of a Wolds farmer of that period.<sup>44</sup> The management of the sheep was closely interlocked with that of the arable land in a Wolds farm, for they grazed upon the stubble and were folded in the fallow fields and so were instrumental in improving the productivity of the land with their dung.

The central role of sheep farming was emphasised in the document of 1665 already quoted. Describing the cropping of Wold townships the writer said that the farmers:

soe noe winter Corne (nott butt that their ground would produce good Dod-red Wheat, as hath been tried of late yeares att Kilham, with great success). But their disigne being sheepe, the winter Corne would straighten the herbage for them, from October to March.<sup>45</sup>

The sheep walks of the Wolds invariably attracted the notice of strangers to the region. Daniel Defoe wrote in 1724-6 that the East Riding:

is very thin of towns, and consequently of people, being overspread with wolds ... on which they feed great numbers of sheep.<sup>46</sup>

Extensive sheep walks were especially prevalent in the deserted townships of the Wolds, where they frequently covered the entire area, the open fields having disappeared soon after depopulation. Rabbit warrens sometimes occupied the same ground, or were separated from the sheep walks by low sod walls.<sup>47</sup>

Cattle, being more dependent upon reliable supplies of water, played a less important part than sheep in the Wolds economy. There was an average

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44. H. Best, Rural economy in Yorkshire in 1641, being the farming and account books of Henry Best (Durham, 1857). - (Surtees Society. Publications, 33).

45. HUL DX 16/2.

46. D. Defoe, A tour through the whole island of Great Britain (Harmondsworth: Penguin, 1971) p.524.

47. A. Harris, 'The rabbit warrens of East Yorkshire in the 18th and 19th centuries', Y.A.J. 42 (1967-70) pp.429-43.

of 13.1 cattle per holding on the Wolds in the late 17th century, according to a study of inventories made by W. Harwood Long,<sup>48</sup> compared with 16.5 in Holderness; not a very marked difference, but when the cattle are seen as a proportion of the total valuation the two districts diverge more sharply. On Wolds farms studied, cattle contributed 19.1 per cent of the total value, whereas in Holderness the figure was 40.1 per cent.

#### The lowland districts

District 6, the Hull valley, lies between Holderness and the Wolds, and is centred upon the River Hull. In the early 18th century and before, this was a region of meres and marshes. Described by George Legard as 'a profitless morass, producing ague to the neighbourhood and only affording shelter to the bittern and the heron',<sup>49</sup> the area was subject to flooding in all but the driest seasons. The local name for this type of land is 'carr', that is peat marsh land. When Thomas Brown surveyed Brandesburton, in the north of the Hull valley, in 1743, he described the Great Ox Carr as:

coarse boggy land in which no cattle go ... it is in a Dry Year always mown and the Sedge and Flaggs serve for young or dry cattle in the winter but this is under water 9 months at least and sometimes all the year.<sup>50</sup>

Of Ing Carr, Brown wrote:

Above three parts of it is nothing but Boggs upon which no Cattle ever goes and in a wett summer at least 9 parts in 10 lyes under water ... The surface of the water upon Hull river is higher than four fifths of this Common.<sup>51</sup>

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48. W. Harwood Long, op.cit. pp.105-6; Harris (1961) pp.33-5.

49. Legard (1848) p.89.

50. Quoted in: J.A. Sheppard, The draining of the Hull valley (York, 1958). - (E.Y. local history series, no.8) p.11.

51. Ibid.

In 1665 the land 'next Hull water' was described as:

stiffe marly clays but sound except in some few places which are weeping and generally not tilled, being great devourers of manure and very impish, and hazardous in their tilth.<sup>52</sup>

The Hull valley contains the sites of a number of depopulated villages (Fig.3) and many, if not all of these were enclosed well before the parliamentary enclosure period. It was not a district with extensive open fields; in many townships the open fields were enclosed - by agreement in the 17th century or earlier, leaving only the low-lying carrs still subject to common right. Much of the land in the Hull valley was used for grazing, whether open or enclosed, until the large-scale drainage schemes, which were carried out between 1760 and 1810, made conversion to arable a practical proposition. Some hay was taken from the low lands but it was of poor quality.<sup>53</sup> The inhabitants of the district used the carrs as a source of fish and wildfowl, and of peat and reeds.

The ancient wapentake of Holderness is bounded upon the east by the North Sea, upon the south by the Humber estuary, and upon the west by the river Hull. Because the area around the river has its own distinctive characteristics it has been regarded as a separate district and the eastern edge of the carrs, rather than the river itself has been used as the boundary of Holderness in this study.

Although it is often called the 'Plain' of Holderness, the region is not so flat as that name implies. It is indeed low-lying with much of the area at less than 75 feet above sea-level, but as Strickland stated Holderness has:

a surface sufficiently undulating to lay it dry, and to adapt every part of it to the purposes of cultivation,<sup>54</sup>

although the second part of the statement is hardly true of the district in

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52. HUL DX 16/2.

53. Harris (1961) p.37.

54. Strickland (1812) p.18.

the 18th century. Holderness is in fact concave in configuration, with its watercourses flowing away from the coast and into the river Hull. Numerous meres were a feature of the region before the drainage schemes of the late 18th and early 19th century; Hornsea Mere alone survives to the present day.

The sea is constantly eroding the coast of Holderness, which tends to decrease by an average of 3-4 feet every year. Erosion has resulted over the centuries in the loss not only of large areas of valuable agricultural land, but also of entire villages, whose sites now lie under the sea some distance from the present coastline.<sup>55</sup>

Holderness villages were generally established on higher ground, at a time when much of the region was marshy and poorly drained.<sup>56</sup> The area was quite intensively settled and relatively prosperous; the population was much denser than upon the uplands and the township areas were smaller.<sup>57</sup>

A study of Holderness in medieval times places great stress upon the importance to the inhabitants of the numerous meres and streams, which provided an excellent source of fish and fowl to augment their diet.<sup>58</sup>

A number of meres still remained in the early 18th century and contributed much to the local economy, though many of the smaller ones had disappeared.<sup>59</sup>

Although Holderness does not exhibit the same geographical diversity as does the Wolds, it has been found upon investigation that the three ancient divisions of North, Middle and South Holderness had some distinctive

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55. T. Sheppard, The lost towns of the Yorkshire coast ... (1912)

56. De Boer, op.cit. p.389.

57. Harris (1961) p.19, fig.6 and p.39.

58. D.J. Siddle, 'The rural economy of medieval Holderness', Ag.H.R. 15 (1967) pp.40-5.

59. J.A. Sheppard, 'The medieval meres of Holderness', Institute of British Geographers. Transactions and papers (1957) pp.75-86.

differences in their enclosure histories and ownership patterns. For this reason the region has been divided into three, following those boundaries except in the west, where townships situated on the carrs have been placed in the Hull valley district. Each of the three Holderness districts is approximately equal in size, being about 50,000 acres; district 7 is North Holderness, district 8 is Middle Holderness, and district 9 is South Holderness.

The soils of Holderness are principally boulder clay, but a narrow valley of sand and gravel runs between Leven and Hornsea (Fig.1). The soil to the north of this line may be described as almost entirely boulder clay; to the south sand and gravel are intermixed with the clay.<sup>60</sup> Sunk Island, in the extreme south of Holderness, consists of reclaimed silt land. It was not completely established until the 19th century, by which time a process of embanking and diking had produced several thousand acres of highly fertile arable land.<sup>61</sup>

#### Farming in the lowlands

In contrast to the Wolds, land in many Hull valley and Holderness townships was already held in severalty before the opening of the parliamentary enclosure period. The highest concentration of old-enclosed townships lay in mid-Holderness, but the majority of open-field townships included quite large areas of closes within their boundaries.<sup>62</sup>

In Holderness open-field villages two arable fields was the most common system, although three- and four-field villages were also present.<sup>63</sup> The nature of the soil necessitated frequent fallowing, usually in alternate

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60. Best, op.cit. p.28.

61. Allison (1976) pp.171-5; Harris (1961) pp.83-6.

62. See Chapter 3 for further discussion.

63. Harris (1959) op.cit. p.122 and (1961) p.41.



years. The principal crops were wheat and beans and it has been calculated that wheat with rye occupied more than half of the sown acreage in the early 18th century.<sup>64</sup> Beans occupied almost a third of the sown ground and together with peas were a very important fodder crop for Holderness farmers. In 1812 the district towards the south-eastern extremity of Holderness was described as having a rotation of fallow, wheat and beans 'with little interruption, for ages'.<sup>65</sup>

The grasslands of Holderness were quite extensive, and the best were used for feeding cattle of Scottish origin.<sup>66</sup> It has been suggested that a considerable area of the land enclosed from the open fields in the century or so prior to 1730, was converted to pasture, and that Holderness's high reputation as a source of high quality cattle may have been based upon this land rather than upon the rough ill-drained commons of the unenclosed townships.<sup>67</sup> It may well be, too, that even open-field villages were converting some of their arable land to pasture at this time; newspaper advertisements for Holderness farms during the parliamentary enclosure period frequently described land as not having been 'ploughed within living memory'.<sup>68</sup> Certainly in the 17th century Holderness had more cattle per holding than any other Yorkshire region examined, according to evidence from inventories.<sup>69</sup>

Sheep were not as important as cattle to the Holderness farmer, although many townships had quite large flocks; for example, in Witherwick, where sheep farming seems to have played a large part in the pre-enclosure economy.<sup>70</sup>

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64. Harris (1959), op.cit. p.125. Information from inventories.

65. Strickland (1812) p.131.

66. Harris (1961) p.46.

67. Ibid p.44.

68. Y.C. passim.

69. Harwood Long, op.cit. p.106.

70. M.W. Barley, 'East Yorkshire manorial by-laws', Y.A.J. 35 (1943) p.40.

In Holmpton in south Holderness, the cottages often stocked the common with sheep, although their right to do so was frequently disputed.<sup>71</sup>

### Towns and markets

Eastern Yorkshire has always been a predominantly agricultural region, with few large towns and little industry. Apart from Hull and Beverley, the only other settlements of any size, namely, Driffield, Market Weighton, Patrington, Pocklington, Hedon and Bridlington - to which may perhaps be added Hunmanby, Kilham, South Cave and Hornsea - were in the 18th century small market towns serving a limited agricultural hinterland.<sup>72</sup> Although small in national terms these settlements nevertheless played a vital role in the economy of the region, especially after the improvement in their communications with York, Hull and the Humber effected by the turnpiking of major roads, the improvement of rivers and the construction of canals. In 1794 Leatham stressed the importance of water transport to the well-being of these settlements, and described their relationship to the surrounding countryside thus:

Patterington accommodates the east, and Bridlington the north part of Holderness, with the west part of the Wolds; Driffield the west part of Holderness, and the south and east part of the Wolds and its vicinity; Malton the north and west part of the Wolds and its neighbourhood ... Market Weighton navigation accommodates the south part of the Wolds, and each side of its line to the Humber; Howden is very near the Ouse, and with the neighbourhood of Cave, is accommodated by the Humber: thus a communication is established by water not only to the interior part of this large and flourishing country and to the adjoining countries but to the sea also, and of course the world.<sup>73</sup>

Bridlington, on the coast, was also a considerable market for the produce of the Wolds. Strickland stated that:

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71. DDCC 49/2.

72. M. Noble, Change in the small towns of the East Riding of Yorkshire, c.1750-1850 (Beverley, 1979).

73. Leatham (1794) p.12.



a considerable quantity of grain, chiefly barley and wheat, is sent from Bridlington for the supply of collieries in the north, and to some other places,<sup>74</sup>

and Henry Best in the 17th century wrote of shipping grain from Bridlington.<sup>75</sup>

Corn was the principal export commodity of eastern Yorkshire; the West Riding was supplied via the Humber, and London and the south-east were supplied via the coast.<sup>76</sup> Even in the 13th and 14th centuries the Wolds farmers were exporting quantities of corn, principally barley, but some wheat.<sup>77</sup> By the time of the parliamentary enclosures traffic had grown considerably, and the expansion of the arable acreage which occurred in this period in eastern Yorkshire enabled farmers to profit from the higher grain prices. Of the other products exported in quantity, wool, butter, bacon and potatoes, together with cattle, pigs and horses were the most important.

Throughout the 18th and 19th centuries most of the market centres of eastern Yorkshire grew rapidly, but perhaps the most successful in terms of population increase, trade and general prosperity, was Great Driffield. This it owed to its situation near to the river Hull and close to the Wolds and the northern and middle parts of Holderness. William Marshall in 1788 called Driffield 'an improving place ... [where] the buyers are numerous',<sup>78</sup> and as more of the land on the Wolds was enclosed, associated with the conversion of thousands of acres of sheep walks into arable land, Driffield's trading position strengthened. By the middle of the 19th century the town had even developed a modest industrial centre.<sup>79</sup> An exception to the general

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74. Strickland (1812) p.230.

75. Best, op.cit. p.100.

76. V.C.H. Yorks. E.R. 2, pp.52-4.

77. Waites, op.cit. passim.

78. Marshall (1788) 2, p.249.

79. P. Howorth, Driffield: a country town in its setting, 1700-1860 (Hull, 1980) pp.48-9.

trend towards an increase in prosperity of the market towns in eastern Yorkshire was Hedon; owing to the drying up of its outlet to the Humber and to competition from Hull, this town had been in decline since the Middle Ages, being by Georgian times little more than a local market centre.<sup>80</sup>

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80. Allison (1976) p.238; Noble, *op.cit.* *passim*.

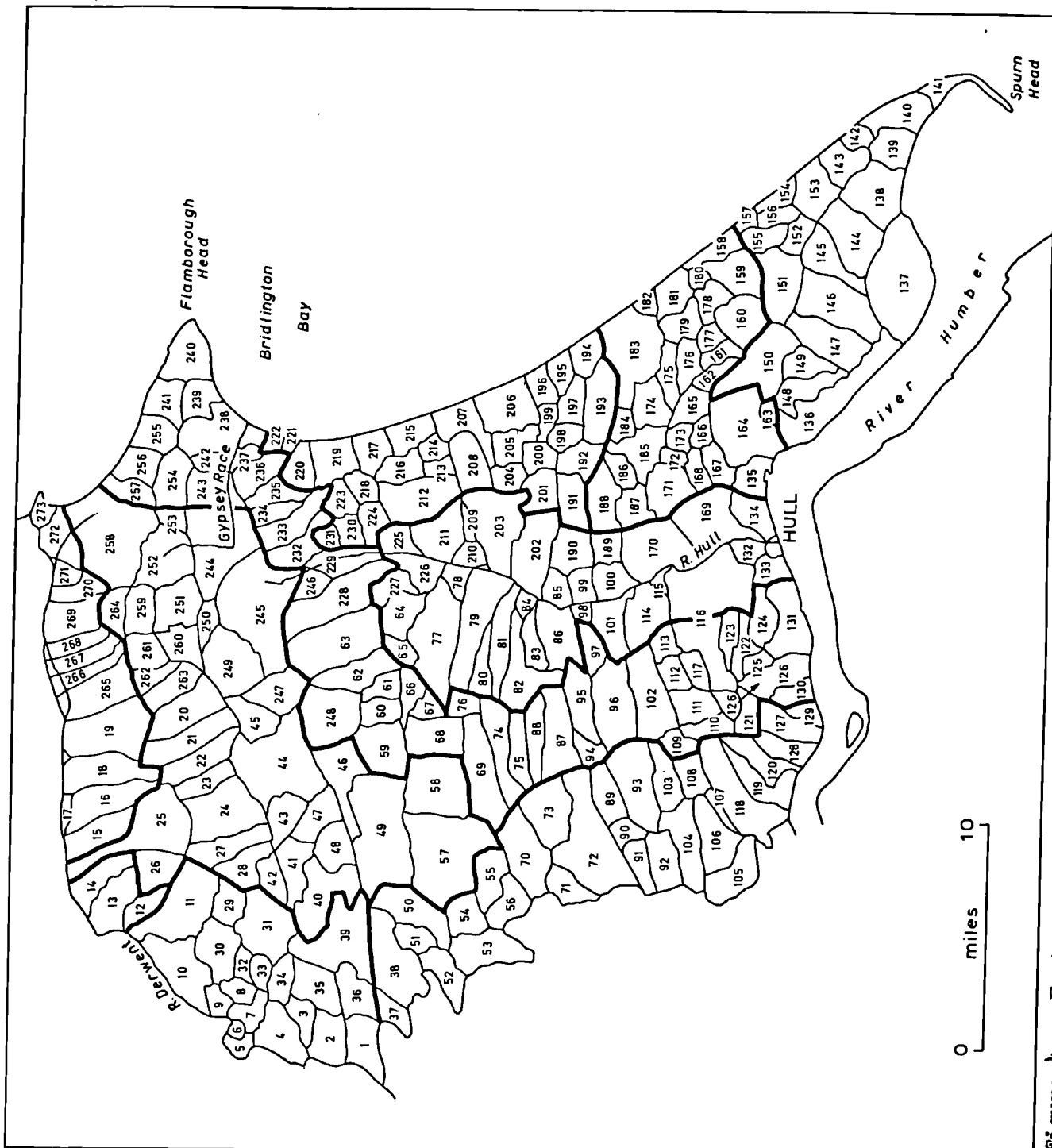


Figure 4. Eastern Yorkshire: the townships

CHAPTER TWO. ENCLOSURE AND IMPROVEMENT IN THE  
UPLANDS, 1730-1860

Eastern Yorkshire contains 591,175 acres (Table 2.1), of which 282,384 acres, almost 48 per cent, were enclosed by act of Parliament.<sup>1</sup> A further 19,398 acres, three per cent, were enclosed by agreement followed by enrolled award, in the period 1730-1860.<sup>2</sup> These figures certainly underestimate the amount of enclosure taking place in the region at this period, since a number of townships were enclosed without the help of commissioners, leaving little or no written records. Owners of land in Benningholme Grange (187) for example, applied to Parliament in 1779 for an act to enclose 550 acres, but the petition was dropped at an early stage and never resubmitted;<sup>3</sup> nevertheless the land in Benningholme was eventually enclosed, although no award has come to light. Other townships with similarly concentrated ownership - Benningholme was in the hands of only four proprietors in 1769<sup>4</sup> - may also have been enclosed after 1730 without leaving any documentary evidence. However, this was not the case for any really large-scale enclosures, since most owners recognised the value of recording such actions for posterity. Although it is impossible to be precise, it seems reasonable to assume that between 52 and 55 per cent of eastern Yorkshire was enclosed in the period 1730-1860, making it one of the foremost regions to be enclosed by act, or by agreement and award, in this

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1. Calculations based upon acreages recorded in enclosure awards, the result of adding all the individual allotments together rather than relying upon the figure given at the beginning of the award, since this was usually made up of the area allotted plus land for roads etc.
  2. Calculations from enclosures by agreement where the awards were enrolled in the Registry of Deeds, Beverley.
  3. H.C.J. 37 (1778-80) p.470. N.B. numbers in parentheses after townships identify them in Fig.4.
  4. DDCC/6/9. The land tax returns show a similar picture.

Table 2.1. Density of enclosure by act  
and by agreement, 1730-1860

<u>District</u>	<u>Number</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>
Jurassic hills	1	38,020	6,372	-	6,372	16.8
High Wolds	2	113,181	66,211	7,872	74,083	65.5
Vale of Pickering fringe	3	37,705	15,505	4,766	20,271	53.8
Woldscarp/Jurassic	4	66,421	41,402	2,183	43,585	65.6
Lower Wolds	5	109,419	71,814	1,166	72,980	66.7
Hull valley	6	78,051	25,208	400	25,608	32.8
North Holderness	7	47,734	22,502	188	22,690	47.5
Middle Holderness	8	46,189	16,626	1,192	17,818	38.6
South Holderness	9	54,455	16,744	1,631	18,375	33.7
All districts		591,175	282,384	19,398	301,782	51.0

Key

- A Total acreage in district (obtained by addition of township acreages)
- B Acreage allotted by act
- C Acreage allotted by agreement and award
- D Acreage allotted by act and by agreement ( B + C)
- E % of district allotted by parliamentary-type enclosure

Note : Township acreages have been taken from figures given in V.C.H. Yorks. 3 pp 487-99, as supplied by the Ordnance Survey Department. Figures in the Census Enumeration Abstract 1 (1831), although closer in date to the enclosure period, have been found to be inaccurate, with some townships, especially the larger ones on the high Wolds, apparently having a smaller acreage in the entire township than was enclosed by award. Certainly the figures in the Census Enumeration Abstract were not based on an accurate survey (unlike those supplied by the Ordnance Survey Department) but were obtained by applying glass plates marked in squares of 40 acres, to county maps, a method of measuring area which was open to considerable inaccuracy. The preface to the Abstract described the acreages obtained by this method as 'usually correct within one-tenth part, seldom erroneous beyond one-fifth part' (p.xxii). For a detailed study of individual townships such a margin of error is unacceptable, and therefore the Ordnance Survey figures have been preferred. Turner (1980) op.cit. pp. 28-9 and p.211, n.39, discussed this problem at length.

period.<sup>5</sup>

Almost all of the enclosure acts for eastern Yorkshire included some open-field arable land. No attempt has been made to calculate the actual ratio of arable land to common and waste in these enclosures; indeed such a calculation would be extremely difficult to make. Some enclosure acts gave individual figures for open-field land, pasture and meadow, but these were frequently inaccurate when compared with the land allotted and were clearly not based upon a professional survey. The figures given at the head of the award rarely provide separate acreages for arable, pasture and meadow land.<sup>6</sup> However eastern Yorkshire may be regarded as one of those regions where open-field arable, as distinct from common and waste, occupied a high proportion of the land before parliamentary enclosure. Almost every open township had part of its land in permanent or semi-permanent common pasture, but in eastern Yorkshire there were none of the extensive tracts of rough moorland pasture which were a feature of both the West and North Ridings. Indeed, the Pennines were 'virtually devoid of common arable fields'<sup>7</sup> and on the North York Moors the only arable land was confined to a small acreage around the village. According to calculations made by Turner, in a recent study of parliamentary enclosure, the North Riding had less than 10 per cent of open-field arable at the opening of the parliamentary enclosure period, and the West Riding had between 10 and 20 per cent.<sup>8</sup> In fact parts of the eastern side of the West Riding contained quite large areas of open-field townships, but the extensive moors of the Pennines accounted for a very high proportion

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5. The counties with the highest densities of parliamentary enclosure were Oxfordshire, Cambridgeshire, Huntingdonshire and Northamptonshire all of which had over 50 per cent of their land enclosed by act; and Bedfordshire, Leicestershire, Rutland and the East Riding (eastern Yorkshire plus the Vale of York) which had between 40 and 50 per cent, M.E. Turner, English parliamentary enclosure: its historical geography and economic history (1980) Appendix 3, pp.180-1.

6. Ibid. p.22 and passim for further discussion on this point.

7. Ibid. p.50.

8. Ibid. p.22 and p.59, fig.4. The comparable figure for the East Riding was 42.2 per cent.

of the enclosure in that Riding. By contrast the East Riding, with its gentler terrain, had very few areas of extensive common pasture, and was primarily a region of open-field arable land in 1730. Even on the high Wolds, where many unenclosed townships included large sheep-walks, the system of infield-outfield cropping (see below) ensured that much of the land was under arable cultivation periodically. Only 24 out of the 186 enclosure acts passed for East Riding townships were concerned exclusively with common and waste; the comparable figures for eastern Yorkshire, the region being studied here, was 11 out of a total of 137 acts.<sup>9</sup>

Lincolnshire, the county immediately to the south of the East Riding, resembles it far more closely than do the North and West Ridings, both in enclosure history and topography. When Lincolnshire is considered as a whole, the density of parliamentary enclosure is, at 38.7 per cent, only a little lower than that for the East Riding.<sup>10</sup> Moreover, Lincolnshire is a very large county with a number of quite diverse geographical regions. When the three divisions of the county are considered separately it is apparent that Kesteven and Lindsey contained very extensive areas of open-field arable at the opening of the parliamentary enclosure period, whilst Holland, which was predominantly a Fenland region, contained a high proportion of common and waste.<sup>11</sup> The division of Lindsey, which includes the Lincolnshire Wolds, is the region bearing the closest resemblance to eastern Yorkshire and a number of parallels will be drawn between the two areas in the course of this study.

Although the percentage of land affected by enclosure in eastern Yorkshire after 1730 was relatively high, it was not distributed evenly throughout the region; at the opening of the parliamentary enclosure period there were some districts where all the land already lay in severalty,<sup>12</sup> enclosed by walls or

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9. Ibid. Appendix 1, pp.176-7.

10. Ibid. p.44.

11. Ibid. pp.44-6, esp. Table 3.

12. i.e. owned individually and not subject to common right.

more usually by hedges. In some districts open-field villages were interspersed with enclosed townships, whilst in others the only enclosures lay just around the village settlement, with the remainder of the land for miles around still lying in large open fields.

Tables 2.1 and 2.2 show the enclosure statistics for the nine districts of eastern Yorkshire: Table 2.1 shows the acreage allotted after 1730 both by act, and by award and agreement, as a percentage of the total acreage in each district, thus indicating the density of parliamentary-type enclosure; Table 2.2, by using the individual township as a base, shows the incidence of parliamentary-type enclosure. This table shows four kinds of enclosure: pre-1730, 'old' enclosure; and, 1730-1860: enclosure by agreement but with no award; enclosure by formal agreement and award; enclosure by parliamentary act. In every township enclosed after 1730 some land had already been affected by enclosure at an earlier date; some enclosure acts only concerned a small part of the land, the rest having been held in severalty for a century or more. Nevertheless, where any parliamentary-type enclosure occurred in a township it has been placed in category 3 or 4, even when the award dealt with only a small proportion of the land.



Table 2.2. Incidence of enclosure  
by act and by agreement, 1730-1860

<u>District</u>	<u>Number</u>	<u>Total</u>	<u>Enclosure-type</u>							
			<u>Pre-1730*</u>		<u>Agree no</u>		<u>Enrolled</u>		<u>Parlia-</u>	
			<u>A</u>	<u>B</u>	<u>ment/award</u>	<u>award</u>	<u>mentary</u>	<u>mentary</u>	<u>A</u>	<u>B</u>
Jurassic hills	1	20	12	60.0	1	5.0	-	-	7	35.0
High Wolds	2	36	9	25.0	2	5.6	4	11.1	21	58.3
Vale of Pickering fringe	3	17	3	17.6	2	11.8	2	11.8	10	58.8
Wold scarp/Jurassic	4	29	2	6.9	3	10.3	2	6.9	22	75.9
Lower Wolds	5	53	9	17.0	4	7.5	1	1.9	39	73.6
Hull valley	6	34	13	38.2	1	2.9	1	2.9	19	55.9
North Holderness	7	31	12	38.7	2	6.5	1	3.2	16	51.6
Middle Holderness	8	30	14	46.7	1	3.3	3	10.0	12	40.0
South Holderness	9	22	1	4.5	4	18.2	3	13.6	14	63.6

\* As applied to some townships in districts 2 and 5 placement in this category is somewhat misleading, since they were often not physically enclosed with fences and hedges until the 19th century. They had however lost their open fields and commons at an early date and their lands were no longer subject to common right, i.e. they were owned in severalty. With regard to the one township in this category in South Holderness, Sunk Island, since it was created from land reclaimed from the Humber estuary, this township was never enclosed.

A Number of townships

B Percentage of all townships in district

District 1, the Jurassic hills

District 1, the Jurassic hills, was the district in eastern Yorkshire least affected by post-1730 enclosure. To a greater extent than any other district the Jurassic hills at the opening of the parliamentary enclosure period had a homogeneous landscape, with open fields a comparatively rare sight. Of the 20 townships in the district, 12 (60 per cent) were enclosed before 1730, a figure well above that for any of the other eight districts examined (Tables 2.2 and 2.3). The acreage allotted by act or agreement after 1730 was only 6,372 acres (16.8 per cent) out of a total of 38,020 (see Tables 2.1 and 2.3).

Much of the early enclosure seems to have occurred between 1650 and 1730. The major part of the land in these early-enclosed townships was in the hands of only a few proprietors in 1787 (Table 2.3) and it may be assumed that it had been so for many years earlier. A number of townships were estate villages, and the owner's control of the property was apparent in the siting of the cottages and their relationship to the park and the manor house. Howsham (4) was one such; the Cholmley family owned almost the whole township in 1897. About 1770, Nathaniel Cholmley, in the course of making extensive alterations to his estate, demolished all the houses on one side of the village street in the course of landscaping the park.<sup>13</sup> The village of Birdsall (31) also seems to have suffered at the hands of a landowner wishing to enlarge his park; there are earthworks and former roads as well as the ruins of a church inside the Middletons' park at Birdsall, indicating the removal of the village at some date.<sup>14</sup> Langton (30), another estate village, was the seat of the Norcliffe family, who were the dominant owners in 1787.<sup>15</sup> Kirkham (5) was the former site of an Augustinian priory, and was in the hands of only one proprietor in 1787. The 'old-enclosed' townships

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13. Allison (1976) p.184; Harris (1961) pp.76-7.

14. Beresford (1951-2) p.58.

15. QDE 1 1787.

Table 2.3. Enclosure in the Jurassic hills (district 1)

No. Name	Date of Enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
<u>1. 'Old-enclosed' townships</u>						
3. Leppington	?	1,182				3
4. Howsham	by 1705	2,151				3
5. Kirkham	?	273				1
6. Firby	by 1685	526				2
7. Westow	by 1685	1,190				22
8. Eddlethorpe	?	718				3
9. Menethorpe	?	583				4
30. Langton	arable 1650 commons c.1696	2,285				9
31. Birdsall	commons c.1696	4,031				7
32. Kennythorpe	c. 1725	543				12
33. Burythorpe	by 1676	1,250				12
39. Kirby Underdale	by 1665	5,123				8
<u>2. Townships enclosed by agreement but no award in parliamentary enclosure period</u>						
1. Skirpenbeck	1758	1,645	6 large open fields			8
<u>3. Townships enclosed by agreement and award</u>						
None						
<u>4. Townships enclosed by act</u>						
35. Acklam	1769-76	2,360	779	33.0	13	24
" "	1852-4		301	12.8	9	
10. Sutton in Norton	1769-72	2,840	720	25.4	16	62
36. Bugthorpe	1777-9	1,915	951	49.7	6	3
29. North Grimston	1792-4	1,565	667	42.6	1	4
11. Settrington	1797-9	4,988	2,118	42.5	3	8
34. Leavening	1804	1,292	230	17.8	12	24
2. Scrayingham	1825-30	1,560	606	38.9	2	4

<sup>1</sup> For sources see Appendix 1. <sup>2</sup> QDE 1 1787

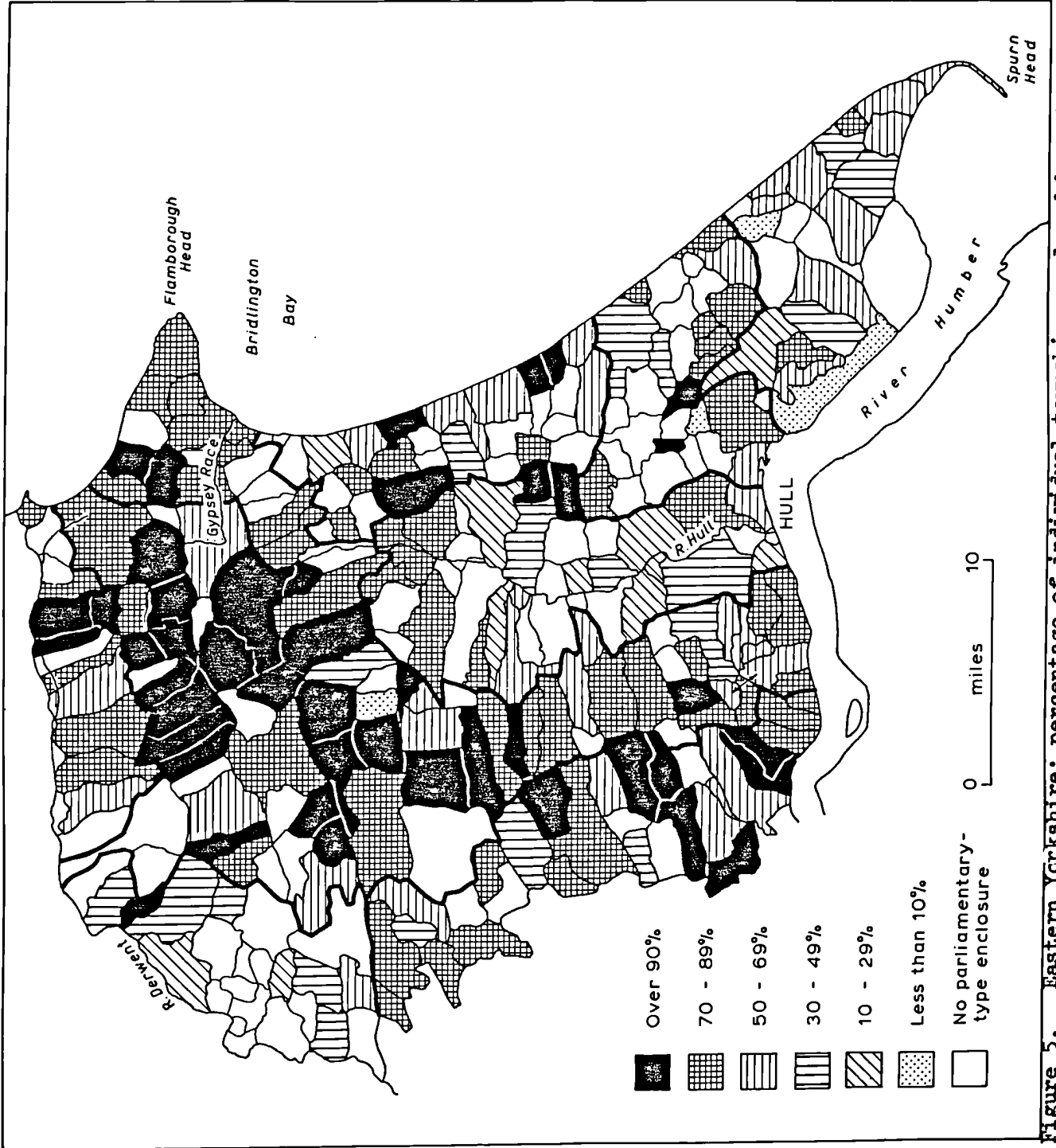


Figure 5. Eastern Yorkshire: percentage of individual townships enclosed by act and award

had an average number of only seven proprietors in 1787,<sup>16a</sup> considerably lower than the average for those enclosed in the parliamentary period (Table 2.3).

In all probability much conversion from arable to pasture had taken place after enclosure in these 'old-enclosed' townships. In the east Midlands in the 17th century conversion after enclosure was a common practice, because the heavy clay soil was found to be better suited to pasture.<sup>16b</sup> In the Jurassic hills district of eastern Yorkshire conversion was appropriate for somewhat different reasons. In the north-west corner of the district, around Westow (7), Langton (31) and Burythorpe (33), although the low-lying land was 'good sandy loam',<sup>17</sup> much of the area was hilly and difficult of access. A little to the south, around Scrayingham (2) and Howsham (4), the soil was more mixed, some of it being very heavy and difficult to work, as well as being very broken in nature. Such a terrain was better suited to grassland, and it remains chiefly a district of pasture land, with cattle as the predominant form of livestock, to this day.

Of those townships which did experience some post-1730 enclosure, none were affected by it to more than 50 per cent of their total area.<sup>18</sup> (Fig.5 and Table 2.3). As was the case with some 'old-enclosed' townships, a number enclosed by act were estate villages, the Jurassic hills district being a popular one for gentlemen's residences. The high proportion of estate villages already in closes, if not totally enclosed, is partly attributable to their ownership pattern. The lord of the manor or dominant owner tended to enclose land when it suited the management of his land to do so. In the cases of Scrayingham (2), North Grimston (29) and Bugthorpe (36), about half of each township was enclosed at an unknown date, probably in the 17th century,

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16a. 1787 is the earliest near-complete Land Tax available.

16b. E.M. Leonard, 'The inclosure of the common fields in the 17th century', Transactions of the Royal Historical Society, 19 (1905), pp.101-42.

17. L. Dudley Stamp, Yorkshire: East Riding (1942) p.256.

18. Density of enclosure has been calculated by showing acreage allotted by award as a percentage of acreage in the township.

leaving the remainder to be enclosed by act and allotted to only a very few people. The enclosure of Settrington (11), an estate village owned by the Masterman family (and later, when Henrietta Masterman married Mark Sykes,<sup>19</sup> by his family), seems to have taken place in three phases. In 1668 some part of the common meadows and pastures was enclosed by agreement;<sup>20</sup> part of the open field was enclosed in a similar manner but at an unknown date;<sup>21</sup> finally the remainder of the open-field land and common pastures was enclosed by act, 1797-9.<sup>22</sup> At the same time considerable changes took place in the village itself, when the manor house was rebuilt, and a number of cottages were pulled down and rebuilt elsewhere.<sup>23</sup>

Dual or multi-phase enclosure was characteristic of several other Jurassic hills townships.<sup>24</sup> Frequently an early enclosure was concerned with the low-lying ground, leaving the wold land to be enclosed at a later date. Langton (30) underwent two enclosures, the first, in 1650, was concerned with the arable fields,<sup>25</sup> the second, c.1696, dealt with the common pasture.<sup>26</sup> At Leavening (34) the low-lying ground was early enclosed,<sup>27</sup> leaving the wold as a stinted sheep pasture until it was enclosed in 1804.<sup>28</sup> Acklam (35) had a three-phase enclosure history. Some enclosure probably took place before 1730, but the first fully documented enclosure occurred in 1769-76, when about

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19. The marriage took place in 1795, Allison (1976) p.189.

20. Ibid. pp.188-9.

21. Ibid.

22. 37 Geo.III, c.124; R.D.B. CA/102/9.

23. Allison (1976) p.130 and p.187-9.

24. Harris (1961) p.56.

25. DDHV 75/40.

26. DDHV 22/10.

27. Harris (1961) p.56.

28. R.D.B. CA/403/48.

780 acres of land in three arable fields, together with pasture on the wolds and in the low lying ings, were involved.<sup>29</sup> Almost one hundred years later, about 300 acres of 'waste' on the wolds were enclosed.<sup>30</sup> Only one township in district 1 was enclosed by agreement in the post-1730 period: this was Skirpenbeck (1), where an enclosure of 'six large open fields' took place in 1758.<sup>31</sup> There is no further information on the area involved in the enclosure.

The concentration upon grass in this corner of eastern Yorkshire meant that it underwent none of the sweeping changes in land use experienced in nearby high Wolds townships. The 1801 crop returns<sup>32</sup> indicate that there was a relatively low density of arable cultivation in this district and as S.E.J. Best showed in his crop maps<sup>33</sup> the continuing emphasis upon permanent grassland remained in the 20th century.

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29. R.D.B. AT/308/33.

30. IA (FI).

31. DDDA 4/34.

32. 1801 crop returns.

33. S.E.J. Best, East Yorkshire: a study in agricultural geography (1930) p.58.

District 2, the high Wolds

'District 2, the high Wolds, is the largest of the districts of eastern Yorkshire, with 113,181 acres, i.e. 19 per cent of the total acreage. It contains 36 townships, of which 21 were enclosed by parliamentary act (Tables 2.2 and 2.4). It also contains a high proportion of townships enclosed by agreement and award. In all, 27 out of the 36 townships in the high Wolds are known to have enclosed their open fields after 1730. Of the remaining nine, one was enclosed in 1718 and the remaining eight were already held in severalty by the opening of the parliamentary enclosure period. These townships contained no open fields by that time, but this is not to say that they were all physically enclosed. All eight were the sites of depopulated villages, and the land surrounding the former settlements was usually used for sheep walks and rabbit warrens after depopulation. It was not physically enclosed until a much later date, in most cases during the 19th century.<sup>34</sup> Leatham described such land as 'ancient demesne ... consisting ... of extensive pastures, sheep walks or rabbit warrens, and some closes near the homestead'.<sup>35</sup> Cowlam (45), according to William Marshall, writing in 1788, contained about 1900 acres, almost entirely warren but with a flock of 6-800 sheep also kept inside the warren walls, and about 200 acres of arable.<sup>36</sup> Adjoining Cowlam were two more warrens, so that this area of the high Wolds contained about three or four thousand acres 'of tolerably good land, lying together, and apparently appropriated principally to rabbits'.<sup>37</sup>

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34. Harris (1961) p.100.

35. Leatham (1794) p.42; see also: Harris (1961) pp.28-30.

36. Marshall (1788) 2, pp.252-3.

37. Ibid. p.253.



Table 2.4. Enclosure in the high Wolds

(district 2)

No.	Name	Date of Enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
<u>1. 'Old-enclosed' townships</u> <sup>3</sup>							
23.	Thirkleby	?	1,345				1
25.	Wintringham	?	5,342				2
41.	Raisthorpe/ Burdale	?	2,113				NA <sup>4</sup>
42.	Wharram Percy	1517?	1,459				4
43.	Towthorpe	?	1,712				1
45.	Cowlam	?	2,052				1
250.	Swaythorpe	?	790				NA
253.	Argam	?	559				NA
26.	Thorpe Bassett	1718	1,806			5	11
<u>2. Townships enclosed by agreement but no award, in parliamentary enclosure period</u>							
57.	Warter	1745-7 } 1794-5 }	7,880				1
263.	Boythorpe	1794-1805	891				NA
<u>3. Townships enclosed by agreement and award</u>							
24.	Kirby Grindaly- the	1755	4,526	2,248	49.7	4	6
27.	Duggleby	1765	1,715	1,589	92.7	5	8
28.	Wharram le Street	1766-8	2,072	1,598	77.1	3	4
40.	Thixendale	1794-5	3,812	2,437	63.9	2	c.15
<u>4. Townships enclosed by act</u>							
49.	Huggate	1767-73	7,007	5,773	82.4	14	15
252.	Burton Fleming	1768-9	3,909	3,652	93.4	17	26
261.	Octon	1769-70	1,808	with Thwing	(91.6	16	14
251.	Thwing	1769-70	2,216	3,685			

1. For sources see Appendix 1.

2. QDE 1 1787

3. Many of these high Wolds townships although held in severalty, were not physically enclosed until the 19th century.

4. Figures not available

No.	Name	Date of Enclosure	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787
264.	Butterwick	1771-4	1,781	1,640	92.1	3	5
245.	Kilham	1771-3	7,383	6,957	94.2	37	35
260.	Wold Newton	1772-6	2,030	1,810	89.2	11	10
244.	Rudston	1774-7	5,547	3,766	67.9	11	12
44.	Sledmere	1775-6	7,043	6,212	88.2	2	3
58.	North Dalton	1778-9	4,639	4,294	92.6	30	27
258.	Humanby	1800-9	6,994	6,353	c.72.0	35	46
259.	Fordon	1800-9	1,464		c.96.0	2	2
21.	Helperthorpe	1801-4	2,593	2,492	96.1	4	5
20.	Weaverthorpe	1801-4	2,977	2,854	95.9	12	8
249.	Langtoft	1801-5	3,584	3,389	94.6	37	36
22.	East and West Lutton	1801-4	2,624	2,454	93.5	15	17
46.	Wetwang	1803-6	3,436	3,185	92.7	18	19
47.	Fimber	1803-6	1,927	1,809	93.9	6	14
48.	Fridaythorpe	1810-17	1,920	1,834	95.5	21	16
262.	Foxholes	1836-40	1,635	1,538	94.1	8	6
247.	Cottam	1845-51	2,590	2,514	97.1	3	2

Rabbit warrens are known to have been situated at Burdale (41), Towthorpe (43), Cowlam (45), Cottam (247), Argam (253) and Croom (44) in the high Wolds.<sup>38</sup> The agricultural improvers of the district found them an obstacle to progress, and there were a number of complaints about their effects upon neighbouring townships. Sir Christopher Sykes of Sledmere complained in 1789 that:

the Depredations of Rabbits upon the Estates in the Neighbourhood of Warrens are beyond Description, and only known to those who live as I do in the midst of them,<sup>39</sup>

Arthur Young considered that the warrens he saw were a shocking waste of good agricultural land:

it must raise the wonder of every traveller, to see such good land left to so woful a use; the plentiful crops of thistles scattered about it prove the natural goodness of the land.<sup>40</sup>

The siting of the warrens was influenced by several factors of which the principal one was the nature of the terrain. Until the widespread introduction of new crops and rotations much Wold land, because of its elevation, soil or position was regarded as only suitable for rough pasture and rabbits. Some Wold land at Low Hunsley was described in 1802 by Thomas Duesbery, the owner, as:

naturally suited and intended [for rabbits] from the nature and quality of the Soil, from a great part of it being hill side, from its being difficult and expensive to raise fences upon, to get Manure to, and to carry the produce from, from its bleak and exposed Situation, from the buildings being small and inconvenient for other purposes and indeed for almost every reason which can occur to make it eligible to occupy a warren.<sup>41</sup>

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38. A. Harris, 'The rabbit warrens of East Yorkshire in the 18th and 19th centuries', Y.A.J. 42 (1971) p.430, fig.1; Allison (1976) p.107.

39. Quoted in: Harris (1971), op. cit. p.431.

40. Young (1770) 1, p.163.

41. HUL DDDU 10/69. Low Hunsley has been placed in the lower Wolds but this part of that district bore many similarities to high Wold land further north. It is worth noting that in spite of this damning description the land appears to have been subdivided into closes and converted to farmland the following year, V.C.H. Yorks. E.R. 4, p.150.

Since many depopulated townships were situated in just such positions, and were usually in the possession of very few proprietors, rabbit warrens were often considered the most appropriate form of land management. At Cottam (247), which in 1706 could still be described as a small village, containing nine houses and cottages and extensive open fields, a decision was taken, when the lease came up for renewal early in the 18th century, to demolish most of the cottages and plant a rabbit warren. By 1732 the warren lay on the former arable fields and from that date until 1845 the township was devoted to rabbits and sheep.<sup>42</sup>

The decline of the warrens began at the end of the 18th century, and was almost complete by 1850. Harris considered that the spread of enclosure acted as a stimulus to change in the management of warren land, principally because warrens made bad neighbours, since rabbits were only kept out of arable land with difficulty.<sup>43</sup> The principal reason for the decline however, was the spread of the Norfolk system of husbandry, which was so well adapted to wold land that ground previously considered to be good for nothing but sheep and rabbits could be made to produce very good crops.<sup>44</sup>

All eight of the high Wolds townships held in severalty by 1730 are in Beresford's list of depopulations.<sup>45</sup> The causes of the depopulations vary from one township to another: Thirkleby (23) 'may have been a Black Death casualty'<sup>46</sup>; Cowlam (45) was a similar case;<sup>47</sup> Wharram Percy's (42) decline began 'at least by 1354, when over 60 per cent of its tax was remitted after the Black Death,'<sup>48</sup>

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42. A. Harris, 'The lost village and the landscape of the Yorkshire Wolds', Ag.H.R. 6 (1958) p.98. The owners of Cottam were the Dean and Chapter of St. Peters, York.

43. See above re. Hunsley.

44. Harris (1971), op. cit. p.443.

45. Beresford (1951-2) pp. 44-70.

46. Ibid. p.65 and p.68.

47. Ibid. p.60.

48. Allison (1976) pp.104-5.

although in the mid-15th century the village was still 'quite substantial',<sup>49</sup> - its demise was completed by enclosure for sheep farming. In 1517 the lord of the manor evicted 16 people, put down four ploughs and allowed four houses to decay.<sup>50</sup> The village of Towthorpe (43) had 'xxx howslyng . people' in 1546;<sup>51</sup> in the 18th century it was in the hands of a single owner, the only sign that a village had once been there being the hedged garths in the centre of the township. The remainder of the land in 1772 lay open, with a rabbit warren established to the north of the depopulated village.<sup>52</sup> Many of these townships were in single ownership in the later 18th century (Table 2.4) and had probably been so for many years. Thirkleby (23) was owned in its entirety by Lord Middleton, and he had only two tenants;<sup>53</sup> Wharram Percy (42) was owned by four people, and tenanted by only two.<sup>54</sup> Because there were so few proprietors in these places it is rarely possible to establish a definite date for their physical enclosure but in the main it seems to have taken place some time later than their open-field neighbours.

Six townships in the district underwent enclosure by agreement after 1730. Warter (57) was a township in single ownership. The Pennington family had their estate at Warter Priory and the township may have been partially enclosed in 1745-7, although further reorganisation of the land and more enclosure seems to have occurred throughout the 18th and early 19th centuries.<sup>55</sup> The only other township enclosed after 1730 without formal award was Boythorpe (263); by the latter part of the 18th century this township was owned by only two proprietors and much of the land still lay open. However, by 1794 some

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49. Beresford (1951-2) p.70.

50. Allison (1976) p.104; Beresford (1951-2) p.70.

51. Ibid. p.69.

52. Allison (1976) p.107, fig.6.

53. QDE 1 1787 Thirkleby.

54. QDE 1 1787 Wharram Percy.

55. R.D.B. BT/32/5; BG/455/74; CQ/212/14; CQ/315/17 and DDWA/10/51, T/3-27.

consolidation of strips in the open fields had taken place, and by 1805 the land was said to lie entirely in closes.<sup>56</sup>

Four high Wolds townships were enclosed by agreement followed by enrolled award, a method of enclosure indistinguishable in its effects from parliamentary enclosure. Three of them, Kirby Grindalythe (24), Duggleby (27) and Wharram le Street (28) were neighbours in the Wold Valley. These townships, which were allotted to only a very few owners, were enclosed between 1755 and 1766 (Table 2.4). Enclosure by agreement, without resort to a costly act of Parliament, was possible where the owners were few. The agreement to enclose Kirby Grindalythe stated that the owners would:

throw all their several ... Cottages, Lands,  
Tenements and Hereditaments into a Common  
Average or Hotchpot ... so that each party  
may inclose his own share if they think fit.<sup>57</sup>

a clear indication that physical enclosure was not necessarily seen as following immediately. Most of the townships of the Wold Valley had only two open fields before enclosure, the result of their situation on the valley floor with their land extending up the valley sides.<sup>58</sup> At Duggleby the award shows that the land before enclosure was cultivated on a two-year rotation of crop and fallow, with no indication of the use of roots or seeds.<sup>59</sup> Kirby Grindalythe was unusual in having three fields and it seems possible that there a three-course rotation was in use.<sup>60</sup> Edward Anderson, a master-mariner who also wrote poetry, had been born in the Wold Valley and lived in Lutton before that township was enclosed. Describing the management of the land in the valley before improvement he wrote:

In the dale towns their management at best,  
It seem'd a hundred years behind the rest:  
Some little farms were spread o'er many a mile,  
To see their management would make you smile;  
Half of the lands lay waste, so poor laid down  
They could not get manure so far from town.

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56. V.C.H. Yorks. E.R. 2, p.195.

57. HUL DDSY 38/51.

58. Harris (1961) pp.22.

59. R.D.B. AH/40/2.

60. Harris (1961) pp.22-3.

I've seen them plowing with a cow and ass,  
And harrows driven by a servant lass;  
Manure on little heaps they us'd to lay,  
Near to the town few got it far away:  
Out of the wet farm yards they did it draw;  
It lay and dry'd till it were just like straw;  
And when spread out it was so full of seeds,  
Instead of corn - it only grew more weeds.  
In fallow fields a crop of thistles grew,  
Their downy seeds about the country flew;  
In vain from scab their flocks they try to keep,  
They oft were smitten by their neighbour's sheep.<sup>61</sup>

There may be more than a trace of exaggeration here, but the description of the difficulties experienced by small farmers forced to travel long distances to their scattered holdings can be easily believed and Anderson paints a graphic picture of an unimproved Wold township.

Thixendale (40) was the only other township to be enclosed by agreement and award. This township, which had over a dozen proprietors in 1787 (Table 2.4),<sup>62</sup> was enclosed 1794-5, with almost the whole of the land allotted going to Sir Christopher Sykes, who had bought out several owners in the years just prior to the agreement.<sup>63</sup> Thixendale is a small settlement situated in a hollow at the confluence of six valleys in the high Wolds. Sheep farming predominated here during the pre-enclosure period, although the role of the arable land was vital in providing subsistence crops.<sup>64</sup> The Court Rolls show that the villagers also took in cattle for summer pasturing,<sup>65</sup> a not uncommon practice of Wolds townships and one described by Henry Best in the 1640s.<sup>66</sup>

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61. Edward Anderson, The sailor: a poem ... 12th ed. (Hull, 1828) p.40.
  62. It is difficult to be accurate about the number, because the land tax assessment included Burdale, Raisthorpe and other small places as well as Thixendale itself.
  63. See Chapter 8, pp. 508-11.
  64. A. Harris, Pre-inclosure agricultural systems in the East Riding of Yorkshire (University of London unpublished M.A. thesis, 1951) pp.35-6.
  65. *Ibid.* p.35.
  66. Henry Best, Rural economy in Yorkshire in 1641, being the farming and account books of Henry Best (Durham, 1857). - (Surtees Society. Publications, 33) pp. 119-20. Best hired gates (i.e. pasture rights) at Thixendale for 2s. per beast.

Enclosure by act began comparatively late in the high Wolds, the earliest being Huggate (49) 1767-73. This township is situated at a height of 4-500 feet and unlike the majority of Wolds villages, which are located in the valleys, Huggate settlement was established on higher land. The enclosure bill for Huggate provides evidence of a primitive pre-enclosure agricultural system, with two open fields 'yearly by turns sown with Corn and Fallow',<sup>67</sup> and three stinted pastures. No meadows appear to have existed in Huggate and hay was probably only obtained from the headlands of the open fields. The prime mover behind the enclosure of this township seems likely to have been the lord of the manor; he purchased land from eight people just before the award was drawn up and was allotted 4,434 acres, 77 per cent of all the land enclosed (cf. Thixendale above).<sup>68</sup> The evidence available points to the predominance of sheep and cattle in the pre-enclosure economy of Huggate; the bill stated that there were 3,000 sheep gates on the fallow field and in the Tongue pasture, and more than 200 beast gates in the Ox pasture and the Cow pasture.<sup>69</sup> The exposed nature of the terrain made the emphasis upon sheep the most practicable system before the introduction of the new husbandry. Whether new crops and rotations were used in Huggate immediately after enclosure is unfortunately not known. The township, being very exposed, was not good wheat growing land, but barley and oats were well adapted to this area. The 1801 crop returns<sup>70</sup> show that turnips and rape were being grown in Huggate at the turn of the 18th century, and the township was described as 'good arable land ... in a high state of cultivation' in 1856.<sup>71</sup>

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67. Harris (1951), op.cit. pp.33-4.

68. R.D.B. AQ/256/24.

69. DDPY 27/2.

70. 1801 crop returns.

71. J.J. Sheahan and T. Whellan, History and topography of the City of York, the Ainsty Wapentake and the East Riding of Yorkshire ..., v.2: The East Riding. (Beverley, 1856) p.561.



From 1768 to 1778 a spate of enclosure acts for high Wolds townships was passed by Parliament; many of them concerned townships in the valley of the Gypsey Race. Their primitive state of agriculture has already been mentioned but their position, in a sheltered valley with a good water supply, gave them considerable potential for improvement. Most of them before enclosure seem to have worked their fields on an infield-outfield system, with the more exposed land higher up the valley slopes only cultivated periodically. In the eastern section of the valley permanent pasture seems to have been scanty and meadow land virtually non-existent.<sup>72</sup> However, the suitability of the land for growing corn enabled the farmers to sell their produce to neighbouring villages higher on the Wolds, as did the inhabitants of Butterwick in the 16th century:

The soyle of this towne is not fruitfull for paster or medow but good for corne which the tenants utterith to the barron corne townes ner abowte to the great commodite.<sup>73</sup>

The inhabitants were thus able to make up their deficiency in hay by buying it from townships better endowed with meadow land.<sup>74</sup> The predominance of arable over pasture in some of these Wold Valley townships was a characteristic feature as early as the Middle Ages, when Meaux Abbey's grange at Octon was described as:

largely arable, with sheep-rearing dependant upon common rights over open field land or pasturage in arable closes when they were fallow or harvested.<sup>75</sup>

The townships of the Wold Valley situated in the western part were better supplied with grassland and Henry Best of Elmswell sent cattle to West Lutton for summer pasturing, paying a higher price per gate - 3s 4d per beast - than he did for gates at Thixendale.<sup>76</sup>

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72. V.C.H. Yorks. E.R. 2, articles on agriculture in Burton Fleming and Thwing.

73. Harris (1951), op.cit. p.21, quoting ms at Castle Howard.

74. V.C.H. Yorks. E.R. 2, p.195.

75. Ibid. p.328.

76. Best, op.cit. p.119.

One of the largest high Wolds townships was Kilham (245), enclosed 1771-3. The land allotted, 6,957 acres, was about 94 per cent of the whole township.<sup>77</sup> A large part of Kilham lies above 300 feet above sea level, rising to 500 feet in the north west. The major part of the township lies on chalk, with the village itself in the valley, on chalky gravel, with only a small area of boulder clay in the south-eastern corner. The wold land was largely covered by two open fields lying north and south of the village; meadow land lay in the valley. There is a strong probability that an infield-outfield system was operated in Kilham in the 18th century.<sup>78</sup> This township provides an interesting example of landowners' attempts to reduce costs by eschewing a full-scale enclosure. The act was preceded by a proposal to enclose only a part of the open fields, whilst the remainder was to be flatted, that is the strips were to be consolidated into more compact holdings 'to be inclosed at pleasure'.<sup>79</sup> In the event the proposal was rejected and a decision was made to go ahead with a general enclosure. In such a large township it was not to be expected that internal fences would be erected at once, since that expense, on top of the normal enclosure costs, could be prohibitive. As late as forty years after the enclosure of Kilham many allotments still did not have internal fences.<sup>80</sup>

In some high Wolds townships provision was made for the continuation of depasturing in common, even after all the land had been divided and allotted. At the enclosure of Thwing (251) and Octon (261), 1769-70, the act stated that the owners might depasture their sheep in common on the outfields if all the proprietors of land there agreed.<sup>81</sup> At the enclosure of Wold Newton (260), 1772-6, 680 acres was left open for sheep walks although allotted in

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77. R.D.B. AQ/351/29.

78. V.C.H. Yorks. E.R. 2, article on Kilham's economic history, pp.255-9.

79. DDX 40/190.

80. Harris (1961) p.68.

81. 8 & 9 Geo. III. sess.2, c.32.

the award.<sup>82</sup> Clearly sheep farming was still intended to play a very important role in these townships and expensive fencing was therefore kept to a minimum.

Rudston (244), a high Wolds township to the east of Kilham, had very extensive open fields before enclosure. In the early 13th and 14th century the township was supplying corn to the King, and its proximity to Bridlington probably encouraged the early development of a market economy.<sup>83</sup> The parish of Rudston contained two depopulated villages: Caythorpe, which was partially enclosed and probably wholly depopulated before 1517, when Sir Thomas Fairfax converted 300 acres of arable to pasture; and Thorpe, where the open field land is unlikely to have survived depopulation.<sup>84</sup> Sheep were a mainstay of the agricultural system in Rudston and the upper wold slopes were probably devoted to permanent pasture.<sup>85</sup>

Three more high Wolds townships were enclosed before the close of the first wave of enclosure acts;<sup>86</sup> Sledmere with Croom (44) is situated to the north-west of Driffield. From the mid-18th century the Sykes family had lived at Sledmere House, inherited from Mark Kirby, a Hull merchant.<sup>87</sup> In 1776 Sir Christopher Sykes applied to Parliament for an enclosure act for Sledmere.<sup>88</sup> Apart from the owner of the tithes Sykes was the sole proprietor, but he needed an act to enable him to raise the enclosure expenses, which it was estimated would amount to £15,000.<sup>89</sup> The previous year, 1775, the Rev. Robert Rousby, who was the sole owner of Croom, a depopulated township in

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82. R.D.B. AT/354/37.

83. V.C.H. Yorks. E.R. 2, p.315.

84. *Ibid.* p.315.

85. *Ibid.* p.316.

86. See Chapter 4 for further discussion of the chronology of enclosure.

87. J.T.Ward East Yorkshire landed estates in the 19th century. (York, 1967). - (E.Y. local history series, no.23) p.13.

88. H.C.J. 35 (1774-6) pp.547-8.

89. HUL DDSY/62/305.

Sledmere parish, applied for an act to enclose his estate and construct new roads.<sup>90</sup> Rousby and Sykes were not on friendly terms at that time, there being considerable argument about the improvements the latter intended for Sledmere, which included the stopping up of roads used by Rousby's tenants. After prolonged negotiations Rousby was satisfied and Sledmere was transformed by the enlargement of the park and the removal of the village to a position outside it.<sup>91</sup> Sykes owned the corn tithes, but the tithes of wool and lamb belonged to Luke Lillington, who demanded a generous allotment in lieu, since he knew that the improvement from an enclosure would be considerable. He wrote:

I am well convinced from long experience that there is no effectual Improvement to be carry'd on upon the Wolds without Sheep and that also that Sheep are the most profitable Stock there ... I now let a Wool and Lamb Tyth, that was inclosed about Ten Years Ago, for double what it was before, and whenever my old Tenant quits it shall easily advance one third more.<sup>92</sup>

The Sykes family has always been associated with the improvement of the Yorkshire Wolds, and its steward in 1775, Robert Dunn, was a busy enclosure commissioner who must have been very familiar with the benefits to be obtained from the introduction of the Norfolk rotation to wold land. By 1801 the acreage of turnips and rape (counted together in the crop returns) was very considerable.<sup>93</sup>

The Sykes family also owned land at North Dalton, enclosed 1778-80.<sup>94</sup> This enclosure is particularly well documented, and an estimate of the area of arable and of pasture put the total at 3,875 acres, of which 2,250 acres

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90. H.C.J. 35 (1774-6) p.136.

91. Harris (1961) pp.73-6.

92. HUL DDSY 62/33. In the event Lillington seems to have taken his compensation in money rent rather than land.

93. 1801 crop returns.

94. R.D.B. BB/184/22.

was arable and 1,625 was pasture.<sup>95</sup> A rabbit warren in North Dalton was rented for £26 plus '40 couple' of rabbits in 1721, rising to £31 in 1727. The tenant stated that the sheep strayed upon it constantly and that he always cut the whins upon it. His successor paid the same rent and delivered 60 couple of rabbits. One cottage common right in North Dalton was equal to two cows on the cow pasture and one horse on the horse pasture, together with an unlimited number of sheep on the common.<sup>96</sup> North Dalton seems to have continued to place considerable emphasis upon sheep-farming: at the turn of the century the crop returns recorded 'about the same number of Acres in Grasing as in Tillage chiefly in Sheep Walks'.<sup>97</sup>

For a period of some 20 years, from c.1778 to 1800, there was a marked pause in enclosing activity on the high Wolds,<sup>98</sup> and this seems an appropriate point to examine the progress of agricultural improvement before enclosure began again in the 19th century. William Marshall wrote in 1788 of the 'spirited attempts' at enclosure recently made on the high Wolds,<sup>99</sup> and noted that the estates of that district were chiefly in the hands of large owners, who let them out to tenants, yeomen (i.e. owner-occupiers) being few. Marshall deplored the tendency for the gentry to forbid the ploughing up of sheep walks, which in their pristine state were worth about 5s per acre, whilst as arable they could be worth five times that amount. He considered that if tenants were allowed to lay some land to arable and grow turnips, they would be able to feed their sheep over the winter instead of having to 'scatter' them about the country, 'perhaps ten or fifteen miles from the farm' in the

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95. HUL DDCV 118/1. In fact the estimate was somewhat inaccurate; a total of 4,295 acres was actually allotted.

96. HUL DDCV 118/6.

97. 1801 crop returns.

98. As will be shown, discussions took place in several townships on the matter, but only one enclosure act was passed in this period.

99. Marshall (1788) 2, p.237.

cold seasons. Marshall described the Wolds farmers' crops thus:

principally oats; but much barley and some peas are grown; and in the vallies, wheat. But upon the high Wolds, the largest farmers until of late years bought their bread corn.<sup>1</sup>

Some farmers, despite the gentry's distaste for the practice, were breaking up their pastures, for Marshall noted that:

The old turf, when newly broken up, throws out immense crops of oats; and is, I believe, in general, equally productive of rape. Instances are mentioned, in which the first crop of rape has been equal to the purchase value of the land. Turneps, clover, and sainfoin are also Wold crops.<sup>2</sup>

The turnip, the lynch pin of the Norfolk rotation is, said Marshall:

still a new thing to the Wolds; not more than twenty years standing, though singularly adapted to the soil ... The application of the turnep crop is almost wholly to sheep, which are folded on the standing turneps.<sup>3</sup>

Wold sheep were long haired, somewhat resembling the Leicestershire breed. The flocks were very large, one cited by Marshall being as numerous as 2,000. Rabbit warrens which were still a common sight in the 1780s were described in detail by Marshall, who wrote that on the Wolds, better soil was appropriated to warrens than in any other part of Britain.<sup>4</sup>

Arthur Young visited the Yorkshire Wolds a little earlier than Marshall. He came in 1769, at the beginning of the first wave of parliamentary enclosure, and his comments show that he considered the district to be very backward. Of the Wolds near Hunmanby he wrote of:

the wretched management which left large tracts of land in so uncultivated a state: it lets from 4d to 4s an acre between Boynton and Honanby [Hunmanby]. They plough up the turf, and sow barley, or more often oats, and then leave the soil to gain of itself a new sward; this is their management every six years: Whereas all the country would admit the Norfolk course of husbandry.<sup>5</sup>

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1. Ibid. p.244.
  2. Ibid. p.244.
  3. Ibid. pp.249-50.
  4. Ibid. p.253
  5. Young (1770) 2, p.9.

Turnips were only just being introduced to this part of the Wolds when Young visited it, but sainfoin had been grown in Hunmanby as early as the 1730s, and clover was sown there in 1754.<sup>6</sup> Indeed, the township was not such a backward place as Young implied; the steward of the Osbaldeston estate, the agricultural writer Isaac Leatham, recorded his attempts to improve the farming system of Hunmanby in 1783, without the expense of an enclosure.<sup>7</sup> He was faced with a major obstacle in the shape of a township 'prejudiced in favour of old customs, and fearful lest every innovation should prove ruinous', but he managed to persuade the owners to adopt a six-course rotation involving turnips and seeds. Leatham described the situation before the changeover as critical; the arable fields were exhausted and:

returned little more corn than was necessary for seed and the support of the numerous horses employed in cultivating the soil. The sheep also suffered from ... mismanagement; and poverty was the inmate of every dwelling; though several of the occupiers were owners also.<sup>8</sup>

That there was pressure upon the pasture land is clear from the closely controlled stinting of the common in the 18th century, and from the fact that some parts of the open fields had been laid down to grass.<sup>9</sup> Leatham's new rotation seems to have been successful, although it only lasted until the end of the century when the township was enclosed (1800-09).

In 1794 Leatham reviewed the progress of enclosure upon the Wolds. Although an advocate of improvement he considered that much land which had been enclosed 'might with more advantage have been left open'.<sup>10</sup> He felt

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6. V.C.H. Yorks. E.R. 2, p.238.

7. Leatham (1794) pp.45-6.

8. Ibid. p.45.

9. V.C.H. Yorks. E.R. 2, p.238.

10. Leatham (1794) p.38.

that enclosure in some townships had led the farmers to break up old grassland and take successive crops without applying any manure, thus impoverishing the soil in a short time. This practice, which was to become even more popular during the first decade of the 19th century, was also deplored by Strickland when he wrote of it some twenty years later.<sup>11</sup>

In spite of some mistakes made by over-enthusiastic farmers, much improvement of farming practices had taken place on the high Wolds by 1800, and in 1801 the crop returns recorded turnips and rape as a part of the regular rotations of many townships.<sup>12</sup> They seem to have been introduced in enclosed and open-field townships alike, from about 1770 onwards. Hunmanby's adoption of a version of the Norfolk rotation in 1783 has already been noted; Weaverthorpe (20) and Helperthorpe (21), neighbouring townships in the Wold Valley, introduced turnips into their open fields c.1770.<sup>13</sup> They followed an infield-outfield system, and turnips were grown on the infields on a four-yearly rotation, whilst the outfields were cropped every other year. A similar arrangement was adopted in East and West Luton (22), also in the Wold Valley.<sup>14</sup>

Clearly the farmers in such townships were prepared to try new farming methods by this date, and the question therefore arises - why were the townships not enclosed simultaneously? At Hunmanby we know that there was considerable reluctance to change old habits; Leatham found the task of persuading the farmers to adopt new crops 'great, and not easily surmounted',<sup>15</sup> and he had to exercise considerable persistence before he was successful. But this was a large and populous township and it had many small owner-occupiers,

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11. Strickland (1812) p.106.

12. 1801 crop returns and Harris (1961) p.95, fig.36.

13. HUL DDSY 70/125.

14. Ibid.

15. Leatham (1794) pp.45-7.



making general agreement very difficult;<sup>16</sup> Weaverthorpe, Helperthorpe, and East and West Lutton had few owners and the delay in their enclosure seems puzzling at first sight. However further investigation shows that a number of later-enclosed townships attempted to obtain an act during the first wave of parliamentary enclosures (before 1780) but, for a variety of reasons, they failed. Some of the proprietors of open-field land in East and West Lutton considered an enclosure in 1769, the year when their neighbours at Octon and Thwing applied to Parliament. A meeting of owners at Lutton was arranged,<sup>17</sup> but the matter seems to have progressed no further at that time. Perhaps there was insufficient support, or maybe the tithe owner wanted too much compensation. Another meeting, this time with the owners of land in Weaverthorpe (20) and Helperthorpe (21), was arranged in 1775, but again nothing more was done.<sup>18</sup> Further negotiations took place in 1790,<sup>19</sup> but it was not until 1801 that the promoters succeeded in obtaining an enclosure act.<sup>20</sup>

Langtoft (249) was another township where many unsuccessful attempts at enclosure were made. From the available evidence it seems that the matter was first considered in 1774, soon after nearby Kilham had obtained an act.<sup>21</sup> One of the incentives to enclose Langtoft may have been pressure upon the pasture land; the open fields of the township lay on the wold slopes and there was no meadow land and little permanent pasture.<sup>22</sup> Nevertheless the farmers of Langtoft took in sheep from other townships in the summer, which seems to indicate infield-outfield husbandry. In 1764 common rights were unstinted, but some time between that date and 1781 a stinting arrangement was

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16. See Chapter 7 for discussion on owner-occupancy.

17. Y.C. (Nov. 1769).

18. Ibid. (Dec. 1775).

19. HUL DDSY 101/68.

20. 41 Geo. III, c.80.

21. DDX 40/190.

22. V.C.H. Yorks. E.R. 2, p.267.

introduced<sup>23</sup> and the large flocks of sheep kept in Langtoft were noted in a letter written during the enclosure negotiations.<sup>24</sup> In 1774 it was suggested that a partial enclosure should take place, leaving the remainder of the land to be flatted (cf. Kilham above), but the matter was not pursued, although another meeting was called in 1776. In 1783 another attempt was made to enclose and in 1794 further discussions took place.<sup>25</sup> The principal obstacle seems to have been the opposition of the tithe owner and not that of the landowners themselves. The enclosure eventually went ahead in 1801.

Often discussions on the possible enclosure of a township went no further than a preliminary meeting or two, and these were not always recorded. In the case of Fridaythorpe (48) enclosed 1810-17, we know that a meeting to consider an application to Parliament took place in 1790,<sup>26</sup> but earlier attempts at enclosure may have been made about which we know nothing. One factor which may well have influenced the rather late enclosure of Fridaythorpe might have been the very large proportion of the land - no less than 44 per cent of the land allotted - which belonged to the church.<sup>27</sup> In the light of the high increases in rent expected after enclosure,<sup>28</sup> it may be that the tenants of church land in Fridaythorpe preferred to accept the status quo, perhaps introducing new crops into the open fields. The township is not one of those covered by the 1801 crop returns, so this must remain purely speculative. As to the part played by ecclesiastical owners in promoting enclosures, there is little evidence that they initiated

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23. Ibid. p.267.

24. DDX 40/195.

25. DDX 40/190.

26. HUL DDSY 68/101.

27. R.D.B. DA/2/1.

28. See Chapter 4.

negotiations for land in which they had an interest. The last enclosure of a high Wolds township was that of Cottam (247), which was owned in its entirety by the Dean and Chapter of St. Peter's, York, and this did not take place until 1845-51.<sup>29</sup>

At the turn of the 18th century, before the second wave of enclosures began, the landscape of the high Wolds presented a variable picture. The depopulated townships were still chiefly occupied by sheep walks and rabbit warrens; the enclosed townships, especially upon the eastern side, were comparatively progressive, with the new crops and rotations an accepted part of the farming; many of the open-field townships - which at the close of the 18th century numbered only 11 out of the 36 - were including turnips and seeds in their rotations as a result of mutual agreement.

As stated above, Thixendale (40) was enclosed by agreement 1794-6, and in the same year an act was passed to enclose and improve some land in Warter (57)<sup>30</sup> and there were meetings at Langtoft to consider enclosure.<sup>31</sup> But the high price of corn, which became a matter for such concern in the period 1795 onwards, did not result in a rash of petitions to enclose high Wolds townships. The only applications to Parliament involving this district in the period 1795-9 were made by a proprietor of land in Kirby Grindalythe and Duggleby, which had been enclosed by agreement in 1755 and 1765 respectively.<sup>32</sup> Some doubts seem to have arisen concerning the legality of these enclosures. The petition of 1795 stated that the land enclosed had:

until lately ... been held, enjoyed, and observed, conformably to the said Agreements ... but Doubts having arisen how far certain Persons named in the said Agreements were competent to bind their Successors thereby, the Petitioner is desirous that the said Awards and Divisions and Inclosures made by virtue thereof should be rendered effectual.<sup>33</sup>

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29. IA(N).

30. 34 Geo. III, c.3.

31. DDX 40/190.

32. See above, p.49.

33. H.C.J. 51 (1795-6) pp.374-5.

Leave was given to bring in bills after petitions presented in 1795, 1796 and 1797, but the matter was not pursued.<sup>34</sup>

In the first decade of the 19th century more acts were obtained for townships in the high Wolds beginning in 1800 with the application to Parliament by owners in Hunmanby and Fordon.<sup>35</sup> 1801 was the busiest year for the enclosure of open-field arable land throughout England: 86 acts went through the Commons.<sup>36</sup> Four high Wolds townships were enclosed in 1801<sup>37</sup> and in 1803 the owners in the contiguous townships of Wetwang and Fimber applied for an act.<sup>38</sup> These townships were not included in the 1801 crop returns, so it is not possible to be sure whether turnips and seeds were grown in the open fields at that date. However we do know that clover and seeds were sown in Wetwang in the 1740s and 1750s, albeit in a small way. In a document dating from that period the writer suggested that two areas of 20 acres should be enclosed and sown with clover, in order to make up for a deficiency in hay; another close was to be sown with sainfoin. The rest of this land would be 'considerably advanced', which, the writer admitted, would not be popular with the tenants. The copyholders were also to be encouraged to enclose:

by which means, if they will embrace the opportunity, my Lord's Inclosures may be made easier, and the copyhold fines enlarged.<sup>39</sup>

No enclosure in fact took place at that time, although sainfoin was being grown in Wetwang at about this date, presumably in the open fields, although

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34. Ibid. 52 (1796-7) p.330.

35. Ibid. 55 (1799-1800) pp.168-9.

36. Turner (1980) op. cit. p.67.

37. Helpertorpe, Weaverthorpe, Langtoft, East and West Lutton, p.59.

38. H.C.J. 58 (1802-3) p.132.

39. E.M. Cole, 'Notices of Wetwang', Transactions of the East Riding Antiquarian Society 2 (1894) p.73

possibly only in small village closes.

In the late 1760s there is evidence that the farmers of Wetwang were suffering from an insufficiency of pasture; in 1769 they decided to lay down a proportion of their open-field land as a pasture and a strict stinting agreement was made for the land. Harris cited Wetwang as an example of 'the undercurrent of change on the Wolds in the middle part of the 18th century'; sainfoin and clover were being introduced into the new inclosures whilst the old ways still persisted in the open fields; stock was loosed together on the common but the farmers combined to create new pastures when the need arose.<sup>40</sup> As the century progressed new crops like clover and sainfoin spread from the closes into the open fields and in those townships enclosed relatively late, that is after 1790, there is a strong probability that the introduction of the new husbandry preceded enclosure.<sup>41</sup>

By the end of the Napoleonic Wars almost all of the high Wolds townships had enclosed their open fields, but those of Foxholes (262) remained until 1836-40. Such a late enclosure is difficult to explain when neighbouring villages were enclosed so much earlier, most of them in the 1760s and 1770s. The principal owners of Foxholes were substantial gentry who had been involved in enclosing their land in other high Wold townships at a much earlier date.<sup>42</sup> In 1787 a member of the Sykes family paid almost half of the land tax for Foxholes, Humphrey Osbaldeston of Hunmanby paid almost 40 per cent and there were only four other owners;<sup>43</sup> opposition from small proprietors does not seem therefore to have been a delaying factor. In 1777 there were 48 bovates or oxgangs in Foxholes, with a probable total area of c.1,500 acres,<sup>44</sup> which

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40. Harris (1951), op.cit. p.32.

41. cf. Helperthorpe, Weaverthorpe and the Luttons above.

42. DDX 154/10.

43. QDE 1 Foxholes.

44. V.C.H. Yorks. E.R. 2, p.194.

was about 92 per cent of the whole township. Since the 1801 crop returns recorded only 564 acres under crops<sup>45</sup> the discrepancy between the area cultivated and the area of open fields seems to indicate an infield-outfield system.

The last enclosure of a high Wold township concerned Cottam (247) in 1845-51. The township before enclosure was largely devoted to sheep walk and rabbit warren, much of the open fields having been converted from arable to pasture in the early 18th century (see above). Cottam was the site of a depopulated village 'one of the finest sites in the Wolds'<sup>46</sup> and, as already noted, was owned almost entirely by the Dean and Chapter of St. Peter's, York. Conversion to arable probably took place soon after enclosure, although in 1856 there were still 850 acres of rabbit warren in Cottam.<sup>47</sup>

Table 2.1 shows that the high Wolds was one of the districts most intensively affected by parliamentary-type enclosure, with at least 65.5 per cent of the district enclosed after 1730. Such a high figure is accounted for by the very small proportion of old enclosure in the district, a typical open-field high Wolds township containing only a small area of closes just around the village. Very few open-field townships in the district had undergone any piecemeal enclosure,<sup>48</sup> and no less than 20 out of the 25 townships for which full details of the areas enclosed are known, had a density of over 80 per cent of their land allotted, with 17 of them having over 90 per cent (Table 2.4 and Fig.5).

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45. 1801 crop returns.

46. Beresford (1951-2) p.59.

47. Sheahan and Whellan, op.cit. p.484.

48. i.e. enclosure by individuals or by groups but not by the whole body of the proprietors, a sort of 'nibbling away' at the open-field system. For detailed discussion of the process see J.A. Yelling, Common field and enclosure in England, 1450-1850 (1977) pp.71-93. See also Allison (1976) p.128.

The amount of physical enclosure which took place in the high Wolds district was even greater than the figure of 65.5 per cent suggests, for it does not include those depopulated townships which although they lost their open fields at an early date, yet remained largely unenclosed, being used as sheep walks and rabbit warrens. In general, these townships were physically enclosed only in the 19th century.<sup>49</sup>

Between 1730 and 1850 the high Wolds district was transformed from a region of open-field townships surrounded by extensive sheep walks and rabbit warrens to the intensively cultivated landscape we see today. Hawthorn hedges were laid to surround the regular fields, plantations were made to provide much needed shelter belts, straight, wide roads were constructed, and new farmsteads were built outside the village settlements. The Norfolk husbandry became the mainstay of Wolds agriculture, with sheep continuing to play a vital part in the farming system. The enclosure of the high Wolds took place in close association with the introduction of new farming techniques, although in individual townships the chronology varied, with enclosure preceding improvement in one and succeeding it in another.

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49. Harris (1961) pp.29-30 and 100.

District 3. The Vale of Pickering fringe

District 3, the Vale of Pickering fringe, contains 37,705 acres in 17 townships (Tables 2.1 and 2.2). This district lies on the northern edge of eastern Yorkshire with the rivers Derwent and Hertford forming its northern boundary. Most of the villages are situated under the chalk escarpment, and contain both low-lying marshland and high Wold land. The majority of the open-field townships had only small areas of closes from an earlier period. The configuration of these townships is long and narrow: their lowest grounds - the carrs - adjoined the river, and were under water for much of the year, being consequently of only limited value before drainage; to the south of the carrs lay the ings, which provided hay for the townships; the open fields lay upon the silty and sandy soil under the scarp; the wold land above the scarp was mainly used as sheep walk, with an occasional crop taken from it.<sup>50</sup> Piecemeal enclosure would have destroyed the fine balance of land usage in such townships, and it has been suggested that it was this close integration of the various soil zones which helped to preserve the common fields until the parliamentary enclosure period.<sup>51</sup>

Over four-fifths of the townships in this district were enclosed after 1730 (Tables 2.2 and 2.5) but by 1803/4 the enclosure was complete: 41 per cent of the district was enclosed by act and 13 per cent by agreement and award (Table 2.1). There were three old-enclosed townships but their actual date of enclosure is not known. They were in the hands of a very few owners in the parliamentary enclosure period (Table 2.5). Scampston (14) was an estate village, the seat of the St. Quintin family,<sup>52</sup> and by 1766 it lay

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50. B. Loughbrough, 'An account of a Yorkshire enclosure: Staxton 1803', Ag.H.R. 13 (1965) p.106.

51. Yelling, op.cit. p.59.

52. W.T. Stratford, Historical notes of Rillington and Scampston (1910).



Table 2.5. Enclosure in the Vale of Pickering  
(district 3)

No.	Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
<u>1. 'Old-enclosed' townships</u>							
14.	Scampston	?	2,412				2
15.	Knapton	?	2,892				1
271.	Flotmanby	?	960				N.A.
<u>2. Townships enclosed by agreement but no award in parliamentary enclosure period</u>							
267.	Willerby	c.1800	1,686				1
272.	Muston	post 1820 (of carrs?)	2,291				32
<u>3. Townships enclosed by agreement and award</u>							
19.	Sherburn	1775-6	4,738	3,982	84.0	28	5
13.	Rillington	1778-80	2,171	784	36.1	24	42
<u>4. Townships enclosed by act</u>							
12.	Scagglethorpe	1725	1,206	1,103	91.5	10	9
17.	Yeddingham	1770-4	582	?	?		12
16.	West Heselerton	1770-4	2,954	1,710	57.9	7	10
18.	East Heselerton	1770-2	3,586	3,037	84.7	8	7
273.	Filey	1788-91	833	681	81.8	14	13
268.	Staxton	1801-3	1,576	1,456	92.4	14	8
270.	Folkton	1802-7	1,970	1,752	88.9	1	4
269.	Flixton	1802-6	2,561	2,418	94.4	20	14
265.	Ganton	1803-4	3,982	2,297	57.7	1	2
266.	Binnington	1803-4	1,305	1,051	80.5	1	2

1. For sources see Appendix 1.

2. QDE 1 1787.

almost entirely in closes.<sup>53</sup> The St. Quintins may have enlarged their park in the late 1750s by taking in part of the open fields, in which case some open-field land survived into the early part of the parliamentary enclosure period.<sup>54</sup> Knapton (15) which adjoins Scampston, was in single ownership in 1787 (Table 2.5), and was probably enclosed at an early date; Flotmanby (271) was a depopulated village which was 'emptied at a stroke' by the Black Death and probably enclosed soon afterwards.<sup>55</sup> Nearby Muston (272) enclosed its open fields in the 17th century,<sup>56</sup> but the wet carr-lands adjoining the river were left in common. Proposals to drain them were made in the 1770s,<sup>57</sup> but it was not until the early 19th century that the drainage was actually carried out (see below). Even after the land had been drained the proprietors continued to depasture their livestock in common.<sup>58</sup> Willerby (267) was the site of one of the Bridlington Priory granges; the shrinkage of the village may well have been an effect of the establishment of the grange.<sup>59</sup> After the Dissolution the manor and entire estate in the township passed down as a single property; the enclosure has left no record.

There were two townships in this district where agreement was followed by a formal award; Sherburn (19), enclosed 1755-6, had a settlement which had been established on the post-glacial sands and gravels, whilst its arable land lay between the village and the wold scarp. At enclosure 2,000 acres of wold, described as divided into two fields which had with the exception of a small area 'lately been arable land', were included in the allotments,

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53. HUL DDSQ(3)31/2.

54. N.A. Hudlestone, Rillington: the story of an everyday village (Scarborough, 1954), p.36.

55. Allison (1976) p.101.

56. V.C.H. Yorks. E.R.2, p.280.

57. Ibid. p.280.

58. Ibid. p.281.

59. Allison (1976) p.74.

as were 600 acres of carrs and arable land from beneath the wold.<sup>60</sup> Richard Langley was by far the largest owner of land, receiving over three quarters of the area being enclosed.<sup>61</sup> Costs were reduced to a minimum, not only by dispensing with an act of Parliament, but also by the immense size of some of the allotments which cut down fencing costs.<sup>62</sup>

In 1778-80 Rillington (13) in the western part of the district, was enclosed by agreement. This township had largely been enclosed in the 17th century,<sup>63</sup> but the east and west fields, and a small area of land adjacent to the river had remained open. Twenty four owners were involved in this enclosure, a large number for an enclosure taking place without an act. Possibly the relatively small acreage involved, 784 acres, was the principal reason that the owners decided to dispense with an application to Parliament.

District 3 had the earliest parliamentary enclosure in eastern Yorkshire: Scagglethorpe (12) applied for an act in 1725.<sup>64</sup> Loughbrough suggested that the large number of absentee owners in the township was one possible reason for the early date of the enclosure of Scagglethorpe as such owners would be anxious to enclose, not only because of the difficulties of cultivating scattered holdings, but also because they would have the extra inconvenience of long journeys from their places of residence to their farms.<sup>65</sup> This is to make the assumption that these absentee owners farmed their own land, but the award clearly shows that most of them were aristocratic or

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60. R.D.B. Y/331/41.

61. Ibid.

62. Langley was allotted all of the East Wold (1,219 acres), all of the East Field (261 acres), and 696 acres of the West Wold, plus smaller areas in the ings and the carrs.

63. B. Loughbrough, Some geographical aspects of the enclosure of the Vale of Pickering in the 18th and 19th centuries (Unpublished M.A. thesis, University of Hull, 1960) pp.73-4.

64. 12 Geo. I, c.5.

65. Loughbrough (1960), op.cit. p.

gentry owners and they would probably have leased their land.<sup>66</sup> The degree of absentee-ownership, however, may have had some bearing on the date of enclosure insofar as we might expect that largerentiers with ample means to finance enclosure would initiate the process at a comparatively early date.<sup>67</sup>

Between the enclosure of Scagglethorpe and the next parliamentary enclosure in district 3 there was a break of over 50 years. In 1770 the townships of East and West Heselton and Yeddingham (16,17,18) applied for an act to enclose. In West Heselton (in contrast to the situation in Sherburn), the wold was used only as pasture before enclosure,<sup>68</sup> although in East Heselton some part of the wold may have been cultivated periodically.<sup>69</sup> This latter township was very progressive in its farming; in 1756 turnips and clover were being grown in the fields, making it one of the earliest in the whole of eastern Yorkshire to grow such crops.<sup>70</sup> The remaining open-field townships in district 3 were enclosed during the second wave of activity c.1790 onwards, and were all situated in the eastern part of the Vale of Pickering, where the ill-drained carrs predominated. The low grounds around the river Hertford were estimated to cover about 6,000 acres in 1773, and were 'fenny and of small value'.<sup>71</sup> Sir Digby Legard of Ganton described the district between Muston and Malton as:

a tract of upwards of ten thousand acres of land [which] though naturally fertile has lain ... uncultivated owing to its being subject to be flooded by ... the Derwent.<sup>72</sup>

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66. DDX 15/1.

67. See Chapter 7 for further discussion on this point, pp. 427-32.

68. Loughbrough (1960) op.cit. p.68.

69. Ibid. p.66.

70. HUL DDSY 25/190.

71. Allison (1976) p.171.

72. Loughbrough (1960) op.cit. p.119.

Coincidentally with the drainage of the land around the river, which took place under an act passed in 1800, the townships of Folkton (270), Staxton (268), Flixton (269), Ganton (265) and Binnington (266) were enclosed (Table 2.5). The improvement by drainage and enclosure of this part of the Vale was carried out as the result of co-operation by the owners of the land in the various townships and was implemented by commissioners and surveyors who worked on the drainage of the low grounds by the river as well as on several enclosures simultaneously. The purpose of the drainage, as explicitly stated in the act, was to allow the conversion of the carrs from pasture to arable.<sup>73</sup> The river was straightened and embanked and shortly after the drainage and enclosures had been completed, the carrs, previously of little value, were cultivated, a change in usage which at a time of high grain prices made the whole undertaking a highly profitable process. In Folkton, which in 1774 had contained nearly twice as much pasture as arable land, the former carrs as well as the high Wolds were under cultivation in the 19th century.<sup>74</sup> When the enclosure of Staxton was discussed by the proprietors in 1794 it was estimated that the land would double in value after enclosure; the field land, from being worth 5s to 7s 6d per acre would be worth 12s to 16s; the ings would rise in value from 7s to 16s; and even where land was left as pasture it would improve by 2s 6d per acre by being ring-fenced, since 'one Shepherd would then be able to take care of all the Sheep, whereas there are now three ...'<sup>75</sup> These townships on the Vale of Pickering fringe were enclosed at a time when they were able to exploit fully the opportunities for changes in farming practice which became possible as a result of the reallocation of the land. Drainage of the low lands allowed them to extend their arable acreage; improvement of the meadow lands resulted in an increase in cattle keeping;

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73. 40 Geo. III, c.118.

74. V.C.H. Yorks. E.R. 2, p.171.

75. HUL DDDU 10/7.

the wold land was ideally adapted to the new husbandry.<sup>76</sup> The enclosure and drainage occurred at a time when farmers could expect a rising price for their increased produce. Furthermore, in most of these townships landowners were few, much of the land being in the possession of one or two long-established local families. The Legards of Ganton, had a large share of the land in many of these townships, owning Binnington and Ganton outright.<sup>77</sup> Sir Digby Legard was a notable agricultural improver and described to Arthur Young his efforts to improve his estate in the 1760s by the cultivation of sainfoin and other grasses.<sup>78</sup> Sir Digby died in 1773 and his successor did not take the same interest in the management of the estate, but left the day-to-day running of it to his younger brother, another Digby,<sup>79</sup> and he probably played the major part in the promotion of the improvement of the estate.

The 1801 crop returns show that some turnips were grown in open-field townships at the turn of the century, but because the proportion of arable to pasture before drainage was very low, the actual amounts grown were small. Folkton parish, which included the townships of Flixton and Flotmanby as well as Folkton itself, covered 5,498 acres, but in 1801 only 811 acres were under cultivation, with turnips and rape occupying 193 acres.<sup>80</sup> Other townships show a similar picture.

The most striking aspect of the enclosure of this district in the east of the Vale is the close association between enclosure and drainage. Although the latter undertaking was very expensive - according to Strickland it cost the proprietors of the land involved almost £4 per acre<sup>81</sup> - it resulted in a

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76. Loughborough (1965) op.cit. p.112.

77. QDE 1 Binnington and Ganton.

78. Young (1770) 2, pp.11-36.

79. Sir J.D. Legard, The Legards of Anlaby and Ganton ... (1926) p.105.

80. 1801 crop returns.

81. Strickland (1812) p.197.

considerable increase in the value of the land. In the early years of the 19th century this district was transformed by the activities of the commissioners and the surveyors from an area in which most of the townships were unable to make profitable use of as much as a third of their land, to one which was able to make the fullest possible use of the new techniques and crops offered by the new agriculture. By 1807, when the Folkton award was signed, the whole of this district had been enclosed.

District 4. The Wold scarp/Jurassic

The Wold scarp/Jurassic ridge district, number 4, comprises those townships on the western side of the Wolds which have their settlements situated under the scarp, or upon the narrow belt of Jurassic limestone which is aligned with the western edge of the chalk. Many of the villages are large, especially those situated to the south of Market Weighton (72); indeed one, South Cave (118), might rather be described as a small market town. The district includes two of eastern Yorkshire's market towns proper: Market Weighton (72), which was growing in importance in the 18th and 19th centuries, although it never rivalled Great Driffield as a growth centre; and, Pocklington (53), which in 1801 had a population of some 100 more than Great Driffield but dropped behind it in growth as the century progressed.<sup>82</sup> North Newbald (93) and North Cave (106) were populous settlements, situated upon the Jurassic shelf, with their land extending from the Vale of York in the west over to the Wolds in the east, and so having a wide variety of soils at their disposal. To the north of Market Weighton the villages were smaller, and the linear form of the township was less prevalent, although many of these northern townships also had access to several types of land, and they all included some wold land above the scarp.

The wold land in at least some of these scarpland townships, though mainly utilised as sheep pasture, was partially cultivated well before the parliamentary enclosure period. In Bishop Wilton (38) 'the Wolds were partially under tillage, even at their highest elevation' in the 17th century<sup>83</sup> while in South Cave (118) wold land was being cultivated well before

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82. M. Noble, Change in the small towns of the East Riding of Yorkshire, c.1750-1850 (Beverley, 1979) pp.5-10; Allison (1976) pp.223-6. Market Weighton grew from c.1,200 in 1801 to c. 1,800 in 1851; Pocklington grew from c.1,500 in 1801 to 2,500 in 1851; Great Driffield grew from c.1,400 in 1801 to 4,000 in 1851.

83. Harris (1951) op.cit. p.43.



Table 2.6. Enclosure in the Wold scarp/

Jurassic ridge (district 4)

No. Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
<u>1. 'Old-enclosed' townships</u>						
54. Kilnwick Percy	by 1574	1,579				2
90. Houghton	by 1730	with Sancton				N.A.
<u>2. Townships enclosed by agreement but no award in parliamentary enclosure period</u>						
56. Burnby	1731	1,702				4
108. Drewton	1760-79?	1,306				N.A.
92. South Cliffe	by 1800	2,127				4
<u>3. Townships enclosed by agreement and award</u>						
52. Yapham cum Meltonby	1731-3	1,888	1,634	86.6	16	11
91. North Cliffe	1799-1801	1,304	549	42.1	2	3
<u>4. Townships enclosed by act</u>						
127. Welton	1751-2	1,778	385	21.7	33	53
	1772-5		1,043	58.7	41	"
55. Nunburnholme	1754-5	1,857	1,543	83.1	11	12
53. Pocklington	1757-9	2,571	1,875	72.9	85	133
106. North Cave	1764-5	3,027	1,590	52.5	55	58
119. Ellerker	1765-6	2,106	1,983	94.2	31	36
120. Brantingham	1765-6	1,345	1,297	96.4	19	N.A.
104. Hotham	1768-71	2,808	2,515	89.6	26	26
50. Millington	1768-70	2,511	1,490	59.3	26	29
37. Youlthorpe	1769-77	1,180	637	54.0	2	7
89. Sancton	1769-71	3,174	1,580	49.8	18	25
38. Bishop Wilton	1769-72	4,573	2,965	64.8	62	49
129. Melton	1771-3	897	766	85.4	4	10
107. Everthorpe	1773-4	808	453	56.1	19	23
71. Shiptonthorpe	1773-6	1,475				48
72. Market Weighton	1773-6	5,882	5,959	81.0	145	150
73. Goodmanham	1775-7	3,028	2,782	91.9	18	14
93. North Newbald	1777-83	3,982				27
103. South Newbald	1777-83	1,991				69

No.	Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
118.	South Cave	1785-7	4,336	2,308	53.2	64	102
128.	Elloughton/ Brough	1794-6	1,615	2,317 <sup>3</sup>	c.84.0	36	51
37.	Gowthorpe	1810-14	with Youlthorpe	330	28.0	3	N.A.
70.	Londesborough	1816-21	4,258	1,497	35.2	1	1
51.	Great Givendale	1833-45	1,313	644	49.1	3	7

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1. For sources see Appendix 1.

2. QDE 1 1787.

3. This figure includes some land in Wauldby, which is in district 5.

enclosure.<sup>84</sup> The enclosure act for Nunburnholme (55) described the land to be enclosed as comprising 'two large open clay fields, two large open wold fields and several pastures and commons'.<sup>85</sup> The picture that emerges from the available sources shows considerable flexibility of land use in these scarpland townships before enclosure. In general, the low-lying Vale land was used as meadow and pasture, the slightly higher ground on the Jurassic ridge was ploughed, and the Wolds were used as out-field land, with a crop taken at intervals varying from three to twelve years.<sup>86</sup>

The enclosure history of district 4 differs quite markedly from that of district 1, the Jurassic hills district, which lies immediately to the north; in district 1 many townships were 'old enclosed', but out of 29 townships in the Wold scarp/Jurassic ridge district, only two were wholly enclosed before 1730 (Table 2.2). Both these 'old-enclosed' townships contained depopulated settlements; the first, Kilwick Percy (54), had disappeared by the 16th century<sup>87</sup> and was enclosed as early as 1574.<sup>88</sup> Almost all the land in this township was held by one family throughout the 18th century.<sup>89</sup> Houghton (90), the other depopulated and early-enclosed township had a similar history. It contained the seat of the Langdale family, who owned the whole of the property, which was all in closes by 1737 although there is no known date for the enclosure.<sup>90</sup>

The area of 'old' enclosure in the open-field townships of district 4 was often quite low, although there were some in which a process of

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84. Ibid. p.48; V.C.H. Yorks. E.R. 4, pp.48-9.

85. 28 Geo. II, c.27.

86. cf. districts 2 and 3 above.

87. Beresford (1951-2) p.66.

88. V. Neave, A handlist of East Riding enclosure awards (Beverley, 1971) p.69.

89. QDE 1 Kilwick Percy. The Anderson family paid 87 per cent of the Land Tax in 1787.

90. V.C.H. Yorks. E.R. 4, p.161.

piecemeal enclosure had been eroding the common fields for some time before a general enclosure took place. At North Cave (106):

an arable close [was] mentioned in 1534, ...  
Ings Close was recorded in 1690 and Fowl  
Ings Closes in 1722. By 1747 New Close had  
been taken from the open fields ... [and]  
on the Wolds the township included a sheep  
pasture held in severalty.<sup>91</sup>

By the time the parliamentary enclosure took place, 1764-5, only 53 per cent of the land in the township was still open (Table 2.6). In South Cave (118) a similar process of gradual enclosure had been in operation for many years before the enclosure act was passed. There is evidence that in 1693 there were closes in which commoners still had rights of pasturage at certain times of the year,<sup>92</sup> and a number of long narrow closes indicates piecemeal enclosure from the open fields.<sup>93</sup> A process of exchanging of strips had been taking place for some time before the enclosure; by 1759 the open fields included '200 acres of flats where individual proprietors had secured total ownership'.<sup>94</sup> In 1785-7 when South Cave was enclosed by act, almost half of the land already lay in closes.<sup>95</sup> However, many other townships in the district had only small areas of 'old' enclosure just around the village. Of the 24 townships enclosed by award, 14 had enclosure densities of over 80 per cent (Table 2.6 and Fig.4). When the acreage covered by roads, buildings etc., is added to that enclosed by act, the bulk of the township is accounted for, leaving a very small area of old enclosure.<sup>96</sup> A document entitled 'The case in support of a Bill ... for

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91. Ibid. p.29.

92. Ibid. p.48.

93. HUL DDBA 4/58.

94. V.C.H. Yorks. E.R. 4, p.49.

95. R.D.B. BG/139/12.

96. cf. Turner (1980) p.58.

inclosing ... Sancton' reveals that in that township there was an acute shortage of pasture: the commons, which were stinted, nevertheless were over-stocked and thus of little value, and since there were only 40 acres of enclosed land in Sancton the farmers were:

reduced to the Necessity of farming inclosed Grounds in an adjoining Township, at a very high Rate; whilst those who find a Difficulty of obtaining such Lands, or paying so high a Rent as would be expected, are obliged to content themselves with tethering their Cattle upon the Balks in the Arable Fields.<sup>97</sup>

Five townships in this district were enclosed by agreement after 1730, three of them with no enrolled award: Burnby (56) underwent an enclosure in 1731 but nothing is known of the details;<sup>98</sup> a depopulated township further south, Drewton (108), must have completed its enclosure some time during the parliamentary enclosure period, for there were still sheep gates in Drewton fields in 1723 and gates for horses, cows and other beasts in Little Field and Cow Wold in 1766.<sup>99</sup> The village may have been a Black Death casualty; it appeared as a vill in 1316, but by the 18th century only a few scattered buildings remained.<sup>1</sup> The third township, South Cliffe (92), included large tracts of common pasture in the Middle Ages, and was mainly occupied by a rabbit warren in the mid-18th century. The process of enclosure in this township has left little documentary evidence; it seems to have occurred in piecemeal fashion throughout the 18th century. By the latter part of that century the land lay entirely in closes.<sup>2</sup> The Langdale family owned most of South Cliffe, and formal agreement to enclose was probably unnecessary.<sup>3</sup> The

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97. DDX 299.

98. DDAN 239.

99. V.C.H. Yorks. E.R. 4, p.30.

1. Beresford (1951-2) p.60.

2. V.C.H. Yorks. E.R. 4, pp.30-1.

3. QDE 1 South Cliffe.

other two townships to enclose by agreement in the parliamentary period had enrolled awards. Yapham cum Meltonby (52) was enclosed in 1731-3 and almost 90 per cent of the land was allotted, so it appears that the only old enclosure lay in small closes;<sup>4</sup> no plan has survived to show whether a small parcel of land that had been enclosed from the open field remained so by the 18th century.<sup>5</sup> North Cliffe (91) the sister village to South Cliffe (see above), underwent an enclosure by agreement in 1799-1801.<sup>6</sup> The agreement to enclose concerned only the common, an area of 549 acres, the open fields presumably having been enclosed at an earlier date.<sup>7</sup>

Enclosure by act began early in district 4, with Nunburnholme (55) in 1754. As in all pre-1762 parliamentary enclosures the act was preceded by a formal agreement.<sup>8</sup> The enclosure of Pocklington (53) followed in 1757, and by 1760 all the townships for several miles around the town were fully enclosed.<sup>9</sup> The proximity of a market town may well have had a bearing upon the early enclosure of these townships.<sup>10</sup>

The period 1764 to 1777 was a very active one for scarplands enclosures; 16 out of the 24 parliamentary enclosures in the district took place in these years. Within less than 20 years almost the whole of the western side of the Wolds south of Market Weighton was transformed from a predominantly open-field landscape to one of regular fields enclosed by hedges and ditches (Fig.5). Some townships seem to have co-operated with each other in their enclosures; in the extreme south of district 4, near the banks of the Humber,

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4. DDBD 56/1.

5. Harris (1961) p.54.

6. DDLA 42/3.

7. V.C.H. Yorks. E.R. 4, p.160.

8. Neave, op.cit. p.43.

9. i.e. Burnby 1731; Yapham 1731; Kilnwick Percy in the 16th century; Nunburnholme 1754-5; Pocklington 1757-9.

10. See Chapter 4 for further discussion of chronology.

lie the villages of Brantingham (120) and Ellerker (119). Both were enclosed in 1765-6, using the same set of surveyors and sharing the same venue for meetings.<sup>11</sup> The land bordering upon the Humber, the so-called 'Sands', had been gained from the river as a result of a change in the course of the deep-water channel.<sup>12</sup> The enclosure of Brantingham and Ellerker was accompanied by improvements in the embanking of the land adjoining the Humber 'to stem the rage of the Tydes'.<sup>13</sup> The land was used as pasture, and seems to have been of high value; an advertisement of August 1763 described part of it as 'the famous not'd Pasture called Ellerker sands'.<sup>14</sup>

The parliamentary enclosure of nearby Welton (127) took place in two phases: the first, in 1751-2 concerned the pasture alone; the second, in 1772-5 involved the open fields.<sup>15</sup> As was the case with Brantingham and Ellerker, the owners of land in Welton were concerned about the Humber tides, which caused the ground next to the river 'to be overflowed with salt water which renders the same of little value and affords little benefit to the owners'.<sup>16</sup> The enclosure act stated that the land near to the Humber was capable of very great improvement and a bank was constructed to hold back the tides.<sup>17</sup>

The largest parliamentary enclosure of the scarpland district, both in terms of land allotted and of numbers of allottees, concerned Market Weighton with Shiptonthorpe (72 and 71) and took place in 1773-6. Almost 6,000 acres

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11. R.D.B. AF/361/16; AH/71/3; Y.C. (June and July, 1765).

12. Allison (1976) pp.134-5.

13. 5 Geo. III, c.31.

14. Y.C. (Aug. 1763).

15. R.D.B. B/303/53; AT/247/29. Cf. Cottingham, also enclosed in two phases.

16. R.D.B. B/303/53.

17. 12 Geo. III, c.61.

were allotted to 145 proprietors at this enclosure.<sup>18</sup> The Market Weighton enclosure act passed through the House of Commons the year after the Market Weighton canal act and the two undertakings were closely associated.<sup>19</sup> To the south of the town lay a vast area of marshy pastures called Wallingfen, intercommoned by 48 townships and hamlets. Described before improvement as:

a dreary waste, full of swamps and broken grounds ... which in foggy or stormy weather cannot be crossed without danger,<sup>20</sup>

it was transformed by drainage and enclosure into an area of valuable agricultural land 'covered with well built farmhouses and intersected in various directions with good roads.'<sup>21</sup> The Market Weighton canal, which was open to traffic from 1777, had a dual purpose - as a means of transport, and as a drainage channel. The waterway proved to be effective for the former use, but was less satisfactory for the latter. Strickland wrote in 1812:

to induce landowners to submit with patience to ... unpleasant circumstances attendant upon canals, the prospect of making them operate as drainages has not unfrequently been held out to them, but this, however plausible in theory, has generally been found fallacious in practice ... The two operations are in themselves incompatible, as the object of one is to retain the water to a certain height (frequently on a level above the natural surface of the land) and of the other by every practicable means to facilitate its escape.<sup>22</sup>

The common of Wallingfen was more effectively drained when an act was passed in 1777 whereby the whole of the area was enclosed and drained. An entirely

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18. R.D.B. AX/2/2.

19. cf. eastern part of the Vale of Pickering fringe, p.72.

20. J. Bigland, The beauties of England, volume 16: Yorkshire (1812) p.386.

21. Ibid. p.386.

22. Strickland (1812) p.276.



new settlement, Newport, grew up around brickyards established on the canal banks, where the turnpike road from North Cave towards Howden crossed the waterway.<sup>23</sup>

The enclosures of Holme on Spalding Moor,<sup>24</sup> 1773-7, Everthorpe (107) 1773-4, Goodmanham (73) 1775-7, and North and South Newbald (93,103) 1777-83, together with that of Market Weighton and Shiptonthorpe were closely associated with the construction of the canal and the improvement of Wallingfen. This district provides a striking example of synchronous improvements, a feature of enclosure which will be discussed further in the chapter on chronology.

By 1780 all but five of the townships in district 4 had lost their open fields; indeed if some of the proprietors of land in those remaining open had had their way, there might have been no land unenclosed by that date. Some owners in South Cave (118), enclosed 1785-7, had considered enclosure in the 1760s and again in the 1770s;<sup>25</sup> the landowners of the township of Elloughton with Brough (128), who obtained an act in 1794, had been discussing enclosure for several years,<sup>26</sup> no doubt influenced by the activities of their neighbours in Welton, Brantingham and Ellerker who had enclosed in the 1760s and 1770s. Possibly the delay was caused by the opposition of small proprietors - who were quite numerous in Elloughton (Table 2.6) - and it was only when commodity prices began to rise markedly that opinion changed sufficiently for an enclosure act to become acceptable to all. Unfortunately, as is so often the case, there is insufficient evidence to substantiate such a suggestion.

Gowthorpe (37) in the northern section of the district, remained open until 1810-14 although petitions to enclose had been presented to Parliament

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23. Allison (1976) pp.215-6.

24. Not specifically dealt with in this study since it is situated in the Vale of York.

25. The enclosure was stopped by the opposition of the tithe owner. See Chapter 4, p. 217 and p. 245.

26. HUL DDSY 101/58.

in 1805 and 1806.<sup>27</sup> The failure of these petitions indicates opposition but its nature is not known. Londesborough (70), enclosed 1816-21, was an estate village owned in its entirety by the Duke of Devonshire.<sup>28</sup> In such townships enclosure could be undertaken at any time and there was little real need for an act of Parliament. However, when, as was the case in Londesborough, the tithes were commuted, an enclosure act gave a more secure legal basis to the situation. The enclosure of Londesborough coincided with the demolition of the Hall, which had become neglected owing to the infrequency of the visits made by the estate's aristocratic owners. The whole estate had been allowed to fall into neglect, and after enclosure new farmhouses were built, shelter belts planted, and many improvements made.<sup>29</sup> The last enclosure in district 4, concerned Great Givendale (51) and occurred in 1833-45. This township, which contains the lost settlement of Grimthorpe, includes the highest ground in eastern Yorkshire. At the beginning of the 15th century, the stoniness and infertility of the soil was commented upon,<sup>30</sup> and the late enclosure of the township may be attributable to its unfavourable geographical position and poor soil.

The introduction of new crops and new methods of husbandry probably coincided with enclosure in many of these scarpland townships, although we know from South Cave that this was not always so; turnips were first grown as a field crop in this township in the early 18th century,<sup>31</sup> well before enclosure, which came in 1785-7. However since South Cave may well have

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27. H.C.J. 60 (1805-6) p.93; 61 (1806) p.100.

28. QDE 1 Londesborough.

29. David Neave, Londesborough: history of an East Yorkshire estate village (1977) p.20 and pp.70-3.

30. Allison (1976) p.102.

31. D. Neave ed., South Cave: a market village community in the 18th and 19th centuries. (South Cave, 1974) p.21.

been one of the earliest townships to grow turnips in the whole of the East Riding it was probably an exceptional case. Details of cropping and systems of husbandry in individual townships are not easily available, but what little evidence there is points to a strong link with enclosure. Strickland stated in 1812, in a reference to the whole Wolds region:

In most of the open-field townships on the Wolds, two crops and a bare fallow have been from time immemorial the constant course ... After enclosures have taken place ... or upon the new letting of farms, various rotations are adopted.<sup>32</sup>

The enclosure of Goodmanham (73) took place in 1775-7 and the act stated that 'No meadow or pasture ground between the Act and Award may be converted to tillage'<sup>33</sup> - a possible indication of the intentions of the farmers for such ground after enclosure. Two years after the award had been signed an advertisement in the York Courant described a farm of 670 acres in the township as consisting of 300 acres of 'Old Swarth' with 150 acres adjoining it 'sown down with Seeds, all tithe free and new inclosed about Three Years ago'.<sup>34</sup> Also in 1779 another advertisement described a much smaller farm in North Newbald (93), enclosed 1777-83, comprising 22 acres from the Low Field and 14 acres from the common, as 'excellent land for Corn and Turnips'.<sup>35</sup> In 1773 there was a dispute in South Cave concerning the use of a parcel of land called the Whin Wold. The case related that 'the majority of proprietors of Land and Gates in this Whin Wold wanted to break the custom and convert it into Arable Land'.<sup>36</sup> These instances all seem to point to the conversion of a considerable proportion of grassland to tillage in the scarpland townships well before the 'rage for ploughing' of the

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32. Strickland (1812) p.114.

33. 15 Geo. III, c.12.

34. Y.C. (March, 1779).

35. Ibid. (Sept. 1779).

36. HUL DDBA 4/37.

Napoleonic war years. Some of the farmers of this district seem to have been amongst the most progressive in eastern Yorkshire; their desire to change their old patterns of cropping and adopt the new agriculture is probably the principal factor governing the timing of enclosure in this district. In an area which included two small market towns as well as a number of large villages, well served by the 1780s by good turnpike roads linking the townships with York, Beverley and Hull,<sup>37</sup> and with water transport provided by the Market Weighton canal, it is not perhaps surprising that most of the parliamentary enclosure should have occurred relatively early. The area around Driffield in district 5 showed a similar pattern.<sup>38</sup>

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37. K.A. MacMahon, Roads and turnpike trusts in eastern Yorkshire (York, 1964). - (E.Y. local history series, no.18) pp.38-9 and passim. See also Chapter 4, p.205.

38. See next section.

District 5. The lower Wolds

Next to the high Wolds, district 5 - the lower Wolds - is the largest in eastern Yorkshire, with a total of 109,419 acres (Table 2.1). It extends from the Humber in the south to the cliffs of Flamborough Head in the North. The townships are situated on the clay flanks of the Wolds and many are linear in form. Of the 53 townships in the region only nine had lost their open fields by the opening of the parliamentary enclosure period (Table 2.7). As with similar townships in district 2, they were in most cases the sites of depopulated settlements, having generally converted their open fields into pasture in the Middle Ages, although not enclosing them until several centuries later. A case in point, Eastburn (61) had  $40\frac{1}{2}$  bovates of open field land in 1358 and 1401. An early 17th century tithe cause stated that there were at one time 'a great many messuages, cottages and dwelling houses' in the village,<sup>39</sup> but between 1667 and 1671 a certain John Heron pulled down a number of cottages and all the land in Eastburn was converted into meadow and pasture.<sup>40</sup> By 1698 it lay 'open for sheep walks ... not divided by fences or ditches'<sup>41</sup> and the rabbit warren which was established there remained until 1849.<sup>42</sup> Gardham (94), a depopulated township in Cherry Burton parish was partly warren in 1768;<sup>43</sup> Hunsley (109) contained a rabbit warren in the later 18th century;<sup>44</sup> Risby (112) was another site of a lost village,<sup>45</sup> although in its case the depopulation probably resulted from the emparking activities of the Ellerker

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39. Beresford (1951-2) p.53.

40. Harris (1958), op.cit. p.98.

41. Allison (1976) p.118.

42. Sheahan and Whellan, op.cit. p.510.

43. V.C.H. Yorks. E.R. 4, p.16.

44. Ibid. p.150.

45. Beresford (1951-2) p.67.

Table 2.7. Enclosure in the  
lower Wolds (District 5)

No.	Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% of whole	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
<u>1. 'Old-enclosed' townships</u>							
61.	Eastburn	?	823				2
94.	Gardham	?	with Bishop Burton				N.A.
109.	Hunsley	?	1,037				3
112.	Risby	?	972				1
113.	Bentley	?	1,039				13
76.	Bracken	?	677				1
236.	Carnaby	1716-26?	1,944				3
229.	Lowthorpe	by 1750	1,969				6
242.	Easton	?	734				1
<u>2. Townships enclosed by agreement but no award in parliamentary enclosure period</u>							
255.	Buckton	1733?	1,984	5 oxgangs			6
233.	Haisthorpe	1723&1850s	1,390				3
234.	Thornholme	1713&1850s	1,345				3
233.	Burton Agnes	1718,1759 &1850s	2,575				4
<u>3. Townships enclosed by agreement and award</u>							
62.	Elmswell /Kelleythorpe	1770-1	2,398	1,166	48.6	2	3
<u>4. Townships enclosed by act</u>							
63.	Great Driffield	1741-2	5,202	4,778	91.9	86	106
240.	Flamborough	1765-7	3,081	2,515	81.6	31	32
241.	Bempton	1765-7	1,970	1,517	77.0	38	50
237.	Bessingby	1766-8	1,270	914	72.0	11	8

No.	Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% of whole	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
96.	Bishop Burton	1767-72	4,259	3,130	73.5	45	49
238.	Bridlington	1768-71	2,519	1,940	77.0	150	230
228.	Nafferton	1769-72	4,899	4,115 <sup>3</sup>	84.0	63	71
232.	Harpham	1773-6	2,144	1,833	85.5	2	2
248.	Garton on the Wolds	1774-5	4,147	3,843	92.7	18	5
68.	Bainton	1774-5	2,982	2,695	67.9	6	9
67.	Neswick	1774-5	987				1
243.	Boynton	1777-83	2,613	2,008	76.9	1	3
124.	Anlaby	1792-6	1,471	3,445	82.0	64	N.A.
131.	Hessle	1792-6	2,732				
117.	Skidby	1793-5	1,561	1,152	73.8	32	34
66.	Southburn	1793-7	1,103	1,017	92.2	12	12
256.	Speeton	1793-4	1,844	1,735	94.1	2	1
121.	Wauldby	1794-6	1,021	898	88.0	1	1
74.	Lund	1794-6	3,078	2,227	72.4	18	26
102.	Walkington	1794-5	3,729	2,835	76.0	39	N.A.
59.	Tibthorpe	1794-6	2,885	2,760	95.7	16	10
75.	Holme on the Wolds	1795-8	1,516	1,444	95.3	15	15
125.	West Ella	1796-9	645	1,759	62.8	29	N.A.
122.	Kirk Ella	1796-9	1,162				
123.	Willerby	1796-9	996				
110.	Riplingham	1801-3	1,800	1,374	76.3	5	4
97.	Molescroft	1801-3	1,360	745	54.8	7	N.A.
111.	Little Weighton	1801-4	1,600	1,546	96.6	9	11
246.	Ruston Parva	1801-5	972	888	91.4	7	5

No. Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% of whole	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
239. Sewerby/Marton	1802-11	2,116	1,554	73.4	18	19
69. Middleton	1803-5	3,664	3,454	94.3	23	26
257. Reighton	1811-20	1,827	1,593	87.2	6	19
87. Etton	1818-20	3,729	2,894	77.6	19	22
88. South Dalton	1822-7	1,844	1,603	86.9	4	37
95. Cherry Burton	1823-9	3,466	2,051	59.2	21	44
130. North Ferriby	1824-37	1,144				
			3,220	71.6	49	N.A.
126. Swanland	1824-37	3,355				
254. Grindale	1843-4	2,429	2,296	94.5	4	7
60. Kirkburn	1849-51	1,410	36	2.6	4	6

1. For sources see Appendix 1.

2. QDE 1787.

3. Estimate. Nafferton was enclosed with Nensford (226), which has been placed in district 6 (p.107).



family and the enclosure of the open fields probably occurred in the 17th century.<sup>46</sup> At neighbouring Bentley (113) there is no mention of open fields in a description of the manor dated 1659, but the glebe was still unenclosed in 1685; by 1743 the township was all in closes.<sup>47</sup>

Some townships in the lower Wolds were being enclosed in the early 18th century; a large scale enclosure took place at Carnaby (236) between 1716 and 1726,<sup>48</sup> and at Lowthorpe (229) at least part of the open field was enclosed at the same time.<sup>49</sup> Considerable enclosing activity took place in the area just south of Bridlington c.1712-28, involving for the most part the low-lying ground whilst the higher land on the Wold slopes remained open until the mid-19th century. At Haisthorpe (235) an enclosure took place in 1719 which involved meadows and carr land, and a few years later Sir Griffith Boynton and four freeholders enclosed parts of East field and West field, although the greater part of the open-field land remained open until the 1850s, when it was enclosed without formality.<sup>50</sup> Similarly, in Thornholme (234), although carr land was enclosed in 1719, and an unspecified enclosure occurred in 1714 or 1722, most of the open-field land survived until the 1850s.<sup>51</sup> Burton Agnes (233), the seat of the Boynton family, had a very similar experience of enclosure.<sup>52</sup> Buckton (255), north of Bridlington, also had a varied enclosure history. This township lies in the extreme north of district 5, on Flamborough Head. Some enclosure took place in the 14th

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46. V.C.H. Yorks. E.R. 4, p.150.

47. *Ibid.* pp.149-50.

48. *Ibid.* 2, p.128.

49. *Ibid.* p.275.

50. *Ibid.* p.113.

51. *Ibid.* p.113.

52. *Ibid.* pp.112-13.

century, and more land was enclosed c.1720-30. Nevertheless areas of unimproved sheep walks survived into the 19th century.<sup>53</sup>

All the townships mentioned so far, with the exception of Bentley, were in the hands of only a few proprietors in the 18th century (Table 2.7). Much of the land in those townships on the Wolds just south of Bridlington was owned by the Boyntons of Burton Agnes, the Stricklands of Boynton, and the St. Quintins of Scampston and Lowthorpe.<sup>54</sup> The pattern of enclosure by agreement without award of this group of townships is directly attributable to the concentration of ownership, since a 'gentleman's agreement' was all that was necessary in such cases.

Only one enclosure involving agreement and enrolled award took place in the lower Wolds district - that of Elmswell (62) in 1770-1. The bulk of the township was still at that date in the hands of the Best family, whose forbear Henry Best wrote the farming and memorandum books which have provided such a rich source of information upon the farming practices of the 17th century. The Bests owned 93 per cent of all the land allotted and an enclosure by agreement was the obvious choice.<sup>55</sup>

Parliamentary enclosure began early in district 5, with the enclosure of Great Driffield (63) in 1741-2. Before enclosure the town had three open fields, which lay upon the boulder clay and on the sands and gravels to the south. Sheep walks were situated on the wold, with meadows and rough pasture in the Hull valley.<sup>56</sup> Driffield's early enclosure is explained by its growing importance as a market centre, which it owed to its favourable geographical location, at the junction of the Wolds and Holderness. It was later to adopt the title of 'Capital of the Wolds', and to improve its

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53. Ibid. p.85.

54. QDE 1.

55. IA (G39).

56. Peter Howorth, Driffield: a country town in its setting, 1700-1860 (Hull, 1980) pp.24-7.

communications considerably, when the Driffield canal was constructed, between 1767 and 1771. In the 1740s it was a small town, with an estimated population of about 400, but the early application to parliament for an enclosure suggests pressure upon the open-field system, and this is confirmed by the high number of presentments at the manorial courts in the years just prior to 1741.<sup>57</sup> A large number of owners were involved in the allotments; 86 people received land under the award, many of them having plots of less than 5 acres.<sup>58</sup> The act stated that those owners of land in Middle Field and parts of East and West fields need not fence their allotments, but might leave the land open in order that 'it may still be eat in common'.<sup>59</sup> This suggests a compromise between the old open-field system and a truly enclosed township; it does not necessarily mean that there was the intention to use the land as permanent pasture, but rather that the owners of the land could continue to depasture their animals upon the stubble and on the land when fallow. Some conversion of arable to pasture may have resulted from the enclosure however, as was frequently the case in the vicinity of a growing town. There is no evidence for the introduction of roots and seeds into the rotations used in Driffield in the years immediately after enclosure. As late as 1797 it was stated that 'the customary mode of cultivation here is two crops and a fallow' although the largest proprietor, Richard Langley, was growing sainfoin on his farms in 1796.<sup>60</sup> After enclosure the value of land in Driffield seems to have risen sharply,<sup>61</sup> but the low-lying land in the south remained of little use until

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57. Ibid. p.30.

58. R.D.B. B/153/142.

59. 14 Geo. II, c.11.

60. Howorth, op.cit. p.32.

61. Ibid. p.34.

the construction at the end of the 18th century of the Beverley-Barmston drain which carried off the surface water.

Between 1741 and 1764 no more enclosure acts were passed for the district, although the enclosure of Walkington (102) was discussed in 1759, 1763 and 1765 and an attempt was made to enclose Lund (174) in 1764.<sup>62</sup> Both these townships are situated in the southern part of the lower Wolds, quite close to Beverley; neither was enclosed until the second wave of enclosures after 1790. Owners in six lower Wolds townships applied to enclose in the second half of the 1760s. Four of these townships were situated on or close to Flamborough Head. The town of Bridlington (238) was one of them, and the others were Flamborough (240), Bempton (241), and Bessingby (237). The land in this district was particularly noted for its rich pasture,<sup>63</sup> and this may well have been a factor in the relatively early parliamentary enclosure of this group of townships. In Flamborough in the the mid-16th century there were areas within the open fields known as 'grass farms' or 'grassings', which probably augmented the meadows and pastures.<sup>64</sup> Enclosure by agreement was probably precluded because of the large numbers of owners in these townships, but by the 1760s, rising food prices, together with easy access to a market at Bridlington, possibly encouraged even the smaller proprietors to regard an enclosure favourably. The Land Tax returns show that this group of townships contained a much higher proportion of owner-occupiers than other eastern Yorkshire townships.<sup>65</sup>

The other lower Wolds enclosures of the 1760s also involved many proprietors; those allotted land in Bishop Burton (96) numbered 45, and the number would have been considerably higher had it not been for the purchase of

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62. See Chapter 5 for further discussion.

63. Described in 1856 as 'some of the richest grazing and feeding pastures in the East Riding', Sheahan and Whellan, op.cit. p.441.

64. V.C.H. Yorks. E.R. 2, p.157.

65. QDE 1.

numerous small plots by the Lord of the Manor just before the award was signed.<sup>66</sup> At Nafferton (228), which was a large market village near the river Hull, 63 people received land at the enclosure.<sup>67</sup> The construction of the Driffield canal, which took place 1767-71,<sup>68</sup> was probably a crucial factor in the timing of this enclosure. The waterway passed through the township and the opportunities it provided for the improved marketing of agricultural produce must have been a strong stimulus to enclosure. Nafferton's extensive pastures, which covered 1,200 acres, were unstinted before enclosure,<sup>69</sup> unlike most common pastures in the mid-18th century, so shortage of grazing cannot have been a factor in the decision to enclose this township.

During the 1770s the proprietors of many lower Wolds townships were considering enclosure, but for varying reasons the negotiations did not result in acts in those years.<sup>70</sup> The early attempts to enclose Lund and Walkington have already been mentioned; in the 1770s proprietors of open-field land in a group of townships further south were contemplating applying for an enclosure act. From a collection of letters we have evidence that some promoters of enclosure expected considerable rises in rents to result from the changeover. The rent of arable land in Hessle (131) on the banks of the Humber, was stated to be 20s per acre in 1776; enclosure was expected to raise it by 50 per cent to 30s. At Anlaby, where arable land was rented at 16s per acre, the expected rise was to 30s per acre. Similarly at Swanland (126) arable land rented at 14s was expected to be worth 28s after enclosure.<sup>71</sup> In a letter dated 1777 it was claimed that the enclosure of

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66. R.D.B. AQ/1/1.

67. R.D.B. AQ/97/13.

68. B. Duckham, The inland waterways of East Yorkshire, 1700-1900 (York, 1972). - (E.Y. local history series, no.29) pp.16-21.

69. H.C.J. 32 (1768-70) p.133.

70. See Chapter 5.

71. DDHB 1/17.

these three townships would be:

most beneficial ... the Lands freed from  
Tithes and land together would be of immense  
value, and ... the Allotment in Tranby would  
be more capable of Improvement than any as  
that Field ... would answer best for Clover,  
grass seeds and the Norfolk Course of  
Husbandry.<sup>72</sup>

The same letter describes a plan to plough the commons and ings, so it appears that an extension of the arable land was one of the motives for the enclosure of this group of townships. The value of the common rights in Hessle and Anlaby is indicated by another, undated, document which states that the writer estimates the common rights at the two townships to be worth between £50 and £60 each.<sup>73</sup> The anticipated enclosure seems to have enhanced their value, for by 1773 a local landowner bought 'a bad Cottage at Hessle for £140 which without an Inclosure wd. not be worth more than £20 or £25'.<sup>74</sup> In the event, the enclosure failed to take place until 1792-6.<sup>75</sup>

The enclosure of Skidby ings and carrs,<sup>76</sup> which took place 1785-8, was directly linked with the cutting of the Beverley and Skidby drain, constructed

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72. DDHB 1/2.

73. DDHB 1/31.

74. DDHB 1/32.

75. R.D.B. BT/93/16.

76. Skidby has been placed in district 5 because the bulk of the township lies on the lower Wolds, but until 1879 a detached part of Skidby lay about 3 miles to the east on the low ground beside the river Hull. The area of this detached part was about 300 acres (V.C.H. Yorks. E.R. 4, p.164). Rather than consider Skidby in two parts it was decided to put the whole of the township in the lower Wolds. A similar problem arises with the neighbouring township of Cottingham, which is situated partly in the Hull valley, partly in the lower Wolds. Cottingham's common pastures, situated in the low-lying eastern part of the parish were enclosed 1766-71, but the open fields, situated on rising ground to the west were enclosed in 1791-3. It was decided to place this township in the Hull valley on the grounds that rather more of Cottingham was in that district than on the Wolds (V.C.H. Yorks. E.R. 4, pp.60-1).

under an act of 1785.<sup>77</sup> At one time the intention had been to combine the enclosure and the drainage in a single act, but opposition was expressed by some owners. The open fields of Skidby were enclosed by a separate act, passed in 1793.<sup>78</sup>

The early 1790s were busy years for enclosures in the lower Wolds; no less than 13 townships obtained acts in the space of five years, 1792-6, providing an intriguing contrast with the timing of enclosure in the high Wolds, where there was none in the same period. The high price of corn is usually regarded as perhaps the most important factor in the revival of interest in enclosure in the 1790s. Perhaps the lower Wolds district's proximity to markets, combined with the suitability of the clay wold flanks for the cultivation of corn, especially wheat, encouraged the district's farmers to respond more quickly to the stimulus of higher prices than did their neighbours on higher ground.

From 1796 until 1801 there was a pause in activity in obtaining acts to enclose lower Wolds townships but another peak of activity occurred in 1801-03, when owners in six townships applied to Parliament for enclosures. Some owners in Riplingham and Little Weighton (110,111) had been making repeated attempts at enclosure since the 1770s.<sup>79</sup> The former township contained approximately 1,500 acres in open fields and commons before enclosure; about 750 acres was under cultivation, with the remainder as pasture, c.400 acres being sheep walk and c.300 acres pasture for cattle and horses. In 1786 a suggestion had been made that:

a very Great Improvement would be effected in Riplingham if the arable fields were divided into five - One to be laid down for Pasture - the other four to be used in Turnips, Barley, Clover and Wheat alternatively,<sup>80</sup>

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77. 25 Geo. III, c.92.

78. 33 Geo. III, c.102.

79. Y.C. (Jan. and Oct. 1773).

80. DDHB.

but the advice was not acted upon, for just before the enclosure the rotation used was wheat, barley, oats, peas and beans, followed by a bare fallow.<sup>81</sup>

Little Weighton, a neighbouring township to Riplingham, is situated at a lower elevation, and contained a similar acreage of unenclosed land - c.1,500 acres. Here however a much larger area was under cultivation - c.1,200 acres - and the five-yearly rotation used in the township involved clover and turnips.<sup>82</sup> Possibly the introduction of these new crops had taken place in the 1780s, when Riplingham farmers had been contemplating their use, but it could have been earlier; when Arthur Young visited the lower Wolds in 1770 he remarked that some farmers were cultivating turnips, albeit inefficiently.<sup>83</sup>

From 1803, when owners in Middleton (69) obtained an act, until 1811 when Reighton (257) owners applied to Parliament, there was a break in enclosure activity in district 5. Between 1811 and 1824 there were six enclosure acts for the district, even though in the whole of eastern Yorkshire this was a very slack period for applications to Parliament. The relatively late enclosure of these six lower Wolds townships is puzzling; at Reighton (257) it appears that some of the owners still had misgivings about the wisdom of a full-scale enclosure in 1812, for the act stated that part of the open fields should be merely flatted, with the enclosure commissioners directing the cultivation.<sup>84</sup> In the event, this plan was not implemented, possibly because the opponents of a complete enclosure sold out, for many owners sold their land to the lord of the manor just before the award was signed.<sup>85</sup>

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81. HUL DDDU 10/7.

82. Ibid.

83. Young (1770) 2, p.181.

84. 51 Geo. III, c.21.

85. R.D.B. D9.



Etton (87), South Dalton (88), and Cherry Burton (95) are neighbouring townships situated in the lower Wolds just to the north-west of Beverley. By the standards of eastern Yorkshire they were enclosed very late, and they do not seem to have any history of early attempts at enclosure. In Cherry Burton, according to the evidence of the Land Tax, there were many owner-occupiers; in 1787, 26 people out of a total of 44 proprietors owned and occupied their land.<sup>86</sup> When enclosure finally took place, in 1823-9, there was quite strong opposition recorded at the report stage of the bill.<sup>87a</sup> Possibly the enclosure had been held up in earlier years by the small owner-occupiers; such was certainly the case in other areas of England.<sup>87b</sup> Conflicting evidence however is apparent in the enclosure history of Cherry Burton's neighbour, Bishop Burton (96). This township with an equally pronounced pattern of owner-occupancy<sup>88</sup> enclosed in 1767-73; Etton, the northern neighbour of both townships, had few owner-occupiers and a late enclosure. South Dalton, the seat of the Hotham family, had a later enclosure than had Etton and Cherry Burton (Table 2.7). The enclosure award for South Dalton in 1827 showed great concentration of ownership, with Lord Hotham being allotted 94 per cent of the land, leaving the remainder for the church and three other proprietors. Yet the 1787 Land Tax assessments show a very different ownership structure: 37 owners paid the tax in that year and the Hothams only paid 27 per cent of the total tax.<sup>89</sup> The buying out of many of the proprietors took place in the years just before enclosure, and the operation was 'master-minded' by John Hall, an enclosure commissioner who was also Lord Hotham's steward.<sup>90</sup>

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86. QDE 1 Cherry Burton.

87a. H.C.J. 78 (1823) p.243. 87b. e.g. Buckinghamshire, Turner (1980) *op. cit.* p. 158.

88. QDE 1 Bishop Burton.

89. QDE 1 South Dalton.

90. See Chapter 6, pp. 280-4 and Chapter 8, pp. 499-507.

One possible explanation for the delayed enclosure of some of these lower Wolds townships to the west of Beverley may have been the distribution of the land; like many in the Vale of Pickering fringe their configuration was long and narrow with part of their land on higher wold slopes, part on boulder clay. The farmers in such townships might well have been reluctant to upset a system which was quite finely balanced, with all holdings having shares of land in all areas.<sup>91</sup> The open-field system seems to have been responsive to change; at Etton re-organisation of the land took place on a number of occasions. In 1661 an area of 52 acres of the wold sheep walk was converted to arable and part of the higher ground of the township may have been periodically cultivated, as there is a suggestion that the township may have been using an infield-outfield system in 1740.<sup>92</sup> The 1801 crop returns show an interesting picture of the pattern of cropping in these late-enclosed townships; Churley, in a study of the Yorkshire returns, noted that Cherry Burton, Etton and Middleton on the Wolds compared:

badly with enclosed neighbouring parishes, and indeed with Wold farming generally. In each of them turnip and barley husbandry, to which the light chalky soils of the Wolds is best suited, is not unrepresented. But at Cherry Burton and Etton wheat has a larger acreage than barley, and at Middleton oats is the main cereal crop. Turnips are but half the pea and bean crop at Etton and Middleton, and at Cherry Burton there are 400 acres of beans and 20 acres of peas to only 50 acres of turnips.<sup>93</sup> A third of Cherry Burton field lies fallow.

Comparing these open-field townships with enclosed ones nearby Churley found that the latter were about half in arable whereas the former had only about one third of their land under cultivation. It would appear that although by the beginning of the 19th century most, if not all, lower Wolds townships were growing roots and seeds in their fields, only farmers in enclosed

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91. J.A. Sheppard, 'Field systems of Yorkshire' in A.R.H. Baker and R.A. Butlin, eds., Studies of field systems in the British Isles (1973) p.161.
92. V.C.H. Yorks. E.R. 4, p.110.
93. P. Churley, 'The Yorkshire crop returns of 1801', Yorkshire bulletin of economic and social research 5, no.2 (1953) pp.189-90.

villages were using them on a large scale; progressive farmers in open-field areas were being held back by the restrictions of the system and the conservatism of their neighbours.

The open fields and common pastures of two townships in the extreme south of the district remained unenclosed until 1824: North Ferriby (130) and Swanland (126) shared two areas of pasture and meadow with the neighbouring townships of Kirk Ella (122), West Ella (125) and Willerby (123). This common land, which lay upon the banks of the Humber, had a history of enclosure attempts dating back to 1772.<sup>94</sup> Eventually it was enclosed at the same time as were the open fields of North Ferriby and Swanland.<sup>95</sup>

The remaining three lower Wolds enclosures occurred in the 1840s: Grindale (254) was a shrunken township just north-west of Bridlington and was principally in the hands of the Greame family of Sewerby.<sup>96</sup> Pasture predominated in the township; in 1841 there were 1,047 acres of common pasture subject to tithe.<sup>97</sup> The village lay in a valley, and the wold slopes were in open fields. Stinting agreements had been made for the common pastures in the 17th and 18th centuries,<sup>98</sup> but until 1775 it was customary to graze unlimited numbers of sheep in the fallow fields from May to November. In that year a stinting agreement was made and the farmers agreed to introduce turnips and clover into the open fields.<sup>99</sup> The survival of common fields for a further seventy years (enclosure was 1843-4) is of considerable interest and underlines the variability of experience among townships. The enclosure of open fields in Newsham, a hamlet in the parish of Bempton (241), which

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94. See Appendix III, p. 585.

95. R.D.B. FG/87/2.

96. QDE 1 Grindale.

97. V.C.H. Yorks. E.R. 2, p.88.

98. Ibid.

99. Ibid. p.89.

also took place in the 1840s,<sup>1</sup> occurred some seventy five years after the enclosure of Bempton itself. The last enclosure of district 5 concerned a remnant of land in Kirkburn (60) near Driffield, 1849-51.<sup>2</sup>

Extensive piecemeal enclosure was not a common feature of lower Wolds townships: of the 40 townships involved in parliamentary enclosures 30 had over 70 per cent of their land allotted, with 18 having over 80 per cent (Fig.5). The parliamentary enclosure history of the district spanned over a century and illustrates the changing intentions of the promoters throughout the parliamentary enclosure period. There is some evidence that a number of the earlier enclosures in district 5 was associated with a degree of conversion from arable to pasture, either because of the proximity of a town, or because the soil was especially well suited for such a purpose. Nevertheless conversion from arable to pasture was less common than was the extension of the arable land by ploughing up wold land, and as the parliamentary enclosure period progressed more and more of the higher ground of the district came under cultivation.

#### Enclosure and improvement in the uplands

In the middle of the 18th century the upland districts of eastern Yorkshire were somewhat backward areas in an agricultural sense. Although by 1700 the new husbandry had been taken up enthusiastically in many southern counties, the cultivation of turnips and seeds, although ideally suited to the light wold land, had not yet penetrated to eastern Yorkshire. Most of the land was farmed under an open-field system, or else, in places where the presence of deserted villages had led to the conversion of former

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1. R.D.B. FG/430/15.

2. R.D.B. Enrolment book I, p.54.

open-field land, was occupied by unfenced sheep walks and rabbit warrens. During the parliamentary enclosure period the region was transformed, not only by enclosure, but also by the introduction of new crops and rotations, by the extension of the arable land as a result of the ploughing up of old grassland, by the planting of shelter belts, by the construction of farmhouses in the fields outside the villages, and by the improvements in transport which came about as a result of the making of turnpike and enclosure roads and the digging of canals. Edward Anderson, born in Lutton when it was farmed under the old system wrote of the changes he had seen in the landscape of the Wolds:

As I look'd round, my wond'ring eye beholds  
The vast improvements on the Yorkshire Wolds ...  
How chang'd since the last time I went that way,  
No hedges then, their fields all open lay:  
Now roads are chang'd, houses built in the field,  
All new inclos'd as far as Whinmore Bield;  
Old Swarth is now turn'd into tillage land,  
And a new course of husbandry is plann'd;  
Their common method is to pare and burn,  
And there the ling and whins are almost gone ...  
Where turf was cut they now have cut a drain,  
The flowing Car is now a fertile plain;  
On barren hills scarce ought but flint and stones,  
A few short whins, and strew'd with dead sheeps' bones  
On those cold hills now large plantations rise,  
And blooming cinque-foil there delights your eyes ...  
The towns, the fields, now everything looks new;  
The old thatch'd cottages have ta'en their flight,  
And new til'd houses now appear in sight ...<sup>3</sup>

This account of the Yorkshire Wolds may not be great poetry, but the descriptions in it are well supported by historical evidence. Anderson's family came originally from Cottam (see above) but when the depopulation of the township took place they moved to East Lutton where Anderson was born. He left Lutton, which was still in open fields, when he was nine years old, and the family went to live in Kilham which was already enclosed. He wrote:

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3. Anderson, op.cit. pp.39-43.

Tho' it was but eight miles we then remov'd  
To Kilham; a far better place it prov'd  
There all inclos'd, the difference show'd as plain,  
As from the wilderness into Canaan;  
There I got finer clothes and better meat,  
We eat no barley there, but liv'd on wheat.<sup>4</sup>

Anderson may be excused a little exaggeration in his description of the Wolds, but there is no doubt that the changes in the century from 1750 were very striking; when the lowland districts are studied for the same period the picture is less dramatic, in these areas improvements in cropping through the introduction of turnips were generally ruled out by the heavy nature of the soil. Nevertheless enclosure did allow farmers more flexibility in their methods and rotations; the next chapter examines the progress of enclosure and improvement in the Hull valley and Holderness, 1730-1860.

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4. Ibid. p.39.

CHAPTER THREE. ENCLOSURE AND  
IMPROVEMENT IN THE LOWLANDS

District 6. The Hull valley

District 6, the Hull valley, covers 78,051 acres and contains 34 townships, a substantial number of which were early-enclosed (Table 3.1). Of the 21 which were affected by enclosure in the parliamentary enclosure period about half had less than 50 per cent of their land allotted, since in many Hull valley townships much enclosure had occurred before the middle of the 18th century. Table 2.1 shows that only 32.8 per cent of the total acreage of the district was enclosed after 1730 - the second lowest proportion in eastern Yorkshire.

Most of the entirely old-enclosed townships were situated in the northern sector of the Hull valley. Two of them were former monastic estates: Watton (79) was probably enclosed by 1671<sup>1</sup> and was owned by only two proprietors in 1787;<sup>2</sup> Meaux (189) enclosed at an unknown date, was in the hands of three proprietors in 1787.<sup>3</sup> Before the monks came to Meaux a village stood there, but it was apparently depopulated by the monastery.<sup>4</sup> Other depopulated and early-enclosed townships were Sunderlandwick (65),<sup>5</sup> Rotsea (78),<sup>6</sup> Eske (85),<sup>7</sup> and possibly Storkhill (98).<sup>8</sup>

The town of Beverley must have lost its open fields at an early date, and it seems that they were partially turned over to meadow and pasture after

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1. DDRI 33/7.
  2. QDE 1 Watton.
  3. Ibid. Meaux.
  4. Beresford (1951-2) p.64.
  5. Ibid. p.68.
  6. Ibid. p.67.
  7. Ibid. p.61.
  8. Ibid. p.69.

Table 3.1. Enclosure in the Hull valley (district 6)

No.	Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
<u>1. 'Old-enclosed' townships</u>							
64.	Skerne	1596	2,762				8
65.	Sunderlandwick	?	823				1
78.	Rotsea	?	806				5
79.	Watton	17th century	4,738				2
83.	Scorborough	probably pre-1730	1,386				5
85.	Eske	?	1,089				1
98.	Storkhill	?	320				N.A.
101.	Beverley	?	2,412				N.A.
132.	Sculcoates	c.1691	745				N.A.
189.	Meaux	?	1,409				3
190.	Routh	c.1685	2,438				2
209.	Moortown	?	513				2
210.	Hempholme	?	1,352				4
<u>2. Townships enclosed by agreement but no award in parliamentary enclosure period</u>							
80.	Leconfield	1779 & 1803-11	3,630				6
<u>3. Townships enclosed by agreement and award</u>							
170.	Wawne	1751 (common)	3,718	400	11	2	1
<u>4. Townships enclosed by act</u>							
134.	Drypool	1748 (Sum-mergangs)	1,481	658	44.4	32	24
		1756-7 (Southcoates)		322	21.7	15	
169.	Sutton	1763-8	4,741	3,874	81.7	65	69
116.	Cottingham	1766-71 (common)	9,735	2,603	26.7	116	
226.	Brigham	1766-7	1,382	1,000	72.4	10	8
227.	Wansford	1769-72	922	c.700 <sup>3</sup>	83.5		3
77.	Hutton Cranswick	1769-71	4,814	4,021	83.5	39	46



No.	Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
82.	Lockington	1770-2	3,216	2,064	64.2	21	32
84.	Aike	1770-2	540	501	92.8	10	9
133.	Hull, Holy Trinity	1771-3 (Myton Carr)	1,016	178	17.5	14	N.A.
225.	Foston	1776-80	1,118	993	88.8	16	11
115.	Thearne	1785-8 (common)	686			37	N.A.
				499	13.1		
114.	Woodmansey	1785-8 (common)	3,118			11	N.A.
100.	Weel	1785-6 (common)	1,131	446	39.4	10	N.A.
80.	Kilnwick	1785-8	1,700	1,443	84.9	4	4
99.	Tickton	1790-2 (common)	775	221	28.5	12	N.A.
202.	Leven	1791-6	3,698	1,481	40.0	39	52
116.	Cottingham	1791-3	see above	1,480	15.2	38	116
211.	North Frodingham	1801-08	3,137	2,269	72.3	54	85
81.	Beswick	1806-14 (common)	2,029	542	26.7	15	1
203.	Brandesburton	1844-7 (common)	4,671	1,323	28.3	28	18

1. For sources see Appendix 1.
2. QDE 1 1787.
3. See note 3, p.91.

enclosure,<sup>9</sup> a common response to the high demand for dairy produce near urban areas.<sup>10</sup> The town still to this day however, contains a large area of common land, totalling 1,174 acres, lying in four common pastures: Westwood, 504 acres; Hurn, 110 acres; Figham, 297 acres and Swinemoor, 263 acres.<sup>11</sup> The burgesses of Beverley acquired the land in the Middle Ages and these commons, apart from giving the freemen valuable pasture rights, have provided the town with chalk, lime and clay, and the residents with a very pleasant place for recreation.<sup>12</sup>

Most of the arable land in the Hull valley was situated upon higher ground and much of it had been enclosed before the parliamentary enclosure period. Both Tickton and Brandesburton enclosed their open fields in the 17th century,<sup>13</sup> and other townships may also have lost their open fields at an early date. Consequently many of the parliamentary and parliamentary-type enclosures of this district were concerned with the carr lands only; of the 21 enclosures which took place after 1730 only 11 included open-field land, the remainder being of pasture land alone. This is in marked contrast to the picture in the rest of eastern Yorkshire; in the whole of the region only 19 out of 173 parliamentary-type enclosures were of pasture with no open-field arable.

The earliest enclosure by act and award (1748) in the Hull valley was of Summergangs, a common pasture in the parish of Drypool (134). This land had been reclaimed from the silt lands of the lower Hull valley.<sup>14</sup> Southcoates,

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9. Allison (1976) pp.233-6.

10. E.C.K. Gonner, Common land and enclosure, 2nd ed. with a new introd. by G.E. Mingay (1966) p.117.

11. J.J. Sheahan and T. Whellan, History and topography of the City of York, the Ainsty Wapentake and the East Riding of Yorkshire ..., v.2: The East Riding (Beverley, 1856) p.286.

12. Allison (1976) p.236.

13. Harris (1961) p.39.

14. V.C.H. Yorks. E.R. 1, p.460.

a small settlement which was also in Drypool, appears to have converted its open fields to pasture at an early date; enclosure of these fields was contemplated in 1675 but it was not implemented at that date.<sup>15</sup> In 1756-7 an agreement was made to enclose 322 acres of pasture and the agreement and subsequent award were confirmed by act in 1764.<sup>16</sup> In 1751 about 400 acres of common land at Wawne (170) were enclosed by agreement and allotted to two proprietors.<sup>17</sup>

At the opening of the parliamentary enclosure period, the Hull valley was a region of low agricultural value. Flooding of the low grounds was a real problem: at Eske (85) before the drainage about half the land in the township was frequently under water;<sup>18</sup> at Tickton (99) the carrs in the south of the township were shown as partially flooded in the enclosure plan of 1791;<sup>19</sup> Brandesburton (203) carrs were said to be 'overflowed and of no use in winter' whilst even in summer if it was wet the grazing rights were 'not worth 2d. a piece'.<sup>20</sup> A survey of the manor of Wawne (170) in 1650 mentions lands (probably arable) of 1,539 acres together with grounds (probably lower-lying pasture) of about 1,800 acres 'oppressed with water'.<sup>21</sup> A petition of 1764 to drain the low grounds on the eastern side of the river Hull described 13,000 acres there as:

generally overflowed with Water, and of very small Advantage to the Proprietors; some are let at Two Pence an Acre, others at One Shilling, and Two Shillings and Six Pence an Acre.<sup>22</sup>

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15. Ibid. p.463.

16. R.D.B. AC/358/17; Y/124/26; 4 Geo. III, c.13.

17. HUL DDKG/131.

18. G. Poulson, The history and antiquities of the Seignory of Holderness (Hull, 1840-1) 1, p.482.

19. IA (G12).

20. Harris (1961) p.38.

21. Poulson, op.cit. 2, pp.282-3.

22. H.C.J. 29 (1761-4) p.704.

After drainage these lands were expected to let at between 10s and 20s an acre, a not unrealistic estimate; when Arthur Young revisited the Hull valley in 1797 he noted that as a result of the drainage the rental value of land on the eastern side of the river north of Beverley had risen from 2s 6d per acre to 12s to 30s per acre.<sup>23</sup>

The first major drainage scheme of the 18th century was begun in 1764, after an exceptionally wet winter. The river Hull had overflowed its banks, and floods covered the ground for many miles on either side of the river. Strickland wrote that:

the turnpike road between Hull and Hedon, for nearly four miles, stood from two to four feet deep in water, as did likewise that leading from White Cross to Beverley, and persons going to market were obliged to pass in boats.<sup>24</sup>

The landowners of ground on the eastern side of the river petitioned Parliament on 13 December 1763<sup>25</sup> for an act to exclude their land from the jurisdiction of the Court of Sewers (which had been responsible for the drainage of Holderness since medieval times)<sup>26</sup> and to establish an independent body to be known as the Holderness Drainage, with powers to construct new drainage works. About 13,000 acres came under the act, which was passed in 1764,<sup>27</sup> and another of 1766<sup>28</sup> extended its powers so that more money could be raised. The success of the drainage scheme was somewhat limited: Arthur Young wrote that it was 'greatly mismanaged at first: the engineers offered to do it for less than £20,000 and it cost above £40,000'.<sup>29</sup>

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23. A. Young, 'Holderness-Beverley-Hull: some notes in 1797', Annals of agriculture, 31 (1798), p.114.

24. Strickland (1812) p.194.

25. H.C.J. 29 (1761-4) p.704.

26. J.A. Sheppard, The drainage of the Hull valley (York, 1958). -(E.Y. local history series, no.8) p.6.

27. 4 Geo.III, c.47.

28. 6 Geo. III, c.74.

29. Young, op.cit. p.114.

Owing to the opposition of navigation interests in Hull to the plan to take a drain to Marfleet, thus reducing the water in the river, the original scheme had to be drastically modified, with the result that the northern carrs were scarcely improved at all, although there was considerable alleviation of flooding south of Beverley.<sup>30</sup> By the end of the century an area which had been 'the residence of little more than frogs and wild fowl' was 'cultivated, built and peopled'.<sup>31</sup>

Owners of land in two townships in the Hull valley, Sutton and Cottingham, applied for enclosure-cum-drainage acts in the 1760s. In 1763 an act was passed to enclose Sutton (167),<sup>32</sup> a large, populous township with numerous proprietors.<sup>33</sup> Sutton village was situated upon a ridge of dry ground, but all around it lay low lands, described in 1700 as 'formerly ... morasses',<sup>34</sup> the arable land lay upon the ridge, but its area was only small - at enclosure it comprised only 780 acres, whilst 3,456 were stated to be pasture and rough common.<sup>35</sup> The pastures were stinted, and in the 17th century the stints were increased, possibly as a result of improvements to the land effected by new drainage works.<sup>36</sup> Many of the larger allotments went to Hull merchants; some may have regarded land in Sutton as a good investment, the township being within a few miles of Hull; some possibly saw Sutton as a pleasant place of residence - in the half-century after enclosure many gentlemen's houses were built in the village, a number on the former commonable ground.<sup>37</sup>

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30. Sheppard, op.cit. pp.13-14. In 1832 a drain discharging into the Humber at Marfleet was constructed, and matters improved considerably.

31. Young, op.cit. pp.114-15.

32. 3 Geo. III, c.15.

33. R.D.B. BB/4/4.

34. V.C.H. Yorks. E.R. 1, p.470.

35. R.D.B. BB/4/4.

36. V.C.H. Yorks. E.R. 1, p.474.

37. K.J. Allison, 'Hull gent seeks country residence', 1750-1850 (Beverley, 1981). - (E.Y. local history series, no.36) p.7 and pp.39-42.

Another extensive and populous township, Cottingham (116), was enclosed by an act passed in 1766.<sup>38</sup> The enclosure concerned a small area of open-field land together with the extensive common pastures in the east of the township. These pastures, reported as containing c.1,000 acres in 1629, were stinted from the 17th century.<sup>39</sup> The enclosure act was combined with a drainage act, the land being 'generally overflowed with water' in wet seasons.<sup>40</sup> By 1767, as well as being in urgent need of drainage, the land was severely overstocked, there being 3,386 gates upon one pasture of 1,800 acres, which was considerably more than the land could bear.<sup>41</sup> The remaining open-field land of Cottingham was enclosed in 1791-3.<sup>42</sup>

All but one of the remaining pre-1780 enclosures included both arable and pasture land; three of them - Brigham (226) 1766-7, Wansford (227) 1769-72 and Hutton Cranswick (77) 1769-71 - were very probably associated with the construction of the Driffield canal, which took place in 1767-70, and which passed through the land of the first two townships.<sup>43</sup> All these upper Hull valley settlements contained very extensive pastures and meadows.<sup>44</sup>

By 1780 over two thirds of the open fields and commons of the district had already been enclosed, and most of the remaining acts involved those

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38. 6 Geo. III, c.78. As explained in Chapter 2, Cottingham is situated partly in the lower Wolds district, partly in the Hull valley district. For convenience the township has been placed in the Hull valley since the larger part of land in Cottingham is in that district.
39. V.C.H. Yorks. E.R. 4, p.74.
40. H.C.J. 30 (1765-6) p.645.
41. HUL DRA 51.
42. R.D.B. BG/371/58; 31 Geo. III, c.20.
43. As was Nafferton (228) in the lower Wolds district. For further discussion on canals and enclosure see Chapter 4.
44. V.C.H. Yorks. E.R. 4 passim; Map of Brigham in Allison (1976) p.125, fig.12.

townships which had lost their open fields well before the 18th century. Owners in the townships of Woodmansey (114), Weel (100), Thearne (115) and Skidby (117) enclosed their carr lands by an act which was passed in the same year (1785) as a drainage act for the same district.<sup>45</sup> Tickton (99) and Leven (202) owners applied for enclosure acts in 1790 and 1791; both these enclosures predominantly concerned pasture and meadows. North Frodingham (211), a large and populous township in the northern section of the Hull valley, retained its common fields until 1801, but meetings to discuss enclosure had taken place from 1765.<sup>46</sup> This township, which was in the hands of numerous small owners with no single proprietor being in a dominant position,<sup>47</sup> may be one of the few in eastern Yorkshire where enclosure was delayed by the opposition of smaller proprietors. The construction of the Beverley and Barmston drainage,<sup>48</sup> together with very favourable agricultural commodity prices, probably provided the necessary stimulus needed to effect an enclosure. This ambitious drainage scheme, which affected the land on the western side of the river Hull, was reasonably effective in normal seasons, although flooding sometimes occurred in wet seasons. Young in 1797 had described the land just before the drainage as:

... a horrid watry waste ... a great tract of two thousand acres ... not this year worth a penny; producing nothing but fish, frogs, wild ducks and dumbles [a kind of rush] for horse collars.<sup>49</sup>

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45. 25 Geo. III, c.48; 25 Geo. III, c.92, Skidby has been placed in district 5, the lower Wolds; only a small detached part of the township was situated on Hull valley land. See n.76, Chapter 2.

46. Y.C. (Nov. 1765).

47. R.D.B. CI/276/20.

48. Under an act of 1798 - 38 Geo. III, c.63.

49. Young, op.cit. p.117.

After the drainage works had been completed much of this previously almost useless land was converted to arable, and grew wheat, oats and barley.<sup>50</sup> The Old Howe, a water course in North Frodingham, was altered to form part of the Beverley and Barmston Drain, and the enclosure commissioners delayed their work until the digging was completed.<sup>51</sup> Another Hull valley commons enclosure concerned Beswick (81) in 1806-14, and this completed the enclosures of land on the western side of the river; on the east however there was a large open common pasture which remained open for another forty years. Brandesburton (203) is a large township which had a large rough unstinted pasture called the Moor, which was intercommoned by other villages round about. The largest proprietor, an institutional absentee owner, was Emanuel Hospital, London. The common probably remained open for so long because the trustees of the hospital took little interest in their Brandesburton property until the 1840s when a new agent took over from John Singleton who had remained in the position since 1806. The new agent made suggestions for the enclosure and improvement of the commons, and the trustees of the hospital visited the area and agreed to promote an enclosure.<sup>52</sup>

The landscape of the Hull valley was transformed during the century from c.1750, but its improvement was effected perhaps more by drainage than by enclosure. The timing of the enclosures of the district was very closely linked to the various drainage schemes, which gradually reduced the flooded area so that by the mid-19th century the Hull valley was producing excellent crops in the middle and upper parts, whilst much of the lower part of the valley was utilised for cattle feeding grounds and for market gardens to supply the growing needs of Hull.<sup>53</sup>

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50. Sheppard, *op.cit.* p.16.

51. DDCV 120/8; Poulson, *op.cit.* 1, p.307.

52. B. English, 'Patterns of estate management in East Yorkshire, c.1840-c.1880', forthcoming article in *Ag.H.R.*

53. A. Harris, The milk supply of East Yorkshire, 1850-1950 (Beverley, 1977). - (E.Y. local history series, no.33) *passim*.



District 7. North Holderness

District 7, North Holderness, contains 31 townships and 47,734 acres (Tables 2.1, 2.2 and 3.2). Twelve of the townships in this district were old-enclosed, three were enclosed by agreement in the parliamentary enclosure period, and 17 (including Barmston, one of the three enclosed partly by agreement) were enclosed by act. The total acreage allotted by act, 22,502 acres, was 47.1 per cent of the district, a considerably higher proportion than in the other two Holderness districts (Table 2.1).

The 'old-enclosed' townships are located mainly in the extreme north and extreme south of the district; those on the northern boundary seem generally to have undergone enclosure in the early years of the 18th century, making the description 'old' something of a misnomer. The countryside lying at the foot of the Wolds around Burton Agnes, was the setting for much enclosure activity c.1700-30, primarily involving the low-lying ground.<sup>54</sup> The enclosures which apparently took place at Gransmoor (223) 'in or about the year 1702',<sup>55</sup> and in Auburn (221) where 'the regular field pattern indicates enclosure in the early 18th century',<sup>56</sup> were set in motion by the same proprietors who enclosed the land in Carnaby, Haisthorpe, Burton Agnes and other low Wolds townships in that area; the dominance of the Boynton, St. Quintin and Strickland families was very marked in the district just south of Bridlington.

In the case of Gransmoor we have an interesting indication of the intention of the encloser to convert to pasture: in a letter to Sir William St. Quintin, Thomas Harrison of Hull (who must have been the surveyor employed), wrote in 1702 that he had measured the fields at Gransmoor and they amounted to

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54. See section on district 5, the lower Wolds, in Chapter 2, p. 92.

55. V.C.H. Yorks. E.R. 2, p.113.

56. Ibid. p.206.

Table 3.2. Enclosure in North

Holderness (district 7)

No.	Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
<u>1. 'Old-enclosed' townships</u>							
192.	Rise	c.1664	2,041				3
197.	Great Hatfield	?	1,488				12
198.	Little Hatfield	c.1717	976				with above
199.	Goxhill	by 1685	839				2
205.	Seaton/ Wassand	1657	1,745				23
213.	Dunnington	?	845				8
214.	Bonwick	?	775				N.A.
220.	Fraisthorpe	by 1716	1,824				2
221.	Auburn	early 18th century	216				N.A.
223.	Gransmoor	c.1702	1,253				2
224.	Gembling	c.1600	1,235				10
231.	Little Kelk	by 1720	727				N.A.
<u>2. Townships enclosed by agreement but no award in parliamentary enclosure period</u>							
204.	Catfoss	c.1730	1,087				2
222.	Wilsthorpe/ Hilderthorpe	19th century	696				5
<u>3. Townships enclosed by agreement and award</u>							
219.	Barmston	1757-8	2,391	188	7.9	1	2
<u>4. Townships enclosed by act</u>							
201.	Catwick	1731-2	1,570	1,417	90.3	15	13
208.	Bewholme	1740	2,314	1,044	45.1	12	29
216.	Dringhoe/Skipsea Brough	1762-3	1,703	1,485	87.2	12	13
215.	Skipsea	1764-5	1,566	1,591	100.0+	34	48
217.	Ulrome	1765-7	1,589	945	59.5	20	24
212.	Beeford	1766-8	3,754	3,364	89.6	47	47
207.	Atwick	1769-72	2,271	1,408	62.0	16	23
194.	Great and Little Cowden	1770-2	1,548	959	62.0	24	21
218.	Lisset	1771-2	1,152	1,015	88.1	1	7
191.	Long Riston	1771-8	1,834	1,600	87.2	24	15

No.	Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
200.	Siggleshorne	1772-81	1,031	895	86.8	22	20
206.	Hornsea	1801-9	3,316	2,198	66.3	62	79
193.	Withernwick	1802-14	2,822	1,701	60.3	20	40
219.	Barmston	1819-20	see above	245	10.2	1	see above
195.	Mappleton	1845-7	1,186	1,102	92.9	3	5
230.	Great Kelk	1847-9	1,173	859	73.2	11	13
196.	Rowlston	1858-60	767	674	87.9	3	N.A.

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1. For sources see Appendix 1.

2. QDE 1 1787.

767 acres. He continued:

I perceive that your Tenants are afraid they shall not be able to pay their Rents if all yr 3 Fields be enclosed and laid for Grassing, but they say if you please to let Langham Field only lie for Pasture and Meadow and let them plow the South and Moore Fields, where now they pay you 40s per oxgang and 13s 4d per oxgang for yr 2/3 of the Tithe together is 53s 4d per oxgang they will pay £4 per oxgang which will be a considerable advancement of Rent and save the charge of ditching.<sup>57</sup>

Auburn (221) and Fraisthorpe (220) never had very extensive open fields, much of these townships from early times being used for pasture and meadow;<sup>58</sup> the west field of Fraisthorpe was largely enclosed in the Middle Ages, with further enclosure occurring in the 17th and early 18th century.<sup>59</sup> Gembling (224) and Little Kelk (231) may have lost their open fields by the end of the 16th century.<sup>60</sup> At Gembling it was stated in 1783 that an enclosure had taken place some 200 years earlier, although a small portion of common land survived at that date: the cottagers had the right of stray for cattle on the village green in 1819, and in 1968 the green was still used as a common.<sup>61</sup> Bridlington Priory was a substantial owner in Little Kelk, and may have been responsible for the enclosure there.<sup>62</sup>

The old-enclosed townships in the south of district 7, like those immediately to their south in Middle Holderness, were mainly in the hands of resident gentry families. Rise (192), the family seat of the Bethells, was enclosed c.1660;<sup>63</sup> nearby Seaton, and Wassand (205), where a branch of the

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57. HUL DDSQ <sup>(3)</sup> 3/1.

58. V.C.H. Yorks. E.R. 2, p.205.

59. Ibid. pp.205-6.

60. Ibid. pp.184-5 and p.246.

61. Ibid. p.185.

62. Ibid. p.246.

63. DDRI/26/40,45.

Constable family had a mansion, were enclosed in the 17th century;<sup>64</sup> Goxhill (199) which was a 'much shrunken township',<sup>65</sup> was owned almost in its entirety by the Constables and had been enclosed some time before 1685;<sup>66</sup> Bonwick (214) was a deserted medieval village, containing only two farm houses in 1785;<sup>67</sup> Dunnington (213) was a tiny hamlet. The early enclosure of these townships was probably a result of their ownership pattern; most of them were in the hands of less than ten proprietors making enclosure by agreement at an early date a simple matter.

Parliamentary enclosure began early in this district of Holderness; in 1731 the owners of open field land in Catwick (201) applied for an enclosure,<sup>68</sup> and Catfoss (204), a township almost totally owned by the Bethells, was probably enclosed by agreement at about the same time.<sup>69</sup> Bewholme (208) was another early parliamentary enclosure. The 1740 petition to Parliament provides a useful indication of the intentions of the promoters: it states that the land in Bewholme 'if divided and enclosed would be very convenient for keeping a store of cattle'.<sup>70</sup> Holderness had long had a reputation as a source of high quality cattle and Harris has suggested that much of the land enclosed in the century or so before 1730 was used for grazing, having been converted from arable soon after enclosure.<sup>71</sup> The evidence from Gransmoor helps to confirm this and it seems very likely that the promoters of

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64. V. Neave, A handlist of East Riding enclosure awards (Beverley, 1971) p.70.

65. Beresford (1951-2) p.62.

66. Harris (1961) p.45, fig.14.

67. Beresford (1951-2) p.58.

68. 4 Geo. II, c.16.

69. N. Wright, History of Sigglesthorpe (1966) p.59.

70. H.C.J. 23 (1737-41) p.442.

71. Harris (1961) p.44.

early parliamentary enclosures, like the one at Bewholme, may have had a similar intention.

The countryside around Skipsea (215) was particularly affected by enclosure during the first wave of parliamentary acts; between 1762 and 1771 six townships in this part of North Holderness were enclosed, with the same commissioners conducting most of the allotting.<sup>72</sup> In such a restricted area it was inevitable that some of the proprietors should own land in several of the townships; this was indeed the case and may have been a factor in the timing of enclosures here. Another factor may have been 'enclosure by contagion', a phenomenon discussed by Hunt in an examination of the chronology of enclosure in Leicestershire.<sup>73</sup>

By 1780 the owners in 11 out of the 17 open-field townships had enclosed their common lands; of the remainder the owners in at least one, Hornsea (206), had considered an enclosure in the 1760-80 period. The York Courant carried an advertisement in 1767 stating that a meeting would be held to consider an application to Parliament, and in 1773 a notice of a sale of some property in Hornsea stated that an enclosure was imminent;<sup>74</sup> the act was eventually passed in 1801. Withernwick (193), being surrounded by old-enclosed townships on three sides, might have been expected to experience enclosure somewhat earlier than 1802, especially since the Bethell family had a large interest in the township. The fact that Withernwick retained its open fields well into the parliamentary enclosure period may possibly have been because a part of the township was low-lying and in need of drainage. There may have been some reluctance on the part of the owners to embark on an expensive undertaking until the rise in commodity prices made it a more economic proposition. Enclosure without drainage was apparently unacceptable to at least one owner; a note on the enclosure bill makes it plain

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72. See Appendix IV.

73. H.G. Hunt, 'The chronology of parliamentary enclosure in Leicestershire, 1730-1842', Ec.H.R. 2nd series, 10 (1957) pp.265-72. See also Chapter 4.

74. Y.C. (June 1767; Oct. 1773).

that the writer, who was probably Charlotta Bethell the lady of the manor, 'has no intention of consenting to the bill unless the Lambwath [a stream in Withernewick] is improved'.<sup>75</sup>

A few remnants of the open fields survived in North Holderness until the mid-19th century: the two adjoining townships of Mappleton (195) and Rowlston (196) were enclosed in 1845-7 and 1858-60 respectively. Benjamin Haworth, who was allotted 43 per cent of the land at Mappleton and 38 per cent at Rowlston,<sup>76</sup> may have chosen to spread his enclosure costs over a long period by not embarking upon both undertakings simultaneously; the townships were in the hands of only very few proprietors so there can have been little difficulty in obtaining an enclosure. Great Kelk (250) was enclosed in 1847-9, but there had been some piecemeal enclosure there more than a hundred years earlier. The disposition of the land before and after enclosure is illustrated in two maps which show a holding of about 150 acres in Great Kelk, made up of consolidated strips which had been enclosed from the open fields.<sup>77</sup>

Like all the lowland districts of eastern Yorkshire, North Holderness contained quite a high proportion of old-enclosed land, the high number of townships untouched by parliamentary enclosure covering over one third of the district. However, in many of the townships with surviving open fields and commons only small areas of old enclosure existed; a total of ten of these 17 townships enclosed by act had over 70 per cent of their land allotted by act (Table 3.2), and in these places most of the old enclosure consisted of village closes with little or no piecemeal enclosure of the open fields. The first wave of parliamentary enclosures (pre-1780) was busier than the second wave (post-1780) in North Holderness<sup>78</sup> and owners in

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75. DDCC 107/1.

76. IA (F4); IA (G13).

77. Allison (1976) p.129, fig.14.

78. For further discussion on the chronology of enclosure see Chapter 4.

a number of the townships enclosing in this period may have converted some of their arable land to pasture, much of it being admirably suited to such a use. The distribution of the land may in these cases have changed somewhat as a result of enclosure; the management of the land however did not. A frequent fallow remained a necessity in Holderness and the heavy nature of the soil, except upon a line of sand and gravel stretching from Leven to Hornsea,<sup>79</sup> ruled out the use of turnips as a field crop. The principal motive for enclosure in district 7 therefore, seems to have been the desire of the proprietors to obtain compact farms, enabling them to work their land more efficiently, albeit by well-tried methods.

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79. Fig. 1.



District 8. Middle Holderness

District 8, Middle Holderness, had a lower density of parliamentary enclosure than had North Holderness: only 36 per cent of the land was allotted by act, and only 12 townships out of 30 were affected (Tables 2.1 and 2.2). Even when townships enclosed by agreement and award are added to those enclosed by act the total only reaches one half of all those in the district. Much of the pre-parliamentary enclosure came about by a process of consolidation and exchange over many years, and the large proportion of old enclosure is still apparent in the landscape today. The small irregularly shaped fields and the twisting roads - which follow the former baulks in the open fields - are characteristic of an old-enclosed landscape.<sup>80</sup>

One of the most striking features of the distribution of enclosure in district 8 is the grouping of the old-enclosed townships in the northern part of the division, an effect of the presence in this area of a number of resident gentry families (cf. North Holderness above). The most influential family here - the Constables - had their seat at Burton Constable (174). They had been long-established in the East Riding and in general were content to occupy themselves wholly in country life, and in any case, as Roman Catholics they were excluded from political life.<sup>81</sup> The Constables were lords of the Seignory of Holderness and held land in many of the townships around their main estate at Burton Constable; they owned the whole of West Newton and Burton Constable, almost all of Marton (184), and had a large estate in Ellerby (185). In 1801 they owned over 12,000 acres in the whole of Holderness.<sup>82</sup> Another long-established family, the Grimstons of Grimston Garth (181), had owned

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80. Allison (1976) Plate 22.

81. I. Hall, 'The range of a dilettante: William Constable and Burton Constable I', Country life 171 no.4, 418 (1982) p.1, 114.

82. J.T. Ward, East Yorkshire landed estates in the 19th century (York, 1967). - (E.Y. local history series, no.23) p.23.

Table 3.3. Enclosure in Middle

Holderness (district 8)

No.	Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
<u>1. Old-enclosed townships</u>							
163.	Hedon	?	321				65
167.	Bilton	?	1,205				6
168.	Ganstead	c.1595	809				8
171.	Swine	?	2,286				3
173.	Thirtleby	?	756				9
174.	West Newton/Burton Constable	by 1750	2,069				1
176.	Humbleton	?	1,478				4
178.	Owstwick	c.1649	1,338				17
179.	Fitling	1640	1,530				18
180.	Hilston	?	554				3
181.	Garton/Grimston	?	1,800				10
184.	Marton	by 1616	946				3
185.	Ellerby	by 1750	2,248				15
186.	South Skirlaugh	?	1,101				21
<u>2. Townships enclosed by agreement with no award in parliamentary enclosure period</u>							
187.	Bemningholme Grange	?	1,471				4
<u>3. Townships enclosed by agreement and award</u>							
177.	Danthorpe	1735	734	516	70.3	8	4
175.	Flinton	1751-2	1,399	605	43.2	5	6
166.	Wyton	1763	792	71	9.0	4	7
<u>4. Townships enclosed by act</u>							
160.	Burton Pidsea	1760-2	2,304	1,993	86.5	40	41
165.	Sproatley	1762-3	1,372	1,236	90.1	9	12
135.	Marfleet	1763-4	1,285	861	67.0	15	17
183.	Aldbrough	1764-6	4,167	1,788	42.9	25	46
162.	Lelley	1769-70	805	595	73.9	13	9
182.	East Newton	1770-2	607	485	79.9	5	5
188.	Arnold/North Skirlaugh	1771-8	2,214	1,671	75.5		

No. Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
164. Preston	1773-7	5,004	4,104	82.0	83	70
158. Tunstall	1777-9	1,305	909	69.7	19	21
159. Roos	1783-6	2,528	1,554	61.5	42	33
172. Coniston	1789-90	602	540	89.7	4	6
161. Elstronwick	1806-13	1,159	893	77.0	18	11

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1. For sources see Appendix 1.

2. QDE 1 1787.

land in the district since the Conquest<sup>83</sup> and were 'generally unassuming country gentlemen ... content to maintain and improve their estate'.<sup>84</sup>

Of Thomas Grimston (1753-1821) it was said:

he rebuilt the house of his Norman fathers at Grimston, where he spent much of his time. By largely planting, and expensively improving this favourite estate, he was contented with his present loss to be a benefactor to posterity.<sup>85</sup>

A little to the north of Burton Constable and Garton, and not quite inside the division of Middle Holderness, the Bethall family had their estate of Rise (192). This family, although not so long-established as the Constables and the Grimstons, played an equally important part in the social and economic life of Holderness in the 17th and 18th centuries. They had settled in the district in the early 17th century and increased their estate by purchasing land in many of the townships around Rise, so that by 1870 they owned 13,395 acres.<sup>86</sup> Their influence was felt most strongly in North Holderness but they also held land in a number of townships in Middle Holderness.<sup>87</sup>

The presence of such resident gentry families as the Grimstons, Constables and Bethells, with their close supervision of their estates and their vigorous improvement of their parks and mansions, resulted in the establishment of a number of estate villages which tended to have lower populations than other townships around them owing to their landlords' policies of tight control over the building of cottages.<sup>88</sup> Nearby 'open'

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83. Poulson, op.cit. 2, p.60.

84. Ward, op.cit. p.33.

85. Poulson, op.cit. 2, p.62.

86. Ward, op.cit. p.72.

87. QDE 1.

88. B.A. Holderness, 'Open and close parishes in England in the 18th and 19th centuries', Ag.H.R., 20(1972) pp.127-8; for map of population in eastern Yorkshire in 1743 see Harris (1961) p.19, fig.6.

townships, that is those in which the ownership was diffuse, resulting in little or no restrictions upon new buildings, tended to become increasingly populous. In Middle Holderness there was a number of such townships concentrated on the southern boundary. Another factor, apart from population size, tending to differentiate the 'open' and 'close' townships of central Holderness, was the probability of a higher proportion of pasture to arable in the old-enclosed townships than in the open-field townships to the south; the soil in this area was heavy and difficult to work, and therefore more suited to pasture farming. When the manor of Hilston (180) was offered for sale in 1763 it consisted of two farms with 180 acres of 'rich meadow and pasture' together with only 19 acres of arable land;<sup>89</sup> such a balance of land may have been characteristic of these old-enclosed townships (see above for similar cases in North Holderness).

As the map of density of parliamentary enclosure (Fig.5) shows, very little piecemeal enclosure had taken place in those townships which were enclosed by award after 1730, and we shall see that this is in marked contrast to the situation in many townships further south. This pattern may be attributed largely to the nature of the soil. Although most of Holderness consists of boulder clay, a belt of carr lands extends from the Hull valley near Sutton towards the coast;<sup>90</sup> the southern townships of central Holderness are situated partly upon this belt of alluvial land, partly on boulder clay. A letter from Sir Christopher Sykes to the Archbishop of York described the nature of the land in one of these townships, Roos (159), at the time of its enclosure, 1783-5, and it gives an idea of the quality of both the carrs and the open-field land in the township:

East and West Furze are about 275 acres,  
the principal part is covered with Whinns  
or Furze and the Greatest Part of the  
remainder is Wet Lands ... The Low Lands

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89. Poulson, op.cit. 2, p.80.

90. Fig. 1.

certainly never was worth Five Shillings an acre and it has been Burthened with an Enormise Expenche to Drain it to but little advantage and much of the high land except immediately about the Town is of a poor cold Nature.<sup>91</sup>

The enclosure of such poor land, especially when it was in the hands of numerous proprietors, was not an economic proposition in the 17th and early 18th centuries; indeed, some of the proprietors of land in Burton Pidsea (160) clearly thought it was no more appropriate in the 1760s, for a petition against the bill to enclose the township stated that:

the land is in general of so bad a quality as to be capable of very little, if any improvement by inclosure and absolutely unable to bear the expense of it.<sup>92</sup>

Another indication of the water-logged nature of the carrs comes from an item in the list of costs for the enclosure, which stated that 6s was paid for 'the lend of boats', presumably because some of the land was under water.<sup>93</sup>

The first parliamentary-type enclosure in Middle Holderness came in 1735 and concerned Danthorpe (177), a small hamlet with very few proprietors.<sup>94</sup> Another similar settlement, Flinton (175), was enclosed by agreement in 1751-2 and much of the land was allotted to Sir Robert Hildyard, who owned land in several townships nearby.<sup>95</sup> Parliamentary enclosure proper began in 1760, with the enclosure of Burton Pidsea. Despite some landowners' misgivings about the wisdom of the enclosure at least part of the township seems to have increased in value quite markedly:

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91. HUL DDSY 47/20.

92. H.C.J. 28 (1757-61) p.1,057.

93. PR 1633.

94. R.D.B. N/436/907.

95. DDCC 142/4.

an allotment of one acre, worth 10s 10<sup>4</sup>d per acre in 1762 was in 1840 worth £4.<sup>96</sup>

Five townships were enclosed in the 1760s and four in the 1770s and there is evidence that some owners in all the latter had made attempts at enclosure in the previous decade: the enclosure of East Newton (182) was discussed as early as 1757 and the matter was again raised in 1764 when nearby Aldborough (183) was enclosed.<sup>97</sup> In 1766 more discussions took place and a letter stated that the writer, an interested party, knew of:

no township that will admit of greater improvements, as there is a Pasture of 200 Acres of Whins, of small value at present.<sup>98</sup>

The large and populous village of Preston (164) was enclosed in 1773-7, after a number of attempts had been made in the previous ten years;<sup>99</sup> there were 83 allottees in the award, most of them receiving very small plots.<sup>1</sup> Here a common pasture of 178 acres, lying between the Humber and the 'New Bank' was left open, as frequently happened in townships bordering the Humber (see below). Tunstall (158) was another township where negotiations had been taking place for a number of years before the act was passed.<sup>2</sup>

In most districts of eastern Yorkshire the decade 1780-9 marked a pause in enclosure activity, but in Middle Holderness owners in two townships applied for acts in those years. At Roos the proprietors had been pressing for an enclosure for some years but according to Sir Christopher Sykes the matter was blocked by his father who 'did not want the bother'.<sup>3</sup> Were it not

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96. Poulson, op.cit. 2, p.37.

97. DDGR 41/8; 42/1, 16.

98. DDGR 42/16.

99. H.C.J. 30 (1765-6) pp.523-4; 32 (1768-70) p.144.

1. R.D.B. ~~AK~~/92/4.

2. Y.C. (1768; 1773; 1776; 1777).

3. HUL DDSY 101/52.

for this opposition of a large landowner the enclosure of Roos, which took place in 1783-5, would have occurred at the same time as its neighbours. The small township of Coniston (172), enclosed 1789-90, was in the hands of only a few proprietors and the personal circumstances of these substantial gentry landowners was probably the principal factor governing the timing of this enclosure.<sup>4</sup> Only one township was enclosed during the Napoleonic war period, a very busy time in many districts of eastern Yorkshire. Elstronwick (161) was enclosed 1806-13 but an attempt had been made by some proprietors to obtain an act in 1801.<sup>5</sup> It is not clear why the attempt failed nor if there had been earlier attempts when most of the other enclosures of the area occurred, before 1780.

The high proportion of land already enclosed before the parliamentary enclosure period in Middle Holderness may have had the effect of encouraging a more enthusiastic and rapid take-up of the new institutional method of enclosure provided by the act.<sup>6</sup> The inhabitants of open-field townships in the district had many examples around them of the advantages experienced by farmers and landlords who farmed compact estates. As in North Holderness there can have been little change in the cropping of the land by the introduction of new crops, and a bare fallow was still a very common feature of most rotations even after enclosure, but there was probably a marked improvement in efficiency, once the land was redistributed and estates were enclosed.

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4. QDE 1 Coniston; R.D.B.BG/291/39.

5. DDIV 4/1.

6. i.e. enclosure without the consent of every interested party.



District 9. South Holderness

District 9, South Holderness, consists of 22 townships, almost all of which were affected by enclosure in the parliamentary enclosure period. The district, which is wedge-shaped in configuration, is bordered upon two sides by water: on the east by the North Sea and on the south by the Humber Estuary. The action of the sea in eroding the boulder-clay coastline and of the estuary in depositing silts and thus extending the land mass to the south, makes South Holderness a particularly interesting district to study, since the enclosure commissioners had to take into account the action of the waters upon the open fields and commons which were to be allotted.

Of all the townships in the district, Sunk Island (137) stands alone, never having been in open field; the land was reclaimed from the estuary by a process of embanking which started in the 17th century. The area began as an island, and the process of reclamation was set in motion in 1669 when 20 acres were embanked. As land grown out of the bed of a river it was regarded as Crown property and was leased to the Gilby family, who still had control of it in 1787.<sup>7</sup> Sunk Island was originally divided from the mainland by North Channel, but this gradually silted up, so that by the end of the 18th century the land was effectively no longer an island. By this period it covered approximately 4,300 acres, an area which increased throughout the 19th century as a result of further embanking to almost 7,000 acres.<sup>8</sup> Described by Strickland as 'a strong tenacious loam of great fertility'<sup>9</sup> the land, like all reclaimed silts, was of exceptionally high quality. It was used as arable, pasture and meadow at the end of the 18th

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7. QDE 1.

8. Allison (1976) p.134, pp.172-5; Harris (1961) pp.83-4; G. de Boer, 'Accretion and reclamation in the river Humber', East Yorkshire field studies 3 (1970), p.22.

9. Strickland (1812) p.17.

Table 3.4. Enclosure in South

Holderness (district 9)

No.	Name	Date of enclosure <sup>1</sup>	Total acreage	Acreage allotted	% allotted	Proprietors at enclosure	Proprietors in 1787 <sup>2</sup>
<u>1. 'Old-enclosed' townships</u>							
137.	Sunk Island	never in open fields	7,332				1
<u>2. Townships enclosed by agreement but no award in parliamentary enclosure period</u>							
151.	Halsham	?	2,910				1
152.	South Frodingham	?	1,206				5
145.	Winestead	c.1743-58	2,109				1
157.	Waxholme	1962	533	c.40			N.A.
<u>3. Townships enclosed by agreement and award</u>							
142.	Out Newton	1756-7	648	549	84.7	8	9
148.	Thorngumbald	1757	1,658	976	58.9	13	19
155.	Rimswell	1818-22	1,234	66	5.3	10	20
<u>4. Townships enclosed by act</u>							
146.	Ottringham	1758-60	4,305	2,871	66.7	39	34
139.	Skeffling	1764-5	1,830	1,154	63.1	36	34
144.	Patrington	1766-8	3,743	2,045	54.6	74	56
138.	Welwick	1768-71	3,610	1,536	42.5	42	45
140.	Easington	1770-1	2,236	1,118	50.0	57	48
150.	Burstwick	1773-7	4,338	882	20.3	12	27
153.	Hollym	1793-7	2,120	1,445	68.2	28	25
154.	Withernsea	1793-7	746	454	60.9	13	23
143.	Holmpton	1800-7	1,875	864	46.1	17	20
147.	Keyingham	1802-5	3,549	1,404	39.6	42	29
149.	Ryhill & Camerton	1805-10	1,574	1,396	88.7	14	32
156.	Owthorne	1806-15	1,052	596	56.7	20	18
136.	Paull	1811-22	4,935	436	8.8	11	22
141.	Kilnsea	1836-43	912	543	59.5	12	14

century, and a rabbit warren was established there. In 1797 there were six houses on the island, and a dozen new farmhouses and cottages were built soon after 1800.<sup>10</sup>

A number of townships lost their open fields at an early date but retained some common pastures into the 18th and 19th centuries. South Frodingham (152) was a depopulated township and its arable lands seem to have been early enclosed; after an enclosure which occurred in the late 16th century some conversion to pasture took place,<sup>11</sup> as seems to have been the case in a number of Holderness townships enclosed at this period.<sup>12</sup> Some land remained open in South Frodingham however, for in 1843 a pasture called Town Carr containing 34 acres was being stocked in common by several farmers.<sup>13</sup> The enclosure date of this land is not known. Halsham (151) was the site of the Constables' manor house until they moved to Burton Constable in the late 15th century. The Constables owned the whole of the township, most of which seems to have been enclosed by the early 18th century. Here too, however, an area of common pasture remained until a later date: East Carr, containing 65 acres was stocked by tenants who had about 30 gates there in 1774, but this land had been enclosed by 1793. Another part of the township was being used as common meadow and common cow pasture in 1804 by a number of cottagers.<sup>14</sup> At Waxholme (157) almost all the commonable land had been enclosed by the 18th century but some land in the East field still remained open. The land, which was on the cliff, was possibly used for pasture in 1765, when the lord of the manor was stated to have 24 beast gates in East field;<sup>15</sup> in 1797 he had 52

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10. V.C.H. Yorks. E.R. 5 (forthcoming).

11. *Ibid.*

12. cf. North and Middle Holderness above.

13. V.C.H. Yorks. E.R. 5 (forthcoming).

14. *Ibid.*

15. *Ibid.*

arable lands in the same place. In 1843 the land covered 61 acres,<sup>16</sup> but erosion gradually reduced it, so that by 1962 when the strips were finally consolidated, only about 40 acres remained. At that date five people owned the land, which was divided into intermingled strips varying from half an acre to over six acres.<sup>17</sup> The reason for the late survival of this land in an open state is uncertain; its position on the cliff top where it was subject to severe erosion seems to be the key factor. The owners of the land would have probably been unwilling to agree to enclosure unless they could be assured that any erosion would be equally shared by all parties, and such a division would have been difficult to carry out. As will be shown similar sites in other townships along the coast were left open after the rest of the land had been enclosed.

Although almost every township in South Holderness experienced some enclosure in the 18th and 19th centuries the percentage of the district affected was quite low, only just over one third of the total acreage (Table 2.1). As the map of density of parliamentary-type enclosure (Fig.5) shows, only two townships in the region exceeded a density of 70 per cent, and many had a density of less than 50 per cent of the land enclosed. One factor governing the overall low density of enclosure after 1730 was the disposition of the land, most townships having some part of their ground adjoining either the sea or the Humber. The southern edge of South Holderness, from Paull eastwards as far as Welwick, consists of a belt of siltlands which have been gradually reclaimed from the estuary. Sunk Island is the most important and prominent of such areas; others include Cherry Cobb and parts of Keyingham and Ottringham marshes.<sup>18</sup> These lands, or 'growths', since they had come into being as the result of accretion to the shoreline (unlike Sunk Island which was the result of accretion on the river bed),

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16. Ibid.

17. Yorkshire Post (March 2 1968) p.17.

18. Harris (1961) pp.46-50; Allison (1976) pp.171-5.

became the property of the owner of the land to which they accrued. In those townships where the land adjoining the river was enclosed and held in severalty the question of the ownership of the growths was straightforward: ownership was vested in the proprietor of the adjoining mainland.<sup>19</sup> In open-field townships in which the river frontage was held in common, the growths were part of the commonable land; at enclosure the commissioners had to decide whether to include them in the allotments. Much of the land was of high value and was continually increasing in area; to allot it to individuals would be to create considerable inequality. The best solution seemed to be the exception of the growths from the enclosure and their preservation as a common pasture. This was the plan adopted by the commissioners at the enclosures of Preston (164), Ottringham (146) and Welwick (138). At Patrington (144) the growths were not attached to commonable land and the act stated that the growths lying on the south side of the Humber bank:

shall be deemed as part and parcel of the old inclosure and the sole right and separate property of the Maister family,<sup>20</sup>

who were the lords of the manor. Further to the east, at Weeton (138), Skeffling (139) and Easington (140) the growths were minimal; indeed, a clause in the enclosure act for Skeffling seemed to suggest that rather than the township gaining land there was more danger that it might be lost: the act stated that lands lost to the Humber should be freed from the payment of tithe rent until regained.<sup>21</sup> At the enclosure of Kilnsea (141) the growths were included in the allotments which abutted upon the Humber.<sup>22</sup>

The post-enclosure history of the growths was varied: at Preston, where 178 acres of land on the Humber and in the 'salt end', i.e. that adjoining

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19. De Boer, op.cit. p.16.

20. 6 Geo. III, c.53.

21. 4 Geo. III, c.18.

22. PR 2512.

the Humber, of the Hay Marsh remained undivided,<sup>23</sup> it appears that smaller commoners were gradually bought out;<sup>24</sup> similarly, at Ottringham, where the growths and a stinted pasture of 41 acres were left as commonable land,<sup>25</sup> one proprietor seems to have amassed all the rights eventually;<sup>26</sup> at Welwick the decision of the commissioners to allot the land to the commoners was challenged some 50 years after the enclosure. The award had stated that the herbage of the Humber bank and the growths should belong to the owners of land in the township according to their interest in the land enclosed. A fence was to be maintained at the east end of the growths to divide them from Weeton growths.<sup>27</sup> In 1814 Arthur Maister bought the manor of Welwick and proceeded to erect a fence across the eastern part of Welwick growths, thus excluding the commoners from some 20-30 acres, about half of the total area.<sup>28</sup> The commoners vigorously disputed Maister's right to do this, and the case eventually came to law in 1818.<sup>29</sup> Maister's case rested upon his ownership of the land adjoining this part of the growths; if when the enclosure occurred this land did indeed belong, as old enclosure, to the lord of the manor, it would seem that the commissioners were mistaken in awarding it to the commoners. William Iveson, who had been involved in the enclosure, perhaps as the attorney, stated in 1815 that when the 'groves' were included in the award (although they had not been mentioned in the act) he knew that this was incorrect, but 'it was done in compliance with the desires of other people'.<sup>30</sup> Apparently at the time the .

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23. R.D.B. AX/92/4.

24. V.C.H. Yorks. E.R. 5 (forthcoming).

25. R.D.B. AC/45/2.

26. V.C.H. Yorks. E.R. 5 (forthcoming).

27. R.D.B. AN/34/5.

28. CSR 29/3.

29. Lent Assizes, York 1818.

30. CSR 29/3.

lord of the manor, Henry Ralph Crathorne, failed to challenge the right of the commissioners to award the growths to the proprietors of Welwick in common, and from 1769 the commoners exercised their 'rights' on the land without hindrance. At the court proceedings in 1818, having examined the evidence, the judge returned a verdict for Maister. It appears from the report in the Hull Advertiser that the commissioners' award was regarded as illegal insofar as it related to the growths, and the fact that the commoners had stocked the land without interruption for over 40 years did not affect the issue in any degree.<sup>31</sup>

The townships abutting upon the North Sea were in an altogether different situation from those adjoining the Humber; owing to the action of the tides there was considerable erosion of land along the coast, where the boulder clay could put up little resistance. The area of land lost varied according to the severity of the weather, but it averaged about one to two yards every year. At Hornsea (206), according to evidence from the early 17th century, there was a loss of four yards every year by erosion at that period.<sup>32</sup> At enclosure it was often the practice of the commissioners to leave the land adjoining the cliff as commonable land, so as to avoid the injustice inevitable in allotting to some people land which diminished annually. It was resolved at a meeting just before the application for an act to enclose Hornsea, that a quantity of land upon the cliff, some 150 yards in breadth, should be let as a common pasture, but this decision was rescinded at a later meeting.<sup>33</sup> The enclosure plan shows the land as having been allotted in 30 long narrow strips, each abutting upon the sea and running inland; thus all the individuals given plots in this area shared more or less equally in

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31. Hull Advertiser (March 21 1818).

32. Sheppard, op.cit. p.175.

33. Hull City Library. Minutes of meetings for Hornsea enclosure. Hornsea is in North Holderness.

the erosion.<sup>34</sup> All those proprietors with very small estates were given land inland only, and a similar policy was adopted at Atwick (207)<sup>35</sup> where the land adjoining the sea was also allotted to individuals but only the larger proprietors received land in this area. At the enclosure of Tunstall (158)<sup>36</sup> and Ulrome (217)<sup>37</sup> all the allottees received some land on the cliff. At Skipsea (215),<sup>38</sup> however, a common pasture on the sea cliff was set out by the commissioners, and when Out Newton (142)<sup>39</sup> and Easington (140)<sup>40</sup> were enclosed a section of their East Fields was left as common land. At Easington a pasture of 123 acres called Dimlington or Dimbleton Firth was also left open. The date of the enclosure of these coastal common pastures is not known; in some cases enclosure was unnecessary, since the land was gradually lost to the sea. The 58 acres in the East Field of Easington eventually disappeared in this way, and Dimlington Firth is now only two-thirds of its original size. All the rights in this pasture were eventually accumulated by one proprietor.<sup>41</sup>

Most open-field townships in South Holderness had extensive areas of enclosed land in 1750. Burstwick (150) included two deserted villages, Totleys and Nuthill (Fig.3) as well as the small hamlet of Skeckling.<sup>42</sup> The open fields of both Nuthill and Skeckling were enclosed by the end of the 16th century and the northern part of Burstwick was largely covered by a medieval park enclosed in the Middle Ages.<sup>43</sup> Ridgemont, an estate of about 800 acres,

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34. R.D.B. C6.

35. R.D.B. AQ/221/20; PR 2417. Atwick is in North Holderness.

36. R.D.B. BB/134/17; PR 1807. Tunstall is in North Holderness.

37. R.D.B. AH/331/9; DDCC (2) G (13). Ulrome is in North Holderness.

38. R.D.B. AF/180/9; IA. Skipsea is in North Holderness.

39. R.D.B. Y/99/24; IA.

40. R.D.B. AQ/297/27; DDCC 32/42.

41. V.C.H. Yorks. E.R. 5 (forthcoming).

42. Beresford (1951-2) p.66, p.68.

43. V.C.H. Yorks. E.R. 5 (forthcoming).



owned by the Constables, was also early-enclosed. Since at least 1700 this land had been leased to the Stickneys, a Quaker family, and in 1850 it was still being farmed by them.<sup>44</sup> When they took it over it was described as consisting of 300 acres which were under water, 200 acres of 'whin land', with only the residue of 300 acres of any real value.<sup>45</sup> This description could have been applied to much land in the lower parts of Holderness at that time.

In addition to the village closes grouped around the houses and cottages, many townships had lines of small fields on either side of the roads and a number had closes in outlying areas also: Holmpton (143) had an extensive area of enclosed land lying along its western edge and several closes had been made in the open fields in the 16th and 17th centuries.<sup>46</sup> At Keyingham (147) much of the southern part of the township was enclosed long before 1802-5 when the parliamentary enclosure took place. Keyingham Marsh, which was owned in its entirety by the Constables, covered over a third of the township, and there were over one thousand acres of low ground, mainly pasture and meadow, which had been early-enclosed.<sup>47</sup> At Paull (136) much enclosure occurred in the Middle Ages, and by the mid-18th century many outlying farm-houses surrounded by enclosed land stood outside the village. Some conversion from arable to pasture took place in Paull in the 17th century.<sup>48</sup> Only 436 acres of commonable land were included in the award of 1822, less than 10 per cent of the total acreage.<sup>49</sup>

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44. Sheahan and Whellan, op.cit. 2, pp.314-15.

45. Poulson, op.cit. 2, p.368.

46. DDX 218/1.

47. V.C.H. Yorks. E.R. 5 (forthcoming).

48. Ibid.

49. R.D.B. DQ/3/1.

Three South Holderness townships were enclosed by agreement and award without resort to Parliament. Out Newton (142) was enclosed 1756-7 and the land was allotted to eight people;<sup>50</sup> Thorngumbald (148) was enclosed in 1757 and allotted to 13 people, most of them from outside the township, principally from Hull.<sup>51</sup> This fact may have had some bearing upon the early enclosure of Thorngumbald, as may the fact that there were in the township extensive pastures covering the marshes to the south of the village. Hull was growing rapidly at this time and providing a good market for animal products. Southcoates and Summergangs in Drypool (134) were also enclosed very early in the parliamentary enclosure period.<sup>52</sup> The third enclosure by agreement concerned 66 acres of common meadow in Rimswell (155) in 1818-22;<sup>53</sup> the open fields of this township had been enclosed much earlier, in 1615.<sup>54</sup> An agreement to enclose the remaining open land in Winestead (145) was not formally recognised by an award, only one proprietor, Sir Robert Hildyard, being involved.<sup>55</sup> The Hildyards had been living in Winestead since the 15th century and the enclosure of the township took place gradually over several centuries.<sup>56</sup>

The earliest parliamentary enclosure took place at Ottringham (146) in 1758-60. A total of 39 owners were allotted land in the award,<sup>57</sup> and the prime mover appears to have been Henry Maister of Winestead, who wrote in 1757 to a fellow landowner:

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50. R.D.B. Y/99/24.

51. R.D.B. Y/142/27.

52. See district 6 above.

53. R.D.B. EU/359/371.

54. V.C.H. Yorks. E.R. 5 (forthcoming).

55. DDHI, list p.34, no.1.

56. V.C.H. Yorks. E.R. 5 (forthcoming).

57. R.D.B. AC/45/2.

I have great reason to hope I shall bring about the inclosure of Ottringham ... I go to Winestead on Friday about it. Francis Boynton [a large proprietor] begins to see how advantageous this will be to him.<sup>58</sup>

Between 1764 and 1773 proprietors in five South Holderness townships - Skeffling (139), Patrington (144), Welwick and Weeton (138), Easington (140) and Burstwick (150) - obtained enclosure acts. Possibly the timing was linked with the turnpiking in 1761 of the road from Hedon to Patrington;<sup>59</sup> in 1745 a turnpike trust had been established to cover the road from Hull to Hedon, and with the extension of the trust to the road as far as Patrington, the townships along the line of the road were provided with much improved access to the markets at Hull. The land in these townships was in the hands of many proprietors, with a high proportion of owner-occupiers.<sup>60</sup> Skeffling, Weeton, and Easington had extensive areas of old enclosure, mainly in the marshes bordering upon the Humber. At Skeffling there may have been no commonable meadow or pasture apart from that obtained from within the open fields, since only East Field and West Field were covered by the award.<sup>61</sup> The enclosure which took place at Burstwick, 1773-7, affected only about one fifth of the land in the township.<sup>62</sup>

For twenty years after 1773 no more enclosures took place in South Holderness. Activity began again in 1793 when owners in Hollym (153) and Withernsea (154) obtained an act.<sup>63</sup> Some attempts had been made to enclose these townships 30 years earlier: a meeting was held in 1763 to consider an application to Parliament,<sup>64</sup> but no further action followed and there is little indication of the reason for the subsequent delay in obtaining an act.

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58. DDGR 42/7.

59. 1 Geo.III, c.35 (Public act).

60. QDE 1. See Chapters 7 and 8 for more on owner-occupiers.

61. R.D.B. AH/126/4; V.C.H. Yorks. E.R. 5 (forthcoming).

62. R.D.B. AX/433/12.

63. 33 Geo. III, c.103.

64. Y.C. (Dec. 1763).

Withernsea was to become a small seaside resort,<sup>65</sup> but in the 18th century it was merely a hamlet, considerably smaller in area and population than its southern neighbour, Hollym. The low grounds of this area of South Holderness were described in 1774, when proprietors of 1,500 acres around Winestead, Patrington, Hollym and Withernsea applied for a drainage act to improve the carrs, as being 'commonly overflowed, for want of proper Drains and Outfalls and ... rendered of little value until effectually drained, cultivated and improved'.<sup>66</sup> The enclosure, which might have been expected to follow the drainage of land around Hollym and Withernsea did not take place for a further 20 years. Between the late 1770s and the early 1790s there was a slackening off of enclosure activity in eastern Yorkshire as in other regions of England;<sup>67</sup> when interest revived in the Napoleonic war period, not only Withernsea and Hollym, but also Holmpton (143), Keyingham (147), Owthorne (156), Ryhill and Camerton (149) and Paull (136) were enclosed by acts of Parliament (Table 3.4). Keyingham, a large populous township situated on the road from Hedon to Patrington, might have been expected to experience enclosure when most of its neighbours did, in the 1760s and early 1770s. An enclosure was indeed considered in 1774-5 by some owners but it was not implemented.<sup>68</sup> In 1793, when the matter again came under active consideration, the opposition of Lady Bath, the lessee of the tithes, seems to have been the chief obstacle;<sup>69</sup> the promoters finally obtained an act in 1802. Only 40 per cent of the land in Keyingham was involved in the enclosure, much of the remainder being accounted for by the large area of marshland which lay on the banks of the Humber.<sup>70</sup>

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65. Allison (1976) pp.251+3.

66. H.C.J. 34 (1772-4) p.460.

67. See Chapter 4, Fig. 7, p.155.

68. H.C.J. 34 (1772-4) p.517; 35 (1774-6) p.93.

69. DDIV 8/1. She may also have stopped the enclosure in the 1770s.

70. DDCK 35/1 (K).

The last South Holderness township to be enclosed by act, Kilnsea (141), was also the most remote, being situated in the extreme southeast of the district, close to Spurn Head. Kilnsea was much diminished by erosion by the time it was enclosed in 1836-43: a common pasture called Scawmor was being washed away during the 18th and 19th centuries, and the whole of East Field seems to have been eroded by the sea by 1818. Large parts of Kilnsea consisted of marshland (early-enclosed), which lay in the north and west of the township, and a rabbit warren which lay at the northern end of Spurn Head.<sup>71</sup> The relatively late enclosure of Kilnsea may have owed much to its geographic remoteness, but perhaps a more important factor may have been the reluctance of its proprietors to submit to a reallocation of land which was so vulnerable to erosion. No earlier attempts to enclose the township have come to light.

As Table 3.4 shows, almost every South Holderness township underwent enclosure either by agreement or by act after 1730; but enclosure had been a continuing process in the district for many centuries earlier and had already affected large parts of many townships. Even when the parliamentary enclosure period was over, areas of commonable land remained; on the coast a process of consolidation accompanied by erosion ensured that communal control over the land eventually lapsed; on the banks of the Humber ownership in severalty of the growths had been achieved by a few individuals by the 20th century.

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71. V.C.H. Yorks. E.R. 5 (forthcoming).

Enclosure and improvement in the Hull valley and Holderness

During the parliamentary enclosure period the Hull valley district had undergone a transformation almost as dramatic in its own way as that which had taken place on the Wolds. In the mid-18th century the district was predominantly pastoral, 'fields under arable being greatly outnumbered by those under grass'.<sup>72</sup> Moreover, the carrs, which covered much of the land on either side of the river, were only of use as grasslands for four or five months of the year; at other seasons the inhabitants nearby utilised the flooded carrs, like the numerous meres, for fishing and fowling.<sup>73</sup> However, by 1860 much of the Hull valley was under arable cultivation.<sup>74</sup> The drainage schemes of the later 18th and early 19th centuries had effected an enormous improvement in the agricultural landscape. On the western side of the river the Beverley and Barmston drain, which was constructed under an act of 1798,<sup>75</sup> alleviated the flooding to a marked degree. On the eastern side of the river flooding was still a major problem in the early 19th century; the Holderness drain, constructed in the 1760s, had not been totally successful, and meres still existed near the river at Leven and Tickton.<sup>76</sup> In 1832 a new scheme was put in hand, whereby a drain was constructed on the east of the river, opening into the Humber at Marfleet three miles east of Hull. This drain reduced the flooding considerably and the meres disappeared permanently as a result, but the Hull valley could still be described in 1853 after a season of bad weather as presenting 'an awful scene'.<sup>77</sup> Nevertheless the changes

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72. Harris (1961) p.36.

73. A. Harris, 'The agriculture of the East Riding of Yorkshire before the parliamentary enclosures', Y.A.J. 40 (1959-62) p.122.

74. Although the area in the vicinity of Hull and Beverley remained largely pastoral or was beginning to be used for market gardens.

75. 38 Geo. III, c.63 (Public Local and Personal act).

76. Sheppard, *op.cit.* p.14.

77. Hull Advertiser (Mar. 1853), quoted in Harris (1961) p.106.

in land use which had occurred, primarily as a result of large-scale drainage schemes (in association with enclosure), had transformed the Hull valley almost out of recognition in the space of a hundred years, and after 1850 private enterprise took over from public, and farmers began introducing tile-draining to their land to very good effect.<sup>78</sup> By the 20th century the district could be described as 'one of the best-drained marshlands in England'.<sup>79</sup>

It has been suggested that much of the land enclosed in Holderness in the century or so before 1730 was used for grazing purposes after it had been allotted,<sup>80</sup> and it seems probable that land enclosed in the early parliamentary enclosure period (1730-65), especially in the northern part of the district, may also have been associated with some conversion from arable to pasture. By the late 1760s however, this trend seems to have been reversed. There is evidence from a report published in 1808, that after enclosure the proportion of arable in Holderness townships increased. Of the 14 Holderness townships listed in the report 11 had an increase in wheat acreage, whilst only three had a loss: the total area newly sown with wheat was 1,081 acres, with 259 acres lost<sup>81</sup> (presumably to pasture). Moreover the advertisements which were appearing for farms in Holderness in the second half of the 18th century were consistently stressing the quantity of 'old sward' included in the property, the implication being that such land could be converted to arable. In 1775 a farm of 82 acres at Waxholme (157) was described as comprising '66 acres of old inclosure and the rest in open field, about 45 acres of which has not been ploughed within living memory';<sup>82</sup> in

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78. Legard (1848) p.101; Harris (1961) p.110.

79. Sheppard, op.cit. p.23.

80. Harris (1961) p.44.

81. Board of Agriculture and Internal Improvement, General report on enclosures (1808) pp.250-2.

82. Y.C. (Jan. 1775).

1776 a newly enclosed farm at Preston (164) was advertised as consisting of 139 acres 'of which 42 acres only are in Tillage';<sup>83</sup> an estate at Beeford (212) for sale in the same year was described as containing 566 acres of which three-quarters was meadow and pasture and 'in an improveable state'.<sup>84</sup>

Many Holderness enclosure acts contained a clause forbidding farmers to convert old grassland to arable until the allotments had been laid out, an inclusion which suggests that this was their intention after enclosure. The 1801 crop returns do not cover all Holderness townships, but they show extensive areas of arable land in the region,<sup>85</sup> especially when allowance is made for the frequent fallowing necessitated by the heavy clay soil. An eye-witness report of Holderness agriculture in 1796 confirms the view that much conversion of pasture to arable followed enclosure in the region:

Holderness exhibits a striking example of what may be effected by an industrious and persevering application to the soil, and, that not only fertility may be obtained, but the very clime improved. Half a century ago, it was usually denominated so fenny, aguish a country, that few strangers came to visit it. At this moment (particularly in the neighbourhood of Patrington) the formerly watery plains, and furzy heath, are shining with the well-ripened golden fruits of Ceres, in abundant plenty; and numerous bands of hearty reapers are vieing with each other in rustic labour with glistening sickles.<sup>86</sup>

The extension of the acreage under cultivation in Holderness came about not only as a result of the ploughing up of old pastures, but also because of the replacement in newly enclosed townships of a two-yearly rotation (one crop to a fallow) by a three- four- or five-yearly rotation. When Arthur Young visited Holderness in the late 1760s he observed the prevalence of a two-course rotation in the open fields;<sup>87</sup> at Holmpton (143) before enclosure the

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83. Y.C. (July 1776).

84. Y.C. (May 1776).

85. 1801 crop returns.

86. Hull Advertiser (Aug. 1796).

87. Young (1770) 1, p.238.



system was 'Crop and Fallow - the Crops Wheat and Bean alternately'.<sup>88</sup> A memorandum drawn up before the enclosure of Owthorne (156) stated that there were two arable fields with a crop and fallow system in operation,<sup>89</sup> a system which was, says Harris, entirely typical of the district.<sup>90</sup> By 1812 most of Holderness had been enclosed and the usual course according to Strickland was two crops (usually wheat and beans) to a bare fallow. This remained the most common system on the heavier clay loams for at least another half century, but on the lighter, better drained land of the district a four- or five-course rotation, using turnips and seeds was possible.

On the heavy claylands enclosure did not result in any increase in turnip cultivation, since the soil was not generally suited to root crops. Clover, however, was being incorporated in some farmers' rotations by the end of the 18th century; in 1796 William Stickney of Ridgemont noted that 'many farmers in Holderness are getting into the practice of introducing clover'.<sup>91</sup> Since the 1801 crop returns do not include seeds, no detailed evidence of their use at that time is available. Clover was certainly being sown on the belt of gravelly loam which crosses middle Holderness from Leven to Hornsea, and turnips too were cultivated on this soil when Strickland wrote in 1812.<sup>92</sup> However it was only when tile-draining was carried out on a large scale, in the 1840s and 1850s, that the heavy claylands were able to be used to their best advantage. According to George Legard, writing in 1848, the introduction of a thorough system of under-draining had enabled some farmers to introduce turnip culture:

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88. Harris (1961) p.42.

89. DDIV 13/7.

90. Harris (1961) p.42.

91. W. Stickney, 'Observations and experiments on agricultural subjects', Annals of agriculture 25 (1796) p.404.

92. Strickland (1812) p.118.

where previously the land produced nothing but a miserable stunted herbage, or was devoted to the old, profitless, monotonous wheat, beans, fallow course and hardly repaid the expense of cultivation.<sup>93</sup>

James Caird visited Holderness in 1850, and he described the district as 'altogether dependent on the price of corn, the quantity of stock kept ... forming quite an inconsiderable object',<sup>94</sup> and in 1848 Edward Page had stated that a great proportion of the grassland in the district had been ploughed out 'within the past 40 years'.<sup>95</sup>

In Holderness, in the hundred or so years spanned by the parliamentary enclosure movement, the pattern of land use had altered markedly. In the mid-18th century most townships included large areas of permanent pasture and about half of the arable lay fallow at any one time; by the end of the parliamentary enclosure period much of the pasture land had been ploughed up, the land had been drained, and the improved rotations introduced after enclosure and drainage had extended the cultivated area. The claylands of Holderness, unlike those of the Midland counties, were not, except in the very early period of parliamentary enclosure, converted from arable to permanent pasture after reallocation. Perhaps the most beneficial effect of enclosure in the lowlands of eastern Yorkshire was to release farmers from the stultifying rigidity of the two-field system; this occurred at a time when corn prices were beginning to rise, and the farmers of Holderness and to a lesser extent those of the Hull valley put much of their land down to arable. As Edward Anderson wrote of the district in the early 19th century:

In Holderness, where stagnant water stood,  
Now drains are cut, they seek their native flood,  
There shaking bogs were dangerous to pass,  
Where nought but rushes grew, and sedgy grass;  
For rotten sheep those places were well known,  
They now are dry, and cloth'd with smiling corn.<sup>96</sup>

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93. Legard (1848) p.101.

94. J. Caird, English agriculture in 1850-1, 2nd ed. (1968) p.304.

95. Select Committee on Agricultural Customs (1848) Q.2606.

96. E. Anderson, The sailor: a poem ... 12th ed. (Hull, 1828) p.37.

CHAPTER FOUR. THE CHRONOLOGY OF ENCLOSURE

In this chapter an attempt will be made to assess the determinants of the enclosure chronology of eastern Yorkshire. Any study of the timing of enclosure must emphasise its complexity and diversity.

Yelling saw the enclosure movement as presenting:

a classic example of causal explanation. Even when studied within regions of limited extents it remains an extremely complex process, which inter-relates with numerous economic and social variables.<sup>1</sup>

In an essay on causal interpretation and historical research Simiand stated that 'conditions are those antecedents which can be replaced by others, while the cause is not, or is least replaceable'<sup>2</sup> and this is a good starting point for an examination of the timing of parliamentary enclosure. Using Simiand's definition the prime cause of parliamentary enclosure can be identified as the relative inefficiency of the open-field system, which by the mid-18th century was tending to place unacceptable restrictions upon farmers and hold back agricultural progress. Nevertheless it is now well established that improved rotations and new crops could be, and sometimes were, adopted in open-field townships.<sup>3</sup> Decisions to lay down more land to pasture, to plough up grass-land or to introduce new crops were taken in some eastern Yorkshire open-field townships as they were elsewhere. When the pressure upon common pastures became too great stinting agreements were made or old stints were renegotiated.

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1. J.A. Yelling, Common field and enclosure, 1450-1850 (1977) p.2
  2. F. Simiand, 'Causal interpretation and historical research', in: F.C. Lane and J.C. Riemersma, eds. Enterprise and change (1953) p. 480.
  3. M.A. Havinden, 'Agricultural progress in open-field Oxfordshire', Ag.H.R.9 (1961) pp. 73-83.

Parliamentary enclosure had a very marked effect upon the landscape of eastern Yorkshire, affecting some districts quite dramatically, but it was only the culmination of a continuing process of adaptation to changing conditions which had been going on for centuries in the region. Adjustments of the ratio of arable to pasture, the introduction of new crops, and piecemeal enclosure were all ways in which farmers in the open-field township might respond to the widening market for agricultural produce, without embarking upon a full-scale enclosure. Cultivators in an open-field township, working their land on a two or three yearly rotation, could reduce the area devoted to fallow every year by subdividing their fields, thus restricting the uncultivated area. Such a subdivision took place well before enclosure in Hornsea (206), when the West Field was divided into two, creating a new North Field.<sup>4</sup> In some townships a process of consolidation of strips allowed owners to cultivate their land more efficiently; subsequently they might remove this area from the open-field system by enclosing it with fences so as to separate it from the land of others. This process is well illustrated by the case of Great Kelk (230), where a holding of 150 acres consisting of 15 closes had been fenced off from the remaining open fields by the early 18th century.<sup>5</sup> A general enclosure did not take place in Great Kelk until some 130 years later.<sup>6</sup>

In townships where their numbers were few, proprietors had the option of enclosing, by agreement, either some of their open land or all of it, and such enclosures took place with increasing frequency from the late 16th century, particularly in Holderness and the Hull valley.<sup>7</sup> In order to ensure that these enclosures were legally binding the parties concerned

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4. E.W. Bedell, An account of Hornsea in Holderness (Hull, 1848) p.86.

5. V.C.H. Yorks. E.R. 2, p.185; Allison (1976) pp.128-9.

6. R.D.B. HB/358/442.

7. Chapter 3, especially Tables 3.1-3.4; Harris (1961) p.44.

sometimes obtained a Chancery Decree, which had the effect of recording and confirming the enclosure. Some proprietors using Chancery Decrees may have resorted to this method to pressurise opponents of the enclosure; every decree involved a pretence of disagreement and sometimes such dissent may have been genuine, but Beresford in an examination of 17th century enclosure considered that 'in general, enclosure by decree was enclosure by agreement'.<sup>8</sup> Such enclosures were fore-runners of enclosures by parliamentary act, and in a number of cases they were implemented by arbitrators, who were appointed by the proprietors concerned; these arbitrators were men who 'both in function and name... anticipated the work of enclosure commissioners'.<sup>9</sup>

In those townships with numerous proprietors the negotiation of new stinting arrangements, the introduction of new crops and rotations and the piecemeal enclosure of some areas were not arrived at without difficulty. Most villages had their share of people 'prejudiced in favour of old customs, and fearful lest every innovation should prove ruinous',<sup>10</sup> and by the mid-18th century such attitudes must have irked the more ambitious farmers who wished to increase their production and take advantage of rising prices. Production for the market was of course nothing new; eastern Yorkshire had been providing other regions with agricultural produce for centuries.<sup>11</sup> However, during the second half of the 18th century there was a marked acceleration of demand, primarily associated with a growing population, and in the course of the century England changed from being a grain exporter to a grain importer. The expanding market for surplus agricultural produce encouraged

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8. M.W. Beresford, 'Habitation versus improvement: the debate on enclosure by agreement', in: F.J. Fisher, ed. Essays in the economic and social history of Tudor and Stuart England (Cambridge, 1961) p.57.

9. Ibid. p.59.

10. Leatham (1794) p.45.

11. See for example V.C.H. Yorks. E.R. 2, article on Bridlington, section on Shipping and trade, pp.51-2.

the more progressive farmers to re-examine their methods and consider the advantages of abandoning the open-field system. Enclosure allowed the introduction of new crops and rotations without interference from neighbours and also provided the means for landlords to consolidate dispersed allotments into larger farms. Until the open fields disappeared progress would always be slow, since the more inefficient cultivators tended to hold back the more progressive ones. From a purely economic standpoint the arguments for the dissolution of the open-field system were overwhelming. However enclosure by agreement could be a long and involved undertaking: every interested party had to consent to the change-over, and in townships with numerous proprietors it was often impossible to convince everyone concerned that enclosure was in their interests. Moreover some of the owners might be minors and as such were not empowered to consent to the enclosure. The private parliamentary act provided a means for the wishes of the majority to prevail, and parliamentary enclosures took place with increasing frequency from the middle of the 18th century. In the light of the undoubted superiority of enclosed farms over those in open fields it might seem at first sight quite surprising that the parliamentary enclosure period spanned about a century. Clearly other factors than the purely economic exercised a restraining influence upon the progress of enclosure in some townships. The responses of owners in individual townships to enclosure varied according to a multiplicity of factors; only a local study of the chronology of enclosure can hope to analyse in any detail the determinants of the decisions made. Turner, in a recently published study of parliamentary enclosure,<sup>12</sup> examined the subject on a national and county level, but admitted that ideally a study based upon a smaller unit, preferably the parish, would give a truer picture. A number of counties have already been studied in depth: Turner himself has worked upon the enclosure history of Buckinghamshire and other researchers

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12. M.E. Turner, English parliamentary enclosure: its historical geography and economic history (Folkestone, 1980).

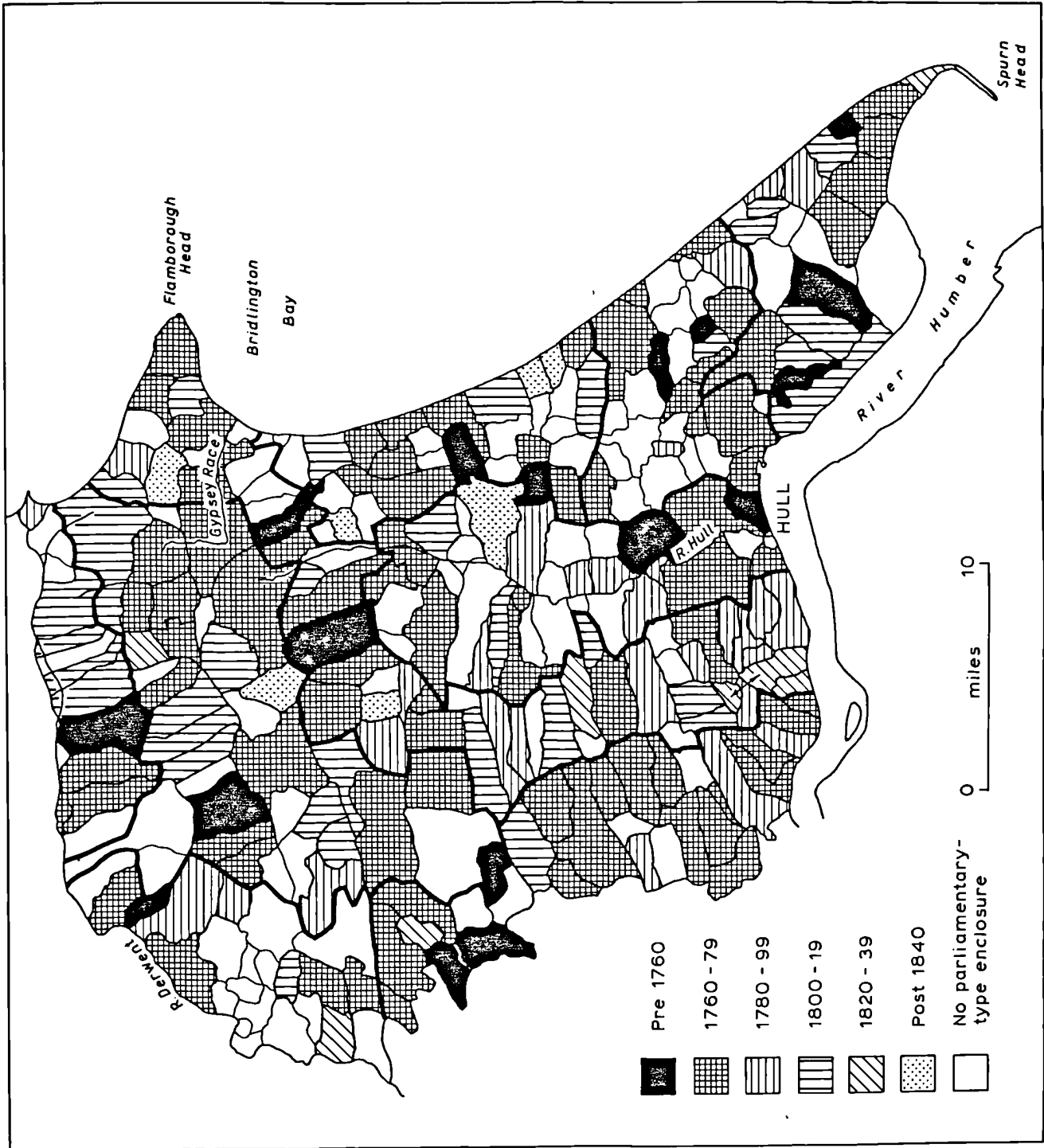


Figure 6. Eastern Yorkshire: chronology of parliamentary-type enclosure

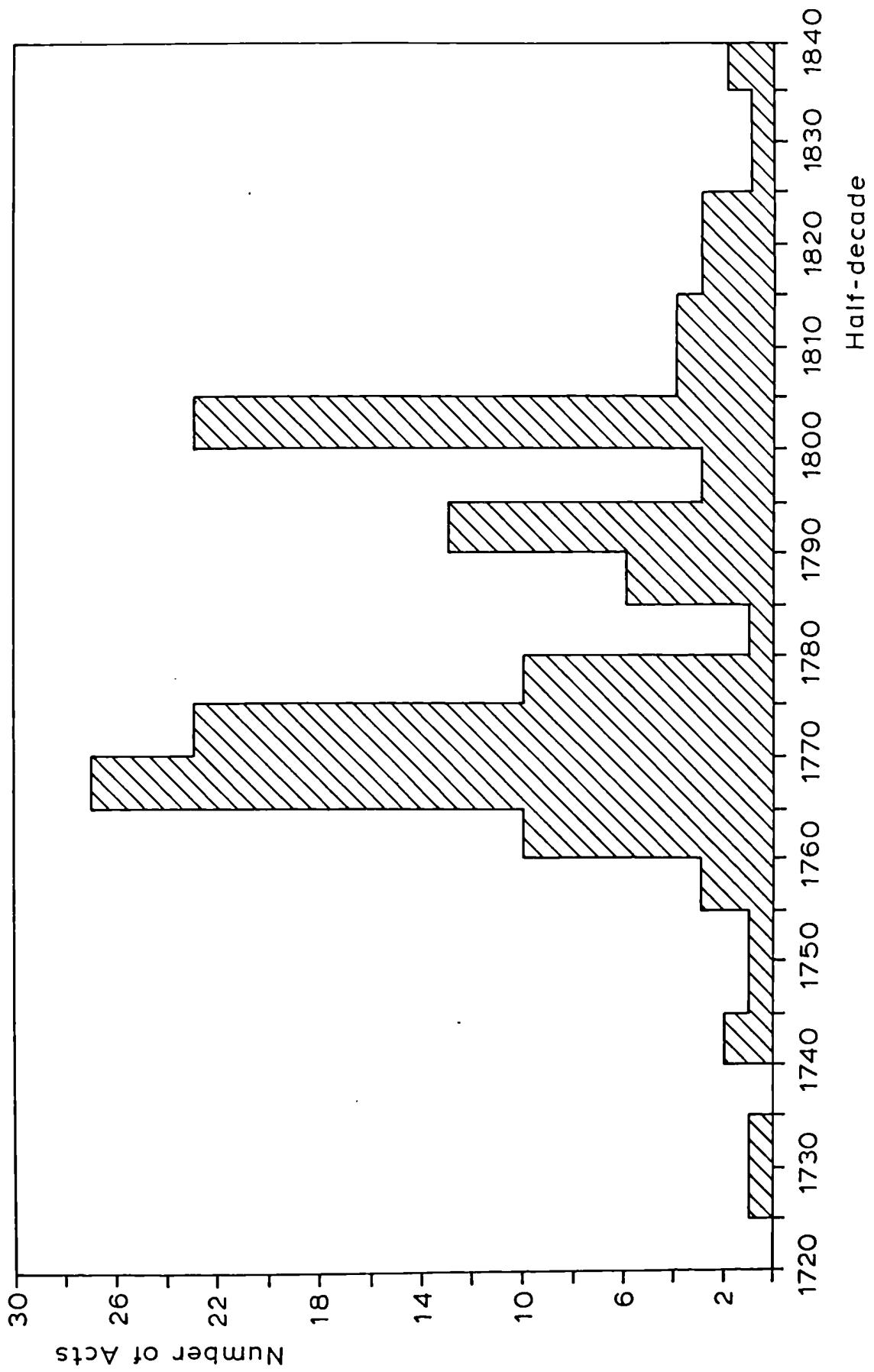


Figure 7. Eastern Yorkshire enclosure acts by period



have studied the enclosure chronology of the counties of Leicestershire, Lincolnshire, Warwickshire, Worcestershire, Wiltshire, and the West Riding of Yorkshire.<sup>13</sup>

The previous two chapters have shown that eastern Yorkshire was a region greatly affected by parliamentary or parliamentary-type enclosure, thus allowing considerable scope for a detailed study of the temporal sequence. In the mid-18th century some parts of the region still had about two-thirds of their land in open fields and common pastures. In a region with quite distinctive geographical districts a comparison of the timing of enclosure both within and between such districts may be quite revealing.

Figure 7 shows the chronology of parliamentary enclosure in eastern Yorkshire as measured by the number of acts passed in each half-decade. As the figure shows, owners in the region responded relatively quickly to the opportunity to enclose offered by the parliamentary act, and more than half the parliamentary enclosures took place before 1780. Like most other regions eastern Yorkshire displays a pattern of two distinct waves of parliamentary enclosure activity separated by a trough in the 1780s.<sup>14</sup> It is proposed to examine the enclosure chronology of the region in the light of

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13. M.E. Turner, Some social and economic considerations of parliamentary enclosure in Buckinghamshire, 1738-1865 (University of Sheffield unpublished Ph.D. thesis, 1973); H.G. Hunt, 'The chronology of parliamentary enclosure in Leicestershire', Ec.H.R. second series, 10 (1957) pp.265-72; S.A. Johnson, 'Enclosure and changing agricultural landscapes in Lindsey', Ag.H.R. 11 (1963) pp.95-102; T.H. Swales, 'The parliamentary enclosures of Lindsey', Reports and papers of the Architectural and Archaeological Societies of Lincolnshire and Northamptonshire 42 (1934/5) pp.233-74 and new series 1 (1936) pp. 85-120; J.M. Martin, Warwickshire and the parliamentary enclosure movement (University of Birmingham unpublished Ph.D. thesis, 1965); J.A. Yelling, 'Common land and enclosure in East Worcestershire, 1540-1870', Transactions of the Institute of British Geographers 45 (1968) pp. 157-68; J.A. Yelling, Open field, enclosure and farm production in Worcestershire, 1540-1870 (University of Birmingham unpublished Ph.D. thesis, 1966); J.R. Ellis, Parliamentary enclosure in Wiltshire (unpublished Ph.D. thesis University of Bristol, 1971); W.S. Rodgers, Distribution of parliamentary enclosure in the West Riding (unpublished M.Comm. thesis University of Leeds, 1953).

14. Turner (1980), op. cit. pp. 63-93. See especially fig. 8, p. 70.

general, regional and local influences upon the decision to enclose, the general influences being primarily the role of interest rates and commodity prices, the more important local and regional influences being soil types, landownership structure and transport improvements.

The general determinants of enclosure : the debate

Enclosure by act involved the landowners of a township in considerable expense and the promoters naturally expected that the changeover from open fields to enclosed farms should produce considerable economic benefits in the form of higher output or - if they were landlords - in the form of raised rents. The availability of capital to finance the enclosure was also a consideration of prime importance. These two interconnected factors - the possibility of increased profit and the availability of finance - have been at the centre of the debate on the general influences upon the timing of enclosure, since 1955, when Ashton wrote on the effect of the money supply on enclosure.<sup>15</sup> Ashton first examined the influence of wheat prices upon enclosure activity and found that in the early period, that is before 1760, the busiest years nationally were 1729-30 and 1742-3, both periods following poor harvests when commodity prices were relatively high. He went on to show that in later years the periods of greatest enclosure activity (measured in terms of acts passed) coincided with, or followed after, periods of high commodity prices. Such a hypothesis could not account for the dramatic decline in enclosure petitions in the 1780s, however, and it was necessary to bring in some other factor to account for this slump in activity. Ashton believed that he had found the answer in the changing interest rates which were so high in the 1780s 'as to make enclosure highly expensive, and for many impossible'.<sup>16</sup>

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15. T.S. Ashton, An economic history of England : the 18th century (1955) pp. 40-6.

16. Ibid. p. 41.

Ashton's thesis has been taken up by a number of historians since 1955. Hunt, examining the interest rate theory in the light of evidence of the timing of enclosure in Leicestershire stated:

it is true that the first outburst of parliamentary enclosure took place when interest rates were comparatively low; but it seems unlikely that enclosure promoters were stimulated into activity by the prospect of cheap money, for it had been even cheaper a few years before and rates appear to have been rising 1757-61. The coincidence of rising interest rates and the falling off in acts 1781-8 however suggests a connection.<sup>17</sup>

He went on to point out that much depended upon how enclosure was financed.

As Turner stated:

The financing of enclosure was a cost which needed prompt payment, it could not be deferred until several years accumulated rents were available, unless such deferment took the form of a loan.<sup>18</sup>

If loans were made to meet the cost, enclosure might indeed be sensitive to fluctuations in interest rates. Chambers and Mingay in 1966 discussed the subject of financing enclosure and agreed with Ashton that the changing interest rate had some impact upon the timing of enclosure. They considered that the connection should not be pressed too far however, since it depended upon two assumptions: that investment in enclosure was closely linked with the landowners' ability to borrow, and that the return of investment on enclosure was comparable with a return on the Funds. They questioned the first assumption because they believed that much enclosure was financed out of current income, and the second because they believed that the return on enclosure was 'much higher' than investment in the Funds. They concluded that prices were the crucial factor and divided price shifts into two kinds: short term and long term. It was the latter, they considered, which gave rise to the more permanent changes in farmers'

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17. Hunt, op. cit. pp. 267-8.

18. Turner (1980), op. cit. p.102.

techniques and use of the land. The long term tendency for prices to rise encouraged increased production, the more rapid intake of waste, and the more effective use of existing land.<sup>19</sup>

More recent research has both extended and modified earlier conclusions. McCloskey in 1972 presented an analysis which placed greater emphasis upon the improved efficiency of enclosed fields, pushing the changing rates of commodity prices to a background role.<sup>20</sup> Dealing with Ashton's emphasis upon the part played by finance in the planning of an enclosure, McCloskey stated that:

It is not the money rate of interest which measures the real opportunity cost of an investment, but the rate of interest corrected for the expected rate of inflation in the general level of prices.<sup>21</sup>

When calculations are made on this basis he considered that 'the interest rate does on the face of it contribute to the explanation of the rate of enclosure'.<sup>22</sup> McCloskey also pointed out that the dramatic increase in wheat prices during the Napoleonic war years 'is less impressive when compared with the rise in other prices'.<sup>23</sup>

The next important contribution to the debate on the chronology of enclosure came from Crafts, writing in 1977.<sup>24</sup> After discussing the work of Ashton, Chambers and Mingay, Deane and McCloskey, Crafts submitted their

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19. J.D. Chambers and G.E. Mingay, The agricultural revolution, 1750-1880 (1966), pp. 82-4.
  20. D.N. McCloskey, 'The enclosure of open fields : preface to a study on its impact on the efficiency of English agriculture in the 18th century', Journal of economic history 32 (1972) pp. 15-35.
  21. Ibid. p. 26.
  22. Ibid. p. 27.
  23. Ibid. p. 31.
  24. N.F.R. Crafts, 'Determinants of the rate of parliamentary enclosure', Explorations in economic history 14 (1977) pp. 227-49.

various hypotheses to econometric analysis, a process which led him to conclude that an overemphasis upon the role of prices was not justified by the evidence. Crafts found that the hypotheses stressing the importance of prices put forward by Chambers and Mingay was:

in accord with the experience of the second subperiod (1793-1815)... but it would seem difficult to reconcile their views with the results for the first subperiod (1767-1792) when agricultural prices (and associated liquidity problems?) do not seem a good explanation for the lull of the 1780s.<sup>25</sup>

Conversely Ashton's hypothesis, with its stress upon the role of interest rates, has more relation to the subperiod 1767-1792. McCloskey's re-interpretation of the problem also fits in well with the first subperiod and breaks down during the Napoleonic war years. Craft concluded that what he termed the 'naive hypotheses' are not satisfactory and he went on to introduce a new model, based upon a diffusion process. This assumes that models based upon prices and interest rates are misconceived and any attempt to study the chronology of enclosure must begin by looking at the problem at a local level. Crafts postulated two models based upon a process of diffusion: the disequilibrium model and the equilibrium model.<sup>26</sup> In the first case parliamentary enclosure was seen as a new process which became available to proprietors in the 18th century; assuming that at the opening of the parliamentary enclosure period, c.1750, the stock of enclosed land was 'suboptimal', enclosure by act, which could be seen as a new producer good, would be expected to spread throughout the open-field districts by a process of natural growth. In the 18th century communications were poor and the spread of information was relatively slow; the prospective users of the new method of enclosure would tend to rely upon personal observation to provide them with information upon the effectiveness of the process and enclosure might therefore be expected to spread by a process of diffusion. Crafts second model,

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25. Ibid. pp. 240-1.

26. Ibid. pp. 242-3.

which he termed the equilibrium model, introduced a set of economic variables operating at parish level which would affect adoption decisions. The critical level at which the benefits of enclosure exceeded the costs would vary from parish to parish according to landownership distribution, parish size, soil type, etc. Crafts concluded that a mixture of the two models provided the best explanation of the spread of enclosure, and would be based upon:

a stochastic learning process in which the probability of a parish being enclosed in a given year depended upon its benefit - cost ratio, and hence on soil and landownership characteristics as well as the chance of 'contagion'.<sup>27</sup>

Such a theory has the advantage of providing the researcher on enclosure at the county or regional level with a valid explanation which takes into account both the appearance of a pattern of enclosure and the fact that some townships did not conform to such a pattern.

The most recent study of the chronology of enclosure, by Turner (1980), also utilised econometric techniques to study the influence of prices and interest rates. With regard to the period 1755-80 Turner concluded:

on the whole the results seem to confirm Ashton's belief that interest rates were the most sensitive indicator of the decision to enclose.<sup>28</sup>

For the period 1781 to 1819 he found that:

there were good statistical results with seemingly a very good relationship involving the rate of interest, wheat prices and war with the incidence of enclosure.<sup>29</sup>

After further analysis taking into account diffusion, population pressure, self-sufficiency (ie. net import - export position), and enclosure costs,

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27. Ibid. p. 243.

28. Turner (1980), op. cit. p. 124.

29. Ibid. p. 125.

Turner concluded that any analysis must fall down which leaves out of the account the situation at parish level:

Perhaps we should really be trying to examine the motives of the individual while always recognising that his thoughts might be influenced by prevailing prices, money supply and the state of the harvest.<sup>30</sup>

This brings us back to the Hunt approach to the chronology of enclosure. Having intemised population rise, increases in the price of provisions, the availability of cheap money, improvements in transport, the nature of the soil and the possibility of improvement after enclosure, the distribution of landownership and the examples of neighbouring townships, Hunt concluded that:

It is not possible to isolate one predominant cause of enclosure, or to determine which single combination of these factors was primarily responsible for the varying pace of the movement... enclosure was the result of a conjuncture of factors whose importance varied according to the particular case.<sup>31</sup>

In the subsequent discussion of the timing of enclosure in eastern Yorkshire the role of prices and interest rates will be considered in the light of the local experience together with the influence of soil types, the role of rents, landownership structure, and other relevant factors.

#### Prices and interest rates : the local experience

As shown above most researchers do not dispute that there was an association between the changing levels of commodity prices and the pace of parliamentary enclosure. Ashton noted that the periods of greatest activity for enclosure acts coincided or else followed immediately after seasons of high prices, and he singled out the years 1764-5, 1770-4, 1777, 1796-9 and 1802 where this coincidence was particularly striking. In eastern Yorkshire there was certainly an increase in the number of acts to enclose between 1764 and 1765, but it was 1769, when there were ten acts, which was the peak

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30. Ibid. p. 134.

31. Hunt, op. cit. p. 272.

year for enclosures in the pre-1780 period, and 1801 rather than 1802 when the second peak year occurred. Unfortunately there is no easily available source for the prices of wheat and other crops in eastern Yorkshire to compare with the national figures used by Ashton and shown in graph form by Chambers and Mingay<sup>32</sup> and Turner,<sup>33</sup> so it is not possible to correlate eastern Yorkshire enclosure acts with local prices. It seems likely however that one of the factors influencing the decision to enclose was the steady rise in prices which occurred from about 1750 until the 1790s, followed by the very dramatic increase which was a feature of the French revolutionary and Napoleonic war years.

Ashton based his suggestion that there was a relationship between enclosure activity and interest rates upon the need to explain the slump in activity in the 1780s. Other researchers discussing his hypothesis have accepted that there may well be a link, but as Chambers and Mingay stated it depended upon how landowners financed enclosure. They went on to discuss the degree of borrowing on mortgage, suggesting that a large proportion of enclosure was financed out of current income, though they did say that it was possible that 'much enclosure was financed by mortgage'.<sup>34</sup> Mortgage rates in the provinces tended to follow, with a lag of six months or so, the rate yielded by government securities so that if it could be established that there was much borrowing on mortgage to finance enclosure this could be a fruitful line of research to follow.<sup>35</sup> The restrictions upon the rate of interest throughout

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32. Chambers and Mingay, op. cit. p. 83.

33. Turner (1980), op. cit. fig. 15, p.107.

34. Chambers and Mingay, op. cit. p.82; see also L.S. Pressnell, Country banking in the industrial revolution (1956) pp.350-1, where mortgaging for the purposes of enclosure is discussed. Pressnell noted the clause included in enclosure acts regarding the borrowing of money on mortgage and stated that although he had found no evidence that either bankers or anyone else had lent money for enclosure 'it is surely likely that such lending occurred', p.350. For further discussion see Chapter 8.

35. L.S. Pressnell, 'The rate of interest in the 18th century', in: L.S. Pressnell, Studies in the industrial revolution (1960) pp. 178-214.



the 18th century meant that there were times when it was very difficult indeed to borrow and according to Ashton this was the case in the 1780s. Those with money to lend might prefer to put it into government stocks and even when they were prepared to lend, it would be at the maximum interest rate of five per cent, whereas in the 1760s and 1770s it was possible to borrow at only three per cent interest. In Chapter 8 it will be shown that for enclosures taking place between 1785 and 1825 it was quite common for landowners to mortgage their land, presumably in order to finance enclosure, and there is no reason to suppose that they did not do so at earlier periods. Without detailed evidence of the interest rates charged by these mortgagees, who were often local shopkeepers, or widows or fellow landowners, it is not possible at this stage to say more than that there may be a connection between the high rates of interest in the 1780s and the drop in enclosure activity. The fact that rates remained high throughout the Napoleonic war years does not of course fit with the hypothesis, and for this period it is necessary to bring into the equation the dramatic rise in commodity prices which may perhaps have overcome any reluctance on the part of landowners to commit themselves to expensive borrowing.

This account of the relationship between prices, interest rates and enclosing activity in eastern Yorkshire does not pretend to be comprehensive: the sources available do not easily lend themselves to the necessary detailed analysis. Only a close examination of landowners' correspondence would establish for certain whether or not they were influenced by the level of agricultural prices and the cost of borrowing money. No such empirical evidence seems to have been presented so far by those who have written on the chronology of enclosure.

The national and regional patterns compared

Figure 7 shows the level of enclosure activity in eastern Yorkshire as measured by the numbers of acts passed. It may be compared with similar information for the country as a whole which is given in a number of publications.<sup>36</sup> As Figure 7 shows there were very marked fluctuations in enclosing activity in the region over the century or so of parliamentary enclosures. Between 1725 and 1759 very few acts were passed, but between 1760 and 1779 a very pronounced peak occurred and it was especially marked between 1765 and 1774. Turner's graph of enclosure activity in England shows a similar peak occurring over the same period. Between 1780 and 1784 in eastern Yorkshire only one enclosure act was passed, but between 1785 and 1794 there was another peak of activity, again followed by a steep decline. The national trend does not show this second fall, but rather a gradual rise in the numbers of acts from the trough in 1780 to 1784. The eastern Yorkshire graph shows that between 1800 and 1804 there was a very steep rise in the number of acts, though it was only short-lived, for after 1805 only a few acts were passed every half decade, most of the townships of the region having already lost their open fields. By contrast the graph of acts passed for the whole of England shows first that the second peak of activity, 1790 to 1820, was considerably more pronounced than the first, 1760 to 1780, and secondly that rather than subsiding abruptly after 1804 as it did in eastern Yorkshire the movement continued to grow, reaching its zenith in the half decade 1810 to 1814.

Turner in his study of the chronology of enclosure defined the two peaks of enclosing activity which are so clearly apparent in the national figures as the first 'sub-period' and the second 'sub-period'.<sup>37</sup> He looked

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36. Ibid. p. 83; Turner (1980), op. cit, table 10, p. 68 and fig. 8, p. 70.

37. Turner (1980), op. cit. p. 66.

at the different enclosure experiences of each of the English counties and classified them first by whether the bulk of their enclosure acts were passed before the Napoleonic wars or during the wars, and secondly by whether the acts were concerned mainly with open-field arable or with exclusively common and waste land. When the evidence is analysed in this way it can be shown that the counties which might be described as pre-war enclosed were situated:

in a broad swath from Warwickshire in the west and extending in an easterly and north-easterly direction to the East Riding of Yorkshire,<sup>38</sup>

that is to say they were in the heart of open-field England. Moreover in many of these counties enclosure was followed by some conversion of arable to pasture, although as we shall see this was not the case in all areas. None of these pre-war enclosed counties had a high proportion of enclosures concerned exclusively with common and waste land.

In other counties enclosure by act had hardly begun at the beginning of the Napoleonic wars. This was the case in those counties located well outside the English midlands (for example Cornwall, Devon, Durham, Westmorland, and Lancashire), and many of the enclosure acts for these counties were concerned with common and waste lands only, that is to say marginal lands which until the high prices of the war years had not been worth the trouble and expense of enclosing. Another group of counties, including Buckinghamshire, Gloucestershire, Lincolnshire, and the West Riding of Yorkshire, had two peaks of enclosure activity occurring before and during the war years respectively. In these counties the enclosure acts were mainly concerned with open-field arable land and common pastures, though there were a number, particularly in the West Riding of Yorkshire where common and waste lands only were being enclosed.

Turner's analysis of the chronology of parliamentary enclosure led him to suppose that the timing of acts was closely linked to the soil type of the districts involved. He suggested that:

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38. Ibid. p. 72.

In a number of ways the two broad periods of enclosure were not at all comparable: it was as if two distinct 'movements' had taken place, each one attended by different motives and different results. The first period of greatest enclosing activity in the 1760s and 1770s was mainly concerned with the enclosure of open field arable lands, especially those associated with the claylands of the midland counties.<sup>39</sup>

The lowlands of eastern Yorkshire were obviously in this category and in the next section an analysis of their enclosure history will be made. The national pattern also shows that the second wave of parliamentary enclosures, although affecting most open-field counties was 'increasingly concentrated on lighter soils and on marginal soils during a period of fierce inflation'.<sup>40</sup> In the following two sections an analysis will be made of the chronology of enclosure in the eastern Yorkshire lowlands and uplands in order to determine the influence of the soil upon the decision to enclose.

#### The influence of the soil (i) The lowlands

In his discussion of pre-1793 parliamentary enclosures, and drawing upon the work of Hunt, Chambers and Martin,<sup>41</sup> Turner noted the tendency for much of these enclosures to be associated with the conversion of arable land to pasture. The heavy midland clays, where much of this enclosure took place, were more suited to grass, and there seems no doubt that enclosure in those regions was to a large extent followed by, if not motivated by, the change-over of land use. Gonner, too, had stressed the influence of soil and geological structure upon the timing of enclosure, concluding that enclosure between 1760 and 1780 in the counties of Warwickshire, Northamptonshire, Nottinghamshire, Rutland and Worcestershire was characterised by the large

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39. Ibid.

40. Ibid. p. 173.

41. Hunt, op. cit.; Martin, op. cit.; J.D. Chambers, Nottinghamshire in the 18th century (1932).

scale conversion of arable to pasture.<sup>42</sup>

Table 4. 1. Lowland townships enclosed by act grouped by decade

	<u>Pre- 1760</u>	<u>1760-9</u>	<u>1770-9</u>	<u>1780-9</u>	<u>1790-9</u>	<u>1800-9</u>	<u>1810-19</u>	<u>1820-9</u>	<u>Post- 1829</u>
6. Hull valley	2	5	4	4	3	2			1
7. North Holderness	2	5	4			2	1		3
8. Middle Holderness		5	4	2		1			
9. South Holderness	1	3	2		2	4	1		1
Totals	5	18	14	6	5	9	2		5

Note: The table lists townships enclosed by act, not the number of acts passed. Some acts covered more than one township.

Table 4. 2. Acreage enclosed by act in the lowland districts of eastern Yorkshire by decade

	<u>Pre- 1760</u>	<u>1760-9</u>	<u>1770-9</u>	<u>1780-9</u>	<u>1790-9</u>	<u>1800-9</u>	<u>1810-19</u>	<u>1820-9</u>	<u>Post- 1829</u>
6. Hull Valley	980	12,268	3,736	2,388	3,182	2,811			1,323
%	3.7	46.0	14.0	8.9	11.9	10.5			5.0
7. North Holderness	2,461	8,793	4,469			3,899	245		2,635
%	10.9	39.1	19.9			17.3	1.1		11.7
8. Middle Holderness		6,473	7,169	2,094		893			
%		38.9	43.1	12.6		5.4			
9. South Holderness	2,871	4,735	2,000		1,899	4,260	436		543
%	17.1	28.3	11.9		11.3	25.4	2.6		3.2
Total acreage	6,312	32,269	17,374	4,482	5,081	11,863	681		4,501
%	7.6	<u>39.1</u>	<u>21.0</u>	5.4	<u>6.2</u>	<u>14.4</u>	0.8		5.5
		60.1			20.6				

As Tables 4.1 and 4.2 show, the lowland districts of eastern Yorkshire, that is the Hull valley and the three Holderness districts, were mainly enclosed under acts in the early parliamentary enclosure period, before 1780. As has been shown in Chapters 1 and 3 much of Holderness consisted of heavy

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42. E.C.K. Gonner, Common land and inclosure. 2nd ed., with a new introduction by G.E. Mingay (1966) pp. 225-6, 236.

clay lands which might, like similar land in the midland counties, be expected to experience some conversion from arable to pasture after enclosure, especially since the introduction of new crops and rotations was not in general an option open to the lowland farmer in the 18th century.

The earliest parliamentary enclosures overlapped with the enclosures by agreement which had been taking place in Holderness for a century or more.<sup>43</sup> Evidence from inventories of Holderness farmers from 1688 to 1743 indicates that cattle farming was becoming increasingly important in the district during that period.<sup>44</sup> Enclosure in the late 17th and the early 18th century certainly seems to have been linked to the desire to lay down more land to pasture.<sup>45</sup> All the early enclosures by act (before 1763) were preceded by agreements;<sup>46</sup> they seem to have differed little in intention and effect from the enclosures by agreement which went before them. The petition for an act to enclose Bewholme (208) stated that if the land were enclosed 'the same would be very useful and convenient for Husbandry and keeping of a Stock of Cattle'.<sup>47</sup> Many of the enclosures which took place by agreement or by act in the century before 1760 were of townships in the central part of Holderness;<sup>48</sup> here the soil was heavy and well watered, but not water-logged

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43. General enclosures by agreement were quite common in the century before 1750 in the area of England which was affected by parliamentary enclosure. For example Leicestershire, a county where there were many pre-1760 parliamentary enclosures, was a major centre of enclosure by agreement, Yelling (1977), op. cit. p. 18.

44. A. Harris, 'The agriculture of the East Riding of Yorkshire before the parliamentary enclosures', Y.A.J. 40 (1959) p. 127.

45. Harris (1961) p. 44; for similar evidence from Leicestershire see Hunt, op. cit. p. 270.

46. Appendix I.

47. H.C.J. 23 (1737-41) p. 442.

48. Harris (1961) fig. 14, p. 45.

as it was in some areas, and it was therefore particularly well suited to meadow and pasture.

In a district where enclosure was a relatively common event, it was natural that the new institutional method of enclosure - a private act of Parliament - should be enthusiastically taken up by those proprietors who owned land in townships where the reluctance of some owners to enclose had prevented the process from occurring earlier. Table 4.1 shows that five enclosure acts for lowland townships were passed before 1760, and another 32 were passed in the period 1760-79, that is 37 (58 per cent) out of the 64 acts passed for the area were enacted during the first phase of parliamentary enclosure. Table 4.2 shows that 69.9 per cent of the acreage enclosed by act in North Holderness was allotted by 1780; the figure for Middle Holderness, the division which included the lighter gravelly band of land (Fig. 1), was even higher at 82 per cent, with South Holderness having slightly less of its parliamentary enclosure in the first period, although even here the proportion, at 57.3 per cent showed that the first wave was the more important, and this division had almost one fifth of its parliamentary enclosure taking place before 1760. In the Hull valley 63.7 per cent of the land enclosed by act was allotted by 1780. By that date not much more than ten per cent of Holderness and the Hull valley remained in open fields and commons;<sup>49</sup> at the opening of the parliamentary enclosure period the proportion of the land still open had been at least 40 per cent (Table 2.1).

The conversion from arable to pasture which occurred in the claylands of the Midland counties was long-lasting in its effect; indeed these counties remain predominantly pastoral to this day. Holderness, however in 1848, was

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49. i.e. 22,126 out of a total of 226,429 remained to be enclosed by act, although there were small areas which were still open and which were either enclosed by agreement at some later date or remain still unenclosed today. This is the case with Beverley Westwood, see Chapter 3, pp. 106-9.

described as being 'two thirds under the plough',<sup>50</sup> and the tithe surveys of the 1840s recorded that arable land occupied a significantly higher acreage than did grassland.<sup>51</sup> It seems therefore that unlike those in the Midlands the enclosures which took place in Holderness from about the mid-1760s may not have been promoted with the intention of laying down more ground to pasture, but rather as a means to achieving a more flexible management of the land. It is unfortunate that there are very few sources giving information upon the cropping of the land in Holderness in the 18th century: the 1801 crop returns give some indication but they are incomplete. They do nevertheless show that by the beginning of the 19th century the region had extensive acreages of arable, especially in the southern part: wheat and oats were the principal crops, with only a little barley, turnips and rape. Frequent fallowing was still a necessity in 1801, and the picture given by the crop returns indicates that the enclosures which took place in the later 18th century in Holderness could not have resulted in any very large-scale conversion of arable land to pasture.<sup>52</sup> The only other source for cropping is provided by the Report to the Board of Agriculture of 1808.<sup>53</sup> This included a table of acreages of wheat increased or diminished by the enclosure of the open fields (Table 4.3).

Table 4.3. Increase/decrease in wheat acreage after enclosure

<u>Township</u>	<u>Date of enclosure</u>	<u>Increase (acres)</u>	<u>Decrease (acres)</u>
Thorngumbald	1757	80	
Sproatley	1762		64
Burton Pidsea	1762	74	
Marfleet	1763	60	
Skeffling	1764	200	
Skipsea	1764	60	126
Beeford	1766	150	
Preston	1773	270	
Foston	1776	52	
Hollym	1793	<u>125</u>	
		1071	<u>190</u>

Source: Board of Agriculture. General report on enclosures (1808) pp. 250-2.

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50. Legard (1848) p. 124.

51. Harris (1961) p. 111; fig. 38, p. 112.

52. 1801 crop returns.

53. Board of Agriculture, General report on enclosures (1808).



If accurate (the information was obtained like the crop returns from local clergy) the figures show a marked increase in the acreage of wheat. As stated in the report it is difficult to know whether the increase was the result of the common pastures being ploughed, or whether it came about as a result of better management of the land.<sup>54</sup> Certainly it indicates that by the 1760s conversion to pasture may no longer have been a motive for enclosure in Holderness.

In the claylands of Lincolnshire the experience and the effects of enclosure were very similar to those in eastern Yorkshire: Thirsk described the claylands of that county as benefiting least from the 'agricultural revolution' of the 18th century because although parliamentary enclosure 'the essential preliminary to improvement, began as early as anywhere, there was little else to follow'.<sup>55</sup> Since turnips were not suited to the land, farmers continued the old course of husbandry - wheat, beans and fallow - until the introduction of tile draining in the mid-19th century. Thirsk found that the large-scale conversion of arable to pasture which followed enclosure on the Midland clays did not occur in Lincolnshire:

There were places where much land was put under grass, but there were others, particularly in Kesteven, where road improvements accompanying enclosure led to the expansion of arable husbandry, and yet other places where the same amount of land remained in tillage as after enclosure. Thus although enclosure liberated farming land from an old tradition, it seems to have led in the claylands of Lincolnshire to selective changes in land use, not to the wholesale conversion of tillage to grazing.<sup>56</sup>

Like their counterparts in Lincolnshire, Holderness farmers and their landlords chose to enclose in order to reorganise their land into more compact

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54. Ibid. p. 39.

55. J. Thirsk, English peasant farming: the agrarian history of Lincolnshire from Tudor to recent times (1957) p. 283.

56. Ibid. p. 284.

farms, so that they might take advantage of rising commodity prices by extending their arable as well as improving the management of their pastures and meadow land. Enclosure was already a familiar process in the lowlands well before the parliamentary act became available, and every open-field township had areas of old enclosed land within its boundaries. There were also many townships where general enclosures had taken place and where the benefits of the change were apparent (Fig. 6). The chronology of enclosure in the lowlands may best be explained as arising from a relatively rapid response to changes in the market. From the early 1760s 'the spirit of improvement' noted by Arthur Young, was undoubtedly affecting the landlords and farmers of Holderness and the Hull valley; it made itself felt, not only in the rash of enclosure petitions, but also in the turnpiking of major roads, and in the large-scale drainage works.

Holderness roads were particularly bad; a combination of low-lying clay soil and primitive drainage made travel a nightmare in the winter months. The vicar of Holy Trinity church, Hull, wrote in December 1707 that 'the ways in Holderness at this time of year are next to impassible, and some have lost their lives who have ventured through them'.<sup>57</sup> In 1787 William Marshall wrote that 'the extreme wetness of the autumn',<sup>58</sup> made a visit to Holderness inadvisable and so he gave the district only a very cursory reference in his Rural economy of Yorkshire. The turnpike acts which were passed from the mid-1740s undoubtedly improved the major roads of the district: in 1760 the road from Patrington through Hedon to Hull was described as a 'fine turnpike road' although other roads nearby were 'very bad in winter, and they have narrow pav'd causeways which are very disagreeable riding'.<sup>59</sup> The turnpike roads, together with those laid out by

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57. G. Poulson, The history and antiquities of the Seigniorie of Holderness (Hull, 1840-1) 2, p. 19.

58. Marshall (1788) 2, p. 269.

59. W.T. Jackman, The development of transportation in modern England (1916) p. 287.

enclosure commissioners, improved communications markedly in Holderness in the second half of the 18th century.

The relationship between the turnpiking of roads and enclosure has been examined in two recent works on transport: William Albert using information on enclosure in Leicestershire found that in that county turnpike trusts in general pre-dated enclosure; the majority of enclosures taking place in the 1760s and 1770s were of townships within one to three miles of a turnpiked road.<sup>60</sup> Eric Pawson also considered that turnpikes tended to stimulate enclosure; examining the relationship in Northumberland he stated that in that county some enclosure and turnpikes were planned to proceed together but:

individual enclosure, improvement and turnpiking schemes were the outcome of many individual decisions, and often there was little co-ordination between them. Except where turnpiking and agricultural improvement were initiated together as part of a definite plan... turnpiking was no more than a permissive factor in subsequent change.<sup>61</sup>

Turnpike roads obviously made markets more accessible; they may also have aided the transfer of information from one district to another, thus encouraging innovation. Chambers and Mingay found that in Cambridgeshire the western districts nearest to the Great North Road were 'more rapidly enclosed and more generally advanced than the less accessible eastern parts'.<sup>62</sup> There were two major turnpiking schemes for Holderness: in 1745 the road from Hull to Hedon was turnpiked,<sup>63</sup> and in 1761 the trust was extended to cover the road from Hedon to Patrington;<sup>64</sup> the road from Beverley to White Cross

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60. W. Albert, The turnpike road system in England, 1663-1840 (Cambridge, 1972) p. 115.

61. E. Pawson, Transport and economy: the turnpike roads of 18th century Britain (1977) p. 321.

62. Chambers and Mingay, op. cit. p. 37.

63. 18 Geo. II, c.6 (Public Act).

64. 1 Geo. III, c. 35 (Public Act).

in the parish of Leven was also turnpiked in 1761,<sup>65</sup> and in 1767 there was an extension to Bridlington.<sup>66</sup> These roads opened up Holderness; when the map of the chronology of parliamentary-type enclosure (Fig. 6) is compared with a map of the turnpiked roads,<sup>67</sup> a very close correlation is clearly visible in Holderness, especially in relation to the Hull to Patrington road. Almost every township abutting on to this road was enclosed in the period 1750 to 1770, many within a year or two after the turnpike act was passed.<sup>68</sup>

In the discussion on the enclosure of the Hull valley in Chapter 3 it was noted that there was an association between the timing of drainage schemes and the enclosure of the open fields. The principal promoters of drainage acts and enclosure acts were frequently the same individuals, and the undertakings often proceeded concurrently. In the case of Cottingham (116), enclosed 1766-71, and Sutton (169), enclosed 1763-8, the acts of Parliament gave the commissioners powers to improve the drainage of the townships at the same time as they enclosed the open fields.<sup>69</sup> There was also a coincidence between enclosure and drainage in parts of Lincolnshire: Beastall noted that from about 1760 there was the same tendency to promote new undertakings for improving the conditions of low-lying ground by draining and enclosure. He wrote:

It was not inevitable that newly drained fens should be enclosed but although in some parishes there was a long time lag between draining and division into severalty, in most parishes one improvement led to the other.<sup>70</sup>

In South Lincolnshire the East, West and Wildmore Fens were enclosed and

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65. 1 Geo. III, c. 42 (Public Act).

66. 7 Geo. III, c. 89 (Public Act).

67. K.A. MacMahon, Roads and turnpike trusts in eastern Yorkshire (York, 1964). - (E.Y. local history series, no. 18) pp. 38-9.

68. e.g. Patrington, 1766; Welwick, 1768; Skeffling, 1764; Easington, 1770.

69. 6 Geo. III, c. 78; 3 Geo. III, c. 15.

70. T.W. Beastall, The agricultural revolution in Lincolnshire (1978) p. 66.

drained under one act passed in 1801, and like the carrs of the Hull valley, they were partially converted to arable use.<sup>71</sup>

The major part of the drainage of the eastern side of the river Hull and of Holderness took place during the first wave of parliamentary enclosures, 1760-80,<sup>72</sup> but that of the western side of the river was not carried out until the turn of the century.<sup>73</sup> This very ambitious undertaking which involved the cutting of a drain from Hull to Barmston, may have been delayed until the Napoleonic war period because it was only then that the high corn prices ensured a reasonable return on the investment:<sup>74</sup> the construction of the Beverley and Barmston Drain cost £135,000.<sup>75</sup>

#### The influence of the soil (ii) The uplands

Gonner, in his study of parliamentary enclosure, laid particular emphasis upon the influence of soil type as a determinant of the timing of enclosure. He stated that 'enclosures on cretaceous soils are inevitably late',<sup>76</sup> and that 'the chalk lands, and especially the chalk uplands, are inclosed little before 1790, and in large measure rather after than before 1800'.<sup>77</sup> Turner, using more accurate information than Gonner, also saw the movement as taking place in two quite distinct phases, the first, broadly from 1750 to 1780, affecting the low-lying predominantly clay soils of midland England and resulting in much conversion from arable to pasture, the second, taking place during the

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71. D.B. Grigg, The agricultural revolution in south Lincolnshire (Cambridge, 1966) p. 28.
72. The relevant acts are: 4 Geo. III, c. 22; 4 Geo. III, c. 47; 6 Geo. III, c. 74; 12 Geo. III, c. 64; 14 Geo. III, c. 107. All were public acts.
73. By the cutting of the Beverley and Barmston drain, under an act of 1798, 38 Geo. III, c. 63. There was also an act of 1785 empowering the draining of carrs just south of Beverley, 25 Geo. III, c. 92.
74. cf. the combined drainage and enclosure schemes in Cambridgeshire, Lincolnshire and Somerset which took place in the same period, Turner (1980), op. cit. pp. 85-6.
75. Strickland (1812) pp. 196-7.
76. Gonner, op. cit. p. 226.
77. Ibid. p. 234.

war period c. 1793-1815, affecting lighter soiled areas and resulting in an extension of the arable land in those regions as a result of the ploughing of old pastures and the cultivation of wastes. It might be expected that in a region like eastern Yorkshire, containing both clay lowlands and chalk uplands some reflection of this national pattern would be evident. As shown in the last section the clays of eastern Yorkshire were indeed predominantly early-enclosed (that is pre-1780) and there was some conversion to pasture in the early years of parliamentary enclosure activity. However, in the upland districts there was also a high proportion of land enclosed by act before 1780: in the high Wolds district, Table 4.4 shows that there were ten acts passed before 1780 compared to nine passed between 1790 and 1819, and 57.1 per cent of the acreage enclosed by act was enclosed before 1780. In district 4, the Wold scarp/Jurassic ridge district, no less than 19 of the 24 acts were passed before 1780, and 82.9 per cent of the land enclosed by act was enclosed before this date. In the other three districts, the Jurassic hills, the Vale of Pickering fringe and the lower Wolds, the second sub-period was busier than the first, but nonetheless a number of parliamentary enclosures did take place before 1780 and so the evidence of the timing of enclosure in the upland districts of eastern Yorkshire cannot be said to support Gonner's statement quoted above. It seems that whatever might have been happening in other upland areas of England, enclosure in the eastern Yorkshire uplands was a continuing process, taking place throughout the whole parliamentary enclosure period. As with most models, when applied at the local level the evidence does not easily allow itself to be fitted in to the theoretical framework. Even allowing for 'rogue' enclosures it is still difficult to identify a clear pattern of chronology which would support Turner's view that the two main periods of enclosure 'should always be treated in total or near total isolation from one another.'<sup>78</sup>

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78. Turner (1980), op. cit. p. 172.

Table 4.4. Upland townships enclosed by act grouped by decade

	<u>Pre-1760</u>	<u>1760-9</u>	<u>1770-9</u>	<u>1780-9</u>	<u>1790-9</u>	<u>1800-9</u>	<u>1810-19</u>	<u>1820-9</u>	<u>Post-1829</u>
1. Jurassic hills		2	1		2	1		1	1
2. High Wolds		4	6			8	1		2
3. Vale of Pickering fringe	1		3	1		5			
4. Wold scarp/Jurassic ridge	3	8	8	1	1		2		1
5. Lower Wolds	1	6	5		13	6	2	4	2
Total	5	20	23	2	16	20	5	5	6

Note: The table shows townships enclosed by act, not the number of acts passed. Some acts covered more than one township.

Table 4.5. Acreage enclosed by act in the upland districts of eastern Yorkshire by decade

	<u>Pre-1760</u>	<u>1760-9</u>	<u>1770-9</u>	<u>1780-9</u>	<u>1790-9</u>	<u>1800-9</u>	<u>1810-19</u>	<u>1820-9</u>	<u>Post-1829</u>
1. Jurassic hills		1,499	951		2,785	230		606	301
%		23.5	14.9		43.7	3.6		9.5	4.7
2. High Wolds		13,110	24,679			22,536	1,834		4,052
%		19.8	37.3			34.0	2.8		6.1
3. Vale of Pickering fringe	1,103		4,747	681		8,974			
%	7.1		30.6	4.4		57.9			
4. Wold scarp/Jurassic ridge	3,803	14,057	16,446	2,308	2,317		1,827		
%	9.2	34.0	39.7	5.6	5.6		4.4		
5. Lower Wolds	4,778	14,131	10,379		19,272	9,558	4,487	6,874	2,332
%	6.6	19.7	14.5		26.8	13.3	6.2	9.6	3.2
Total acreage	9,684	42,797	57,202	2,989	24,374	41,298	8,148	7,480	6,685
%	4.8	21.3	28.5	1.5	12.1	20.6	4.1	3.7	3.3
			49.8			32.7			

Nevertheless when the enclosure chronology of one upland district, the high Wolds, is examined closely, it appears that with a few exceptions the townships situated on the very highest ground were more likely to have been enclosed after 1790 than before 1780, and in the early 1800s most of the acts obtained for eastern Yorkshire townships concerned those situated on the high Wolds, or else on the higher parts of district 5, the lower Wolds.<sup>79</sup>

Yelling also noted this feature of enclosure chronology when he included a discussion of the enclosure of the northern part of the Yorkshire Wolds in his general study of enclosure. He based his conclusions upon the work of Harris, the information from the Victoria County History volume for the area, and the contemporary account of William Marshall.<sup>80</sup> Yelling commented upon the extensive parliamentary enclosure which affected the district in the 1760s and the 1770s: a total of 12 townships and some 39,000 acres were enclosed in that period. After 1780 enclosure affected 13 townships and 30,800 acres, so it would appear that activity was more or less balanced between the two sub-periods of enclosure. However Yelling observed, and demonstrated diagrammatically,<sup>81</sup> that the highest land was generally enclosed after 1790, whereas most of the earlier acts concerned townships on the lower Wold slopes.

The relationship between enclosure and the introduction of new crops and rotations was dealt with in an earlier chapter. As has been shown, eastern Yorkshire farmers were slow (compared to those of counties further south) to adopt the new agriculture, even though the use of root crops and seeds were so well suited to the chalk uplands of the region. Enclosure in many townships occurred coincidentally with innovation and it may well be that the enthusiastic response to the 'new' institutional method of enclosing by act had

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79. See Tables 2.2 and 2.5 in Chapter 2.

80. Yelling, *op. cit.* pp. 58-63.

81. *Ibid.* fig. 4.3, p. 60.



much to do with the realisation by some enterprising individuals that their land was eminently suited to the Norfolk husbandry. Although we now know that it was possible to introduce innovations into the open fields (in eastern Yorkshire this was done successfully in at least one township),<sup>82</sup> nevertheless such practices were not achieved without difficulty and a full-scale enclosure, if it could be obtained, must have been a much more preferable choice to most landowners and farmers.

The open-field system meant not only that rotations and crop selection were subject to certain limitations, but it also resulted in a degree of rigidity in the distribution of arable and pasture within a township. Turner has suggested that to the usual motives given for enclosure - the need for compact holdings, freedom of crop choice, extinguishing of common rights - there should be added one more: the need for additional land for temporary grazing.<sup>83</sup> He examined stinting agreements for Buckinghamshire in order to assess whether in that county he could find evidence that townships were experiencing a shortage of pasture. He found abundant evidence of piecemeal enclosure, encroachment on the open fields and an increase in stinting which suggested to him that in Buckinghamshire, and by extension in other similar localities without large areas of waste land, farmers were beginning to experience a severe shortage of pasture by the beginning of the 18th century. He suggested that stinting, and the conversion of certain arable strips to pasture may have delayed enclosure for a time, but that 'the land shortage... was an underlying cause, as important as many others, for the eventual emergence of enclosure on a large scale by act of parliament'.<sup>84</sup>

In the light of this evidence from Buckinghamshire, and taking into account the very rapid adoption of enclosure by act in eastern Yorkshire, it

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82. At Hunmanby. See Chapter 2, p. 58.

83. M.E. Turner, Land shortage as a prelude to parliamentary enclosure: the example of Buckinghamshire (Sheffield, 1975). - (University of Sheffield. Dept. of Economic and Social History. Studies in economic and social history, no. 1).

84. Ibid. p. 12.

was thought worthwhile to consider whether a similar land shortage might have encouraged enclosure in the region. As regards the stinting of commons and open fields there is no doubt that it was the rule rather than the exception in most eastern Yorkshire townships by the beginning of the 18th century. The detailed information from the Victoria County History volumes for the Dickering Wapentake and the Hunsley Beacon division of the Harthill Wapentake amply demonstrate this point. There are many references to stinting agreements in the 17th century, and some examples of enclosing from the open fields. At Harpham (232) in 1633-4 some open-field land was enclosed because the township was said to be 'in want of grazing'.<sup>85</sup> At Hunmanby (258) the pastures were found to be insufficient in the 17th and 18th centuries so that parts of the open fields were laid to pasture.<sup>86</sup>

To add to this evidence there is a most illuminating collection of documents relating to a piecemeal enclosure of the open fields which took place at Bainton (68) in the lower Wolds, in the first half of the 18th century. Over a period of several years John Shaw, a large landowner in Bainton, had enclosed several groups of strips, which by a process of exchange he had managed to consolidate, from the open fields. At first his right to do so had not been challenged and indeed it appears that such piecemeal encroachment on the open fields had been happening for many years in Bainton. In the mid-1730s the rector of Bainton, a Mr. Territ, challenged Shaw's right to enclose on the grounds that it deprived him of the right to depasture his animals on that land when it was fallow. In a letter to a fellow landowner seeking support for his action in enclosing Shaw wrote that 'The Country where our Estates lye is much Distressed for want of Grass Ground for the support of... Cattle',<sup>87</sup> and

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85. V.C.H. Yorks, E.R. 2, p. 225.

86. *Ibid.* p. 238.

87. DDWR 1/30.

in another letter he asked the landowner:

Dont your Tenants as well, nay more than others want Inclosed Grounds both for Hay and Grass for their Cattle and to breed more Manure and Compost for the field ground. And is not that the general complaint all over the Wolds in Yorkshire and in many other Countys - Have you more than about 18 Acres of Grass Ground belonging your four Farmes and your Cottages too - Will not the taking up of some Closes off the Field Ground supply them with such conveniences [?] <sup>88</sup>

In the 1740s the parties in disagreement took the matter to court, and in a deposition to the court an account is given of the land in Bainton, how much was enclosed and how much still open, and the need for more land to be enclosed for pasture. It reads:

There yet wants more Inclosures, for many of the Farmers are obliged to take Grass grown at a great distance for the support of their Cattle whereby the Manure made by such Cattle is lost to Bainton: If 100 or 200 Acres more were inclosed from the Fields it would not lessen the value of the Tythes for the Farmers would then have Conveniences of keeping their Cattle at Home by which much more Manure would be bred, and every Husbandman knows that a Crop of three fourths well manured is better than a Crop off the Whole indifferently Manured. <sup>89</sup>

This evidence is valuable for the light it throws on the pre-parliamentary enclosure economy of one township on the Wolds in the first half of the 18th century. Further evidence of shortage of pasture at a slightly later date comes from 1769 in a case supporting a bill to enclose Sancton (89), a township on the western side of the Wolds about ten miles from Bainton. The case gives details of the land in Sancton, itemises the common pastures and describes the stints. The pastures covered 339 acres and were liable to be stocked annually by 118 beasts and 4,200 sheep 'by reason of which over stock the said Commons are of little use'. The open fields are also described, and then the document goes on:

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88. Ibid.

89. DDWR 1/54.

The inclosed Lands and Garths within this Township of Sancton, contains only forty Acres, one Rood and seventeen Perches. The scarcity of inclosed Grounds within this Township involves the Farmers in very great Inconvenience and Expence, many of whom are reduced to the Necessity of farming inclosed Grounds in an adjoining Township [Houghton] at a very high Rate; whilst those, who find a Difficulty of obtaining such Lands, or paying so high a Rent as would be expected, are obliged to content themselves with tethering their Cattle upon the Balks in the Arable Fields.<sup>90</sup>

The case supporting the bill was made necessary by a petition against it by Mr. Langdale, who was the owner of land in the adjoining township where the farmers of Sancton were depasturing their cattle. The petitioners for the bill suggested that Langdale, who before the enclosure negotiations for Sancton in 1767 did not own any land in Sancton, in 1768 purchased some leases:

either with a View of the Advantage which he expected from the Improvement of the Land thereby, or with an interested View of defeating the Inclosure; for Mr. Langdale, the Owner of inclosed Grounds in an adjoining Township, letting a great Part of such Inclosure to the Farmers of Sancton at a high Rate, which they will not have Occasion for after this intended Inclosure is perfected.<sup>91</sup>

The enclosure went ahead despite the opposition;<sup>92</sup> arable farming continued to predominate in Sancton and 292 acres of turnips were growing there in 1801,<sup>93</sup> which would presumably have helped to solve the fodder problem. It may be assumed that farmers were able to achieve a more satisfactory balance between the amount of arable and pasture when the restrictions of the open-field system had been lifted.

The evidence from Harpham, Hunmanby, Bainton and Sancton certainly points to shortage of grazing as one of the causes why the owners of land in many Wolds townships applied for enclosure acts in the first wave of

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90. DDX 299.

91. Ibid.

92. 8 and 9 Geo. III, Sess. 2, c. 24.

93. V.C.H. Yorks. E.R. 4, p. 161.

parliamentary enclosures. Moreover in the case of a number of Wolds townships which were not enclosed until the Napoleonic war period we know from abortive petitions for acts and reports of meetings in the York Courant that enclosure was considered in the earlier period: the owners of land in Little Weighton (111) were considering an enclosure in 1772;<sup>94</sup> there was a meeting to consider the enclosure of East and West Lutton (22) in 1769;<sup>95</sup> in 1773 there was a meeting to consider the enclosure of Staxton (268);<sup>96</sup> in 1774 there were negotiations to enclose Hessle (131) and Anlaby (124),<sup>97</sup> Langtoft (249),<sup>98</sup> and North Ferriby (130);<sup>99</sup> and as shown in Chapter 5 many attempts were made between 1759 and 1794 to enclose Walkington (102). The wording of advertisements of land in some townships where owners were considering enclosure makes it very clear that people were well aware of the suitability of Wolds land for the new husbandry. An advertisement for the sale of some land in Little Weighton (111) in 1775 stated that:

There is a great Prospect of Improvement from an Inclosure, the Field Land being well adapted to the Culture of Turnips and Seeds, and the Common Lands very good.<sup>1</sup>

Clover and turnips were certainly being grown in Little Weighton just before the township was enclosed 1801-3,<sup>2</sup> but it is not known when they were introduced.

The evidence from the two agricultural reports to the Board of Agriculture show that after enclosure many of the sheep pastures of the Wolds were ploughed

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94. Y.C. (July 1772).

95. Y.C. (Nov. 1769).

96. Y.C. (Jan. 1773).

97. DDHB 1/15-45.

98. DDX 40/191-8.

99. DDHB 1/15-45.

1. Y.C. (Dec. 1775).

2. HUL DDDU 10/7.

up and put down to arable. This was not only the case for enclosures occurring during the French wars, when grain prices were very high: the practice was common in townships enclosed before that period. Leatham in his report of 1794 was very critical of the impoverishment of former sheep pastures by repeated cropping,<sup>3</sup> and Strickland's comments too suggest that well before the war years it was the practice to plough up old pastures. He stated that:

in many of the high Wold townships, which have been enclosed twenty years and upward [that is before 1792],... the land which was formerly the arable-field is little improved in its general produce,... the out-fields have been found capable of little improvement, from the long series of exhaustion they have previously suffered, and the impossibility of procuring manure in these remote townships; but the ancient sheep walks and pastures... are become nearly unproductive.<sup>4</sup>

As **Strickland said**, these ancient pastures provided a great temptation to farmers seeking a quick profit since for a few years after being broken up they were 'wonderfully productive of corn',<sup>5</sup> but they were quickly exhausted. Nevertheless the experiences of others does not seem to have deterred those enclosing their land in the Napoleonic war years from converting pastures to arable use, and by 1812 Strickland could describe the Wolds as being 'three fourths under the plough' in the enclosed townships.<sup>6</sup>

#### The diffusion of enclosure in eastern Yorkshire

In eastern Yorkshire, and presumably also in other regions, there were, coincidentally with enclosure by act, other enclosures which except for the fact that they were not authorised by Parliament, were carried out in exactly the same way as were parliamentary enclosures. First an agreement was made to enclose, then commissioners were chosen who conducted the allotment of the land and drew up an award. Between 1725 (the date of the first parliamentary

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3. Leatham (1794) pp. 42-3.

4. Strickland (1812) pp. 93-4.

5. Ibid. pp. 92-3.

6. Ibid. p. 107.

enclosure act for eastern Yorkshire) and the early 1760s there were a number of such enclosures in the region.<sup>7</sup> In an account of the diffusion of enclosure during the 18th century such enclosures cannot be ignored. In the map of the chronology of enclosure (Fig. 6) these enclosures by award, or 'parliamentary-type' enclosures, have been included with the true parliamentary enclosures. As the map shows the very early enclosures by award were scattered throughout the region, every district having one or two.

The period from 1760 to 1779 was the period of greatest enclosing activity in the region (Fig. 7) and during those 20 years extensive parts of many districts were enclosed. The district which was most affected by enclosure in this period was district 4, the Wold scarp/Jurassic ridge. As was shown in Chapter 2 this district was mainly still in open fields at the beginning of the 18th century; between 1760 and 1779 17 out of the 30 townships were enclosed, many of them within a year or two of each other. As the map shows there were other groups of townships enclosed within the same 20-year period: the region on the lower slopes of the Wolds to the west of Bridlington (238) was almost all enclosed at that time; a group of townships to the north of Hornsea (206) in North Holderness were enclosed between 1763 and 1775, many of them with the same commissioners and surveyors conducting the allotment. In Middle and South Holderness too, the enclosures seem to have been grouped together, suggesting a degree of 'enclosure by contagion', that is to say a spreading of enclosure by act from one township to another, as landowners saw the benefits of enclosure as it was experienced by their neighbours. In Leicestershire many adjacent townships were enclosed within a few years of each other.<sup>8</sup> As Crafts stated the diffusion of innovation in

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7. After 1770 they were less common, probably because owners wished to commute the tithes, making an act essential (Board of Agriculture, op. cit. p. 65), but they did occur from time to time. For full details of enclosure by agreement in the parliamentary enclosure period see the tables in Chapters 2 and 3 and Appendix I. See also Gonner, op. cit. p. 190.

8. Hunt, op. cit. p. 271.

the 18th century was generally slow,<sup>9</sup> and most landowners probably obtained their information upon the benefits or disadvantages of enclosure from their fellows. Nevertheless improvement was in a sense quite 'fashionable' in the 1760s and 1770s, and its spread from one township to another seems to have been quite rapid. It certainly seemed to one observer that this was the case in eastern Yorkshire: Arthur Young visited the region in 1769 and marvelled at the vigour with which enclosing and turnpiking schemes were being carried out,<sup>10</sup> as well as remarking upon the vast sums being spent on draining the low grounds of Holderness and the Hull valley.<sup>11</sup> As will be shown in Chapter 6 many of the commissioners who were employed to enclose the open fields were stewards of some of the larger proprietors and they would undoubtedly help to spread information and advice upon enclosure. The movement gathered momentum as owners in one township after another applied for an act of Parliament to enclose, appointed commissioners, and became the proprietors of newly enclosed, relatively compact holdings.

Between 1780 and 1790 as Figure 7 shows there was a lull in enclosing activity in eastern Yorkshire with a subsequent revival in the period after 1790. It is interesting to note that 11 out of the 19 townships enclosed in the decade 1790 to 1799 were situated in the lower Wolds, while not one was enclosed in that period in the high Wolds, even though many townships in that district still awaited enclosure (Table 4.4). A number of those townships enclosed in the period 1790-9 in the lower Wolds were situated in the extreme south of the district overlooking the Humber. Earlier attempts had been made to enclose the open fields of most of them, but they got no further than a

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9. Crafts, *op. cit.* p. 242.

10. Young (1770) 1, p. 199.

11. *Ibid.* p. 194, pp. 240-1.



few preliminary meetings.<sup>12</sup>

A small group of townships on the lower Wolds to the north-west of Beverley were also enclosed between 1790 and 1795.<sup>13</sup> These townships were quite favourably situated so far as their soils and elevations were concerned and they were close to good roads and therefore had easy access to markets. However the reasons for the earlier revival of interest in enclosure amongst the landowners in these townships compared to those on the higher Wolds are difficult to discover. Most of the applications for enclosure acts preceded the very bad harvest of 1795 so they could not have been encouraged to enclose by the dramatic upsurge in the price of corn: in the early 1790s prices were relatively stable. Unlike the landowners of high Wold land they did not have really large areas of rough pastures which could be ploughed up for quick profits, although they all had some higher land which was used for sheep pastures.

Certainly the spate of enclosure petitions after 1800 must have been stimulated by the high prices of the early 1800s. By this date the stock of open-field land was diminishing quite rapidly, the 1801 general act<sup>14</sup> made enclosure perhaps a little easier and cheaper, and the soaring prices of corn made the enclosure of even marginal land worth the expense; enclosure now became an inevitability sooner or later. By 1810 most districts had very few townships in open fields.

Many factors must have combined to persuade landowners of the advantages of enclosure, but George Legard, writing in the middle of the 19th century, placed his emphasis upon the relationship of prices to the enclosure

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12. Between 1775 and 1787 there were proposals to enclose Hessle and Anlaby (enclosed 1792-6) DDHB 1/15-45; in the 1780s some owners in Elloughton were considering enclosure.

13. Skidby, 1793-5; Walkington, 1794-5; Lund, 1794-6; Tibthorpe, 1794-6; Holme on the Wolds, 1795-8.

14. Appendix II.

and consequent conversion of the Wolds:

The stimulus... given to agriculture by the war prices... was not without its influence on this part of the country, and caused a great portion of the sheep walks to be converted from grass into arable land. The mode of conversion was as rude as possible; still rents doubled, and the process went on.<sup>15</sup>

The 'avidity for corn'<sup>16</sup> condemned by Leatham certainly spurred on the promoters of enclosure, and the possibility of raising rents also seems to have encouraged owners to apply for enclosures.

#### The role of rents

Chambers and Mingay suggested that the larger proprietors, who were the prime movers in enclosing, were motivated by the desire for increased profits in the form of raised rents, rather than from any interest in advancing agricultural techniques.<sup>17</sup> In fact the two motives were closely linked, because if after enclosure a tenant was permitted to plough up old grassland he was in a position at least for a year or two to pay substantially higher rent for the land. Marshall stated that the rent paid depended chiefly upon whether or not the tenant was allowed to break up old sheep walks<sup>18</sup> and John Tuke the Board of Agriculture's correspondent for the agriculture of the North Riding commented that landlords were tempted to allow the practice 'by the hope that the farmer will be able to pay a greater rent, if suffered to take repeated crops of corn'.<sup>19</sup> If the evidence is to be believed, the rise in rents after enclosure seems to have been considerable. In 1776 the enclosure of a group of townships near the banks of the Humber was being considered, and a document was drawn up estimating the rises in rent

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15. Legard (1848) p. 96.

16. Leatham (1794) p. 42.

17. Chambers and Mingay, op. cit. p. 84.

18. Marshall (1788) 2, p. 89.

19. Strickland (1812) p. 107.

that would become possible as a consequence of the enclosure. Arable land in Hessle (131), Anlaby (124), Swanland (126) and North Ferriby (130) was said to be rented at between 12s and 20s per acre, but after enclosure it would rise to 26s to 30s per acre.<sup>20</sup> One tithe owner wrote to another of the 'immense value' of the land after enclosure.<sup>21</sup> Land newly enclosed in 1801 at Little Weighton (111) was expected to rise from 5s to 10s per acre<sup>22</sup> and at Staxton (268) it was estimated in 1794 that land worth £216 per annum unenclosed would be worth £428 after enclosure.<sup>23</sup> Such improvements in rents were not only a feature of the war years. Arthur Young visited Bishop Burton (96) in the lower Wolds when it was undergoing an enclosure, 1767-72, and he stated that the land was of exceptionally good quality. Even before enclosure it was let at 18s to 20s per acre; after enclosure it was expected to be let for 30s.<sup>24</sup>

Rents were generally higher in Holderness than in the Wolds and enclosure improved them further. Young stated that enormous improvements in rents might be expected from the carrs when enclosed and drained, 'many acres which once yielded from 6d to 5s now are let from 12s to 35s'.<sup>25</sup> When Young revisited the East Riding in 1797 he found more examples of the very large increases in rents after enclosure and drainage in the lowlands.<sup>26</sup>

In Buckinghamshire Turner found much evidence of substantial rises in rents after enclosure: in some townships rents doubled and in others they

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20. DDHB 1/17.

21. DDHB 1/20.

22. HUL DDDU 10/7.

23. Ibid.

24. Young (1770) 1, p. 164.

25. Ibid. p. 164.

26. A. Young, 'Holderness - Beverley - Hull: some notes in 1797', Annals of agriculture 31 (1798) p. 113.

trebled.<sup>27</sup> Of course rents were not only rising on land newly enclosed; they were rising on all kinds of land, especially throughout the war period, and Turner cautioned against too much emphasis on the role of rent as a stimulus to enclosure - 'Whereas enclosure undoubtedly resulted in or was followed by improved rents, it is not sufficient in itself to explain the occurrence of enclosure'.<sup>28</sup> The subject is discussed by Yelling who pointed to the difficulties in assessing the dimensions of rent rises after enclosure, particularly since there may have been a freezing of rents in the pre-enclosure period, which would give an inflated impression of a sudden rise in value when enclosure had taken place.<sup>29</sup> Moreover most enclosure acts contained a clause stating that all rack rents were to be 'void' as a result of the enclosure, and it may well be that landlords took the opportunity of renegotiating leases which they had allowed to remain at the same level for many years. It may be that immense profits from enclosure by the raising of rents were more imagined than real. Arthur Young's remarks on rents are worth quoting in this connection. Writing at the height of the first wave of enclosure after just having visited the East Riding he said:

There is a false idea current, that rents are doubled by inclosing; a measure might be vastly advantageous without possessing such uncommon merit. This notion hurries numbers to inclosing, who afterwards find the expences to run away with great part of the profit... the immediate rise of rents in many inclosures in this neighbourhood has not amounted to above five or six shillings an acre, and in some cases to no more than eighteen pence and two shillings an acre.<sup>30</sup>

Nevertheless the evidence all points to a rise in rent as a spur to enclosure. Strickland stated that on the Wolds the expenses of an enclosure were amply paid by the improvement in produce and consequent rises in rent,<sup>31</sup> and Purdum

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27. Turner (1973), op. cit. pp. 359-60; Turner (1980), op. cit. pp. 98-9.

28. Turner (1980), op. cit. pp. 94-5.

29. Yelling, op. cit. p. 211.

30. Young (1770) 1, pp. 260-1.

31. Strickland (1812) p. 93. Though he made the point that the newly ploughed pastures soon became exhausted.

in a study of five Nottinghamshire manors enclosed 1787 to 1796 concluded that their enclosure was easily paid for by the rises in rent.<sup>32</sup>

Landownership structure and the chronology of enclosure

The quantum of consent needed for an enclosure was four-fifths or three-quarters of the ownership in value,<sup>33</sup> and it is quite obvious that the number of proprietors involved in an enclosure, and the distribution of their property should have had a strong bearing upon when an enclosure occurred. Promoters of enclosure in townships where owners were few should have found it relatively easy to obtain the necessary consent, unless one or two very substantial owners should prove to be antagonistic to the idea. Where owners were numerous and in possession of a substantial share of the land the enclosure might be delayed by the opposition of certain groups who might feel that so far as they were concerned the benefits did not outweigh the costs.

Table 4.6 summarises the structure of ownership in 151 eastern Yorkshire townships according to the decade in which they were enclosed. The information in the table may be compared with the structure of landownership at enclosure in other counties where similar studies have been carried out. Martin found that in Warwickshire the very earliest parliamentary enclosures tended to involve few owners and to be of townships where one very substantial owner held a very large part of the land.<sup>34</sup> These early parliamentary enclosures in Warwickshire overlapped with enclosures by agreement, and were almost indistinguishable from them. The early (pre-1760) enclosures by act in eastern Yorkshire do not appear to have been of this nature. Two of them were of towns, Driffield (63) and Pocklington (53),

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32. J.L. Purdum, 'Profitability and timing of parliamentary land enclosures', Explorations in economic history 15 (1978) p. 314.

33. See Chapter 5, pp. 212-14.

34. J.M. Martin, 'The parliamentary enclosure movement and rural society in Warwickshire', Ag.H.R. 15 (1967) p. 27.

Table 4.6. Distribution of landownership at enclosure, 1725-1858

No. of townships	Date of enclosure	Percentage of the land allotted by size of holding (plus church and parochial land)										
		Total	Church	>500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a	Parochial
9	Pre-1760	100.0	3.0	27.0	15.0	9.7	16.3	9.0	13.4	2.1	2.7	1.9
36	1760-9	100.0	4.3	29.2	11.2	8.8	16.7	11.3	10.9	1.5	1.3	0.8
32	1770-9	100.0	14.2	49.1	6.4	7.7	7.7	7.0	5.9	0.8	0.8	0.2
7	1780-9	100.0	5.5	25.4	4.8	12.8	15.6	14.9	15.6	2.7	1.9	0.7
17	1790-9	100.0	15.5	26.0	14.3	8.5	12.5	9.4	10.7	1.4	1.0	0.7
27	1800-9	100.0	16.9	41.3	10.4	6.7	11.9	5.4	5.6	0.8	0.6	0.4
7	1810-19	100.0	11.5	50.6	8.1	7.3	13.5	5.4	2.2	1.0	0.2	0.2
4	1820-9	100.0	4.7	42.2	20.5	2.8	10.7	14.6	2.5	1.0	0.6	0.2
12	Post-1829	100.0	22.5	41.2	9.4	6.3	7.8	6.3	4.6	1.2	0.5	0.1

where there were many owners<sup>35</sup> and in another, Ottringham (146), the land was allotted to 39 people.<sup>36</sup> There were enclosures of the type mentioned by Martin, that is where the principal promoter owned almost all of the land, but they tended to occur towards the end of the first wave of parliamentary enclosures, in the 1770s.<sup>37</sup> Turner's researches into the distribution of landownership at enclosure in Buckinghamshire revealed that in the county in the earlier phase, that is in the 1760s and 1770s, the landownership pattern was 'highly skewed towards the larger owners'.<sup>38</sup> His table showed that in Buckinghamshire 31.6 per cent of the land allotted went to owners of over 500 acres in the 1760s and 21.3 per cent in the 1770s.<sup>39</sup> In individual townships the leading landowner might receive 60 or 70 per cent of the land. Table 4.6 shows that in eastern Yorkshire, too, a substantial share of the land was allotted to owners of over 500 acres: in enclosures taking place before 1760 the figure was 27.0 per cent, in the 1760s it was 29.2 per cent and in the 1770s 49.1 per cent. However as will be shown in Chapter 7 the larger landowners were not only quite strong in townships enclosed in the first wave of enclosures, but they were also very strong in those enclosed after 1780. The over 500 acre group was allotted between 41 and 51 per cent of the land in enclosures taking place after 1800 (although in the 1790s their share of the land was only 26 per cent). In Buckinghamshire the land allotted to the larger owners became progressively less in the later

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35. Appendix VII.

36. Ibid.

37. e.g. Lisset (218), enclosed 1771-2 and allotted to two people; Harpham (232), enclosed 1773-6 and allotted to two people; Croom (44), enclosed 1775 and allotted to one person; Sledmere (44), enclosed 1776 and allotted to one owner; Boynton (243), enclosed 1777-83 and allotted to one owner.

38. Turner (1980) p. 155.

39. Ibid. Table 32, p. 161.

enclosures, so that Turner could suggest that in that county enclosure could have been delayed by a 'class of peasant or lesser freeholder' who had had the necessary landowning strength to hold the enclosure in abeyance.<sup>40</sup> The information in Table 4.6 does not indicate that this was the case in eastern Yorkshire; indeed it appears that the share of the small and medium owners diminished considerably in the later, post-1779 enclosures, when compared to the pre-1780 enclosures. It was in the enclosures taking place in the 1760s and the 1780s that the owners of less than 200 acres were strongest.

When the townships are examined in terms of the numbers of owners involved rather than the acreage owned, the same pattern is apparent.

Table 4.7. Mean number of owners at enclosure by period

<u>Date</u>	<u>No. of enclosures</u>	<u>Mean</u>	<u>Median</u>
Pre-1760	9	33.5	23.5
1760-4	9	32.7	34
1765-9	27	36	25
1770-4	22	25	13
1775-9	10	45	17
1780-4	1	42	42
1785-9	7	22	12
1790-4	13	27	32
1795-9	4	16	15
1800-4	23	19	16
1805-9	4	17	16.5
1810-14	4	10.5	9
1815-19	3	7	1
1820-9	4	19	12.5
1830-9	3	7	8
1840-9	7	9	4
1850-9	2	5.5	5.5

As Table 4.7 shows the earlier enclosures involved more proprietors on average than did the later ones. Unlike in Buckinghamshire, where in the later period the number of allottees per enclosure increased,<sup>41</sup> in eastern Yorkshire the townships with the most numerous allottees were enclosed relatively early. This pattern is not affected by geographical differences: a table included in Chapter 7 (Table 7.15) shows that in almost every one

40. Ibid. p. 158.

41. Turner (1980), op. cit. p.155.



Table 4.8. Distribution of land at enclosure by district and by period, 1725-1858

Percentage of the land allotted by size of holding (plus church and parochial land)

<u>a. Uplands</u>	<u>No. of townships</u>	<u>Date of enclosure</u>	<u>Total acreage enclosed</u>	<u>Church</u>	<u>500a</u>	<u>3-500a</u>	<u>2-300a</u>	<u>1-200a</u>	<u>50-100a</u>	<u>10-50a</u>	<u>5-10a</u>	<u>5a</u>	<u>Parochial</u>
	5	Pre-1760	100.0	4.3	31.8	12.3	10.2	17.0	7.1	10.1	2.6	3.8	0.8
	18	1760-9	100.0	10.4	36.6	11.5	5.4	14.5	10.2	8.5	1.3	1.2	0.4
	20	1770-9	100.0	15.0	57.3	5.8	6.8	5.2	4.8	3.4	0.7	0.7	0.2
	2	1780-9	100.0	0.8	27.5	12.0	8.0	19.5	14.6	9.8	3.8	2.5	1.4
	12	1790-9	100.0	14.3	31.7	17.4	9.4	10.1	7.4	7.2	1.0	0.9	0.7
	18	1800-9	100.0	18.7	50.2	8.8	6.2	8.7	3.3	3.1	0.4	0.4	0.2
	5	1810-19	100.0	11.8	54.8	8.7	5.0	11.5	4.9	1.8	1.1	0.2	0.2
	4	1820-9	100.0	4.7	42.2	20.5	2.8	10.7	14.6	2.5	1.0	0.6	0.2
	7	Post-1830	100.0	33.4	48.3	-	3.5	3.2	5.2	5.3	0.6	0.2	0.2
	5	Pre-1760	100.0	1.0	19.5	19.1	9.0	15.3	12.0	18.4	1.2	1.1	3.5
	18	1760-9	100.0	6.1	21.2	10.9	12.4	19.2	12.5	13.5	1.6	1.3	1.2
	12	1770-9	100.0	11.4	21.8	8.5	10.8	16.0	14.4	14.4	1.1	1.0	0.5
	5	1780-9	100.0	8.7	24.1	-	15.9	13.0	15.1	19.5	2.0	1.5	0.2
	5	1790-9	100.0	21.1	-	-	4.2	23.8	18.8	27.1	3.4	1.3	0.3
	9	1800-9	100.0	10.8	10.2	15.9	8.6	23.0	13.0	14.0	2.2	1.3	1.0
	2	1810-19	100.0	7.9	-	-	34.8	37.7	11.3	6.5	0.7	0.7	0.3
	-	1820-9	100.0	-	-	-	-	-	-	-	-	-	-
	5	Post-1830	100.0	4.2	29.2	25.1	11.1	15.4	8.2	3.5	2.3	1.0	0.04

b. Lowlands

of the nine districts there were more allottees on average in townships enclosed before 1780 than there were in those enclosed after that date.

It might be expected that townships in upland districts might display a different pattern of landownership distribution than those in the lowlands. Table 4.8 which shows landownership at enclosure in the two groups of districts by period of enclosure reveals this to have been the case. In the upland districts (districts 1-5) a very large proportion of the land was in the hands of the very large (over 500 acres) owners at all periods of enclosure.<sup>42</sup> In the enclosures taking place in the lowland districts (districts 6-9) the proportion was very much less, more especially in the later enclosures. Table 4.9 is a conflation of some of the landowning units in Table 4.8 and has been constructed to show the relative strength of the small (under 50 acres) and medium (50-200 acres) owners in the upland and lowland districts in townships enclosed at different periods. It shows that in the uplands in the earlier enclosed townships (before 1770) the small to medium owners were quite strong, although in enclosures occurring 1770-9 they were very weak.<sup>43</sup> From 1790 onwards the small and medium owners were quite weak and it seems unlikely that such owners would have been able to delay enclosure as this group may have done in Buckinghamshire. The finding for the lowland districts is a little different: the medium (50-200 acres) group was weaker in the earlier enclosures (though still much stronger than in the upland districts) and became stronger still in enclosures occurring after 1790.

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42. See Chapter 7 for extended discussion on landownership in the uplands and lowlands. As Wolds townships were generally somewhat larger in acreage than those on lower ground there was more likelihood of larger estates in the uplands. See Table 7.3.

43. This was partly because of the very large estates owned by certain gentry owners in townships such as Boynton, Sledmere and Croom, see above note 37. There were other townships, e.g. Kilham (245), enclosed 1771-3, and Rudston (244), enclosed 1774-7, where the bulk of the land was in the hands of the very large landowners.

Table 4.9 Distribution of ownership (by percentage) at enclosure: broad groups

a. Uplands		A	B	C	B + C
No. of enclosure	Date of enclosure	>200a	50-200a	<50a	<200a
5	Pre-1760	54.3	24.1	16.5	40.6
18	1760-9	53.5	24.7	11.0	35.7
20	1770-9	69.9	10.0	4.8	14.8
2	1780-9	47.5	34.1	16.1	50.2
12	1790-9	58.5	17.5	9.1	26.6
18	1800-9	65.2	12.0	3.9	15.9
5	1810-19	68.5	16.4	3.1	19.5
4	1820-9	65.5	25.3	4.1	29.4
7	Post- 1830	51.8	8.4	6.1	14.5
b. Lowlands					
5	Pre-1760	47.6	27.3	20.7	48.0
18	1760-9	44.5	31.7	16.4	48.1
12	1770-9	41.1	30.4	16.5	46.9
5	1780-9	40.0	28.1	23.0	51.1
5	1790-9	4.2	42.6	31.8	74.4
9	1800-9	34.7	36.0	17.5	53.5
2	1810-19	34.8	49.0	7.9	56.9
5	1820-9	-	-	-	-
	Post- 1830	65.4	23.6	6.8	30.4

The distribution of land in the hands of the small (under 50 acres) owners does not show such a clear pattern, but they owned a very substantial share of the land allotted in the 1790s, and together the small and medium owners were allotted almost three-quarters of the land in this decade. Too much emphasis should not be placed on the pattern of land distribution in the 1790s however, since it only relates to five enclosures.

The conclusion from the distribution of landownership at enclosure must be that for the upland districts there is no simple correlation between the concentration of ownership and early enclosure or between the fragmentation of ownership and late enclosure; many townships with numerous owners and substantial acreages in the hands of smaller owners seem to have been enclosed relatively early, others with few owners relatively late. This feature of enclosure will be the subject of further discussion in Chapter 7, where it will be suggested that by the early parliamentary enclosure period owners in townships where the land was in the hands of many people were experiencing the restrictions of the open-field system to a more marked degree than were those in townships where their numbers were few. They therefore may have been quicker to see the benefits of enclosure by act, and as will be shown in Chapter 5 many applications to enclose seem to have been almost unopposed. In the lowland region there was a tendency for some townships with a strong small freeholder class to be enclosed later, but as Table 4.5 shows the majority of enclosures took place before 1780 so it would be unwise to place too much stress upon this feature of landownership distribution. Hunt found that in Leicestershire there was 'no simple relationship between the concentration of landownership and enclosure',<sup>44</sup> and this would be the conclusion from a close study of the subject in eastern Yorkshire. Although in individual cases the structure of landownership clearly had some bearing upon the decision to enclose, the geographical location and the expected improvement

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44. Hunt, op. cit. p. 269.

in farming or increase in profits to landlords from rent increases would appear to have been of much more importance.

Other factors affecting the timing of enclosure

The role of the individual in the promoting or the delaying of an enclosure cannot be emphasised too much. Some people had a very considerable influence upon the decision to enclose, either because they owned a very large proportion of the land, or because they had certain other interests. The lord of the manor had to consent to an enclosure, even if he did not own a very large share of the land. The tithe owners' role was also very important. If, as was almost always the case, the proprietors wished to rid themselves of the burden of the tithes by commuting them to land or rent, the tithe owners' consents were necessary and considerable delay could be caused by haggling over the terms of commutation.<sup>45</sup> Conversely it has also been suggested that the tithe owners' enthusiasm for enclosure may have been one of the reasons why it was embraced with such fervour in the second half of the 18th century:

By receiving land in lieu [of tithes] the tithe owners could escape the chore and odium of collecting them while sharing in the profit and status that in a time of rising product prices seemed certain to derive from the ownership of farmland... Tithe payers had a more obvious incentive to acquiesce to enclosure [from the 1790s] in that with rising product prices more rigorous collection threatened.<sup>46</sup>

The principal promoters, who appear from the evidence in the pages of the House of Commons Journals to have been almost always the large gentry owners, were usually landlords rather than farmers and their principal interest in enclosure was the rise in the value of their land when it was held in severalty. When enclosure was delayed it seems most likely to have been because the larger

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45. See Chapter 5, pp. 215-17.

46. E.L. Jones, 'Agriculture, 1700-80', in: R. Floud and D. McCloskey, The economic history of Britain since 1700 (Cambridge, 1981) pp. 83-4.

proprietors for one reason or another did not wish it to occur. Sometimes the reason might have been lack of capital to finance enclosure. Many gentry owners owned land in a number of townships and it could have overstretched their resources to have been involved in too many enclosures at the same time. They could, as will be shown in Chapter 8, borrow on mortgage, and often did so. In this connection the case of Roger Gee, the lord of the manor of Bishop Burton (96), is worth relating. The township was enclosed 1767-72<sup>47</sup> and Roger Gee, whose family had owned the manor since 1603,<sup>48</sup> seems to have been the principal promoter of the enclosure. Between 1764 and 1773 Gee bought land in both small and large estates from at least 14 people. The holdings ranged from common rights such as the messuage, close and common right he bought in 1766 from George Morley, a bricklayer who was also an owner-occupier,<sup>49</sup> to the 279 acres and the lease of a further 564 acres that he bought from William Bethell in 1773.<sup>50</sup> In order presumably to pay for these purchases and finance the enclosure Gee mortgaged his land in Bishop Burton as well as his estate in neighbouring Cherry Burton (95) in 1768 for £5,000.<sup>51</sup> At the date when the enclosure award was signed Gee owned 838 acres of newly enclosed land which was a little over a quarter of the land allotted,<sup>52</sup> and the enclosure plan shows that he owned most of the old-enclosed land.<sup>53</sup> He bought Bethell's estate in 1773, thus increasing his estate by about one hundred per cent. It seems however that he had over-reached himself. He paid £17,500 for Bethell's land,<sup>54</sup> but could not raise all of the money himself.

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47. 7 Geo. III, c. 33; R.D.B. AQ/1/1.

48. V.C.H. Yorks. E.R. 4, p. 4.

49. HUL DDGE 4/10.

50. HUL DDGE 3/160; R.D.B. AS/95/159.

51. HUL DDGE 6/46; R.D.B. AL/207/371.

52. R.D.B. AQ/1/1.

53. HUL DDCV.

54. HUL DDGE 3/157, 240.

He borrowed £10,000<sup>55</sup> from John Dalton, esquire, and remortgaged his Cherry Burton estate for £3,600.<sup>56</sup> By 1774 he was deeply in debt, but nevertheless continued to buy land, albeit only very small holdings like the two acres he purchased from a Beverley yeoman.<sup>57</sup> Gee died in 1778 and in 1780 the estate was vested in trustees in order to raise money to meet the debts.<sup>58</sup> In 1783 the whole estate was sold to Richard Watt.<sup>59</sup> The land in Bishop Burton seems to have been particularly good: Arthur Young commented upon it when he visited the East Riding in 1769, calling it 'the most extraordinary open-field land I have met with'.<sup>60</sup> It was very well suited to the new agriculture: an advertisement for land to let in Bishop Burton describes it as 'well calculated to the Turnip and Clover Husbandry'.<sup>61</sup> Despite Gee's buying up of so many estates during the enclosure period owners remained very numerous in Bishop Burton. In 1787 there were 49 people paying Land Tax, 29 of whom were owner-occupiers.<sup>62</sup> The case of Gee and Bishop Burton illustrates the crucial role played by the larger landowner: Gee was probably the chief mover in the decision to enclose, and he clearly took advantage of the upheaval caused by the reallocation of the land to enlarge his estate. Had he been content to buy just a few holdings he would probably have been a considerable beneficiary of the enclosure. As the Board of Agriculture report on enclosures stated:

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55. Ibid.

56. HUL DDGE.

57. HUL DDGE 4/10.

58. V.C.H. Yorks. E.R. 4, p. 4.

59. HUL DDGE 3/251.

60. Young (1770) 1, p. 163.

61. Y.C. (Nov. 1779).

62. QDE 1.

the benefits of enclosure to the landlord are unquestionable. the measure could only originate with him, and if he was not convinced that it was greatly to his advantage none would take place.<sup>63</sup>

One possible explanation for delay in enclosure which has not generally been noted was mentioned by the writer of the General report. Giving possible obstacles to enclosure he states that the effects upon foxhunting might cause some townships to be left open.<sup>64</sup> Eastern Yorkshire was a very popular hunting district in the late 18th and early 19th centuries,<sup>65</sup> and many of the members of the gentry families of the area were enthusiastic hunters. Advertisements of property for sale or to let in the York Courant frequently stressed that land on the Wolds was excellent hunting country,<sup>66</sup> and it seemed worth investigating whether some townships might have been enclosed relatively late because of the effects on hunting. It is noticeable that the enclosures of Etton (87), 1818-20, Cherry Burton (95), 1823-9, and South Dalton (88), 1822-7, occurred very late compared to some of their neighbours. The conflict of interests between farmers of enclosed land and huntsmen is well illustrated by a notice in the York Courant of 1771:

... the Game within the Manor of Waldby... has of Late Years been much destroyed, and frequent Damage done by breaking the fences at Waldby, and the neighbouring Farms of Southwold, Welton Grounds and Raywell, where the new Inclosure and large Plantations have lately been made. It is therefore desired that Gentlemen will be less frequent in hunting and shooting within the said Manors and Farms, and particularly avoid beating for Game, or breaking the Fences in the... Plantations and new

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63. Board of Agriculture, op. cit. p. 35.

64. Ibid. p. 306.

65. Yorkshire as a whole was 'the most sporting part of his Majesty's dominions. Indeed it was the county where fox-hunting was firmly established at an early date. The whole of Yorkshire was hunted in the 18th century', Scarth Dixon (a historian of hunting in the county) quoted in R. Carr, English foxhunting: a history (1976) p. 49. See also K.A. MacMahon, 'An early artificial fox earth at Bishop Burton', Y.A.J. 38 (1952-5)pp.275-9.

66. e.g. an advertisement of the sale of the manor of Wetwang comprising 12 oxgangs and 116 acres of old-enclosed land 'well stocked with Game and in a fine Sporting Country', Y.C. (July 1772). Wetwang, which is on the high Wolds, was not enclosed until 1801-3.



Inclosures.<sup>67</sup>

In fact closer investigation of the effects of enclosure upon foxhunting reveals some contradictions. Most of the studies on foxhunting, as well as the comments of the participants, suggest that enclosure, rather than having a detrimental effect upon hunting, improved it. The new hedges created new sport, since they were there, once well grown, to be jumped over and they made hunting 'more hazardous and more exciting'.<sup>68</sup> Moreover according to one authority the foxes in the pre-enclosure days, because of the wilder state of the countryside had themselves been wilder and more difficult to catch.<sup>69</sup> After enclosure they were preserved to a greater extent as the popularity of hunting grew, and the new hedges provided them with a certain amount of cover to compensate for the loss of small woodlands which it was suggested diminished as a result of the increased demand for saplings and cleft timber for the new post and rail fences.<sup>70</sup> To set on the other side of the argument we have the suggestion that hunting in more open countryside was better because the hounds could be more closely followed and watched at work. Salisbury Plain was accounted a very good hunting district because of 'its vast stretches of turf and scattered patches of gorse, harbouring plenty of foxes'<sup>71</sup> and this description could be applied to the Wolds before enclosure. It seems therefore that enclosure could have been a mixed blessing to those landowners who were

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67. Y.C. (Oct. 1771). Wauldby open fields and common pastures were not enclosed until 1794-6, but the leys and the wood were enclosed by 1762, so the reference to 'new' enclosures is somewhat puzzling. Nearby Welton was still in open fields, although it was about to be enclosed, 1772-5.

68. D.C. Itkowitz, Peculiar privilege: a social history of English foxhunting, 1753-1885 (Hassocks, Sussex, 1977) p. 44.

69. Hunting journal of the Holderness Hounds (1849) p.5. The Holderness Hunt country included the lower Wolds as well as Holderness itself.

70. E.W. Bowill, The England of Nimrod and Surtees, 1815-1854 (1959) p. 33.

71. *Ibid.*

keen foxhunters and its influence upon the date of enclosure must remain an open question.

The relationship of transport improvements to enclosure has already been touched upon when the chronology of enclosure in the lowlands was discussed. In the upland districts, too, there seems to have been a connection between turnpiking and enclosure. In the southern part of the Wolds the road from Beverley towards York via Market Weighton turnpiked in 1764,<sup>72</sup> was soon running through enclosed townships, whilst the Beverley to Driffield road, turnpiked in 1766<sup>73</sup> also seems to have encouraged the enclosure of townships on either side of its length. There is a danger when discussing enclosures and turnpike trusts of using a post hoc ergo propter hoc argument, when it might be more appropriate to see the two improvements as forming part of the same movement of change which was affecting most parts of England from the middle of the 18th century. From 1750 to 1770 there was an enormous increase in turnpike acts going through Parliament. From about eight acts per annum in the first half of the 18th century they rose to about 40 between 1750 and 1770 and they remained at a high level throughout the 18th century.<sup>74</sup> In some counties, for example Northumberland, turnpikes and enclosures were planned to proceed together, and indeed such a situation made good sense since the enclosure commissioners always had to resite at least some of the roads in the township where they were working.<sup>75</sup> However in eastern Yorkshire and in most counties of England the two improvements seem to have been set in hand independently.

Turnpiking schemes do appear to have had a beneficial effect upon the transportation of agricultural produce. In a book on Bridlington (238)

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72. 4 Geo. III, c.76 (Public act).

73. 6 Geo. III, c.59 (Public act).

74. P. Deane, The first industrial revolution (Cambridge, 1965) p. 71.

75. Pawson, op. cit. p. 321.

published in 1821 J. Thompson wrote:

About sixty years ago, when wheel-carriages were only used for the necessary transportations on the farms, corn was sold in sacks brought on the backs of horses, eight or ten of which fastened to each other, were attended by one man; a mode of delivering that created an appearance of business now only a subject of recollection or imagination.<sup>76</sup>

As the historian of turnpike roads in eastern Yorkshire wrote, turnpike trusts 'along with enclosure, canal and drainage schemes had mutually vitalising social and economic effects on town and countryside alike'.<sup>77</sup>

Before the improvements in the roads leading out of the East Riding to the west, the river Humber and its tributaries were the main arteries of trade with the West Riding, and the river Hull provided a useful means of transport of goods down to Hull for the communities on or near its banks, despite the difficulties of navigation resulting from its tidal nature.

In the 17th century the river was navigable up to Wansford (227) although the passage above Beverley could sometimes be a hazardous one. Henry Best wrote in the middle of the century:

They account it from [Wansford] to Hull 30 miles by water, and say that one that is not very skilful in the way may well come to leave his boate behind him, there are so many stakes sunken downe and here and there shallows.<sup>78</sup>

In 1767 an act of Parliament was obtained to improve the river Hull above Aike (84) and to dig a canal from the river near North Frodingham (211) to Driffield (63).<sup>79</sup> The investors in the scheme were almost all local people and many small sums (of well under £100) were put into the undertaking. The scheme was not a financial success but the canal had never been seen as a source of vast profits, but rather as a means of increasing the prosperity of the district around Driffield. Duckham stated that:

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76. J. Thompson, Historical sketches of Bridlington (Bridlington, 1821) p. 125.

77. MacMahon (1964), op. cit. p. 16.

78. H. Best, Rural economy in Yorkshire... (Durham, 1857) - (Surtees Society Publications, 33) p. 112.

79. 7 Geo. III, c. 97 (Public act).

Trade in grain downstream and manures upstream quietly prospered, as probably did the smaller traffic in miscellaneous goods.<sup>80</sup>

The canal helped to bring prosperity to Driffield which was already outstripping Kilham (245), its nearest rival as a market centre. The countryside on the slopes of the Wolds surrounding Driffield was largely enclosed between 1740 and 1780 (Driffield itself was enclosed 1740-1) and the canal undoubtedly improved the transportation of agricultural produce from the townships of this district down to Hull and from thence to areas outside the region.

The second canal to be constructed in eastern Yorkshire linked Market Weighton (72) with the River Humber. A large part of the land between the town and the river was occupied by the marshy common of Wallingfen (105), which was flooded for three to ten months of the year. Because of the nature of this land it was decided that the canal should serve a dual purpose, acting as a drainage channel as well as a means of transport. The interested parties, who were mainly the landowners of the locality, obtained an act of Parliament in 1772.<sup>81</sup> The canal which was completed towards the end of the 1770s proved to be effective as a means of transport, but far from satisfactory as a drainage channel.<sup>82</sup> The enclosure of the district around the canal was also put in hand in the 1770s. Market Weighton itself was enclosed 1773-6, Holme on Spalding Moor in 1773-7, Everthorpe (107) 1773-4, Goodmanham (73) 1775-7, North and South Newbald (93, 103) 1777-83 and Wallingfen 1777-81,<sup>83</sup> so there seems to have been a close association between the canal and the enclosure of the surrounding countryside.

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80. B. Duckham, The inland waterways of East Yorkshire, 1700-1900 (York, 1973)- (E.Y. local history series, no. 29) p. 23.

81. 12 Geo. III, c. 37 (Public act).

82. Allison (1976) p. 215; Duckham, op. cit. pp. 42-3.

83. Appendix I.

There were only two other eastern Yorkshire canals and they were constructed in the 19th century. In the first decade of the century a small waterway was made to link the village of Leven (202) with the river Hull some three miles distant. This canal was established as a result of the initiative of Mrs. Charlotta Bethell, the lady of the manor of Leven. Duckham described it as 'a good example of one of those small private waterways... occasionally cut in England by local gentry'.<sup>84</sup> Leven canal had a purely local effect as was natural for such a small undertaking. The village of Leven had been enclosed 1791-6, only a few years before the establishment of the canal. Most of the other townships round about had already been enclosed at an earlier date (Fig. 6). The other canal, from Pocklington (53) to the river Derwent, constructed between 1815 and 1818 was too late to be associated with any enclosures in its vicinity, and indeed rather too late to be a commercial success, since it was not long before the opening of the railways brought about the decline of water transport.

### Conclusions

At the beginning of the parliamentary enclosure period many districts of eastern Yorkshire were still in open fields: on the Wolds in many townships the only enclosed land was a few hedged closes just around the village and even in the lowlands where there was rather more old-enclosed land the open fields and commons covered a third or more of the districts of the Hull valley and North, Middle and South Holderness. The earliest parliamentary enclosure was that of Scagglethorpe (12) in 1725, but it did not mark the beginning of a rush of applications to Parliament: until the early 1760s there were only a few enclosure acts for eastern Yorkshire townships. From 1762 the applications for acts began to grow in numbers, and 1769 was the peak

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84. Duckham, op. cit. p. 34. The canal was opened in 1802 'amid the plaudits of upwards of 2,000 people who assembled to see the first sloop enter this canal, which is likely to prove highly advantageous to the neighbouring towns and farmhouses', Hull Advertiser (July, 1802).

year of activity in the first wave of enclosures in the region with ten acts. The early 1770s were also very busy but activity subsided towards the end of the decade and in the half-decade 1780-4 there was only one enclosure act for the region. From 1785 until 1795 there were another 19 acts, but from that date until 1800 there were only three acts<sup>85</sup> and then another spurt of activity in the half-decade 1800-4. The year 1801, which was the year in which the General Inclosure Act was passed,<sup>86</sup> was the busiest year for enclosure acts for eastern Yorkshire.<sup>87</sup>

In eastern Yorkshire the tide of acts seems to have ebbed and flowed in very much the same way as it did in the rest of England and the conclusions of Ashton, Chambers and Mingay, McCloskey, Crafts and Turner on the role of interest rates and prices as influences upon the timing of enclosures are just as relevant to the region as they are to other counties. Attempts to link enclosing activity too closely to such economic fluctuations are doomed to failure however because so many other variables affected the decision to enclose at the local level. Examination of abortive attempts at enclosure, which may have been stimulated by such factors but may have failed because of

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85. Between 1796 and the end of the century there was considerable anxiety in eastern Yorkshire, as there was in other coastal counties, that the French might invade. Volunteer militias were formed and all the gentry families and many local farmers were closely involved in the preparations to resist invasion. It may be that the very marked drop in enclosure activity between 1796 and 1800 was linked with this preoccupation. Moreover when war broke out again in 1803 and the militias were reformed enclosure activity again subsided. A similar pattern seems to be evident in the enclosure acts passed in Lincolnshire, but in Norfolk, another coastal county with much land still unenclosed there was no such pattern, so a link must be purely supposititious, W.E. Tate, A domesday of English enclosure acts and awards; edited by M.E. Turner (Reading, 1978). For an account of the preparations for invasion in the East Riding see R.W.S. Norfolk, Militia, yeomanry and volunteer forces of the East Riding, 1689-1908 (York, 1965). - (E.Y. local history series, no. 19) pp. 12-33.

86. Appendix II.

87. Over the country as a whole 1811 was the busiest year but 1801 was the second busiest, Turner (1980), op. cit. p. 67.

opposition by smaller proprietors, by tithe owners or by other groups, show that an analysis of enclosure chronology cannot base itself purely upon acts of enclosure. Appendix III shows that owners in many of the townships which were eventually enclosed in the second wave of acts had originally attempted enclosure at an earlier date. Although an initial examination of the influences of the soil and elevation of various districts might suggest that within an upland district there was a tendency for the townships on lower ground to be enclosed earlier than those on higher land, yet when the exceptions to this rule are taken together with the incidence of the earlier attempts at the enclosure of townships eventually enclosed after 1800 there appears to be only limited evidence to support such a suggestion.

Investigation of the timing of enclosure in eastern Yorkshire suggests that there was a relatively rapid take-up of enclosure by act in the region, in part perhaps because farmers had earlier been somewhat slow in adopting the new crops and rotations compared to those of counties to the south. If progress in agriculture on light soil districts can be measured in terms of the use of systems such as the Norfolk rotation using turnips and clover, or in the floating of water meadows,<sup>88</sup> then eastern Yorkshire was very backward at the beginning of the parliamentary enclosure period. Indeed in no sense can there be said to have been an agricultural revolution (pace Kerridge)<sup>89</sup> in the region until well into the 18th century. As was shown in Chapter 2 turnips and clover only became a part of the upland farmers' rotations from the 1760s or 1770s, often coincidentally with the enclosure of the open fields. The two kinds of improvement - in the organisation of the land and in its cropping and cultivation - were to some extent integrated, and other improvements, notably turnpiking of roads, construction of canals and drainage schemes also

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88. Strickland wrote that he knew of only one example of the use of artificial water meadows in the East Riding, Strickland (1812) p. 217.

89. E. Kerridge, The agricultural revolution (1967).

occurred at about the same time. In some parts of the uplands enclosure may have occurred because of a shortage of grazing land as may have been the case at Bainton (68) and Sancton (89). So far as the timing of enclosures in the lowland districts is concerned it seems that those that took place in the very early parliamentary enclosure period may have been put in hand because there was a desire to convert some arable land to pasture, and this was more easily done when holdings were in severalty. However all the evidence suggests that the movement to change over from arable to pasture did not extend far into the later 18th century and a movement in the other direction soon began to grow apace.

By 1801 when all parts of eastern Yorkshire had been affected by parliamentary enclosure the application for an act to enclose the remaining open-field townships became an inevitability. As William Marshall wrote prophetically in the 1780s, after the first intensive burst of enclosure activity had finished:

the spirit of inclosure continues to be such, that in half a century more an open field, or an undivided common may be rare, and the remembrance of them will of course soon wear away.<sup>90</sup>

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90. Marshall (1788) 2, p. 50.



CHAPTER FIVE. THE ENCLOSURE PROCESS, I:

PRELIMINARIES, PARLIAMENT AND PROTEST

Preliminaries

The enclosure of a township was a complex process and the decision to apply for an act was preceded by much discussion amongst the interested parties. Meetings in eastern Yorkshire villages 'to consider the propriety of an inclosure' were increasingly common from the early 1760s, and the first written evidence of the intention of landowners to enclose a township is frequently found in the advertisement pages of local newspapers.<sup>1</sup> Before the secure establishment of Hull newspapers, the York Courant<sup>2</sup> was used by the promoters of eastern Yorkshire enclosures to give notice of meetings. Private negotiations amongst the larger proprietors preceded public meetings, but they have left little documentary evidence, mainly because much of the discussion at this stage was informal. The landed gentry of the region formed a close-knit community with social centres in York, Hull and Beverley. There was much linkage by marriage between families and there were many opportunities for discussions upon business and personal matters at social gatherings at assembly rooms, race meetings and the like.<sup>3</sup>

The first public meeting was necessary in order to gauge the degree of support the measure was likely to elicit. The venue was usually the village itself, or a nearby town. For many proprietors, who had not been privy to the earlier informal negotiations of the principal promoters, this was their first opportunity to express an opinion on the enclosure. In order for an

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1. W.E. Tate, 'Some unexplored records of the enclosure movement', English historical review, 57(1942) p.251.
  2. 18th-century Hull newspapers were short-lived; the city did not obtain a regular weekly newspaper until the latter part of the century, V.C.H. Yorks. E.R. 1, p.428.
  3. G. Oliver, The history and antiquities of the town and Minster of Beverley (Beverley, 1829) pp.430-2; G. Jackson, Hull in the 18th century: a study in economic and social history (1972) pp.262-306; V.C.H. Yorks. E.R. 1, pp.209-10; V.C.H. York pp.245-6.

enclosure bill to succeed it was necessary for the owners of a proportion of the land varying from three quarters to four fifths to approve of the matter. The proportion of three quarters seems to have been less commonly used; it was the figure quoted by Henry Homer in 1766,<sup>4</sup> but the evidence given to the Select Committee on Waste Lands of 1800 placed more emphasis upon a proportion of four fifths, although George Maxwell stated that three quarters was the necessary proportion of consent 'according to the ideas of some'.<sup>5</sup> An act of 1773, which provided for changes in the cultivation of the common fields without the need for an enclosure,<sup>6</sup> allowed the decision of the majority in number and value to bind the rest: the proportion deemed to constitute the majority being three quarters. Lambert considered that this was the source of the belief that three quarters was the necessary proportion for an enclosure act,<sup>7</sup> but the earlier evidence from Homer does not support her view. As Tate pointed out 'no quantum of consent was ever formally imposed by statute or standing order',<sup>8</sup> but there is good evidence that in eastern Yorkshire, four fifths was generally accepted as the required proportion of land to be held by the consenting owners if the enclosure were to go ahead: it is implicit in the wording used in 1764 at the report stage of the Aldborough (183) enclosure bill, which stated that all had consented 'except Persons who were incapable from their being under Age, and whose Property did not consist of one Fifth of the whole';<sup>9</sup> during the enclosure negotiations for Keyingham (147) it was stated that four fifths of the

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4. H. Homer, An essay on the nature and method of ascertaining the specific shares of proprietors upon the inclosure of the open fields (Oxford, 1766) p.36.
  5. House of Commons Select Committee reports, first series, 9 (1795-1801) p.199.
  6. 13 Geo. III, c.81.
  7. S. Lambert, Bills and acts (Cambridge, 1971) p.143.
  8. W.E. Tate, 'The Commons Journals as sources of information concerning the 18th-century enclosure movement', Economic journal, 54 (1944) p.85.
  9. H.C.J. 29 (1761-4) p.930.

owners should consent;<sup>10</sup> and the minutes drawn up for the enclosure of South Cave (118) in 1778 stated that:

No Petition ought to be drawn up before 4 fifths of the Proprietors and Mr. Robinson and the Proprietors of the Great Tythes have signed the ... Minutes.<sup>11</sup>

From all the available evidence it seems that four fifths was the more generally accepted proportion until 1836, when the General Inclosure Act was passed; thereafter a bill was allowed to pass into law with the consent of only two thirds of the interests in value.<sup>12</sup>

A number of enclosure attempts failed at the first hurdle when the promoters, having made preliminary approaches to the rest of the landowners in a township, found that there was insufficient support for the enclosure. Because these attempts never reached the stage of a petition to the House of Commons (or did not do so at this stage) the only evidence that they took place at all, apart from solicitors' papers, is provided by local newspapers. Between 1760 and 1780, during the first wave of intensive parliamentary enclosures, owners in many eastern Yorkshire townships applied to Parliament and were successful in obtaining acts, but investigation of the information in the York Courant for those years shows that some owners in many of the townships not enclosed until the second wave of enclosures were actively considering the matter much earlier.<sup>13</sup> There were 69 acts passed to enclose eastern Yorkshire townships during the period 1760-80, but in at least another 16 townships enclosed much later enclosure negotiations were taking place in those years.<sup>14</sup> At Hollym (153) in Holderness a meeting was

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10. DDIV 8/1. No date but probably late 1760s.

11. HUL DDBA 4/44.

12. Appendix II.

13. A point discussed by M.E. Turner, English parliamentary enclosure: its historical geography and economic history (1980) pp.156-7.

14. See Appendix III for full details.

held in December 1763 to consider an application for an enclosure act,<sup>15</sup> but no application to Parliament was made and a further 30 years elapsed before the township was enclosed. There are many such cases in the region and it is unfortunate that in general the sources do not allow a full assessment of the reasons behind the delay. Presumably the promoters were forced to drop the matter until opinion was more favourable - either because the opponents had died or sold their land, or because a changing economic climate had made enclosure more profitable. Where detailed information is available the excessive demands of the tithe owner or of his lessee is frequently found to be the chief stumbling block.<sup>16</sup> At Keyingham (147) attempts were made to enclose the open fields in 1774, 1775 and 1793.<sup>17</sup> It is unclear why the matter failed to proceed in the 1770s, but the solicitor's papers show that the enclosure was stopped in 1793 because of the objections of Lady Bath, the lessee of the tithes. In a letter dated 28 August of that year she wrote to the solicitor, William Iveson, 'I am by no means an advocate for Inclosures and would not chuse to Promote the one you mention'.<sup>18</sup> This case is of interest for the light it throws on the position of the lessee of the tithes with regard to enclosure. An undated document puts the value of the tithes in Keyingham at one seventh or one eighth of the total property.<sup>19</sup> The tithe owner, who was the Archbishop of York had given his consent but the opposition of his lessee seems to have been instrumental in stopping the enclosure for a time, although it did eventually take place

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15. Y.C. (Nov. 1763).

16. The tithes were commuted at most eastern Yorkshire enclosures (see Chapter 7). It was necessary for the owner of the tithes to give his consent to an enclosure and as one of the chief beneficiaries he was in a strong position, being able to withhold his agreement until the landowners accepted his terms.

17. H.C.J. 34 (1772-4) p.517; 35 (1774-6) p.93; Y.C., Dec. 1774; DDIV 8/1-2.

18. DDIV 8/1.

19. The document also stated that Lady Bath as lessee was considered to have a half interest in their value insofar as enclosure was concerned.

in 1802.<sup>20</sup> No enclosure act for eastern Yorkshire contains evidence that the tithe lessee had to agree to an enclosure, although it was well understood that the tithe owner's consent was necessary. From the Keyingham evidence it would appear that the lessee had some rights in the matter.<sup>21</sup> Lessees of church land and of land owned by large institutions such as St. John's College, Cambridge, held the land on long leases, frequently for three lives, and their title to the land approached that of freeholders.<sup>22</sup> They appeared in the Land Tax assessments as the owners of the land or of the interest (if tithes) and they normally sub-let it both before and after enclosure.

Langtoft (249), a township in the north-eastern part of the Wolds, was the scene of protracted negotiations before enclosure eventually took place 1801-5. The solicitor's papers show that meetings were held in 1774, 1775, 1776, 1783 and 1794,<sup>23</sup> but there seems to have been insufficient support for a full-scale enclosure in the 1770s, when a partial enclosure with flatting<sup>24</sup> was put forward as an alternative. This suggestion was not implemented and the negotiations continued. In 1794, if not earlier, it is clear from the solicitor's papers that the lessee of the tithes, Richard Knowsley, was the chief obstacle to the enclosure.<sup>25</sup> His death in 1800 resulted in fresh consultations, and the enclosure went ahead in 1801. Evidence given at the report stage of the bill shows that the majority of the owners of land in

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20. 42 Geo. III, c.102. It was stated at the report stage of the bill to enclose Keyingham that all parties had consented, so it appears that Lady Bath withdrew her veto, H.C.J. 57 (1801-2) p.465.

21. See also Langtoft below.

22. Strickland (1812) p.33.

23. DDX 40/190.

24. Flatting was the consolidation of strips by a process of exchange in order to overcome to some extent the disadvantages of the open-field system and avoid the expense of a full-scale enclosure. See Harris (1961) pp.64-5.

25. DDX 40/191-8.

Langtoft were in favour of the enclosure. All parties consented 'except one owner assessed to the Land Tax at 4s per annum, who refused to sign, owners assessed at £5 14s 6d who were neutral and an owner assessed at 8s who could not be met with'. The total Land Tax paid was £263 10s 10d.<sup>26</sup> In Keyingham and Langtoft it was clearly not the small landowners who delayed enclosure but rather the tithe lessee. In South Cave (118), enclosed 1785-7, a dispute concerning the size of the tithe allotment delayed enclosure for 20 years; the matter was so contentious that it was only when the owners agreed to enclose without commutation that the act could be obtained.<sup>27</sup> Similarly, at Hessle (131) enclosed 1792-6, a dispute concerning the size of the tithe allotment lasted from 1774 to 1792.<sup>28</sup>

Even in those enclosures where opposition did not cause delays the negotiations before the approach was made to Parliament could be quite protracted. The enclosure of North Dalton (58), 1778-9, is quite well documented, and the surviving correspondence shows that business began as early as 1776, when James Collins, the Duke of Devonshire's agent, wrote to another large proprietor to inform him that an enclosure of the township was being contemplated.<sup>29</sup> Collins was to act as solicitor and clerk to the enclosure and his accounts and correspondence provide much information upon the conduct of enclosure in an eastern Yorkshire township. The first public meeting was held in May 1777, and the principal proprietors were told of it by letter, whilst the smaller owners were informed by an advertisement placed by Collins in the two principal local newspapers, the York Courant and the York Chronicle.<sup>30</sup> Presumably the meeting was also well publicised in North Dalton itself, although when it was held, in Market Weighton, about

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26. H.C.J. 56 (1801) p.534.

27. 25 Geo. III, c.5.

28. DDHB 1/13-25.

29. HUL DDCV 118/1.

30. HUL DDCV 118/4.

five miles away, it was attended by only seven proprietors out of a possible 28 who had been named as owning lands or rights in 1776; another meeting, held a few months later, was no better attended. At a third meeting the draft of the petition and the bill were read over.<sup>31</sup> There seems to have been almost unanimous approval for the enclosure: at the report stage of the bill all parties concerned consented 'except the owners of Five Cottages and about Half an Oxgang of land, who could not be met with'.<sup>32</sup> These proprietors were presumably absentee owners and efforts to trace such people could cause considerable difficulty and expense; the solicitor for the enclosure of Elstronwick (161) had to travel down to Devon to obtain the consent of one very large proprietor.<sup>33</sup> Much land in eastern Yorkshire was in the hands of absentee owners, and the sources show that it was not always possible to ascertain the opinions of such people:<sup>34</sup> at the report stage of the Great Cowden bill (194) it was stated that all involved with the enclosure had consented 'except the owners of 6½ oxgangs who were wrote to but returned no answer';<sup>35</sup> all the owners of land in Everthorpe (107) consented except the owner of one cottage 'who is out of the Kingdom';<sup>36</sup> an owner of land in Langtoft (249) who was assessed to the Land Tax for 8s 'could not be met with'.<sup>37</sup>

In the case of substantial owners every effort was made to inform them that an enclosure was in prospect, and to obtain their consent, but before

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31. HUL DDCV 118/3.

32. H.C.J. 36 (1776-8) p.700.

33. DDIV 4/1.

34. The committee on the revision of Standing Orders (1775) considered the question of informing absentee owners, H.C.J. 35 (1774-6) pp.443-4. There seems to have been some feeling at this time that such owners did not receive sufficient notice of impending enclosures. See also Lambert, op. cit. p.135.

35. H.C.J. 32 (1768-70) p.884.

36. Ibid. 34 (1772-4) p.195.

37. Ibid. 56 (1801) p.386.

1774 the promoters were apparently under no obligation to inform the smaller proprietors of a projected enclosure of their land. In 1774 the Standing Orders of the House of Commons required that in future notice of intended enclosure was to be posted upon the church doors in all the parishes concerned for three weeks in August and September prior to the parliamentary session in which the bill was to be presented.<sup>38</sup> Such a measure at least ensured that the resident owners were aware of the intention to enclose; small absentee owners might still not receive sufficient notice. In theory the committee procedure of the House of Commons already required that every party with a right to land being enclosed had to be approached personally for his or her consent;<sup>39</sup> that this was not always complied with is apparent from a number of instances in eastern Yorkshire.<sup>40</sup> In 1760 a counter-petition<sup>41</sup> against the bill to enclose Burton Pidsea (160) stated that:

no public or general notice was given to the ... proprietors of the intended inclosure nor any meeting called to consider the utility of such a scheme ... but the whole proceeding has been planned and conducted in a private manner by one or two of the proprietors only, who having taken on themselves without any authority from the rest, to agree with the Improrietor of the Tythes ... and to prepare and settle the articles, which have not been executed by the owners of more than half of the lands proposed to be inclosed, many of whom reside at a distance from Burton Pidsea and are unacquainted with the nature and condition of the lands.<sup>42</sup>

Similarly, a counter-petition against the bill to enclose Preston (164) submitted in 1766, stated that 'although the Petitioners have so considerable

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38. Ibid. 35 (1774-6) p.443.

39. Lambert, op. cit. p.134.

40. W.E. Tate found similar instances where an enclosure bill was apparently 'promoted over the heads and without the knowledge of some of the proprietors concerned'. W.E. Tate, The English village community and the enclosure movements (1967) p.129.

41. See below for more on counter-petitions, pp. 226-30.

42. H.C.J. 28 (1757-61) p1,057.



a Property and Interest ... all the Proceedings have been conducted without their Consent or Concurrence'.<sup>43</sup> However, in this case the petitioners were the lessees of the tithes and not the owners of landed property. As stated above the lessees of the tithes had some rights in relation to the enclosure but the nature of these rights is nowhere stated expressly.

The advertisements placed in the York Courant indicate that by the mid-1760s it was becoming common practice to hold a series of meetings in the months before the petition was presented to Parliament. The first meeting was called to consider the advisability of an enclosure, and it was followed if there was a sufficiently favourable response, by a meeting 'to peruse and sign the bill'.<sup>45</sup> Such meetings would appear to be sufficiently well publicised for those who could read the newspapers; moreover in small communities it seems unlikely that all the villagers (even the illiterate) would not be fully aware of developments well before a petition was presented.

Frequently advertisements in newspapers provide the only available evidence that meetings took place, especially in the case of pre-1790 enclosures, for which very few sets of commissioners' minutes and solicitors' accounts have survived; where available the latter are particularly useful in documenting early negotiations. The papers of the Iveson family, a firm of Hedon attorneys, provide information upon the preliminary meetings for the enclosure of several Holderness townships.<sup>46</sup> They show that a meeting was held on 26 February 1800 at Brandesburton (203) 'to consider the propriety' of an enclosure of the township of North Frodingham (211).<sup>47</sup> It was attended by

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43. Ibid. 30 (1765-6) p.695.

44. For example in the case of Nafferton (228) and Wansford (227), enclosed 1769-72, a meeting was held in early November 1768 to consider an application to Parliament; there was a meeting at Hutton Cranswick (77), enclosed 1769-71, in the same month, Y.C. (Oct. 1768).

45. In December 1768 meetings of owners in the above townships were held to peruse and sign the bill, Y.C. (Nov. 1768).

46. DDIV - Iveson collection.

47. HUL DDCV 120/8.

28 people, about half of those who eventually received allotments, but it is clear that they comprised the larger owners of land, since they owned 82 of the 94 oxgangs which formed the open fields. At the meeting it was resolved that an enclosure would be beneficial, and only two people expressed dissent; their property amounted to only four oxgangs and 'some cattle gates'. During the enclosure bill's passage through the House of Commons it was recorded that all parties to the enclosure had consented except the owners of one and a half oxgangs, one common right and two roods of old-enclosed land; the proprietors of three oxgangs, nine common rights and eight acres of old-enclosed land were neutral.<sup>48</sup>

The attorney, or solicitor, was chosen at a very early stage in the negotiations, usually formally at the first meeting, although he was probably informally selected by the principal promoters when they were discussing the matter amongst themselves. The attorney's work began at once, for it was he who was responsible for advertising future meetings, contacting absentee owners and drawing up the petition and the bill. House of Commons regulations required that a petition should be presented before a bill could be ordered, since enclosure bills were treated as private bills in every respect.<sup>49</sup> The petitions were supposed to be signed by all the parties, but where there was opposition this could hardly be complied with. Before c.1790 the principal promoters of the enclosure were named in the petition,<sup>50</sup> but after that date they were only rarely identified.<sup>51</sup> The names of the lord of the manor, the incumbent and the impropiator of the tithes, together with the principal proprietors usually appeared in the petition in the earlier period; in the later period the phrase used most commonly was that the petition was presented by 'several owners'.

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48. H.C.J. 56 (1801) p.499.

49. Lambert, op. cit. pp.85-6.

50. H.C.J. passim.

51. cf. Tate (1944), op. cit. pp.75-6.

By the end of the first wave of parliamentary enclosure activity, c.1780, solicitors must have had wide experience of the work of drafting petitions and bills. As early as the mid-1760s most bills contained identical clauses, although additional information and instructions were added where necessary. After 1801 the drafting of enclosure bills was simplified by the passing of the General Enclosure Act. This incorporated those clauses which had been found to be most appropriate for enclosures throughout the country; it was only necessary for solicitors to make additions or amendments where appropriate thus reducing the work of drafting, printing and engrossing.<sup>52</sup> From 1836 a private act to enclose was no longer essential;<sup>53</sup> the General Act of that year permitted enclosure where owners of only two-thirds of the land consented.<sup>54</sup>

#### Parliamentary business

The petition and the bill having been drawn up by the attorney, the proprietors were called together to read them over and signify their consent. The petition was usually presented to the Commons in January or February,<sup>55</sup> and at this stage those opponents of the enclosure with sufficient financial resources might combine to draw up a petition opposing the bill. In those enclosures where the bill went through successfully the parliamentary procedure generally lasted two to three months. A London attorney was employed to oversee the passage of the bill through Parliament but it was still necessary for the local attorney to attend as he had to swear to the

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52. Lambert, op. cit. pp.143-4.

53. A few enclosures after this date were however still implemented by private act; in eastern Yorkshire the only such case was Brandesburton, 7 & 8 Vic., c.4.

54. 6 & 7 Wm. IV, c.115.

55. In the early years of parliamentary enclosures, c. 1720-39 the petition tended to be presented first to the House of Lords, Lambert, op. cit. pp. 129-30. This happened in the case of Catwick (201) enclosed 1731, House of Lords Journal 24 (1731-6) p.598.

authenticity of the signatures of the petitioners and remaining owners, as well as to deal with any problems of interpretation which might arise. His expenses, together with those of any witnesses who might be called, were added to the enclosure costs. At the enclosure of North Dalton (58) the expenses of James Collins, the attorney, and of one witness, totalled over £70 for 28 days in London.<sup>56</sup>

In a number of cases a petition to enclose an eastern Yorkshire township was presented to Parliament, but dropped at some stage during the proceedings. Sometimes this must have been because the necessary support was lacking.<sup>57</sup> It could also occur, however, as the result of a technical problem - a mistake in drafting or failure to comply with the Standing Orders - when the bill would usually be re-submitted within a year or two. A petition to enclose Aldborough (183) submitted in 1763 did not result in a bill, but the second application the following year was successful;<sup>58</sup> the Long Riston (191) petition to enclose was presented in 1770, dropped that year but passed the following year;<sup>59</sup> owners in Melton (129) applied in 1770 and again in 1771.<sup>60</sup> On a few occasions a counter-petition was presented against the bill, which was dropped as a result.<sup>61</sup> This seems to have happened to a bill to enclose Preston (164) which was presented in 1766: a counter-petition was presented by the lessees of the tithes, the committee to consider the bill was 'opened to all comers' and the bill was dropped<sup>62</sup> - when it was resubmitted in 1769

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56. HUL DDCV 118/4.

57. Tate (1944), op. cit. p.86; W.E. Tate, 'Opposition to parliamentary enclosure in 18th-century England', Agricultural history, 19 (1945) p.139.

58. H.C.J. 29 (1761-4) pp.470-1, 1030.

59. Ibid. 32 (1768-70) p.681; 33 (1770-2) p.359.

60. Ibid. 32 (1768-70) p.681; 33 (1770-2) p.295.

61. See below for more on counter-petitions, pp.226-30.

62. H.C.J. 30 (1765-6) p.695, 703.

it also failed at an early stage.<sup>63</sup> In this instance opposition to enclosure was the cause of the delay and when the bill eventually succeeded (in 1773) the counter-petitioners of 1766 insisted that all the owners of land in Preston should bear the cost of the counter-petition.<sup>64</sup> In some instances the delay between the first application to Parliament and the act was much longer than it was in Preston's case; Walkington (102) proprietors first applied for an act to enclose in 1763, they tried again in 1788, 1789 and 1790, but it was not until 1794 that they were successful.<sup>65</sup> A petition to enclose Keyingham (147) was first presented in 1774 and again in 1775, but the enclosure act was not passed until 1802.<sup>66</sup>

For eastern Yorkshire townships there were 174 petitions for private enclosure acts, of which 38 failed to proceed beyond the early stages. For Leicestershire there were 187 petitions, of which 37 failed;<sup>67</sup> in 20 of these cases a further petition was presented within two years, and in the remainder the delay was longer, which Hunt saw as an indication of opposition.<sup>68</sup> For Oxfordshire there were 189 petitions, of which 60 were abortive;<sup>69</sup> for Nottinghamshire petitions totalled 170, with 39 failing;<sup>70</sup> for Buckinghamshire

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63. Ibid. 32 (1768-70) p.144.

64. 13 Geo. III, c.86.

65. H.C.J. 29 (1761-4) p.463; 43 (1787-8) p.192; 44 (1788-9) p.170; 45 (1790) p.94; 49 (1794) p.569.

66. Ibid. 34 (1772-4) p.517; 35 (1774-6) p.93. 42 Geo. III, c.102.

67. H.G. Hunt, The parliamentary enclosure movement in Leicestershire, 1730-1842 (University of London unpublished Ph.D. thesis, 1956) p.110.

68. This may not always have been the case: Tate, in a study of Oxfordshire enclosures, found that when acts were eventually obtained for townships with a history of unsuccessful applications to Parliament, 'more than the average proportion were accepted with complete unanimity' which suggests that either the delay had not been due to opposition, or else that the 'opponents' property had been bought by others, Tate (1945), op. cit. p.139.

69. W.E. Tate, 'Members of Parliament and their personal relations to enclosure', Agricultural history, 23 (1949) p.214.

70. Tate (1945), op. cit. p.139; or see W.E. Tate, 'Parliamentary counter-petitions during the enclosures of the 18th and 19th centuries', English historical review, 59 (1944) p.399, where he gives a figure of 38.

79 petitions were presented and 18 failed.<sup>71</sup> Although most of these abortive petitions were resubmitted at a later date, there are a few cases where no further application was made. Tate gave such an example from Nottinghamshire, and concluded that the township must have been subsequently enclosed by agreement, probably because it was less costly.<sup>72</sup> There is a similar case in eastern Yorkshire: 'two considerable proprietors' of land in Benningholme (187), a hamlet in the Hull valley, applied to enclose 550 acres of open fields, pastures and meadows, in November 1779.<sup>73</sup> The petition was dropped and never reintroduced, no formal enclosure by agreement has been located, and the assumption must be that an informal agreement to enclose was made at some later date. The Land Tax assessment of 1783 shows that Benningholme was in the possession of only four proprietors - one of them paying almost 80 per cent of the tax<sup>74</sup> - so that agreement should have been a relatively simple matter. The fact that this township was for a time the home of Peter Nevill, one of the busiest enclosure commissioners and surveyors in eastern Yorkshire, clearly did not persuade the proprietors of the advisability of enclosing their land by act of Parliament, or at the very least by enrolled award.

The usual stages for private bills was followed in the case of enclosure bills: the petition was presented, read, and in a few cases was referred to a committee for consideration before the bill was ordered. Until 1740 petitions for all enclosure bills were committed, but after that date the practice was discontinued, except in exceptional circumstances. Tate considered that such referral might be an indication either of strong opposition, or of

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71. M.E. Turner, Some social and economic considerations of parliamentary enclosure in Buckinghamshire, 1738-1865 (University of Sheffield unpublished Ph.D. thesis, 1973) Appendix VI (a) pp.210-2.

72. Tate (1945), op.cit. p.139.

73. H.C.J. 37 (1778-80) p.470.

74. QDE 1 Benningholme.

failure to comply with standing orders;<sup>75</sup> Lambert stated that petitions were subjected to close scrutiny only when they involved drainage provisions which could affect local taxation,<sup>76</sup> and this conclusion is confirmed by the evidence from eastern Yorkshire.

The next stage, after the presentation of the petition, was the ordering of the bill, which the Members of Parliament for the county concerned, or those from a neighbouring constituency, were normally asked to prepare and bring in. Tate found that for Nottinghamshire enclosure bills it was quite common for such Members to be personally interested in the land concerned.<sup>77</sup> Certainly there was no ruling to prevent it and J.M. Martin in a study of Members of Parliament and Warwickshire enclosure bills found a similar picture.<sup>78</sup> The first reading followed shortly, performed 'cursorily' according to an 18th-century attorney with considerable experience of parliamentary practice.<sup>79</sup> The second reading took place within a day or two, and the order was made that the bill should be referred to a Committee. If there were any counter-petitions they too were referred for consideration to the committee, which was instructed to hear any witnesses who might wish to appear in their support.

For eastern Yorkshire there were in all 24 counter-petitions, associated with 19 bills, the total number of bills being 174. This compares with 12 counter-petitions associated with 187 bills for Leicestershire;<sup>80</sup> 16 counter-petitions, associated with 79 bills for Buckinghamshire;<sup>81</sup> 9 counter-petitions

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75. Tate (1944), op. cit. p.81

76. Lambert, op. cit. p.132.

77. Tate (1944) p.81.

78. J. M. Martin, 'Members of Parliament and enclosure: a reconsideration', Ag. H.R. 27 (1979) pp.101-9. For eastern Yorkshire see below where composition of committees is discussed, pp. 230-5.

79. Lambert, op. cit. p.88.

80. Hunt (1956), op. cit. p.128.

81. Turner (1973), op. cit. pp.185-7.

for 171 bills for Nottinghamshire.<sup>82</sup> Further investigation of the circumstances surrounding the presentation of counter-petitions in eastern Yorkshire shows that counter-petitioning was not necessarily an indication of any real opposition to enclosure as such. All but three of the bills petitioned against were enacted and, although it is not always possible to determine the nature of the petitioners' objections, it seems from all the evidence available that they were mainly concerned with the terms or clauses of the bill. The earliest enclosure bill with a counter-petition concerned Nunburnholme (55), enclosed 1755. The Reverend Edmund Garforth and a yeoman, William Johnson, stated that they owned one-sixth of the land to be enclosed, and that Garforth was also entitled to five-twelfths of the old-enclosed meadows. They regarded the bill as it stood as being detrimental to their rights, their objection apparently being to the tithe commutation which was to accompany enclosure.<sup>83</sup> From evidence in the award - where it was stated that Garforth was to continue to pay his tithes in kind, whilst all the other owners were in future to make a cash payment<sup>84</sup> - it seems that special provisions must have been made for the clergyman; Johnson perhaps decided to accept the commutation.

The question of tithe commutation arose in a number of other counter-petitions: the abortive bill of 1766 for Preston (164) has already been mentioned;<sup>85</sup> the impropriatrix of the tithes of Garton on the Wolds (248), Jane Cooke, presented a counter-petition to the bill to enclose the township, which stated that it was 'greatly prejudicial to her interests',<sup>86</sup> -

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82. Tate (1944, 'Parliamentary counter-petitions ...'), op. cit. pp.398-9, although in Tate (1944, 'The Commons journal ...'), op. cit. p.84, the figure of 10 counter-petitions associated with 170 bills was given.

83. H.C.J. 27 (1754-7) p.143.

84. R.D.B. Y/28/12.

85. See above, pp.219-20.

86. H.C.J. 34 (1772-4) p.540.



the bill went ahead, but she may have been successful in altering the terms. Unfortunately very few draft bills have survived for the region and therefore a comparison between the bill and the act is not possible.

Counter-petitioning was a costly business, only to be undertaken by persons of some means. The counter-petitioners themselves were responsible for the expenses, although in at least one case, Burton Pidsea (160), they made the successful passage of the bill dependent upon the proprietors agreeing to add the cost of the counter-petition to the total costs.<sup>87</sup> The list of charges for the enclosure of Burton Pidsea includes an entry for £25<sup>4</sup> 19s 5d being 'Mr. Farrah's note in opposing the Act',<sup>88</sup> and a statement of each proprietor's assessment shows that the proprietors concerned in the opposition (a total of eight) had to pay costs at a lower rate per pound value than had the remaining owners;<sup>89</sup> presumably this was a condition of their agreement to the enclosure. Similarly, in the case of Preston (164), enclosed 1773-7, with two abortive bills in 1766 and 1769, a clause in the act of 1773 stated that all the expenses of the previous bills were to be added to the total enclosure costs, and the two lessees of the tithes were to be paid £157 10s for their expenses in opposing the bills.<sup>90</sup> In the only other township, Sutton (169), enclosed 1763-8, for which there is detailed evidence of the circumstances surrounding the counter-petition, a letter from a solicitor to one of the promoters stated:

There was a Motion made on behalf of the Opposers that the expenses of the Opposition should be defrayed by all the Proprietors ... in proportion to their several Estates, and upon the Question being put it was carried in the negative (the Opposers having only the Vote of the Gentlemen who made the Motion).<sup>91</sup>

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87. DDCK 32/5.

88. Ibid.

89. DDCC (2) Box 8.

90. 13 Geo. III, c.86.

91. DDGR 42/12.

The counter-petition came from several substantial gentry owners but it does not give the reasons for their opposition, only stating that the bill 'will greatly affect and prejudice their Property'.<sup>92</sup> At the report stage however, a number of new clauses were added and several amendments were made and it is clear from the proportion of consents that the counter-petitioners must have obtained satisfaction.<sup>93</sup>

The later (i.e. post-1780) counter-petitions are not well documented in the House of Commons Journal; the names of the presenters are omitted, and the phrase 'their Rights and Interests will be materially injured', which most commonly occurs, gives no clue as to the nature of their opposition. Counter-petitioning was probably effective in producing changes in a bill before it was enacted; of the 16 enclosure bills which passed after being petitioned against, eight were reported by the committee as having all parties consenting.<sup>94</sup> Hunt found that in Leicestershire the counter-petitioners were not usually amongst those owners who refused to sign the bill, and he concluded that the committee had satisfied their objections.<sup>95</sup> Tate reported that in the case of Nottinghamshire 'only a part, perhaps a third, certainly not a half' of the counter-petitions, which represented one in 15 of all successful bills, were concerned with the opposition of small proprietors.<sup>96</sup> Conversely J.M. Neeson, working on enclosure in Northamptonshire, found that there a somewhat higher proportion, as much as two-thirds of all counter-petitions, was brought in by commoners who feared the loss of their common rights.<sup>97</sup> In the 18th century there were still large tracts of

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92. H.C.J. 29 (1761-4) p.473.

93. Ibid. p.535.

94. Appendix III. In one case, Withernwick (193) the counter-petitioners were judged to have no rights to the land, H.C.J. 57 (1801-2) p.399.

95. Hunt (1956), op. cit. p.129.

96. Tate (1944, 'Parliamentary counter-petitions ...'), op. cit. pp.398-9, 402.

97. J.M. Neeson, Common right and enclosure in 18th-century England (University of Warwick unpublished Ph.D. thesis, 1977) p.317.

old woodland in the county,<sup>98</sup> and this fact, combined with the tendency for conversion of much arable land to pasture after enclosure may have been a factor in the higher level of opposition found by Neeson. At all events most researchers on the incidence of counter-petitions would agree with Tate that 'whatever mode of protest was favoured, counter-petitioning the House of Commons was not'.<sup>99</sup>

The committee, to which the petitions and counter-petitions was referred, might consist of any number from 20 to 50 or more Members,<sup>1</sup> and it included many local Members from the county concerned, as well as Members from neighbouring counties and nearby urban constituencies. It has been suggested by a number of writers, most notably the Hammonds,<sup>2</sup> that the parliamentary process on enclosure bills provided landowners who were also M.P.s, or were closely associated with M.P.s., with an opportunity to advance their own interests at the expense of the less influential proprietors. Tate examined the available evidence on this point for two counties: Nottinghamshire and Oxfordshire.<sup>3</sup> At the end of his study of the latter county he stated:

It would be foolish to deny that an eighteenth-century Parliament, filled very largely with members of the land-owning classes, was a very inadequate body for discussing questions involving the allocation of property between class and class.<sup>4</sup>

Tate found that some Members 'went out of their way to take part in enclosure proceedings for parishes where they or their friends, allies or patrons had

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98. V.C.H. Northamptonshire 2 (1906) pp.341-52.

99. Tate (1944, 'Parliamentary counter-petitions ...'), op. cit. p.403.

1. Lambert, op. cit. p.96.

2. J.L. and B. Hammond, The village labourer. New ed. (1978) pp.16-25 and passim.

3. W.E. Tate, 'Members of Parliament and the proceedings upon enclosure bills', Ec.H.R. 12 (1942) pp.68-75; Tate (1949), op. cit.

4. Tate (1949), op. cit. p.220.

estates' but he could not find evidence that such activity was habitual or on a large scale and therefore concluded:

there is little to prove or even to suggest that any hardship or injustice was due to the systematic exploitation of personal interests by the knights and burgesses of the House of Commons.<sup>5</sup>

J.M. Martin's study of Members of Parliament and enclosure threw some useful light on the matter. Before 1760 the Members who made up the Commons committees were listed in the House of Commons Journals, allowing Martin to undertake a detailed examination of the connection between members and local enclosure bills for Warwickshire, where the enclosure movement began unusually early. This feature of enclosure legislation has been missed in the past because only researchers of counties with a substantial early history of parliamentary enclosures can use the information in the House of Commons Journals to any effect. Martin's study is therefore particularly valuable, and his findings probably have a wider application than simply the county of Warwickshire. His principal conclusions were that in over half of the 71 bills to enclose Warwickshire townships introduced between 1730 and 1779, it was possible to trace a link between the principal landowner and an M.P. who was closely involved at some stage; moreover, in 60 out of 80 cases (including nine bills initiated in the House of Lords) the leading petitioner had a relative or friend sitting in one of the two Houses.<sup>6</sup> This is in no way surprising when the nature of 18th-century society is taken into account. Members of Parliament sitting for rural constituencies were generally from long-established gentry families and were related by marriage to most of the major families of their counties. In Warwickshire, as in eastern Yorkshire, there was considerable inequality in the distribution of land well before enclosure in most townships.<sup>7</sup> The major families owned large estates in

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5. Ibid.

6. Martin (1979), op. cit. p.106.

7. J.M. Martin, 'The parliamentary enclosure movement and rural society in Warwickshire', Ag. H.R. 15 (1967) p.27.

many of the townships for which applications for acts were made and their names figure prominently in the lists of petitioners for acts.

In eastern Yorkshire there was a number of local M.P.s with sizeable estates which were enclosed by act during their term of office: Sir George Montgomery Metham was one of the M.P.s for Hull between 1757 and 1767,<sup>8</sup> and during this time the enclosure bill for North Cave (106), where he had his principal estate, went through the Commons.<sup>9</sup> However, there was almost unanimous consent to this enclosure,<sup>10</sup> and therefore any influence that Metham might have been in a position to exercise would have been superfluous. Hugh Bethell of Rise was M.P. for Beverley from 1768 to 1772, which were very busy years for enclosure acts affecting eastern Yorkshire. During this period petitions to enclose four townships in which Bethell was an owner were presented to Parliament: Hutton Cranswick (77), 1769;<sup>12</sup> Lisset (218), 1771;<sup>13</sup> Long Riston with Arnold (191), 1772;<sup>14</sup> and Sigglesthorpe (200), 1772.<sup>15</sup> The Sigglesthorpe and Lisset bills were unopposed, and the Long Riston and Hutton Cranswick bills were attended by only a very limited amount of dissent, so that Bethell like Metham had little reason to intervene in any positive sense to ensure their passage.

Only a very few eastern Yorkshire townships were enclosed by act before 1760, therefore a detailed investigation of the composition of committees as

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8. G.R. Park, Parliamentary representation of Yorkshire ... (Hull, 1886) p.103.

9. H.C.J. 29 (1761-4).

10. Appendix III.

11. Park, op. cit. p.245.

12. H.C.J. 32 (1768-70) p.111.

13. *Ibid.* 33 (1770-2) p.115.

14. *Ibid.* p.125.

15. *Ibid.* p.506.

carried out by Martin cannot be undertaken.<sup>16</sup> Most commonly the bill is stated to have been referred to several named individuals together with Members for the county where the enclosure is to take place. The work of the committee is not reported and one is dependent upon other sources for information as to the changes which might be made in a bill by Members personally interested in the land or promoting the interests of their friends. The bill to enclose the common pastures of Cottingham went through the House of Commons in 1766;<sup>17</sup> Josiah Midgley, who was the solicitor, wrote to one of the proprietors that a principal owner, who was on the committee, had attempted to insert an extra clause in the bill, but without success.<sup>18</sup> The M.P. concerned was Sir George Montgomery Metham who was lord of three of the four manors in the township.<sup>19</sup>

Not all M.P.s were solely concerned with advancing the interests of themselves and their friends. One such honourable exception was Sir George Savile, a Yorkshire M.P. from 1758 to 1783,<sup>20</sup> who was involved with many eastern Yorkshire enclosure bills in their progress through the House. The Hammonds relate how after observing a 'meanly habited' man anxiously watching the proceedings of a committee and showing great distress at its report, he enquired into the cause of the man's distress - a clause that had been inserted in the bill - and was instrumental in bringing about its amendment, thus saving the man from financial ruin.<sup>21</sup>

There was undoubtedly the opportunity for M.P.s to use their privileged position to promote the interests of individuals, but as Appendix III shows

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16. Martin, op. cit.

17. H.C.J. 30 (1765-6) p.546.

18. HUL DRA 91.

19. See below, pp.234-5.

20. Park, op. cit. pp.25-6.

21. Hammonds, op. cit. p.23. No source is given for this quotation.

the weight of opposition to enclosure for most eastern Yorkshire townships was so limited that there can have been little need for local M.P.s to intervene to ensure the successful passage of bills. The balance of power at village level was already so emphatically in the hands of the larger landowners that the parliamentary process can hardly be seen as a usurpation of rights.<sup>22</sup>

The House of Commons Journal gives little indication of the proceedings of committees, but sometimes the phrase that 'all are to have voices' on a committee appears in the proceedings, and this was taken by the Hammonds to imply that there was opposition to a bill, since its effect was to open up the committee to all M.P.s who wished to attend.<sup>23</sup> It occurred only eight times in bills for eastern Yorkshire enclosures;<sup>24</sup> one case, Cottingham (116), enclosed 1766-71 is of particular interest since the parliamentary proceedings are well documented. Sir George Montgomery Metham, M.P. for Hull, 1757-66, was the lord of three of the four manors in Cottingham. As such he insisted upon being allotted 60 acres of the best land, which the proprietors thought unreasonable. The solicitor for the enclosure wrote to one of the principal proprietors that he thought it unwise to refer Sir George's claims to a committee as they would probably give him a larger amount of land than he was asking for already. In another letter, giving an account of the parliamentary business on the bill, the solicitor wrote:

Our Committee was made an Open one, on the Motion of one of Sir George's Friends, he being alarmed at the coming in of the 2nd Petition for inclosing the Field Lands, as not knowing what was meant thereby.<sup>25</sup>

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22. See Chapter 7 for landownership at enclosure.
23. Hammonds, op. cit. p.17.
24. Appendix III. For 170 Nottinghamshire bills it occurred six times, Tate (1945), op. cit. p.139.
25. HUL DRA 91. The petitions mentioned in the quotation were not in opposition to the bill, but were made necessary by a decision, after the application for an act had gone through, to include several pieces of land not mentioned in the petition.

Metham was eventually persuaded to accept 60 acres of medium quality land, to be chosen by the enclosure commissioners, instead of 60 acres of the best land chosen by himself. In the other enclosures where the phrase 'all to have voices' occurred, there seems to have been little overt opposition; several passed with total assent recorded at the report stage.<sup>26</sup> On a few occasions individual named members were added to committees, but as in bills where the 'all to have voices' phrase was recorded, such cases do not seem to be associated with any great degree of opposition at the report stage. Perhaps in the case of Burton Pidsea (160) it may have had some significance; no fewer than 41 M.P.s were added to the committee during the passage of this bill,<sup>27</sup> which had been associated with a certain amount of dispute in the form of a counter-petition.<sup>28</sup>

#### Opposition at the report stage

The committee considering an enclosure bill reported back to the House within a week or so, and it is at this stage in the proceedings that the weight of opinion for and against the measure is recorded in the House of Commons Journal. As stated earlier, the parliamentary procedure required the consent of the owners of three-quarters to four-fifths of the land in question, that is not that proportion of the owners involved but of the land and interest. As the Hammonds put it in a memorable phrase 'the suffrages were not counted but weighed'.<sup>29</sup> The units used to assess the proprietors' interests varied

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26. Appendix III.

27. H.C.J. 28 (1758-61) p.1,060, 1,067.

28. See above, p.219.

29. Hammonds, op. cit. p.19.



from one enclosure to another. The proportion of consents could be given in acres, oxgangs, common rights, messuages, cottages with common rights, beast gates, rental value, rateable value, and assessment to the Land Tax.<sup>30</sup>

It may well be that the promoters chose those units which would give the highest proportion of consents to enclosure. Tate reported that in Nottinghamshire:

the preponderance of opinion in favour of enclosure is almost invariably much stronger when expressed in acres, oxgangs, ploughlands, land-tax assessment etc. than when expressed in toftsteads, or common-right cottages, i.e. that the property of the parish may have been strongly in favour ... when the population, especially the smaller proprietor, was not.<sup>31</sup>

Appendix III itemises the proportions of dissents, neutrals and consents to all enclosure acts in the region, from the earliest act in 1726, until 1836 when the parliamentary procedure was altered by the passage of the General Act (Appendix II). As the table shows, out of a total of 139 enclosure acts, over half (73) went through the House with no dissents recorded. Paradoxically seven of these were of townships for which counter-petitions were presented, a fact which suggests opposition to the terms of the enclosure rather than to the enclosure itself.

The evidence from eastern Yorkshire is similar to that for Nottinghamshire, where Tate found that out of a total of 131 acts, 66 were recorded as having all parties consenting, 63 had some dissent recorded, with data lacking for two.<sup>32</sup> In other regions where a study of opinion of enclosure has been made, rather more opposition was recorded: for Leicestershire only 54 out of 154 bills had no dissents;<sup>33</sup> for Buckinghamshire there was only rarely

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30. Appendix III. See also Tate (1944, 'The Commons Journals ...'), op. cit. p.87.

31. Ibid. p.88. Note however an article by Tate the following year where he contradicted this statement, saying that in Nottinghamshire 'the weight of opinion was overwhelmingly in favour of enclosure, in whatever units that weight was expressed', Tate (1945), op. cit. p.142.

32. Ibid. p.141.

33. Hunt (1956), op. cit. p.129.

unanimous consent to a bill.<sup>34</sup>

Examination of the weight and importance of the dissent recorded at the report stage of eastern Yorkshire bills shows that, except in a few cases, it was very limited in scale. Out of a total of 66 eastern Yorkshire enclosure bills which were in some degree opposed, 37 concerned townships where the value of interests dissenting or recorded as neutral<sup>35</sup> added up to less than ten per cent. In a further 17 bills, between ten and 20 per cent of owners in value were either opposed to or neutral to the enclosure, and in three, the opposers and the neutrals added up to over 20 per cent of the property.<sup>36</sup> One of these, the bill to enclose Hollym (153) and Withernsea (154), presented in 1793, is rather difficult to categorise. The House of Commons Journal gives a figure of 3,207 acres as the area of land involved in the enclosure, although only 1,899 acres were actually allotted. The former figure seems to refer to the acreage of both townships, and includes quite large areas of old enclosure. When the higher figure is used the interests of those dissenting or neutral amounts to just over 12 per cent; when the lower figure is used they represent 20 per cent, that is the extent of approval for the enclosure is made to seem much greater if the township acreages rather than the area to be enclosed is taken as the basis for the calculation. The fact that commutation of the tithes, which affected old-enclosed as well as open-field land, was taking place at the same time as enclosure, presumably made such a manipulation of the figures easier to defend. In any event, the degree of actual opposition

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34. Turner (1973), op. cit. p.373 and Appendix IIIa.

35. The question of how much weight was attached to neutral votes was discussed by Tate (1945) p.141. He suggested that when it suited them to do so committees might ignore the neutral votes.

36. The remaining nine cannot be quantified, because the information given in the House of Commons Journal is incomplete. The amount of opposition in these cases seems to have been small, the highest proportion being recorded for Bridlington (238), where the owners of four oxgangs and half an acre dissented. An oxgang was a very variable measure in eastern Yorkshire and could be anything from ten to over 20 acres.

recorded here (as opposed to neutrals) was negligible. In a document which propounded the case for the promoters it was stated that amongst the land-owners there was only one dissenting voice, and that was a small freeholder.<sup>37</sup> Conversely it should be noted that common-right owners are not mentioned; the weight of opinion is recorded in acres, and yet in Hollym there were eleven allotments of less than five acres made to cottagers.<sup>38</sup> They may have been against enclosure but their opinion is not stated. This is true of a number of other enclosures where ownership of open-field land is used as the measure of interests; it may be that this masks a degree of dissent which can never be calculated. There were two counter-petitions against the bill to enclose Hollym and Withernsea, but they came not from proprietors, but from the Mayor and Burgesses of Beverley, who as patrons of the rectory considered that their property might diminish in value as a result of the enclosure.<sup>39</sup>

The second enclosure bill for which there was over 20 per cent of the ownership dissenting or neutral concerned the combined townships of Marton and Sewerby (239). At the report stage in 1802 it was recorded that the owners of 30 oxgangs and eight common rights were opposed to the enclosure, and that the owners of four common rights could not be found;<sup>40</sup> the total number of oxgangs to be enclosed was 134 and there were 68 common rights. A counter-petition to the bill was also presented, coming from 'several Persons whose Rights and Interests will be materially injured'.<sup>41</sup> The names of the opponents of the enclosure are not known but from what we know of subsequent events in the two townships it is a fair assumption that the two principal landowners, John Greame of Sewerby and Ralph Creyke of Marton were

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37. HUL DDSY 101/68.

38. R.D.B. BT/364/50.

39. H.C.J. 48 (1792-3) p.794, 822.

40. Ibid. 57 (1801-2) p.447.

41. Ibid. p.517.

not amongst them. At the enclosure Greame was allotted 842 acres (54 per cent of the land being enclosed) and Creyke was allotted about 200 acres (13 per cent).<sup>42</sup> The enclosure commissioners realigned the roads so as to avoid the vicinity of the mansions of Greame and Creyke, and over the next few decades large areas of parkland around the mansions were created, resulting in the resiting of a number of cottages.<sup>43</sup> It seems very possible that the opposition to the enclosure of Sewerby and Marton was associated with the intentions of the two principal landowners to change the shape of the two villages.

The third enclosure for which substantial opposition was recorded in the House of Commons Journal was that of Gowthorpe (37). Two previous attempts had been made in 1805<sup>44</sup> and 1806<sup>45</sup> to enclose the 330 acres of open fields and stinted pastures in this township, but the petitions had been dropped at an early stage. The successful bill was presented in 1810 and at the report stage it was recorded that the owners of land assessed to the Land Tax for £2 19s 6d had not consented. The total tax paid was £10 3s,<sup>46</sup> giving a proportion of owners in favour of less than three-quarters, so by rights this bill had insufficient support to allow it to pass. The enclosure award shows that this was not a case of injustice to small landowners however; only three owners were allotted land<sup>47</sup> and no owners sold land around the time of the enclosure.<sup>48</sup>

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42. R.D.B. CQ/113/4.

43. V.C.H. Yorks. E.R. 2, pp.93-4.

44. H.C.J. 60 (1805-6) p.93.

45. Ibid. 61 (1806) p.100.

46. Ibid. 65 (1810) p.345.

47. R.D.B. Book G.

48. No entries under Gowthorpe in the index volumes of the Registry of Deeds.

The reasons for an individual's opposition to enclosure were only rarely given in the House of Commons Journal, but where they are available they can be quite revealing. Sometimes the objections were made on religious grounds, as was the case with Robert Benington, a Quaker, who 'refused to sign anything related to Tythes'.<sup>49</sup> The commutation of the tithes was always a contentious issue and the tithe owner and the proprietors were more often than not at odds with each other over the matter. The vicar of Kilham (245) refused to sign the enclosure bill for that township:

unless an Allotment was made to him to the Amount of double the present value of his Tythes, to be divided into as many Closes as he should think convenient, at the expense of the other Proprietors; and [he] said, That he would not have his Rights valued by a Set of Commissioners.<sup>50</sup>

It was quite usual for the tithe allotment to be ring-fenced, that is fenced around the circumference, at the expense of the other landowners in a township, but the sub-division of the tithe allotment was regarded as the impropiator's responsibility. The vicar of Kilham was not alone in attempting to wring as much as possible out of the landowners; the vicar of Wold Newton refused to sign his assent to the enclosure of the township 'as the Proprietors would not subdivide his Allotment, he not being content with a Ring Fence'.<sup>51</sup>

Other owners gave quite idiosyncratic reasons for their refusal to sign an enclosure bill: John Greame refused to sign the bill to enclose Bessingby (237) 'because he might not like the Allotment made to him and did not chuse to have himself to blame';<sup>52</sup> a proprietor of 37 oxgangs of land in the open fields of Rudston (244) stated that he 'had made a Resolution

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49. H.C.J. 29 (1761-4) p.796.

50. Ibid. 33 (1770-2) p.221.

51. Ibid. p.670.

52. Ibid. 30 (1765-6) p.653.

not to sign his consent to the Bill, and would not break his word, for that he knew that there was Property enough consenting without him'.<sup>53</sup>

Some owners were incapable through disability: Robert Fairburne of Ottringham (146) 'for some years has been in a Melancholy Way and not capable of acting for himself';<sup>54</sup> the patron of Londesborough rectory (70) was unable to sign the bill because he was 'a Lunatic'.<sup>55</sup> A number of owners, although they refused to sign, said they had no objection to the bill; their true attitude to the enclosure is thus impossible to gauge. During the enclosure negotiations before the presentation of the bill to enclose Cherry Burton John Hall wrote to his employer Lord Hotham that 'tho' a very few of the Proprietors are not consenting, none oppose'.<sup>56</sup> It may be that they did not wish to commit themselves one way or another - a classic case of 'sitting on the fence'.

#### Case studies of opposition

##### a) Wallingfen enclosure

Parliamentary sources cannot give a complete picture of opposition, although often the House of Commons Journals are the only available source. Advertisements in local newspapers, however, can sometimes be used to build up a picture of the opinion upon certain enclosures, and one particularly well-documented enclosure concerned Wallingfen (105), a large rough pasture of about 5,000 acres, which was part of a vast area of open ground in the south-eastern part of the Vale of York. To the west of Wallingfen lay Bishopsoil, about 4,000 acres in area, whilst to the north lay Holme moor,

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53. Ibid. 34 (1772-4) p.714.

54. Ibid. 28 (1757-61) p.175.

55. 56 Geo. III, c.22.

56. HUL DDHO 8/3.

which covered about 7,000 acres.<sup>57</sup> Until the latter part of the 18th century this area was unimproved, being primarily carr-land, and used as rough grazing. Forty-eight townships and hamlets on the western side of the Wolds and the Vale of York, had rights on Wallingfen, rights which seem to have been highly valued, despite the fact that much of the land was under water for between three and ten months of the year. The pasture rights were carefully stinted and had been so since the 16th century, when the court which controlled the use of the common limited the number of cattle per commoner to those for which the commoners' farms could provide sufficient winter feed.<sup>58</sup> As well as providing the commoners with pasture land, Wallingfen was a useful source of peat for fuel, and of fish and fowl; there were several permanent meres within it still in the 18th century, the two largest being Oxmardike and Yapley.<sup>59</sup> Despite the unimproved nature of the land it seems that the commoners set a high value on their rights; the enclosure of Wallingfen might therefore be expected to meet with at least some degree of opposition.

The enclosure took place between 1777 and 1781, but it had been under consideration for some years before the act was passed. In 1772 the Market Weighton drainage and canal act was passed,<sup>60</sup> and the canal was constructed between 1777 and 1784. The waterway was dual-purpose, being intended to drain the land to the south of Market Weighton, as well as to provide the town with access to the Humber. Unfortunately this combination of intentions proved to be misguided; the high water level required for navigation was inappropriate

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57. Of these areas only Wallingfen comes within the scope of this study because although the common itself is in the Vale of York a number of townships in district 4, the Wold scarp/Jurassic district, had rights there.

58. J.A. Sheppard, The draining of the marshlands of South Holderness and the Vale of York (York, 1966). - (E.Y. local history series, no.20) p.20.

59. Ibid. p.19.

60. 12 Geo. III, c.37. Unlike enclosure acts this was a public act.

for a drainage channel.<sup>61</sup> Nevertheless the scheme went ahead and it seems to have spurred on some of the commoners of Wallingfen to consider an enclosure of the common which the waterway bisected. A series of meetings was held from October 1773 to consider an application to Parliament, and at the meeting held in January 1774<sup>62</sup> the decision to apply for an act was made. A petition from 'several Persons ... being Owners and Proprietors of ancient Messuages, Cottages and Tofts having Right of Common upon a certain Common called Wallingfen' was presented in February 1774.<sup>63</sup> However it is clear that not all commoners were convinced of the advisability of an enclosure; a meeting was held on 25 February to consider opposition to the bill.<sup>64</sup> Although the bill progressed to the committee stage it failed to advance further and it may be assumed that the opposition had been sufficient to block the enclosure for a time. Nevertheless the promoters seem to have been undeterred; a further series of meeting was held in 1775 to consider another application to Parliament.<sup>65</sup> On 15 August of that year a notice in the York Courant read:

The Proprietors of Wallingfen desire Mr. Smith of Hull [James Smith, the solicitor for the enclosure] to bring in his Bill of Expenses and Charges for presenting a Petition and carrying a Bill to Parliament for the intended inclosure of Wallingfen in the year 1774, on or before 10 October 1775, or otherwise he will be excluded from all or every Part of his Expenses and Charges - this from the Proprietors of Wallingfen.<sup>66</sup>

On 18 September 1775 a notice appeared in the same newspaper stating that the bill to enclose the common would be on show in South Cave, Market

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61. B.Duckham, The inland waterways of East Yorkshire, 1700-1900 (York, 1972) - (E.Y. local history series, no.29) pp.42-3.

62. Y.C. (1773-4) passim.

63. H.C.J. 34 (1772-4) p.459.

64. Y.C. (Feb. 1774).

65. Y.C. (June 1775).

66. Y.C. (Aug. 1775).



Weighton, and Howden,<sup>67</sup> but there are signs that the opponents of the scheme were also organising themselves, and in October a notice in the newspaper stated that some of the commoners were determined to oppose the bill and were calling a meeting to discuss the matter.<sup>68</sup> In November it was stated that some people had yet to sign the bill, which was being kept in South Cave for that purpose.<sup>69</sup> This notice, perhaps to encourage those still holding out to relent, stated that a number of owners who had been in opposition had now signed. The promoters were clearly preparing themselves for a degree of opposition once the bill reached Parliament again. Sir James Pennyman, the M.P. for Beverley from 1774 to 1796, wrote in November 1775 to Leuyns Boldero Barnard, who had considerable interests on the common:

Mr. Burton of Hotham was with me the other day, and informed me you had some wish that Mr. Smith [the solicitor] should go up with the Wallingfen Bill as soon as possible. I think it would not be advisable to enter into the business before the Holidays, as there would be a stop [because] I cannot be in Town until the middle of February. I should think it most advisable to have the Petition presented after the Holidays, but the business not intend upon before I get to Town, as, if the Opposition to the Bill continues, my having attended every meeting will be a great disappointment to them as I know every fact. I flatter myself you will think it right and that it will answer much better my being present than absent.<sup>70</sup>

In the event no application to Parliament was made in that session, although it seems likely that negotiations continued throughout the first half of 1776. In August of that year an announcement appeared in the York Courant that an application to enclose Wallingfen was to be made in the following year.<sup>71</sup> The opponents of the bill were still active, however, and they drew

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67. Y.C. (Sept. 1775).

68. Y.C. (Oct. 1775).

69. Y.C. (Nov. 1775).

70. HUL DDBA 10/13.

71. Y.C. (Aug. 1776).

up a counter-petition which was left at an inn in North Cave for those who wished to sign it.<sup>72</sup> The petition to enclose was laid before the House of Commons in early 1777<sup>73</sup> and was referred to a committee; leave was given to bring in a bill and after the second reading two counter-petitions were presented. The first came from persons 'entitled to depasture upon the said Stinted Pasture, a certain Number of Commonable Cattle';<sup>74</sup> the second was from persons who 'by virtue of certain Messuages and Cottages are entitled to a Right for a certain Number of Moveable Chattels'.<sup>75</sup> A few days later a third counter-petition, from Ann Walford, the tithe owner of South Cave (118) was presented.<sup>76</sup> South Cave's enclosure was actively being considered at that time and Mrs. Walford feared that the changes in the mode of cultivation which she anticipated would be a result of enclosure, both in South Cave and in Wallingfen, might be detrimental to her rights. It was intended that the tithes should be commuted and she probably felt that when their value was assessed it should be based upon the value of the land as arable as it might become, rather than as pasture which it presently was. In the event Mrs. Walford's demands were too high for the landowners of South Cave, and the enclosure there took place without commutation.<sup>77</sup>

The strength of opposition to the enclosure of Wallingfen by 1777 can be gauged from evidence produced at the report stage of the bill: all the parties were stated to have consented 'except the Proprietors of 93 Common Rights who refused to sign and 11 who could not be met with'.<sup>78</sup> As there

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72. Ibid.

73. H.C.J. 36 (1776-8) p.110.

74. Ibid. p.224.

75. Ibid. p.233.

76. Ibid.

77. 25 Geo. III, c.5.

78. H.C.J. 36 (1776-8) p.282.

were 858 common rights in all, this was well within the necessary four-fifths consents. Unfortunately the House of Commons Journal does not give the number of people involved in the opposition. At the enclosure a total of 280 individuals received land, and there were 11 church or charity allotments.<sup>79</sup> Of the private owners, 106 received less than five acres, that is compensation for one common right. Supposing that most of the opponents of the enclosure were from this group - a not unreasonable assumption - then almost 90 per cent of them could have been opposed to the enclosure. It is known that many small owners sold their land around the time of the enclosure,<sup>80</sup> and it may be that many of them were numbered amongst the counter-petitioners. Without further evidence it is impossible to say what was the true picture of opposition to the enclosure of Wallingfen, but the case illustrates the ambiguities in the source material, especially in the reports in the House of Commons Journals.

b) Walkington enclosure

Another enclosure which was attended by considerable dispute and involved the claims of common-right owners, concerned Walkington (102). There were in this township extensive areas of woodland in which the owners of messuages in Walkington had rights of pasture. In the 1760s these woods were owned by the Bishop of Durham, and by a layman, Henry Liddell. The earliest known reference to the enclosure of the township comes from a letter dated 1759, from Randolph Hewitt, a Beverley attorney, to Henry Liddell. Hewitt wrote that the owners of land in Walkington were 'much inclinable' to an enclosure,<sup>81</sup> but no immediate application to Parliament was made. However,

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79. R.D.B. BE/3/2.

80. See Chapter 8 on landownership change.

81. HUL DDBA 8/100.

in 1763 a petition from Liddell and several other proprietors was presented,<sup>82</sup> but it was dropped before the first reading. In November of the same year plans for an enclosure were again put in hand, and a document of that date gave the extent of the woods in Walkington as 613 acres.<sup>83</sup> A letter from Hewitt to Liddell dated 9 December 1763, described a meeting of the proprietors:

Yesterday I attended the Publick Meeting for Walkington Inclosure at which almost all the Proprietors of Estates there were present ... The Bishop's Terms being read over by Mr. Munby they were unanimously rejected by all the proprietors who could not help laughing that any man should take them for such fools as to sacrifice their Essential rights to such ambitious and arbitrary views, wherein the Bishop was to assign them only just such a part of the Woods as he himself thought proper, keeping all the best parts to himself and throwing them for such a small share as he should be pleased to afford them into the remotest part of the Lordship where they would be deprived of all manner of Conveniences and not content with that, would further subject the small share (which they were to Purchase by such ample concessions to him) to the incumbrances of a yearly out rent.<sup>84</sup>

The owners were also at odds with the tithe owner. The letter goes on to say that the Rector was demanding more for his tithes than the owners were prepared to allow 'but he will soon come to, he is a very timorous man, and the Bishop's proposalls had disquieted him very much'.<sup>85</sup>

In 1765, after prolonged negotiations, Liddell sold his share of the woods, and all his property in Walkington to the lord of the manor of South Cave, Henry Boldero Barnard.<sup>86</sup> Nothing more is heard of schemes to enclose

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82. H.C.J. 29 (1761-4) p.463.

83. HUL DDBA 8/101.

84. HUL DDBA 8/102.

85. Ibid.

86. HUL DDBA 8/47-50. The negotiations over the sale took place between 1763 and 1765.

Walkington until 1775, when plans were made for a petition to be presented to Parliament.<sup>87</sup> In a letter dated November of that year Robert Ramsey, a Beverley attorney, wrote to tell Mrs. Ellerker, a landowner in Walkington, that Mr. Bell - who was probably another landowner<sup>88</sup> - had seen the Bishop of Durham and agreed certain conditions of the enclosure with him so that it was likely that the bill would pass that session.<sup>89</sup> In fact the bill was dropped without any indication of the reason; the promoters had not given up however, as is indicated by an advertisement in the York Courant two years later - an estate in Walkington was for sale and was described as 'capable of great improvement by an Inclosure which is expected very soon to take place.'<sup>90</sup> No further developments have been traced until 1784, when two enclosure commissioners, John Dickinson and John Levett, were appointed by some proprietors to value the right of stray of commoners on the woods. They valued this right at 2s per acre.<sup>91</sup>

In 1788, 1789 and 1790 petitions to enclose Walkington were again presented to Parliament.<sup>92</sup> From evidence given in a later petition to repeal the act (see below) it appears that the petition presented in 1790 was dropped because the common-right owners, led by Joshua Sampson, an owner of field land as well as of common-rights, wanted their allotments in lieu of their rights to be given in the East Woods:

well knowing the superior Value of such Lands, when cleared of Woods, to any other Land in the ... Township, as well on account of their Quality, as their Contiguity to the Town of Beverley.<sup>93</sup>

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87. HUL DDBA 8/104.

88. John Bell of Pocklington received 22.3.30 in the award R.D.B. BT/57/1.

89. HUL DDBA 8/104.

90. Y.C. (June 1777).

91. HUL DDBA 8/105.

92. H.C.J. 43 (1787-8) p.192; 44 (1788-9) p.170; 45 (1790) p.94.

93. A statement of the case of Henry Boldero Barnard, Esq. and John Lockwood, Gent. HUL DDBA 8/110.

At the Lent Assizes in York in 1791 a case was tried to assess whether the proprietors did indeed have rights of common on the East Wood; the verdict was in their favour. However when John Lockwood, the lessee of the Bishop of Durham, assured the commoners that, should he be allotted land in the East Wood, he would give up 'every Intention of cutting down or destroying',<sup>94</sup> the woods, they were persuaded to agree to have their allotments elsewhere.

The Walkington enclosure act was finally passed in 1794,<sup>95</sup> and somewhat surprisingly considering the history of opposition, no dissents at all were recorded at the report stage.<sup>96</sup> Five commissioners were appointed, a very high number for this period, but it was probably the result of the complexity of the interests involved.<sup>97</sup> The award of 1796 shows that the Bishop of Durham was allotted the East Wood,<sup>98</sup> and soon afterwards, despite assurances he had given to the contrary, the lessee John Lockwood cut down and grubbed up part of the wood and converted it to farmland.<sup>99</sup> The commoners had been allotted land in lieu of their rights in the wood according to their value as woodland; as arable the land was estimated to be worth between 40s and 60s per acre. A petition was presented to the House of Commons in February 1797 stating that the proprietors of land in Walkington wished to have the act of 1794 amended so that they could be allotted that part of the woods:

which will be an Equivalent and full Satisfaction  
for their Right of Common in the ... Wood Lands,  
according to the State and Condition to which  
they are now converting.<sup>1</sup>

Robert Spofforth, the attorney representing Barnard, wrote to him suggesting

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94. Ibid. p.1.

95. 34 Geo. III, c.53.

96. Ibid.

97. See Chapter 6, p.261.

98. R.D.B. BT/57/1.

99. H.C.J. 52 (1796-7) pp.328-30.

1. Ibid.

that the petitioners were taking this step 'to terrify and as a Trial to bring about Concessions'.<sup>2</sup> In May Barnard and Lockwood presented a counter-petition which stated that any alteration of an enclosure act which had been executed would create an 'evil Precedent', especially as the petitioners had already granted leases of the land in question.<sup>3</sup> The case for the repeal of the Walkington act opened on May 12, 1797; the common right owners were unable to secure sufficient support for their cause from the M.P.s examining the matter.<sup>4</sup> A letter from an M.P. to Barnard summed up the situation:

I have since attended the Committee on the Walkington Inclosure Bill, where as you will have heard from your other Friends, the general disposition of the Members who attended was so strong against the attempt that no just apprehension can be entertained as to its success. It was thought necessary under the order of the House to proceed with examination of Witnesses in support of the allegations in the Petition, which is to be done tomorrow, but whatever the result of that Enquiry you may rest assured the House will never entertain such a Bill as this.<sup>5</sup>

Barnard and Lockwood were right in their assumption that the Members of the Commons would agree with them that an act had:

effectually ascertained and secured [the property]; and if it is now to be destroyed by an unprecedented Measure, it must destroy all Confidence in Acts of Parliament for Inclosures.<sup>6</sup>

On 17 May 1797 Spofforth wrote to Barnard 'Our Business is ended ... the Solicitors on the other side informed me that they should move the House to withdraw their Petition',<sup>7</sup> and the matter seems to have ended there. Lockwood

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2. HUL DDBA 8/98. Barnard himself had not been personally involved in the conversion of the East Wood but he may have been protecting his future interests should he wish to adopt a similar policy to Lockwood.

3. H.C.J. 52 (1796-7) p.543.

4. *Ibid.*

5. HUL DDBA 8/98.

6. Ms. addition to a printed copy of the petition, HUL DDBA.

7. HUL DDBA 8/98.

continued cutting down the woods and converting them to a more profitable use. A map drawn in 1772 shows a very extensive area of woodland, clearly the East Wood, on the eastern boundary of Walkington adjoining Beverley;<sup>8</sup> a map of 1817 shows no woodland in that area,<sup>9</sup> although another of 1829 depicts a tiny remnant.<sup>10</sup>

This case, which seems to give clear evidence of the diminution of commoners' rights and of the tendency of Parliament to take the side of the large property owner, is unique in eastern Yorkshire. By the 18th century the region had very few areas of woodlands; contemporary maps show that apart from those at Walkington and Beverley, the only areas of extensive woods were situated around large estates such as Rise and Burton Constable, where they were in private ownership. In other counties this was not the case: in Northamptonshire for example, there were large forests in which the common rights were highly valued, for they provided pasture for pigs, browse for cattle, fuel and even food in the form of nuts, berries and fungi.<sup>11</sup> In his study of the royal forests of Northamptonshire in the 17th century Pettit noted that forest villages acted as a magnet to landless cottagers who were able to subsist on the commons by a combination of poaching, grazing of cattle and pigs, and casual labour.<sup>12</sup>

#### Opposition to enclosure

Table 5.1 shows the incidence of opposed and unopposed enclosures in the region, by district and broadly by period. The district with the highest

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8. T. Jefferys, Map of Yorkshire (1772).
  9. C. Greenwood, Map of the County of York: Sheet 1 Hull (1817).
  10. A. Bryant, Map of the East Riding of Yorkshire (1829).
  11. Neeson, op. cit. p.50, pp.55-70.
  12. P.A.J. Pettit, The royal forests of Northamptonshire: a study in their economy, 1558-1714 (1968) - (Northamptonshire Record Society. Publications, 23).



Table 5.1. Opposition to eastern  
Yorkshire enclosure bills

a) By district

	<u>District</u>	<u>Period</u>	<u>Opposed</u>	<u>Unopposed</u>
1.	Jurassic hills	Pre-1780	2	1
		Post-1779	1	2
		Total	3	3
2.	High Wolds	Pre-1780	5	5
		Post-1779	4	3
		Total	9	8
3.	Vale of Pickering fringe	Pre-1780	1	2
		Post-1779	0	5
		Total	1	7
4.	Wold scarp/ Jurassic	Pre-1780	10	7
		Post-1779	1	4
		Total	11	11
5.	Lower Wolds	Pre-1780	8	3
		Post-1779	5	14
		Total	13	17
6.	Hull valley	Pre-1780	7	3
		Post-1779	3	5
		Total	10	8
7.	North Holderness	Pre-1780	4	7
		Post-1779	1	2
		Total	5	9
8.	Middle Holderness	Pre-1780	6	3
		Post-1779	3	0
		Total	9	3
9.	South Holderness	Pre-1780	5	1
		Post-1779	2	4
		Total	7	5

b) By region

<u>Region</u>	<u>Period</u>	<u>Opposed</u>	<u>Unopposed</u>
Uplands (1-5)	Pre-1780	26	18
	Post-1779	11	28
	Total	37	46
Lowlands (6-9)	Pre-1780	22	14
	Post-1779	9	11
	Total	31	25

c) Eastern Yorkshire

Pre-1780	48	32
Post-1779	20	39
Total	68	71

proportion of opposed enclosures was number 8, Middle Holderness; the one with the lowest proportion of opposed enclosures was number 3, the Vale of Pickering fringe. In many other districts the two categories were evenly balanced, but when the enclosures are divided by period it becomes clear that a considerably higher number of the opposed enclosures occurred in the pre-1780 period by comparison with the number that occurred thereafter. This feature is most noticeable in districts 4 and 5. In district 4, the Wold scarp/Jurassic district over the whole period there was an equal number of opposed and unopposed enclosures. However 17 out of the 22 enclosures affecting the district occurred before 1780, and 10 of these were opposed; in the post-1779 period, of the five enclosures four were unopposed. In fact three of these enclosures were of townships where there were very few proprietors: land at Londesborough (70) was allotted to only one man;<sup>13</sup> at the enclosure of Gowthorpe (37) there were three allottees;<sup>14</sup> and at Great Givendale (51) there were also three.<sup>15</sup> Most of the enclosures of townships with a relatively high number of proprietors were enclosed in the earlier, pre-1780 period. This was not however the case in district 5, the lower Wolds, but here too the proportion of opposed to unopposed enclosures changed over time: in the first period, pre-1780, there were eight opposed and three unopposed enclosures; in the post-1779 period there were five opposed and 14 unopposed enclosures. Such overwhelming support for enclosure in this later period suggests that the opportunity for increased profit offered by the high corn prices of the Napoleonic war years combined with the extensive sheep-walks which might be ploughed up after enclosure, persuaded proprietors of land in lower Wolds townships that the open-field system was no longer appropriate to their needs.

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13. R.D.B. Book H.

14. R.D.B. Book G.

15. R.D.B. FG/386/4.

When the figures for districts 6 to 9, the lowland districts, are compared with districts 1 to 5, the uplands, it is apparent that there was a somewhat higher incidence of opposition to enclosure in the lowland districts than upon the uplands. This may be because after enclosure there was greater opportunity for improvement by means of new crops and rotations and the conversion of pasture to arable in the uplands than there was in the lowlands, where most of the land was unsuited to root crops.<sup>16</sup> There were also in Holderness and the Hull valley many small owners whose resistance to enclosure might be accounted for by their limited finances; small owners were in general less prevalent in upland townships.<sup>17</sup>

In the next chapter the implementation of the enclosure act by the commissioners and surveyors will be examined, together with the role of other persons connected with the carrying out of the enclosure. Any conclusions that can be made upon the degree and nature of opposition to enclosure in eastern Yorkshire have been reserved until the end of the following chapter.

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16. See Chapters 2 and 3, *passim*.

17. See Chapter 7, *passim*.

CHAPTER SIX, THE ENCLOSURE PROCESS, II: PERSONALITIES,

IMPLEMENTATION OF THE ACT

The implementation of an enclosure act was the concern of the commissioners, surveyors, attorneys, and bankers, and upon their shoulders rested a considerable responsibility, there being little opportunity for appeal against the decisions they made.<sup>1</sup> Whilst the commissioners and surveyors were at work in a village the daily working routine was under their control, since they were empowered to direct the course of the farming; after they had left, the changes they had made in the landscape served as a permanent reminder of their work. The selection of these men, their personal backgrounds and their working methods have naturally attracted much interest from both contemporary observers of the enclosure process and recent researchers.

The commissioners: their selection, the size of the commission, evidence of teamwork

The commissioners were selected by three interest groups, each normally being responsible for the selection of one commissioner. These interest groups consisted of the lord (or lords) of the manor, the tithe owners, and the remaining proprietors, although it is not until c.1790 that there is evidence in eastern Yorkshire for the identity of the nominators of individual commissioners. From that date until 1830 it was usual for a clause to be inserted in the act laying down that on the death of a certain commissioner a particular group or interest had the right to name his successor,<sup>2</sup> and such a clause often provides the only evidence of the

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1. Every act included a clause empowering those proprietors who were dissatisfied with the work of the commissioners to appeal to the local Quarter Sessions, but no-one in the region appears to have taken advantage of this procedure.
  2. Tate found this to be a feature of enclosure acts examined by him for dates between 1787 and 1814, W.E. Tate, 'Oxfordshire enclosure commissioners, 1737-1856', Journal of Modern History, 23 (1951) p.144.

interests which each commissioner had been appointed to serve. It appears that most enclosure involving three commissioners<sup>3</sup> conformed to the pattern cited above, that is one man was selected by the lord of the manor, one by the tithe owners, and one by the remaining owners. One result of such a system was that the smaller owners had little if any say in the choice of the commissioner representing owners and common right holders, since the system of his selection was based on the value of the owners' property, and not simply on the number of proprietors involved. The Somerset reporter for the agricultural reports for the Board of Agriculture called this arrangement 'a little system of patronage',<sup>4</sup> and Arthur Young, commenting upon enclosure as he had seen it in operation in eastern Yorkshire said:

the small proprietors, whose property in the township is perhaps his all, has little or no weight in regulating the clauses of the Act of Parliament, ... and has as little influence in the choice of commissioner; and of consequence they have seldom any great inducement to be attentive to his interest.<sup>5</sup>

There is little evidence that many commissioners specialised in representing specific interests: for those enclosures where his nominator is known, the commissioner John Hall acted eight times on behalf of the lord of the manor, eight times for the tithe owner, and seven times for the general body of the proprietors.<sup>6</sup> Investigation of the nominators of other

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3. There were a few deviations from this pattern, for example at the enclosure of Keyingham (147), which took place in 1802-5, there were three commissioners - one was chosen by the Archbishop of York who was the tithe owner, the other two by the remaining owners; i.e. the lord of the manor did not in this case select a commissioner, 42 Geo. III, c.102.
  4. J. Billingsley, General view of the agriculture of Somerset (1797) p.59.
  5. Young (1770) 2, p.253.
  6. Information from acts for Hessle, 1792; Southburn, 1793; Tibthorpe, 1794; Lund, 1794; Holme on the Wolds, 1795; Settrington, 1797; Weaverthorpe, 1801; Staxton, 1801; Molescroft, 1801; Langtoft, 1801; Ruston Parva, 1801; Keyingham, 1802; Flixton, 1802; Witherwick, 1802; Marton and Sewerby, 1802; Ryhill and Camerton, 1805; Elstronwick, 1806; Owthorne, 1806; Gowthorpe, 1810; Paull, 1811; Etton, 1818; South Dalton, 1822; North Ferriby, Swanland etc., 1824.

commissioners reveals a similar pattern, although there are a few exceptions: William Whitelock, a commissioner from the North Riding, worked on seven enclosures in eastern Yorkshire, representing the church six times and being the sole commissioner on the seventh;<sup>7</sup> between 1794 and 1803 the Duke of Devonshire consistently selected a member of the Dawson family to represent his interests on townships being enclosed in those years,<sup>8</sup> and in earlier enclosures where he had a large interest and the right to nominate a commissioner he chose Samuel Brailsford of Rowthorne in Derbyshire,<sup>9</sup> the county where the Duke had his family seat. Brailsford, coming in from outside the area and quite obviously the Duke's man, clearly had the latter's interest at heart: he wrote to James Collins, the Duke's agent, after being nominated to serve as commissioner at the enclosure of North Dalton (58), 'I will be glad to do all in my power to serve the Duke.'<sup>10</sup> Such a close association was not uncommon, and instances where commissioners were actually the employees of the gentry owners who nominated them have also been found.<sup>11</sup>

The composition of the enclosure commission in eastern Yorkshire varied from one to five men. There is no evidence for the very large commissions which were a feature of enclosure in the early period (pre-1760) in other counties: in the midland counties of Warwickshire, Worcestershire and Staffordshire, the commissions of 1730-60 have been described as 'a grand jury

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7. Information from acts for Riplingham, 1801; Little Weighton, 1801; East and West Luton, 1801; Weaverthorpe and Helperthorpe, 1801; Wetwang and Fimber, 1803; Leavening, 1804.

8. Information from acts for Holme on the Wolds, 1795; Tibthorpe, 1794; Lund, 1794; Middleton on the Wolds, 1803.

9. Information from acts for Market Weighton, 1773; Goodmanham, 1775. Brailsford was originally nominated as a commissioner for North Dalton, 1777, but Miles Dawson was eventually the choice.

10. HUL DDCV 118/1.

11. See below, pp. 278-84.

of umpires, seeing fair treatment of fellow landowners';<sup>12</sup> in Lindsey the first parliamentary enclosure was carried out by 11 commissioners and the second by 23;<sup>13</sup> in the West Riding the first parliamentary enclosure act named 12 men, although only five signed the award;<sup>14</sup> J.M. Martin described the early commission in Warwickshire as 'really a meeting together of local landowning gentry carrying out a reorganisation of the land ... to benefit one of themselves'.<sup>15</sup> By contrast, commissions in eastern Yorkshire never exceeded five and even that number was relatively uncommon, being almost all concentrated in the pre-1760 period. A comparison of the numbers in commissions in Oxfordshire and eastern Yorkshire (Table 6.1) reveals a number of dissimilarities. The two areas had almost the same number of enclosure acts, yet show quite different patterns. Commenting upon the Oxfordshire evidence, as shown in the table, Tate stated that:

the text book generalisation that a normal enclosure commission consisted of three members, each representing the lord of the manor, the tithe owner, and the rest, was an approximation.<sup>16</sup>

However, for eastern Yorkshire enclosures, such a generalisation fits the evidence closely: even before 1760 three was the more usual number for a commission, although five men were appointed almost as often in that early period.<sup>17</sup> As Table 6.1 shows, no less than 107 (70.4 per cent) of eastern

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12. M.W. Beresford, 'Commissioners of enclosure', Ec.H.R. second series, 16 (1946) p.130.
  13. T.H. Swales, 'The parliamentary enclosures of Lindsey', Architectural and Archaeological Societies of Lincolnshire and Northamptonshire, Reports and papers 1 (1936) p.90.
  14. W.S. Rodgers, 'West Riding commissioners of enclosure, 1729-1850', Y.A.J. 40 (1962) p.402.
  15. J.M. Martin, Warwickshire and the parliamentary enclosure movement (University of Birmingham, unpublished Ph.D. thesis, 1965) p.44.
  16. Tate (1951), op. cit. p.140.
  17. In Buckinghamshire, commissions before the mid-1770s might consist of five men, but thereafter three was the most common number. M.E. Turner, 'Enclosure commissioners and Buckinghamshire parliamentary enclosures', Ag.H.R. 25 (1977) p.120.



Table 6.1. Numbers of commissioners in  
eastern Yorkshire and Oxfordshire

<u>No. of commissioners</u>	<u>Eastern Yorkshire</u>	<u>Oxfordshire</u> <sup>1</sup>
None	0	11
One	18	32
Two	15	26
Three	107 - 70.4%	56 - 37.6%
Four	1	2
Five	11	17
Six	0	3
Seven	0	2
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Total enclosures	152	149

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1. Source: Tate (1951), op. cit. p.140.

Yorkshire enclosures involved three men, whilst only 56 (37.6 per cent) of Oxfordshire enclosures were conducted by three commissioners. Moreover only 12 enclosures (7.9 per cent) in eastern Yorkshire were conducted by more than three commissioners, whereas in Oxfordshire the figure was 24 (16.1 per cent). For enclosures conducted by less than three, in eastern Yorkshire the figure was 33 (21.7 per cent), whilst in Oxfordshire it was 69 (46.3 per cent). Of the 11 eastern Yorkshire commissions with five members, nine were appointed before 1771, and the remaining two involved enclosures of great complexity which were discussed in the previous chapter. The enclosure of Wallingfen (105) was attended by many disputes and involved many proprietors.<sup>18</sup> The other was Walkington (102), and for this enclosure a document has survived setting out the reasons for appointing a large commission:

If the Bishop names one Commissioner, the Rector another, those two being the Majority of 3 can carry anything against the Proprietors and as Mr. Liddell as Lord of the Manor and Owner of Tythes will also name one there cannot be less than 4 Commissioners and therefore both the Bishop and Mr. Liddell objects to having only three.<sup>19</sup>

This document dates from the 1760s; when the enclosure eventually took place some thirty years later one commissioner was chosen by the Bishop, one by the lord of the manor, one by the Rector, and two by the majority of the proprietors.<sup>20</sup>

In later years, as criticism of the high cost of enclosure mounted, commissions in all regions tended to become smaller, a method of limiting expenditure which was advocated by the Select Committee on Commons Inclosure of 1801.<sup>21</sup> The average number of commissioners for the last 20 Oxfordshire

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18. See Chapter 5, pp. 241-6.

19. HUL DDBA 8/109.

20. 34 Geo. III, c.9.

21. House of Commons Select Committee Reports, first series, 9 (1795-1801) p.233.

enclosures was only 1.2.<sup>22</sup> The first enclosure entrusted to one man in eastern Yorkshire took place in 1794, when Peter Nevill, already a very experienced commissioner, undertook the enclosure of Elloughton (128).<sup>23</sup> A later development was the combination of the offices of commissioner and surveyor, and this occurred six times in the region, the first occasion being in 1811 in the enclosure of Reighton (257), the second in 1816 in the enclosure of Londesborough (70), and the remaining four all taking place after 1836.<sup>24</sup> Of the last 20 parliamentary enclosures in the region, ten were conducted by one commissioner (in most cases with the help of a surveyor), two by two commissioners, and eight by three commissioners. Commissions for enclosures by agreement tended to be smaller, not surprisingly, since such enclosures usually involved fewer proprietors and were generally less complex. Out of a total of 21 such enclosures, four employed one man, six had two, ten had three, and one had five commissioners.<sup>25</sup>

The suggestion made by Beresford that commissioners might have worked in groups, undertaking the enclosure of townships as a team,<sup>26</sup> was also given some tentative support by Tate from his work on Oxfordshire enclosures. He stated that:

an examination of some of the acts suggests that occasionally a group of commissioners may have formed a working syndicate and offered its services en bloc to enclosure promoters, or more probably to the attorneys who were carrying acts through the various stages.<sup>27</sup>

However, he went on to suggest that this impression may merely have been the result of a tendency for each commissioner to represent one type of

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22. Tate (1951), op. cit. p.140.

23. Appendix IV.

24. Ibid.

25. Ibid.

26. Beresford (1946), op. cit. p.132.

27. Tate (1951), op. cit. pp.142-3.

interest.<sup>28</sup> Examination of the pattern of working in eastern Yorkshire (Appendix IV) at first sight seems to indicate some degree of group working, since in the pre-1780 period especially, the same combinations of commissioners recur many times. The very earliest parliamentary enclosures of 1726-50, with only one exception, were all undertaken by Richard North of Rise, on the first three with John Conyers, and on the last two with John Raines. Between 1762 and 1768 John Outram and John Dickinson worked together on 15 out of the 25 enclosures taking place in that period and during these same years the two formed a trio with John Raines on seven of the 15. John Dickinson did not work after 1768, and Peter Nevill became Outram's most frequent colleague from 1766 to 1777; during this period the two men worked together on 11 out of the total of 53 enclosures. Unlike Outram, Nevill also worked as a surveyor; if those occasions when he worked in this capacity, with Outram acting as commissioner are also considered, then of the 48 enclosures which Outram undertook he had Nevill as a colleague no less than 27 times. It may well be that commissioners were allowed some say in the appointment of surveyors,<sup>29</sup> and this might explain such patterns; Outram also worked with Charles Tate as surveyor upon 12 enclosures. After 1780 the most common partnership was that between Joseph Dickinson and John Hall. Dickinson, who undertook the higher number of enclosures of the two, worked on 28 enclosures as a commissioner from 1785 to 1810; on 11 of these he worked with John Hall.<sup>30</sup> Nevertheless such evidence is inconclusive; the 'professional' commissioners undertook so many enclosures that it was inevitable that they should work together frequently. Turner, after examining similar evidence for Buckinghamshire, and comparing it with material from other counties, concluded that there was insufficient evidence of group

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28. As stated above this was not the case in eastern Yorkshire, pp. 257-8.

29. See below, p. 296.

30. Appendix IV.

working to make the theory acceptable;<sup>31</sup> this is confirmed by the present study. No searches in correspondence and advertisements have brought to light any confirmation that commissioners offered themselves as groups to work on townships in eastern Yorkshire.

The question of the integrity of commissioners has been a matter of central interest to researchers into the conduct of enclosures. Henry Homer, himself a commissioner in the midland counties in the 18th century, acknowledged the enormous responsibility placed upon the men who allotted the land:

The method of ascertainment is left to the major part of the Commission ... and this without any fetter or check upon them besides their own honour, confidence (and late indeed) awed by the solemnity of an oath. This is perhaps the greatest trust ever reposed in one set of men; and merits all the return of caution, attention and integrity which can result from an honest, impartial and ingenuous mind.<sup>32</sup>

An attack by Arthur Young upon enclosure commissioners and the conduct of enclosure seems to have been written as a result of information he gathered whilst visiting the East Riding, which implies that his criticisms were applied most directly to the commissioners carrying out enclosure in the region. Young wrote:

My residence in this part of Yorkshire brought ... to my knowledge some particulars respecting the merits of enclosing, and the means commonly pursued in the execution, which are not to be found in the face of any acts whatever; but which are certainly of importance in weighing and deciding the advantages of the measure.<sup>33</sup>

Young stated that he knew of several instances in which the commissioners had failed to consider the interests of the smaller proprietors sufficiently;

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31. Turner (1977), op. cit. pp.125-6.

32. H. Homer, An essay on the nature and method of ascertaining the specific shares of proprietors upon the inclosure of common fields (Oxford, 1766) p.161.

33. Young (1770) 2, p.252.

he also criticised the control over the expenses of an enclosure given to the commissioners.<sup>34</sup> At the time that he wrote there was no obligation upon them to provide detailed accounts; from 1774 the Standing Orders laid down that a book of accounts for the enclosure should be kept by the clerk.<sup>35</sup> Young accused the commissioners of acting in 'an inaccurate and blundering manner', of delaying the execution of the award unduly, of being 'party, judge and jury in the whole affair of paying themselves' and of being nine times out of ten 'hacknied sons of business'.<sup>36</sup> These are strong words, even from Arthur Young. The power vested in the commissioners was certainly immense and if Young's criticisms had any validity there must have been a degree of injustice in the implementation of enclosure acts for eastern Yorkshire townships. The Select Committee of 1800-1 reported that much depended upon the ability, integrity, skill and probity of the commissioners.<sup>37</sup> Many villages in the region had more than 80 per cent of their land allotted by enclosure commissioners; the smaller proprietors particularly were dependent upon the fairness with which the commissioners carried out their work. Only by a detailed examination of the identity of the commissioners, their personal backgrounds, business connections and the results of their deliberations can the researcher begin to make a judgement on the validity of Young's attack upon them.

The commissioners: their counties of origin

The majority of eastern Yorkshire commissioners, 86 out of a total of 130, were from the region itself or from within the East Riding boundary.<sup>38</sup>

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34. Ibid. p.253.

35. Appendix II.

36. Young (1770) 2, p.255.

37. Select Committee Reports, op. cit. p.230.

38. Enclosure awards always give the place of residence of commissioners and surveyors where they are named.

This is to be expected; if an experienced local man were available it was natural for him to be preferred if only because travelling expenses could add considerably to the costs of an enclosure. In this connection a comment from Strickland on the commissioners who conducted East Riding enclosures is a little puzzling. He criticised them for their lack of knowledge of local conditions when setting out roads, and related this to their being frequently:

from distant parts of the kingdom; men totally unacquainted with the circumstances of the county, and who probably<sup>39</sup> never saw the place to be enclosed more than once.

This comment is far from justified by the evidence. Of those men who did not reside in the East Riding, almost every one lived either in one of the other two Ridings, or in York. Seven commissioners came from that city, most of them professional surveyors or attorneys. They included John Tuke, a member of a prominent Quaker family. He worked as a surveyor and commissioner in Derbyshire, Nottinghamshire and all three Ridings of Yorkshire.<sup>40</sup> His son, also named John, was a busy commissioner in the West Riding between 1777 and 1790.<sup>41</sup> Robert Bewlay, who was the Receiver to the Archbishop of York, was another commissioner from York; he worked on four enclosures in the East Riding, and his son, also Robert, acted four times in the region.<sup>42</sup>

Fifteen commissioners were resident in the North Riding, seven of them being employed once only. Some of the others were busy semi-professional commissioners,<sup>43</sup> such as Edward Cleaver of Castle Howard, Ganthorpe and later

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39. Strickland (1812) p.270.

40. P. Eden, ed., Dictionary of land surveyors and local cartographers of Great Britain and Ireland, 1550-1850 (1975-6) p.253.

41. B.A. English, Handlist of West Riding enclosure awards (Leeds, 1965); Rodgers, op. cit. passim.

42. Appendix V.

43. For lack of a better word the term 'professional' has been used to indicate a man who was apparently spending, in the busier years of parliamentary enclosure, the bulk of his working time on enclosure work. Very few commissioners in eastern Yorkshire would qualify for this title, but the 'semi-professional', that is the man who combined the work with surveying, land agency, or some related employment, was quite common.

Nunnington, who acted 11 times in eastern Yorkshire or the East Riding, and at least six times in the North Riding,<sup>44</sup> and John Cleaver of Castle Howard, who was a commissioner eight times in the East Riding, four times in the West Riding and, after he moved to Nottinghamshire in the early 1770s, worked as a commissioner in that county too.<sup>45</sup> The two were obviously related, possibly brothers, and worked together on the enclosures of Bishopsoil, 1767-77, and Naburn 1766-8, two townships in the Vale of York.<sup>46</sup> Another North Riding commissioner was Isaac Leatham, the agricultural writer<sup>47</sup> and agent to the Osbaldestons of Hunmanby.<sup>48</sup> Leatham was employed upon eight enclosures in the East Riding, eight in the West Riding, and several in Lincolnshire and the North Riding.<sup>49</sup> John Conyers, who moved from the East Riding to Malton just over the county boundary, was an early commissioner: of the six parliamentary enclosures between 1730 and 1755 he acted on four of them as well as upon the enclosure by agreement of Danthorpe (177) in 1735.<sup>50</sup>

Twelve commissioners were from the West Riding, among them some very busy 'professional' men. The Dawson brothers, Miles and William, lived at Octon near Tadcaster.<sup>51</sup> Miles Dawson acted as commissioner in the East Riding seven times, and as surveyor four times. He worked on 18 West Riding

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44. B. Loughbrough, Some geographical aspects of the enclosure of the Vale of Pickering in the 18th and 19th centuries (University of Hull, unpublished M.A. thesis, 1960); Appendix V.
45. English, op.cit.; Rodgers, op. cit.; W.E. Tate, ed., Parliamentary land enclosures in the county of Nottinghamshire during the 18th and 19th centuries, 1743-1868 (Nottingham, 1935). - (Thoroton Society. Record Series, 5)
46. V. Neave, Handlist of East Riding enclosure awards (Beverley, 1971) p.40.
47. The author of General view of the East Riding of Yorkshire (1794).
48. Leatham (1794) p.45.
49. Appendix V; English, op. cit.; Rodgers, op. cit.; R. Russell, The enclosures of Market Rasen, 1779-81, and of Wrawby, 1800-5 (Barton on Humber, 1969) p.34; Loughbrough, op. cit.
50. Appendix V.
51. R.D.B. BG/4/3; AK/297/82.



enclosures,<sup>52</sup> and his enclosure career began in 1768 and ended in the early 1790s. William Dawson worked as a commissioner eight times in the East Riding and twice as a surveyor; he also worked on 34 West Riding enclosures and most of his work took place between 1790 and 1816.<sup>53</sup> William Hill of Tadeaster, who worked on four East Riding enclosures and 16 enclosures in the West Riding, was Miles Dawson's father-in-law.<sup>54</sup>

Another very active West Riding commissioner was William Whitelock of Brotherton near Leeds. He worked on seven East Riding enclosures between 1801 and 1806, for all of which he was the nominee of the church.<sup>55</sup> In the West Riding Whitelock worked on 29 enclosures; he was also active in Lincolnshire, Derbyshire and Nottinghamshire.<sup>56</sup> Jonathan Teal of Leeds was another 'professional' commissioner, although he only worked on three enclosures in the East Riding.<sup>57</sup> He acted 23 times in the West Riding and six times in Nottinghamshire.<sup>58</sup> Other busy West Riding commissioners who also worked in the East Riding were: William Shipton of Green Hammerton, twice a commissioner and twice a surveyor in the East Riding and 11 times a commissioner in the West Riding;<sup>59</sup> Isaac Melbourne of Rotherham, four times a commissioner, five times a surveyor in the East Riding, five times commissioner in the West Riding, working also in the North Riding and Nottinghamshire;<sup>60</sup> Richard Clark of Rothwell Haigh, four times a commissioner

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52. English, op. cit.; Rodgers, op. cit.; Appendix V.

53. Ibid.

54. Ibid. See below for more on the family relationships between commissioners, pp. 272-4.

55. See above, p. 258.

56. Eden, op. cit. p. 268; Rodgers, op. cit.; English, op. cit.

57. Appendix V.

58. English, op. cit.; Rodgers, op. cit.; Tate (1935) op. cit.

59. Appendix V; Rodgers, op. cit.; English, op. cit.

60. Appendix V; English, op. cit.; Rodgers, op. cit.; Loughbrough, op. cit.

in the East Riding and 25 times in the West Riding;<sup>61</sup> and, John Bower of Smeathall, who worked three times as a commissioner in the East Riding and four times in the West Riding.<sup>62</sup> The remaining three men worked only once or twice in the East Riding and not at all in the West Riding.

Local (i.e. Yorkshire) commissioners were appointed to eastern Yorkshire enclosures to a very marked degree: 66 per cent (86 out of a total of 130 men) were from the East Riding and 28 per cent (36 men) from York and the other two Ridings. This pattern of appointments was primarily due to the region's somewhat isolated geographic position, separated from counties to the south by the Humber, and bordered on the east by the sea. A body of skilled enclosure commissioners had made an early appearance in eastern Yorkshire so that many promoters tended to use local men rather than appoint outsiders. Where such appointments did occur it is often possible to identify the reason behind the choice: in a number of townships the tithes were owned by St. Peter's, York (York Minster), and a York commissioner often represented that church's interests:<sup>63</sup> Arthur Mowbray of Sherborn, County Durham, acted once only and was appointed by the Bishop of Durham;<sup>64</sup> Samuel Brailsford of Rowthorne, Derbyshire was appointed by the Duke of Devonshire.<sup>65</sup> Only eight commissioners lived outside Yorkshire: four came from Lincolnshire,<sup>66</sup>

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61. Ibid.

62. Ibid.

63. e.g. at Pocklington, enclosure, 1757-9, the commissioner was John Dealtry of Bishopthorpe, York, R.D.B. Y/230/39; at the enclosure of Burton Pidsea, 1761-2, the commissioner was John Lund of York, R.D.B. AF/34/7; at the enclosures of Bishop Burton, 1767-72 and Millington, 1768-70, the commissioner was Robert Bewlay of York, R.D.B. AQ/1/1 and AK/297/22.

64. 34 Geo. III, c.9.

65. HUL DDCV 118/1.

66. George Holgate of Melton; John Young MacVicar of Barkworth House; Samuel Vessey of Halton Holgate; Edward Holgate of Roxby.

and one each from Nottinghamshire,<sup>67</sup> Surrey,<sup>68</sup> County Durham<sup>69</sup> and Derbyshire.<sup>70</sup>

Local men also predominated on West Riding enclosures: Rodgers found that of over 200 men who acted as commissioners in that Riding almost all lived within its boundaries.<sup>71</sup> Buckinghamshire enclosures, however, were conducted by a high proportion of men from outside that county: before 1790 only 33 commissioners were from Buckinghamshire out of a total of 67, although most of the remainder were from contiguous counties. After 1790 even fewer - 11 out of 53 of the commissioners - were from the county.<sup>72</sup> Buckinghamshire is a much smaller county than the West Riding and thus might have needed to draw upon the neighbouring counties for men with the necessary expertise. What is more, unlike the West Riding, Buckinghamshire was surrounded by other counties with a high density of parliamentary enclosure,<sup>73</sup> which had the effect of creating a body of professional commissioners for proprietors to choose from. In Oxfordshire, another relatively small county there was a somewhat similar picture to that in Buckinghamshire: 46 men out of a total of 107 came from within the county, with most of the rest living in adjacent counties, and a few from further afield.<sup>74</sup>

When the places of residence of eastern Yorkshire commissioners is compared with the enclosures they undertook it is apparent that they rarely

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67. Roger Pocklington of Winthorp.

68. John Foakes of Mitcham.

69. Arthur Mowbray of Sherborn.

70. Samuel Brailsford of Rowthorne.

71. Rodgers, op. cit. p.402.

72. Turner (1977), op. cit. p.123.

73. M.E. Turner, English parliamentary enclosure: its historical geography and economic history (1980) p.35, fig.1.

74. Tate (1951), op. cit. p.140.

travelled far. Proprietors, with the expenses of the enclosure in mind, tended to appoint men from within a limited radius, and in general Holderness enclosures were conducted by men from within or very near that district, whilst Wolds enclosures were conducted by men from that area. A high proportion of commissioners lived in the towns and larger villages; many of them were surveyors and attorneys who needed to be in areas of relatively high population for business reasons. The busiest eastern Yorkshire commissioners lived within easy reach of the most highly enclosed districts: John Outram, who was the most active commissioner of all, lived in Kilham on the slopes of the Wolds, west of Bridlington. Outram was employed on dozens of enclosures affecting townships in the neighbourhood of Kilham.<sup>75</sup> The district was transformed by parliamentary enclosure between 1760 and 1780, the period when Outram was active and the landscape in that district serves as a constant reminder of his work. Joseph Dickinson, another very busy commissioner, lived near Beverley. He very rarely travelled into Holderness to conduct enclosures, but worked primarily on the Wolds.<sup>76</sup> Partly this is attributable to the fact that the peak of his career was in the second wave of enclosures, after 1790, by which time much of Holderness had already been enclosed. Peter Nevill lived in Holderness and his career spanned 50 years. He worked on many enclosures in Holderness, in the southern sector of the Wolds and in the district around Bridlington, but very rarely on the high Wolds.<sup>77</sup>

A number of the resident East Riding commissioners worked outside the county from time to time, usually in the other two Ridings or in Lincolnshire: Joseph Dickinson worked three times in the West Riding, five times in

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75. Appendix V.

76. Ibid.

77. Ibid.

Lincolnshire and once in Wiltshire;<sup>78</sup> John Hall worked twice in the West Riding;<sup>79</sup> Edward Johnson worked on at least 18 Lincolnshire enclosures;<sup>80</sup> Samuel Milbourne worked on two West Riding and three or more North Riding enclosures;<sup>81</sup> Peter Nevill worked several times in Lincolnshire and at least once in the North Riding;<sup>82</sup> John Outram worked on ten West Riding enclosures and several times in Lincolnshire and the North Riding.<sup>83</sup> However, all these men found the bulk of their work in the East Riding.<sup>84</sup>

#### The commissioners: inter-relationships

The tendency for the sons or brothers of commissioners to follow them into the work has been noted by researchers in a number of counties.<sup>85</sup> Eastern Yorkshire was no exception, and there are numerous instances of families of commissioners and surveyors. Perhaps the prime example is the Dickinson family, which was associated with the enclosure of the region from 1731 - when John Dickinson acted as commissioner for Burnby, which was enclosed by agreement<sup>86</sup> - until 1817, when his nephew Joseph signed the

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78. Rodgers, op. cit.; ex inf. R. Russell; R.E. Sandell, Abstracts of Wiltshire inclosure awards and agreements (Devizes, 1971). - (Wiltshire Record Society. Publications, 25) p.31.

79. Rodgers, op. cit.

80. Swales, op. cit.; ex inf. R. Russell.

81. Rodgers, op. cit.; Loughbrough, op. cit.

82. ex inf. R. Russell; Loughbrough, op. cit.

83. Rodgers, op. cit.; ex inf. R. Russell; Loughbrough, op. cit.

84. Appendix IV.

85. Turner (1977), op. cit. p.126; Tate (1951), op. cit. p.141; Beresford (1946), op. cit. p.132; P. Hull, 'Some Bedfordshire surveyors of the 18th century', Journal of the Society of Archivists, 1 (1955) pp.31-7.

86. DDAN.

Fridaythorpe award.<sup>87</sup> John and Joseph, with the help of a representative of the third generation, Joseph's son Samuel,<sup>88</sup> officiated between them on no less than 75 East Riding enclosures.

Another family of commissioners - the Dawson brothers - has already been mentioned: Miles and William Dawson were probably the sons of John Dawson, who was an enclosure commissioner in the West Riding.<sup>89</sup> Miles's father-in-law, William Hill of Tadcaster, was also an enclosure commissioner, who had in his early years been apprenticed to John Lund of York.<sup>90</sup> In an account of her life published in 1875, Miles's daughter wrote of her father and uncle:

My father was at that time, 1778, much employed as a commissioner under various Acts of Parliament for enclosing and dividing common land attached to townships, while my uncle took the surveying department. This took them much from home.<sup>91</sup>

Both the Dickinsons and the Dawsons were experienced surveyors, and the skills were passed down within the family, a common practice in the 18th century when there were many cases of a 'dynasticism in surveying, which both provides training and hands down experience within a family'.<sup>92</sup> In his diary William Stickney, a member of a family of Quakers living in Holderness, noted that his brother Isaac had gone to stay with his cousin Robert 'in order to learn Surveying'.<sup>93</sup> Both Robert and William acted as commissioners on eastern Yorkshire enclosures.<sup>94</sup>

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87. R.D.B. DA/2/1.

88. Samuel often acted as a surveyor on enclosures where his father was a commissioner.

89. English, op. cit.

90. Rodgers, op. cit. p.409.

91. M.Richardson, ed., Autobiography of Mrs. Fletcher (1875) p.13.

92. F.M.L. Thompson, Chartered surveyors: the growth of a profession (1968) p.21.

93. H.A. Kay, William Stickney, 1764-1848 ... (York, 1980) p.18.

94. Appendix V.

The close ties between commissioners which were formed by working closely together for days or weeks on end, were often strengthened by inter-marriage between commissioners' families. Further research would no doubt unearth many more examples, but the interconnections are well illustrated by the case of the Dunn, Bell and Iveson families. Robert Dunn (1732-95)<sup>95</sup> was an enclosure commissioner who worked on 15 East Riding enclosures. He died whilst working on the enclosure of Hollym and Withernsea, and his son James was appointed in his place.<sup>96</sup> Robert had two daughters: in 1789 the elder, Eleanor, married William Iveson, a Hedon attorney and enclosure commissioner; the younger daughter, Elizabeth, married Robert Bell, the son of another commissioner. Rebecca, the daughter of Elizabeth and Robert Bell, married William Iveson's brother James in 1807.<sup>97</sup> The Iveson brothers acted as solicitors and clerks for many Holderness enclosures in the late 18th and early 19th centuries.<sup>98</sup>

Another example of the close connections between commissioners and their families concerned Joseph Dickinson who was a Quaker. He married for the second time in 1789, when he was a widower with seven children.<sup>99</sup> His bride was Jane Stickney, the sister of Robert Stickney mentioned earlier. Robert himself married Rebecca Bell, the daughter of Robert Bell of Welwick<sup>1</sup> who was possibly the same Robert Bell mentioned above, although this cannot be definitely established.

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95. M.Craven, A history of the borough of Hedon (Driffield, 1972) p.178.

96. R.D.B. BT/364/50.

97. Craven, op. cit. p.178.

98. DDIV.

99. Kay, op. cit.

1. Ibid.

The commissioners: occupational background

Although the term 'professional' commissioner has been used by a number of researchers<sup>2</sup> it may be misleading if it implies that such men were engaged full-time upon enclosure business; during the busiest periods of parliamentary enclosure this may have been the case, but there were some years when there was little employment. Moreover the enclosure process was a finite undertaking; as each enclosure was completed the available work decreased. Certainly all the eastern Yorkshire commissioners had some alternative employment, many being chosen in the first place because of their competence as land agents, surveyors, working farmers or valuers.

John Outram was the busiest commissioner in the region; in one year at the height of his career he was working upon 24 enclosures simultaneously.<sup>3</sup> Even so, he was engaged upon other work at that time: many advertisements of land for sale or to rent direct enquirers to John Outram, who seems to have been acting as an independent land agent and valuer - an estate agent in the modern sense of the word.<sup>4</sup> A number of enclosure commissioners were private estate stewards or agents. Outram himself had begun his career in this way, following his father, Benjamin, as steward to Sir Griffith Boynton of Burton Agnes (233).<sup>5</sup> He was first employed as an enclosure commissioner in 1757, when Sir Griffith appointed him to allot and enclose part of his Barmston (219) estate,<sup>6</sup> and two years later he undertook the enclosure by agreement of Burton Agnes itself.<sup>7</sup> Until the late 1760s

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2. e.g. Turner (1977), op. cit. p.123.
  3. The quantity of work involved on each enclosure would have varied according to the stage reached; normally meetings were held at frequent intervals in the first year after the act, diminishing considerably in subsequent years. However, none of John Outram's enclosures was long-drawn out.
  4. Y.C. passim.
  5. G. Poulson, The history and antiquities of the Seignory of Holderness (2 vols. Hull, 1840-1) 1, p.224.
  6. DDWB 2/31.
  7. DDWB 5/97, 98.



Outram combined his duties as estate steward with his enclosure work, but when he moved to Kilham (245) in 1770-1 he seems to have left the Boynton's employment, his brother Benjamin taking over the position of steward.<sup>8</sup>

By the opening of the parliamentary enclosure period there was a number of experienced estate stewards with the necessary expertise to act as enclosure commissioners. In areas like the East Riding, where gentry owners had scattered estates, a full-time steward was necessary to collect rents, oversee tenants, supervise repairs etc.<sup>9</sup> Some stewards might find themselves in complete charge of the estates for years on end, with the minimum of supervision: Dom John Potts, the agent of the Constables of Everingham, ran the estate there from 1730 until 1743, whilst Marmaduke Constable was travelling on the Continent.<sup>10</sup> Landowners recruited their agents from the ranks of lawyers, farmers, merchants and senior domestic servants, a certain degree of education and financial standing being regarded as an essential prerequisite for the work. It was very common practice for the sons or nephews of stewards to follow their fathers into the business: John Raines the elder (1690-1750) preceded his nephew of the same name as estate steward of the Burton Constable (174) estate;<sup>11</sup> William Hall was the agent of the Hothams of South Dalton (88) for about twenty years, from c.1776 until his death in 1794 - his son John was appointed agent in his place and he served the Hothams for 40 years, being followed by his son James who acted as agent until 1877.<sup>12</sup> Another

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8. Appendix V.
  9. P. Roebuck, 'Absentee landownership in the 17th and early 18th centuries ...', Ag.H.R. 21 (1973) pp.1-17.
  10. P. Roebuck, ed. Estate correspondence, 1726-43 (Leeds, 1976). - (Yorkshire Archaeological Society, Record series, 136).
  11. Poulson, op. cit., 2, pp.270-1.
  12. B.A. English, 'Patterns of estate management in East Yorkshire, c.1840-c.1880', forthcoming article in Ag. H.R.

example of sons following their fathers into land agents' work - the Outram family - has already been noted.<sup>13</sup>

There were ten East Riding commissioners who also worked as land agents: John Outram, John Raines the elder, John Raines the younger, John Dickinson, Robert Dunn, William Hall, John Hall, Isaac Leatham, John Levitt, and William Ware.<sup>14</sup> Many of them were instrumental in promoting agricultural improvement; as G.E. Mingay wrote, stewards:

contributed significantly in securing the enclosure of open fields, commons and waste lands, and in achieving more efficient size and better lay-out of farms, revision of tenures and careful selection of tenants, and the introduction of improved rotations and soil improvement.<sup>15</sup>

This last point - the introduction of improved rotations - is well illustrated by the case of Isaac Leatham, who introduced the tenants of his employer Humphrey Osbaldeston, as well as the small owner-occupiers of Hunmanby (258) to the cultivation of turnips and seeds within a six-course rotation in the open fields. According to Leatham the arable land was;

worn out to such a degree, by crops injudiciously repeated, that it returned little more than was necessary for seed and the support of the numerous horses employed in cultivating the soil ... poverty was the inmate of every dwelling, though several of the occupiers were owners also.<sup>16</sup>

Although he worked as an enclosure commissioner Leatham stated that he did not consider enclosure to be an essential preliminary to improvement on the Wolds; indeed, he believed that some enclosures had resulted in a deterioration in the management of some land. Nevertheless, Hunmanby itself was enclosed shortly after he published his General view of the agriculture of the East Riding.

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13. See above, p.275.

14. Appendix V.

15. G.E. Mingay, 'The 18th-century land steward', in E.L. Jones and G.E. Mingay eds. Land, labour and population in the Industrial Revolution (1967) p.26.

16. Leatham (1794) p.45.

The allegations of bias, which have been directed against commissioners by a number of critics, would appear to have some foundation when a proprietor's own land steward was named by him as a commissioner, although the degree of partiality which could be shown was dependent upon the structure of land ownership in a township. When John Outram acted as commissioner to enclose his employer's land at Barmston (219) and Burton Agnes (233), Sir Griffith Boynton was, apart from the tithe owner, the sole allottee.<sup>17</sup> John Raines, William Constable's agent, acted as commissioner on several enclosures where his employer was lord of the manor, but in all these cases the lord's allotment was only a token amount, some two or three acres, so Raines was not in any position to favour Constable.<sup>18</sup> Moreover, most of Constable's land, which was located close to his seat at Burton Constable (174) was early-enclosed. There are however other cases where the connection between proprietor and commissioner seems to have been altogether too close and where a commissioner clearly gave preferential treatment to his employer. John Levitt was L.B. Barnard's steward at South Cave (118) where Barnard had his family seat. Levitt acted as a commissioner only twice, but both enclosures were of townships where Barnard had a large estate. At South Cave, enclosed 1785-7, Barnard purchased a number of large properties between 1784 and 1787, and Levitt's dual role as commissioner and steward afforded him ample opportunity to guide Barnard to make the best bargains.<sup>19</sup> At the enclosure of Walkington (102) in 1795-5, Levitt was also Barnard's nominee.<sup>20</sup> As already described, this was an enclosure attended by much dispute; after the award had been signed, Marmaduke Constable, one of those proprietors who felt he had been unfairly treated, wrote to Barnard

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17. DDWB 2/31, 32; 5/97, 98.

18. Appendix V.

19. HUL DDBA 4/44-8.

20. 34 Geo. III, c.53.

complaining of the conduct of the Bishop of Durham's commissioner and John Levitt, Barnard's commissioner. Constable described the two commissioners as:

Men standing not in a neutral but biased Situation, and the Bias appears to have operated. It is said too, with what Truth I know not, that the inadequate Compensation given to the Landowners, was not the unanimous act of the 5 Commissioners but only a majority of them.<sup>21</sup>

This case highlights the inherent unfairness of a system whereby the largest proprietors were able to nominate as commissioners men in their employ who inevitably placed their duty to their employer above the interests of other proprietors. The injustice was recognised and an attempt was made to rectify it when in 1801 the Standing Orders of the House of Commons relating to enclosure bills were amended. They stated that:

no Person shall be named ... as a Commissioner, Surveyor, or Valuer, who shall be interested in the Inclosure to be made by virtue of such Bill, or the Agent ordinarily entrusted with the Care, Superintendence or Management of the Estate of any Person interested.<sup>22</sup>

This seems clear enough, but in eastern Yorkshire at least, the ruling was not always complied with: at the enclosure of Etton (87), 1818-20, William Ware, one of the commissioners appointed, was the agent of one of the largest proprietors. He was objected to on those grounds, but because his employer refused to change his mind and select some other man, and because the other owners wished the enclosure to go ahead, the objection was withdrawn.<sup>23</sup> Another commissioner at the enclosure was John Hall, who was

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21. HUL DDBA 8/97.

22. H.C.J. 56 (1801) pp.659-63.

23. 1090 Acc. In Lincolnshire in the same year (1818) John Burcham, Lord Yarborough's steward, was appointed as commissioner at the enclosure of Ulceby, although Lord Yarborough owned almost half the land in the township, R.C.Russell, The enclosures of East Halton ... and of North Kelsey ... (Barton on Humber, 1964) p.75.

Lord Hotham's agent: Hall had in fact been nominated by the Rector, Hotham not having the right to nominate a commissioner since he only owned a little land in Etton when the act was passed.<sup>24</sup> However he added to this small estate considerably by purchases made between the act and the award. A file of correspondence between Hall and Hotham shows that, whilst engaged upon his work of valuing and allotting Etton, Hall was also purchasing land on behalf of his employer from several proprietors both large and small.<sup>25</sup> At enclosure Hotham was allotted 916 acres, 632 acres of which had been bought between the act and the award.<sup>26</sup> This was the very situation that the Standing Orders had been revised to correct; Hall as commissioner was privy to all the information about valuation of land, personal circumstances of allottees, and expected costs of the enclosure. He was in constant touch with the proprietors and was in a position to step in and make them an offer for their property if they showed signs of concern as to the financial or personal effects of the enclosure; indeed he was in a position to encourage them to sell by giving them false information. The correspondence shows that he took full advantage of his privileged position. The first letter dates from January 1820, unfortunately not long before the award was signed, so most of Hotham's purchases had already been made by that date. However, the final purchase, that of the Robinson estate for £2,100 is mentioned. On 20 July 1820 Hall wrote 'Etton Award, I hope, will be signed in a fortnight and then all the Deeds may exactly follow the Allotments'.<sup>27</sup>

The enclosure of South Dalton (88), where the Hothams had their family seat, followed soon after that of Etton and the correspondence is most

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24. HUL DDHO 8/2.

25. Ibid.

26. R.D.B. DA 266/58.

27. HUL DDHO 8/2.

illuminating upon the activities of Hall as commissioner and agent. Prior to the enclosure act he was already engaged in making purchases in the township. At the first meeting, which was called to consider the enclosure of South Dalton, all the proprietors present except two agreed to apply for an act. Hall told the landowners that Lord Hotham as lord of the manor would require 1/18 of the common and the right to name a commissioner. The rector, Francis Best, said that it would be cheaper to appoint two commissioners rather than three, and that he would agree to nominate the second jointly with the other proprietors. He claimed £400 per annum for the tithes, which was agreed by all except John Hart and Francis Leake, two men who opposed the idea of an enclosure altogether unless land rather than cash was given as compensation for the tithes. Hall wrote to Hotham that Hart and Leake wanted as commissioner a Mr. Musgrave:

a very intelligent farmer near Howden with whom I am well acquainted - but he never was before engaged in any business of the kind and therefore must on this occasion be much like a child in arms.<sup>28</sup>

Regarding his own appointment as commissioner Hall wrote:

We got great Credit with the small freeholders at the meeting ... it was rather hinted I ought not to be a Commissioner but I understand they all now say I ought to be the only one.<sup>29</sup>

At a meeting held at the end of December 1821 the proprietors decided to appoint two commissioners, together with an umpire, who should be one of three men named by Hall. Leake and Hart, who seem to have been the only proprietors causing any difficulty, were rumoured in January to be intending to go back on their word with regard to the choice of commissioners, but they did in fact agree to the choice of John Lee as umpire - a selection which pleased Hall since he was well acquainted with the man.

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28. Ibid.

29. Ibid.

The act was passed without opposition<sup>30</sup> and the first commissioners' meeting was held on 27 June 1822.<sup>31</sup> In August the surveyors began work and the valuation was planned to take place as soon as the harvest was in. Hall wrote to his employer:

as to the allotments, the only thing will lie with you to say where you think Hart would least annoy us and for me to endeavour to place him.<sup>32</sup>

In marked contrast to the pattern in most other eastern Yorkshire townships studied,<sup>33</sup> enclosure in South Dalton had the effect of inducing many of the proprietors to sell their property: by the end of 1822 Hall was dealing with dozens of purchases of land at various stages of negotiations at the same time as he was engaged upon the valuation and allotment of the open fields and commons. There are numerous indications in the correspondence to show that he had no compunction whatever in using his position to forward his employer's interests and in the process to damage those of the smaller proprietors. For example, he wrote on 14 November 1822 that John Sherwood, a yeoman farmer, had asked £630 for his house and common right; Hall offered him £500. Sherwood had already sold nine oxgangs to Hotham in 1816, land which had been mortgaged for £1,405 in 1809, the mortgagee being Samuel Hall, John Hall's brother.<sup>34</sup> Sherwood carried on farming the land after he had sold it to Hotham, and he had expectations of a good farm after enclosure, so he dare not risk offending either Hotham or Hall. The latter's offer of £550 (an increase of £50 on the earlier offer) for the house, garth and common right, was accepted by Sherwood in December, and Hall wrote to Hotham that together they were worth when allotted 'more than

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30. H.C.J. 77 (1822) p.208.

31. HUL DDHO 8/2.

32. HUL DDHO 8/3.

33. See Chapter 8 for the land market at enclosure.

34. HUL DDHO 48/157-76.

I expected and if he knew it [he] would ask more'.<sup>35</sup> Several other small allotments were purchased by Hall on Hotham's behalf at this time and he wrote that they were well worth the purchase price, 'the Common Rights are worth more than they expect'. On 22 December he wrote:

No person yet knows the quantities but myself ...  
I have kept Musgrove entirely in the background  
and he is not aware of any of these calculations ...  
but which I was determined you should know and  
see before we meet - I think I have so explained  
and shown everything that you will perfectly  
understand it and be qualified for a Commissioner<sup>36</sup>

- which seems to be more than can be said for his colleague Musgrove. By the end of 1822 Hall had purchased all but four of the common rights in South Dalton. In January 1823 he obtained two more,<sup>37</sup> and by this time only Robert Leng, a cordwainer, and John Turner, a yeoman farmer, remained. These two proved to be a trifle stubborn: Robert Leng sold his property in 1830<sup>38</sup> and John Turner alone remained by 1832.<sup>39</sup> The enclosure award was not signed until 1827: Hotham received about 1,500 acres, 94 per cent of the land allotted.<sup>40</sup> He had purchased almost 1,000 acres between 1815 and 1823, much of it during the years when Hall was allotting the township. In January 1823, by which time Hall had purchased on his employer's behalf almost every property in South Dalton, he wrote 'I now most truly and sincerely congratulate you on your Acquisition, and give you Joy in being in good earnest Cock of the Field'.<sup>41</sup>

Hall's activities as commissioner-cum-agent did not end with the enclosure of South Dalton: the neighbouring township of Cherry Burton (95)

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35. HUL DDHO 8/3.

36. Ibid.

37. Ibid.

38. HUL DDHO 8/5.

39. QDE 1 South Dalton, 1832.

40. R.D.B. DQ/107/4.

41. HUL DDHO 8/3.



was also enclosed during this period, again with Hall appointed as commissioner. Hotham owned a large estate of old-enclosed land at Gardham (94), a deserted township in Cherry Burton parish, and a small amount of open-field land. Hall advised him that it would be in his interests to increase his estate.<sup>42</sup> In January 1823, the year of the enclosure act Hall purchased two common rights at £160 each:

which I hope will be very cheap, and they will make our allotment much more handsome ... and it won't cost or take any more fencing. I hope these two Rights will be above 16 Acres but I can't exactly say.<sup>43</sup>

They were together 16.2.16 and in the award of 1829 Hotham was allotted about 99 acres which included land he already owned.<sup>44</sup>

#### The commissioners: their character and integrity

The correspondence between the agent and his employer provides abundant evidence that in eastern Yorkshire at least, a situation which the Standing Orders of 1801 was intended to prevent, was still in operation. The commissioner's oath, by which he swore to:

faithfully, impartially and honestly, according to the best of my Skill and Ability, execute and perform the several Trusts, Powers and Authority vested and reposed in me as a Commissioner ... according to Equity and good Conscience, and without Favour or Affection, Prejudice and Partiality, to any Person or Persons whomsoever.<sup>45</sup>

was in the case of John Hall an empty sham. On the evidence of only one case one cannot condemn all commissioners as equally culpable; Hall may have been an exception, but the corruption practised by him demonstrates the amount of

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42. Ibid.

43. Ibid.

44. R.D.B. DQ/163/6.

45. Clause in 1801 General Act - 41 Geo. III, c.109.

power put into the hands of commissioners at enclosure. Even when they were not so closely involved with the larger proprietors as was Hall with Hotham, the commissioners were often associated with the gentry as attorneys or surveyors, or in similar professional capacities. Thomas Stone's statement that the commissioners were 'judge and jury between the parties in every cause, and corruption on their part to a certain extent might be committed without detection'<sup>46</sup> is very relevant to the case of Hall and Hotham. In the General Report on Enclosures of 1808 the commissioner was likened to:

a sort of despotic monarch, into whose hands the property of a parish is invested, to recast and distribute at their pleasure amongst the proprietors, and in many cases without appeal.<sup>47</sup>

The report goes on to point out that the power given to the commissioners was necessary since the interests involved were so complex; a safeguard against corruption was the fact that the income of the commissioner was dependent upon 'their integrity and reputation; if they award unjustly they will not be employed'.<sup>48</sup> However a commissioner's future employment depended rather upon the satisfaction he gave to the larger proprietors, who were the only ones in a position to make the selection, rather than upon any reputation for honesty and fair dealing to all.

The group most likely to be injured by a partial commissioner was the smaller proprietors and cottagers; these, might be advised as were the small owners of property in South Dalton, to dispose of their property upon unfavourable terms by a commissioner in the possession of information to which the property owners did not have access. The only form of redress available to a proprietor who felt that his interests had been

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46. T.Stone, A review of the corrected agricultural survey of Lincolnshire by Arthur Young (1800).

47: Board of Agriculture and Internal Improvement, General report on enclosures (1808) p.61.

48. Ibid.

unfairly dealt with, was application to the local Quarter Sessions.<sup>49</sup> No proprietor in eastern Yorkshire took this step,<sup>50</sup> although this is not necessarily an indication that all the parties concerned in an enclosure were satisfied with their treatment; it was the smaller owners who were most likely to have been injured by the enclosure process, but they were probably the ones least likely to have resorted to law. They were well aware that the Justices of the Peace who sat at the Quarter Sessions were recruited from the local gentry;<sup>51</sup> in any cases concerning land the J.P.s' first loyalty could have been towards their friends in particular, and towards their class in general. Even people quite high up the social scale seem to have shown reluctance to appeal to the Quarter Sessions. The vicar of Ulceby in Lincolnshire, the Reverend Bowstead, considered that he had been the victim of an injustice at the hands of John Burcham, an enclosure commissioner who was also the steward of the principal proprietor. Bowstead wrote to his bishop to complain, but received the reply that 'the power of the Commissioners was so absolute, as not to be resisted with success'. He did not appeal to the Quarter Sessions because he believed that 'there would be so small a chance of success, in opposition to the overwhelming influence of the powerful parties he would have to contend with'.<sup>52</sup> If a man in Bowstead's position felt that he had no chance of obtaining justice it is hardly surprising if more humble people failed to take advantage of their right of appeal.

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49. A clause to this effect was included in every act.

50. A search has been made in the Quarter Sessions files in the County Record Office at Beverley.

51. G.C.F. Forster, The East Riding Justices of the Peace in the 17th century (York, 1973) - (E.Y. local history series, no.30).

52. Russell, op. cit. p.75.

Some commissioners were aware of the vulnerability of the smaller proprietors, and treated them with consideration: William Elmhirst, a Lincolnshire commissioner always allotted the smaller plots first, and placed them in the most convenient positions 'since there can be no partiality in defending those who cannot defend or help themselves';<sup>53</sup> a number of commissioners on eastern Yorkshire enclosures adopted a similar policy.<sup>54</sup> Moreover, a number of very active commissioners were members of the Society of Friends;<sup>55</sup> Quakers were known for their integrity, and had for many years been associated with the business of surveying and with agricultural matters in general. A writer on Quakerism, not himself a Friend, wrote of their conduct in business:

If it be a charge against members of this Society that they are eager in their pursuit of wealth, let it also be at least mentioned in their favour, that, in their accumulation of it, they have been careful not to suffer their knowledge to take advantage of the ignorance of others.<sup>56</sup>

The most prominent Quakers in the enclosure business in eastern Yorkshire, the Dickinson family, had been associated with the surveying in the region since at least 1710.<sup>57</sup> Members of the Stickney family, respected Quakers in Holderness, also officiated as commissioners and surveyors several times. John Flintoff of Thirsk, who worked as a commissioner in all three Ridings, was a Quaker whose daughter married a Leatham, certainly a relative of Isaac Leatham, a Quaker commissioner who has already been mentioned. Other members of the Society of Friends were Samuel Milbourne and John Tuke.<sup>58</sup> P.H. Emden described the Quaker creed as 'a religion of life, in no way

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53. W.E. Tate, A domesday of English enclosure acts and awards; edited with an introduction by M.E. Turner (Reading, 1978) p.36. See also below - section on the work of an enclosure.

54. See below, pp.308-9.

55. This was also the case in the West Riding, Rodgers op. cit. p.404.

56. T. Clarkson, Portrait of Quakerism (3 vols. 1807) 2, p.40.

57. Appendix V.

58. Ibid.

separated from mundane doings'.<sup>59</sup> The diary of William Stickney provides numerous illustrations of the perpetual examinations of conscience to which a practising Quaker of that period submitted himself.<sup>60</sup> In his study of West Riding commissioners Rodgers wrote 'of Quakers' impartiality and freedom from corruption and political implications I think there can be no doubt.<sup>61</sup> Where Quaker commissioners were involved in the enclosure of a township - and this was in at least one third of all eastern Yorkshire enclosures- there was probably less chance that injury would be done to the interests of the smaller proprietor.

Various county studies have revealed that clergymen were on occasion nominated as commissioners: in Lincolnshire several clergymen acted in this role from time to time;<sup>62</sup> in Oxfordshire there was 'a high proportion of country clergy';<sup>63</sup> several clergymen also served in Warwickshire, Worcestershire and Staffordshire;<sup>64</sup> in Buckinghamshire there were ten clergymen, mainly active in the years before 1780;<sup>65</sup> in the West Riding there were six clergymen,<sup>66</sup> whilst in Leicestershire only two have been identified.<sup>67</sup> Eastern Yorkshire resembles Leicestershire in having only two clergymen, one served only once, on an enclosure by agreement in 1735,<sup>68</sup> the other acted four times, between 1755 and 1776.<sup>69</sup>

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59. P.H. Emden, Quakers in commerce: a record of business achievement (1939) p.16; see also: A. Raistrick, Quakers in science and industry (1950).

60. Kay, op. cit.

61. Rodgers, op. cit. p.404.

62. Swales, op. cit. p.91.

63. Tate (1951), op. cit. p.140, 142. Nine clergymen served on 46 occasions in Oxfordshire.

64. Beresford (1946), op. cit. p.139.

65. Turner (1977), op. cit. p.121.

66. Rodgers, op. cit. p.403.

67. H.G. Hunt, The parliamentary enclosure movement in Leicestershire, 1730-1842 (University of London, unpublished Ph.D. thesis, 1956) p.102.

68. R.D.B. N/436/907. Enclosure of Danthorpe, 1735.

69. This was the Rev. John Dealtry - Appendix V.

Commissioners-cum-surveyors

Many commissioners, especially the 'semi-professionals', were surveyors; frequently they came to the office of commissioner via surveying.<sup>70</sup> Peter Nevill was 22 times a surveyor, and 33 times a commissioner, in the East Riding. For his first 11 enclosures Nevill acted as surveyor upon ten, and commissioner on only one; in the later stages of his career the position was reversed - he worked as a commissioner on his last 13 enclosures. Similarly, Joseph Dickinson started his enclosure work as a surveyor in 1767, later specialising almost exclusively as a commissioner.<sup>71</sup> The surveyor, with his professional expertise, legal experience and agricultural knowledge was a natural choice for enclosure work. Thompson identified the period after 1750 as:

the golden age of the chain surveyor ... when there was a renewed and greatly expanded demand for surveys ... scope for specialisation in land surveying and less incentive to diversify ... enclosure was but one element - though in some periods a very large element - in the surveyors' work.<sup>72</sup>

The work of surveying, as has already been noted, was particularly popular with members of the Society of Friends, who, excluded from political and municipal life, turned their attention to other occupations. An advice to Quakers on education, called for the inclusion of 'measuring, surveying, dialling etc., and especially all pertaining to agriculture'.<sup>73</sup> The Dickinsons and the Stickneys are examples of dynasties of surveyors, and Robert Stickney seems to have had scientific interests too: his cousin William makes several references in his diary to Robert's experiments with electricity, his making of an air-pump and use of a barometer.<sup>74</sup>

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70. All researchers on enclosure commissioners have noted this connection.

71. See Turner (1977), op. cit. p.122, where he says 'Some of the notable commissioners of the 1790s and 1800s had served a kind of apprenticeship earlier as quantity men or surveyors'.

72. Thompson, op. cit. pp.32-3.

73. Quoted in Rodgers, op. cit. p.404.

74. Kay, op. cit. p.18 and passim.

Many surveyors-cum-commissioners also worked as land agents and valuers. Joseph Dickinson was described in 1795 as 'as respectable a Land Valuer as any ... in the County ... and has been conversant in the Management and letting Farms for 20 years'.<sup>75</sup> Peter Nevill, was 'frequently employed in the valuing of land for sale'.<sup>76</sup> The buoyant land market in eastern Yorkshire in the late 18th and early 19th centuries provided such men with plenty of work.<sup>77</sup> Their names constantly recur in the property advertisements in the York Courant, frequently being linked with that of a local attorney. John Outram has already been mentioned in this connection; he was in great demand as a valuer throughout his career.

The commissioners, as landowners

The agricultural connections of several commissioners were not confined to the valuation, surveying and administration of other people's estates: a number were owners or occupiers in their own right, some of them farming large estates. Evidence from enclosure awards and from the Land Tax assessments shows the land-owning strength of this group of commissioners: Peter Nevill of Long Riston (191) owned an estate in that village and in its neighbour, Leven (202). He built himself a house at Long Riston in 1773, having been allotted 223 acres at the enclosure, some of it very recently purchased. He improved his property with plantations and endowed a school in the village.<sup>78</sup> Samuel Milbourne farmed a large estate at Thirkleby (23) on the Wolds as the tenant of Lord Middleton.<sup>79</sup> Robert Dunn owned land at

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75. HUL DDSY 101/68.

76. HUL DDSQ (2) 6/13.

77. F. Sheppard, V. Belcher and P. Cottrell, 'The Middlesex and Yorkshire deeds registries ...', London Journal 5, no.2 (1979) pp.209-13.

78. Poulson, op. cit. 1, p.348.

79. QDE 1 1787 Thirkleby.

Ottringham (146) and was also a substantial tenant there of Sir Christopher Sykes and Henry Maister.<sup>80</sup> The Halls, Lord Hotham's agents, farmed over 75 per cent of the land in Scarborough (83), as tenants of their employer.<sup>81</sup> Some commissioners who only worked once or twice were described in the award as 'yeoman' which implies a close connection with the land, and a few can be definitely identified as farmers: Robert Sherwood of Holme on the Wolds (75), a commissioner at the enclosure of Lockington, 1770-2, was an owner-occupier in Holme, paying 8 per cent of the Land Tax in 1787;<sup>82</sup> James Shutt of Humbleton, commissioner at the enclosure of Lelley 1769-70, was an owner-occupier paying 45 per cent of the Land Tax in Humbleton (176) in 1787.<sup>83</sup>

Some commissioners purchased land in the townships they were allotting: Robert Dunn bought 39 acres in Roos (159) and allotted it to himself in the award;<sup>84</sup> at the same enclosure another commissioner, Edward Lorrimar, who lived in the next village, was allotted 65 acres which he had purchased 'since the staking out of the allotments';<sup>85</sup> John Outram bought land in East Heselton (18), where he was a commissioner, just after the signing of the act.<sup>86</sup> It was not usual for a man to be appointed to enclose a township in which he already owned land,<sup>87</sup> but before 1801 there was nothing to prevent a commissioner taking advantage of his position to purchase land during the enclosure process. In that year the General Act included a clause stating that no commissioner could buy land he had allotted until five years had elapsed from the signing of the award.<sup>88</sup> As we have seen this did not prevent commissioners from buying on behalf of others.

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80. Ibid. Ottringham.

81. Ibid. Scarborough.

82. Ibid. Holme on the Wolds.

83. Ibid. Humbleton

84. R.D.B. BG/103/9.

85. Ibid.

86. HUL DDSY/25/89.

87. Robert Dunn already owned some old-enclosed land in Roos when he was appointed enclosure commissioner for the township.

88. Clause II, 41 Geo. III, c.109.



The commissioners' fees

The fees paid to commissioners formed a large part of the total expenses of the enclosure; in eastern Yorkshire, as in other regions, they increased over the years. Beresford found that fees in the midland counties varied from two to three guineas per day, a sum which usually included expenses,<sup>89</sup> while in the West Riding payments to commissioners rose from one guinea in the 1770s to three and a half in 1815.<sup>90</sup> The Select Committee on Bills of Inclosure of 1800 reported that the sum allowed to each commissioner 'for his trouble and expenses is generally about two guineas for each day of attendance'.<sup>91</sup> Evidence from enclosure acts for eastern Yorkshire indicates that the usual fee for commissioners in the region was one and a half guineas until 1800, two guineas per day between 1801 and 1805, thereafter varying between two and three guineas. For enclosures which took place after 1830 strict rules as to what comprised a working day were laid down. At the enclosure of Great Givendale (51), 1833-45, the commissioners were allowed three guineas per day, but only if they worked for eight hours between March and September or for six hours during the other months; anything less was counted as half a day.<sup>92</sup> This may have been an attempt to prevent commissioners from charging full fees for the days which they spent travelling to the meetings. From evidence given to the Select Committee of 1800 it appears that travelling expenses formed a major part of commissioners' fees, some men charging for their journey not from their home, 'but from considerable distances, to which their other avocations may have carried them'.<sup>93</sup> Beresford cited a case in Warwickshire where the enclosure business took up 68 days, but the commissioner received fees of three

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89. Beresford (1946), op. cit. p.135.

90. Rodgers, op. cit. p.414.

91. Select Committee Reports, op. cit. p.230.

92. 3 & 4 Wm. IV, c.14.

93. Select Committee Reports, op. cit. p.230.

guineas for 183 days because he charged full fees for the day's journeys to and from meetings.<sup>94</sup> In the case of the enclosure of Brandesburton (203), 1844-7, the scale of fees was used to shorten the time taken over the matter, the sole commissioner being paid three guineas per day for the first two years, but only two guineas thereafter.<sup>95</sup> At Whaddon, Buckinghamshire, enclosed 1830-1, a similar clause in the act ruled that the commissioners should be paid four guineas per day at first, but that after three years this fee should be halved.<sup>96</sup>

Evidence of the cost of enclosure in eastern Yorkshire is very limited and there are only five instances in which it is known how much money was paid to individual commissioners. The earliest, for the enclosure of Burton Pidsea (160), 1760-2, concerned five commissioners; the business of the enclosure occupied them for 51 days, although only one man attended on every day. Three others attended between 45 and 47 days, and the fifth attended on 28 days only. The commissioners were paid one guinea each per day for their attendance, together with expenses for which they received a total of £91 19s 4½d,<sup>97</sup> from which it would appear that their expenses amounted to approximately 8s 6d per day. At the enclosure of North Dalton (58), 1778-9, one commissioner received £59 17s for 38 days, a second received £97 13s for 62 days, and the third was paid £99 4s 6d for 63 days<sup>98</sup> - indicating that at this enclosure the commissioners were paid £1 11s 6d (or one and a half guineas) per day inclusive of expenses, a slight increase on the fees paid at Burton Pidsea enclosure. At the enclosure of Settrington (11), 1797-9, the two commissioners were paid £300 between them, but their actual fees

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94. Beresford (1946), op. cit. p.136.

95. 7 & 8 Vic., c.4.

96. Turner (1977), op. cit. p.124.

97. PR 1633.

98. HUL DDCV 118/4.

and the number of days they worked are not known.<sup>99</sup> The two commissioners for the enclosure of Fridaythorpe (48), 1810-17, were paid £189 and £760 17s respectively<sup>1</sup> and the act stated that the fee was to be two guineas per day.<sup>2</sup> John Singleton, the commissioner who received the higher figure, lived within five miles of Fridaythorpe, so that high travelling expenses cannot have been a factor in his payment.<sup>3</sup> Neither was the enclosure particularly complex: only 21 proprietors were involved, half of them being common-right owners only.<sup>4</sup> The enclosure was, however, lengthy, which although it may have suited the commissioners was not to the advantage of the owners.<sup>5</sup>

It seems unlikely that eastern Yorkshire commissioners made large fortunes out of enclosure work since there were not enough enclosures to occupy them on a full-time basis. However one Lincolnshire commissioner, John Burcham, who officiated at 47 enclosures in several counties, died a very rich man; he left upwards of £600,000 when he died in 1841. Clearly such wealth had not been accumulated only from enclosure work, but Russell believed that from that employment alone 'his income must have been considerable'.<sup>6</sup> Peter Nevill, an eastern Yorkshire commissioner and surveyor who worked on at least 60 enclosures, left £10,650 to 29 legatees when he died in 1807.<sup>7</sup> John Hall, a commissioner and land agent, left £90,000 in addition to his property.<sup>8</sup> However, one of the busiest commissioners in the region, John

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99. HUL DDSY 59/1.

1. PR 1.

2. 50 Geo. III, c.47.

3. John Singleton was employed as land agent by the Dean of York, and lent him large sums of money, so he was apparently a man of means, English, 'Patterns of estate management ...' op. cit.

4. R.D.B. DA/2/1.

5. See below.

6. Russell (1964), op. cit. p.74.

7. ex. inf. D. Neave.

8. English, 'Patterns of estate management ...' op. cit.

Outram, owed £11,400 when he died in 1787, and much of the property in land which he had accumulated in the ten years before he died had to be sold to meet his debts.<sup>9</sup>

### The surveyors

The surveyor, or surveyors, played a vital role in an enclosure, second only to the commissioners. His task was to survey the land, prepare a plan, help the commissioners in their valuations, and stake out the allotments. Many surveyors also worked as commissioners (see above), but the majority only acted as surveyors: of the 40 men who acted as surveyors in eastern Yorkshire, 17 at some time acted as commissioners, and 23 were only surveyors. The busiest surveyor-cum-commissioner, Peter Nevill, served on 22 enclosures as a surveyor. Charles Tate, another man who acted in both capacities, was a surveyor on 17 enclosures. Joseph Dickinson was a surveyor on 15 enclosures and worked on many more as commissioner, but his son Samuel specialised in surveying, working on 13 enclosures. To an even greater extent than the commissioners, the majority of surveyors were local men; very few came from either the North or West Riding, and only one man lived in Lincolnshire.<sup>10</sup>

It is only rarely possible to find out who chose the surveyors for individual enclosures. The evidence given to the Select Committee of 1800 suggests that it was common for the proprietors to make the choice, a situation considered unsatisfactory by one witness, George Maxwell, a commissioner. Maxwell stated that in those cases where the surveyor was appointed by the act (i.e. in effect by the proprietors):

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9. HUL DDSY 25/155.

10. Appendix V.

he considers himself as their servant, and not the servant of the commissioners and often discloses matters privately to some of the proprietors, which ought not to be known.<sup>11</sup>

Some enclosure acts for eastern Yorkshire townships stated that the choice of surveyor rested with the commissioners: both Holme on the Wolds (75) and Lund (74) enclosure acts included a clause to this effect.<sup>12</sup> However, this was not a frequent occurrence; in the cases of North Frodingham (211), Little Weighton (111) and Riplingham (110), and Staxton (268) the enclosure minutes show that the proprietors selected the surveyors, the choice being made at the preliminary meetings when the commissioners were also chosen.<sup>13</sup> This was also the case when Newbold, a Leicestershire township, was enclosed.<sup>14</sup>

As stated earlier, it may well be that the commissioners preferred to work with familiar surveyors; in any case, in eastern Yorkshire the choice had to be made from a somewhat restricted group of men, and their growing experience of the work ensured that a few of them were selected time after time. Almost every township in the region enclosed between 1760 and 1780 was surveyed by one of three men: Peter Nevill, Joseph Dickinson, or Charles Tate,<sup>15</sup> sometimes working together, sometimes in association with less experienced surveyors. By the 1840s, when enclosure work was much diminished, experienced men were less easily found. Possibly most surveyors were chosen at this period, as was certainly the case at the enclosure of Hemingborough in the Vale of York, by advertisement: the Yorkshire Gazette of 13 February 1841 carried an advertisement from a Selby solicitor inviting

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11. Select Committee Reports, op. cit. p.234.

12. 35 Geo. III, c.36; 34 Geo. III, c.112.

13. HUL DDCV 120/8; 10, 7.

14. M.W.Beresford, 'The minute book of a Leicestershire enclosure', Leicestershire Archaeological Society. Transactions 23 (1947) p.297.

15. Appendix IV.

prospective candidates to submit a tender for the enclosure of the township.<sup>16</sup> This was a method of selection advocated by several witnesses to the Select Committee of 1800 as a means of limiting costs.<sup>17</sup>

Either one or two surveyors were chosen to undertake an enclosure: there is only one case in eastern Yorkshire where three men were appointed.<sup>18</sup> Before 1760 the surveyor was not named in either the act or the award, and where a map has not survived there is no way of knowing who undertook the survey - possibly the commissioners themselves did the work. Between 1760 and 1764 two surveyors were almost invariably appointed, but after that date one man working alone became the norm,<sup>19</sup> although between 1790 and 1805 there was an increase in the number of enclosures at which two surveyors were employed. No apparent relationship can be discerned between the complexity of an enclosure (measured in terms of the acreage allotted and numbers of owners involved) and the number of surveyors chosen. When Molescroft (97) was enclosed between 1801 and 1803 only 743 acres were allotted to seven people, and yet two surveyors were appointed.<sup>20</sup> Conversely, when Keyingham (147) was enclosed at about the same time (1802-05), 1,404 acres were allotted to 41 people, and only one surveyor was chosen.<sup>21</sup>

Costs were, no doubt, the prime consideration when proprietors were deciding how many surveyors they needed. The payment of surveyors was an important item in enclosure expenses, sometimes a larger one than the

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16. ex inf. A. Harris.

17. Select Committee Reports, op. cit. pp.233-4.

18. For the enclosure of North Ferriby, Swanland, Kirk Ella, West Ella and Willerby, 1824-37. This was a very complex and protracted enclosure, involving several townships, some of which shared common land. R.D.B., FG/87/2.

19. Appendix V.

20. R.D.B. CQ/109/3.

21. R.D.B. CI/90/5.

commissioners' fees. As was the case with commissioners, the fees paid to surveyors were sometimes mentioned in the enclosure act: the usual method of calculation was based upon a payment for every acre surveyed plus expenses. The evidence given to the Select Committee of 1800 described the system thus:

They have 1s 6d per acre for measuring and mapping, and making all calculations for the Commissioners, staking out the allotments, and describing in writing the abuttals and boundaries of the allotments in order to their being inserted in the award; and they have a guinea and a half per day for attendance on the Commissioners. They are also paid for the reduced plan; for which some charge 2d per acre, and others from five to fifteen guineas which is less than 2d per acre.<sup>22</sup>

Most enclosure acts before 1790 did not contain information upon the payment to be made to surveyors, but after that date it became quite common: the earliest such evidence comes in 1792 from the enclosure act for Hessle (131), which states that the surveyors were to be paid 1s 6d per acre;<sup>23</sup> at the enclosure of Hollym (153) and Withernsea (154), 1793-7, the surveyor was to receive only 8d per acre for open fields and carrs, and 6d per acre for old-enclosed lands;<sup>24</sup> according to the acts for the enclosure of Wetwang (46) and Fimber (47), 1803-06, and Weaverthorpe (20) and Helperthorpe (21), 1801-04, the surveyor received 10d per acre;<sup>25</sup> at Leavening (34), 1804, and Middleton (69), 1803-05, the fee was 1s per acre, with 8d per acre of old-enclosure.<sup>26</sup> The two surveyors at the enclosure of Burton Pidsea (160), 1760-2, received £123 1s 2d and £117 7s 3d respectively,<sup>27</sup> and the single surveyor for North Dalton (58), 1778-9, was paid £151 10s.<sup>28</sup> In both these

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22. Select Committee Reports, op. cit. p.234.

23. 32 Geo. III, c.109.

24. 33 Geo. III, c.103.

25. 41 Geo. III, c.80.

26. 44 Geo. III, c.33; 43 Geo. III, c.129.

27. DDCK 32/5.

28. HUL DDCV 118/4.

cases payments made to individual surveyors was greater than that to individual commissioners. The only other two enclosures for which figures are available are Settrington (11), 1794-6, for which two surveyors received £250 between them,<sup>29</sup> and Fridaythorpe (48), 1810-17, where there was one surveyor, who was paid £322 3s 1d.<sup>30</sup>

### The attorneys

The commissioners and surveyors played a central role in the enclosure of a township, but they did not begin work until the act was passed. The attorneys were involved with the enclosure from the very earliest stages until the award had been signed, and they had to co-ordinate the work of the commissioners, the surveyors, and other people concerned in the enclosure. They initially appeared on the scene as agents for the promoters, organising the early meetings, placing advertisements in the local press and drawing up agreements. As stated earlier they obtained signatures to the petition and bill, and attended the House of Commons whilst the parliamentary process was taking place. Attendance at the House by the country attorney does not seem to have been obligatory however: William Blamire in his evidence to the Select Committee on Commons Inclosure of 1844, stated that he had known enclosures 'where the Parliamentary agent undertook to act without a country solicitor; and where the landowners themselves obtained the assents and dissents'.<sup>31</sup> However from all the evidence available it appears that most attorneys did attend the House. When the Parliamentary business was satisfactorily concluded they were transformed into clerks to the enclosure,

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29. HUL DDSY 59/1.

30. PR 1.

31. 'Report from the Select Committee on Commons' Inclosure ... 1844', British Parliamentary Papers. Agriculture, 7 (1844) pp.30-1.



took the minutes at commissioners' meetings, dealt with correspondence, and eventually drew up the award. The pivotal role played by the attorneys as described by a witness to the Select Committee of Commons Inclosure of 1844, is worth quoting in full:

I think ordinarily, a private Bill, being promoted by a Solicitor, at the instigation perhaps of his client, the Commissioner is, in most cases, the nominee of the Solicitor; the solicitor, as a matter of course is appointed the Clerk to that Commissioner; and I think that a Commissioner could very rarely venture to dismiss his clerk; I think, generally speaking, the solicitor has the whole conduct of the matter; the clerk, in fact, is the person who conducts the whole business, the onus rests upon his shoulders; the matters of judgement, as to value of the land are with the Commissioner; but all the detail of the measure is managed by the clerk, he being frequently an influential solicitor, professionally engaged for landowners of wealth and fortune; and every portion of the matter is regulated by him. There may be honourable exceptions, no doubt, but that is the general course in which inclosures are worked.<sup>32</sup>

Because their involvement with the enclosure began at an early stage some attorneys might find themselves associated with the negotiations for many years: Marmaduke Prickett of Bridlington, one of the solicitors for the Langtoft (249) enclosure, 1801-05, made out a bill of his expenses in 1794 which showed that he had first been appointed to deal with negotiations in September 1774.<sup>33</sup> In 1776 he had travelled to Langtoft to attend a meeting at which proposals for an enclosure were drawn up and later he wrote to the tithe owner and other large proprietors to inform them of the decisions made at that meeting. No further progress is recorded until 1783, when more effort to secure an enclosure were made, but the tithe owner's lessee seems to have refused to consent and the matter was dropped until 1794. After a meeting attended by Prickett at which the owners present agreed to go ahead, the attorney drew up the petition and the bill, and posted notices of impending application to Parliament on the church door. Yet again the matter was dropped and Prickett presented a bill for his fees and expenses to date of

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32. Ibid. p.332.

33. DDX 40/190.

£75. The lessee died in 1800 and negotiations resumed. Prickett was very busy advertising meetings, ascertaining the current state of the property, and altering the bill; on 23 February 1801 the bill was read over and signed. Prickett attended Parliament whilst the bill was going through, and his accounts show that he was away from home for two months, part of which time was spent obtaining the consents of the absentee owners, who lived in Lancashire and Hampshire. This cost the proprietors £187 18s, which was made up of £130 in fees for 65 days at £2 per day, £32 10s for lodgings and expenses, and £25 8s for travelling. After the bill had been passed Prickett was named as clerk to the enclosure and he attended all commissioners' meetings.<sup>34</sup> The allotments were set out in February 1802 but the award was not signed for a further three and a half years.<sup>35</sup> The delay does not appear to have been Prickett's responsibility for by 1804 he was showing considerable impatience with the long drawn out proceedings. In March of that year he wrote to the other attorney involved, 'I am solicitous to have this tedious business dispos'd of ... [It is now] 30 Years since this Inclosure appears to have been in agitation'.<sup>36</sup> Despite his annoyance with the delays Prickett presumably profited from them; his total charges and expenses amounted to £464 by 1803,<sup>37</sup> and at this stage all the work involved in drawing up the award had still to be done. This figure compares with £231 14s 10d charged by the attorney for North Dalton (58) enclosure, 1777-8,<sup>38</sup> and £292 7s 11d for the enclosure of Burton Pidsea (160), 1760-2.<sup>39</sup> The accounts of Robert Spofforth, the solicitor who acted at the enclosure of

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34. Ibid.

35. DDX 40/192; R.D.B. CI/14/2.

36. DDX 40/195.

37. DDX 40/190.

38. HUL DDCV 118/4.

39. DDCK 32/5.

South Cave (118), 1785-7, provide useful information on the fees charged for individual items: Spofforth charged one guinea plus expenses for attending a meeting, and 3s 6d for writing to the York Courant for an advertisement to be placed there. The printer on that paper charged 11s 6d, but the York Chronicle's charge was 12s. Spofforth's fee was 3s 6d for taking instructions for the petition, and 6s 8d for drawing up a draft. To engross it and for the necessary parchment the total was 7s 6d, and a further one guinea plus 4s 6d expenses were necessary for a day in South Cave to have the petition signed. Like Prickett, Spofforth had to travel some distance to obtain consents from absentee proprietors and he was away for 12 days on this business. He was away a further 15 days in London, and a witness, who was needed to prove that the necessary publicity for the enclosure had been given, was away for 10 days. Spofforth's final account totalled £351, which excluded the parliamentary fees.<sup>40</sup> Such a sum was fairly typical of an average-sized enclosure involving a number of absentee owners. The expenses of the solicitor-cum-clerk frequently exceeded the sum paid to the commissioners, and enclosure must have provided country attorneys with a steady source of income during the peak enclosure years.

Attacks upon the expense and conduct of an enclosure frequently centred upon the attorneys: Arthur Young implied that the commissioners and attorneys conspired together to run up large bills with no detailed accounts;<sup>41</sup> Isaac Leatham wrote of some enclosures on the Wolds which had failed to produce any profit for the landowners owing amongst other things to 'the sinister views and endeavours of a solicitor';<sup>42</sup> Thomas Harrison, a Buckinghamshire commissioner and solicitor, when asked in 1800 of any particular

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40. HUL DDBA 4/356.

41. Young (1770) 2, p.253.

42. Leatham (1794) p.38.

instance where to his knowledge the expenses of a solicitor had been considerable, answered:

I can hardly state any instance where the expense has not been considerable. In one case I remember an Attorney's bill came to seven hundred pounds, though the Act had no opposition. This did not include the expense of the Commissioners; it included the expenses of both Houses, and the charges of a legal matter.<sup>43</sup>

Another witness stated that there were no checks upon the charges of solicitors, and consequently they varied considerably, some charging double the fees charged by others.<sup>44</sup> They generally seem to have charged the same fee for attendance at meetings as that allowed the commissioners; evidence given to the Select Committee of 1844 stated that 'the clerk, every time he came to a meeting, though there was nothing for him to do, charged £2 2s and all his travelling expenses'.<sup>45</sup> This is confirmed by Robert Spofforth's accounts for South Cave. Not infrequently expenses were increased still further because the clerk brought along a junior clerk, and he too had to receive some payment.

Another criticism which might be levelled against attorneys with some justice, was their close association with the larger proprietors. Arthur Young, describing the normal course of an enclosure in the East Riding, stated:

First the proprietors of large estates generally agree upon the measure, adjust the principal points among themselves, and fix upon their attorney, before they appoint any general meeting of all the proprietors.<sup>46</sup>

This criticism is echoed some seventy years later: William Blamire stated when questioned by the Select Committee in 1844 upon the charges made by attorneys:

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43. 'Report from the Select Committee appointed to consider ... the Inclosure and Improvement of Waste, Uninclosed Lands ... 1800' in: House of Commons Select Committee Reports, first series, 9 (1795-1801) p.232.

44. Ibid. p.233.

45. Select Committee (1844), op. cit. p.157.

46. Young (1770) 2, p.253.

It is no use attacking an attorney ... they are generally linked so closely together with some of the landowners that it is no use [approaching another to obtain a cheaper rate] ... generally the attorneys employed are attorneys of the landed proprietors, and they are so connected with one another that you cannot get quit of the attorneys ... whenever attorneys have been employed they have increased the disputes for the purposes of keeping the matter in hand.<sup>47</sup>

Inevitably the attorneys involved in eastern Yorkshire enclosures were those most frequently employed upon estate business by the larger proprietors:

James Collins of Knaresborough was the agent of the Duke of Devonshire.<sup>48</sup>

His firm, of Collins and Richardson, was employed as clerks at the enclosure of Market Weighton (72), 1773-6,<sup>49</sup> Goodmanham (73), 1778-9,<sup>50</sup> and probably North Dalton (58), 1778-9;<sup>51</sup> in all these townships the Duke was a sub-

stantial owner. The Beverley firm of Lockwood and Duesbery acted as attorneys for a number of enclosures from 1790 onwards.<sup>52</sup> Thomas Duesbery was a landowner in his own right - he owned 200 acres in Riplingham (110) and was involved as solicitor in the early negotiations to enclose that township and its neighbour Little Weighton (111). He was replaced by another solicitor in 1800, probably because of his involvement as a landowner.<sup>53</sup>

The majority of attorneys employed on enclosures in eastern Yorkshire lived and worked in Beverley, although a few were from Bridlington, South Cave, Howden, Hedon, and other small towns. Hull attorneys seem to have been very rarely employed. In one or two cases there was a family connection between the commissioner and the solicitor: John Hall's brother Samuel was

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47. Select Committee (1844), op. cit. pp.156-7.

48. HUL DDCV 118/1.

49. Y.C. (1772-3).

50. Y.C. (1777-8).

51. HUL DDCV 118/1.

52. Tibthorpe 1794-6; Lund 1794-6; Riplingham and Little Weighton 1801-3; Staxton 1801-3; Hornsea 1801-9. HUL DDDU passim.

53. HUL DDDU 10/7.

a partner in the Beverley firm of attorneys of Hall and Campbell, who were the solicitors and clerks for a number of enclosures where John Hall acted as commissioner.<sup>54</sup> The Ivesons of Hedon, who were perhaps the busiest enclosure attorneys during the period 1770-1820, also acted as commissioners at various times, and there is a number of instances where one brother was the clerk, and the other brother one of the commissioners.<sup>55</sup>

### The bankers

Every enclosure was a substantial financial undertaking, often involving a sum of several thousand pounds. It seems probable that in the early years of parliamentary enclosure the attorney/clerk acted as treasurer,<sup>56</sup> but the need for a safe deposit for the money collected from proprietors and laid out for road making and other necessary work, was soon recognised. The earliest evidence for the appointment of bankers for an enclosure in the region occurs in the commissioners' minutes for Cottingham (116), 1766-71. In 1766 the clerk was ordered to bank the cash which he was to receive on account of the enclosure with Messrs. Pease and Son of Hull.<sup>57</sup> At least £2,000 was borrowed during the course of the Cottingham enclosure, but it was always borrowed from private individuals, never from the bank, which seems to have been used as a place of safe deposit only.<sup>58</sup> The large sums

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54. Hessle 1792-6; Gowthorpe 1810-14 and possibly more.

55. Craven, op. cit. pp.171-81.

56. L.S. Pressnell, Country banking in the Industrial Revolution (Oxford, 1956) pp.277-8.

57. HUL DDCV 38/50. Joseph Pease and Son were one of the earliest provincial bankers in the country. They began operating at a time when there were only about a dozen country banks in the whole of England, G. Jackson, Hull in the 18th century: a study in economic and social history (1972) p.210.

58. HUL DDCV 38/50.

of money which changed hands during the enclosure process led to the provision in enclosure acts from 1801 of a clause which stated that:

all Monies to be raised ... shall ... as often as the same shall amount to the Sum of Fifty Pounds, be paid to and deposited in the Hands of some Banker, or such Person or Persons as shall be approved by a Majority in Value of the Proprietors.<sup>59</sup>

From about 1780 most enclosure acts for the region included a clause compelling commissioners to keep a book of accounts which was to be made available for inspection by the proprietors. However not all the proprietors always had this right. The smaller owners of land in Hollym (153) and Withernsea (154) were excluded from seeing the book of accounts for the enclosure of their property; a clause in the act of 1793 stated that only the proprietors of over 50 acres were to be allowed to view the accounts, and even they had to pay a fee of 6d for the privilege.<sup>60</sup>

From the closing years of the 18th century there was greater availability of banking facilities, with the growth of country banks giving the commissioners and proprietors a wider choice.<sup>61</sup> The opening of the East Riding Bank, which had branches in Beverley, Hull and Malton, provided landowners with a local bank run by two of their number - Sir Christopher Sykes and Robert Carlisle Broadley.<sup>62</sup> The bank was used as a repository for many enclosure funds at the beginning of the 19th century.<sup>63</sup> Pressnell cited evidence that between 1808 and 1811, by which time the bank had passed from Sykes and Broadley to Messrs. Raikes, Currie and Company, the East Riding Bank was advancing money for a number of local enclosures, albeit on a small scale.<sup>64</sup>

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59. Clause XXVI, 41 Geo. III, c.109.

60. 33 Geo. III, c.103.

61. W.C.E. Hartley, Banking in Yorkshire (Clapham, Yorkshire, 1975).

62. Ibid. pp.95-7.

63. Including Little Weighton and Riplingham 1801-4; Staxton 1801-3; North Frodingham 1801-8; Hornsea 1801-9; Keyingham 1802-5.

64. Pressnell, op. cit. p.351.

He also made the point that in a county with few industries, finance for enclosure would be readily available, and all the evidence suggests that this was indeed the case in the East Riding. The money borrowed from individuals at the enclosure of Cottingham has already been noted in this connection. Unfortunately few commissioners' minutes have survived to give evidence of the sources for money raised to finance an enclosure before the owners were asked to pay their shares, but some acts contain clauses stating that those proprietors who loaned money to pay the costs of the act, which presumably had to be settled at an early stage in the proceedings, were to be repaid at five per cent interest when the first payments were received from the allottees.<sup>65</sup>

The earliest enclosures, i.e. pre-1780, tended to be completed within a year or two, and so were probably carried through without the need for banking facilities. Cottingham, because it involved drainage as well as enclosure, was a very expensive undertaking<sup>66</sup> and therefore may have been exceptional at that early period. From about 1800 however, the involvement of banks was a normal part of the enclosure process.

#### The work of an enclosure

The work of the commissioners usually began about one to two months after the enclosure bill had received the royal assent.<sup>67</sup> At the first meeting they qualified themselves for the task by taking an oath, or affirming, if they were Quakers; at this meeting they formally appointed the clerk to the enclosure. Whilst the commissioners were at work in a township

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65. e.g. South Cave act, 25 Geo. III, c.5.

66. By 1769 a total of £2,547 14s 10d had been spent, much of it on drainage, HUL DDCV 38/51.

67. Information from commissioners' minutes and local newspapers.



they were responsible for the course of husbandry followed. From advertisements in the York Courant it appears that they generally directed the farmers to 'follow their usual course', although they sometimes forbade the cutting of whins and turf during the enclosure process: at their second meeting the Hornsea (206) commissioners directed that the cutting of underwood, thorns, whins, sods or turves was prohibited from 20 August 1801.<sup>68</sup> Such a ruling was considered necessary to prevent the villagers from taking away as much as they could of the fuel etc. provided by the commons whilst they still had access to them.

At one of the early meetings the commissioners called for the claims of the proprietors to be handed in; the small owners, who were often illiterate, were at some disadvantage at this stage, being dependent upon the services of others if they were to produce written claims. William Blamire, in his evidence to the Select Committee of 1844, stated that smaller owners, owing to ignorance of the proper procedure, sometimes failed to hand in their claims and consequently did not get their entitlements.<sup>69</sup> If they did hand in their claims correctly it appears that the small proprietors and common-right owners received fair treatment from most of the eastern Yorkshire commissioners: where requests and claims have survived and can be compared with land allotted they show that the commissioners managed to satisfy the wishes of the claimants. For example, at the enclosure of South Cave (118), the commissioners received a claim from a common-right owner which read 'Gentelmen Commissioners Pleas to lay my Stray to join my Croft ... John Hodgson'.<sup>70</sup> The enclosure plan shows that Hodgson's small common-right allotment of 1.0.14 was indeed placed alongside

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68. Hull City Library. Hornsea enclosure minutes.

69. Select Committee (1844) op. cit. p.21.

70. HUL DDBA 4/136.

his croft (old-enclosed land) of 0.0.23.<sup>71</sup> A similar request came from a proprietor with a claim to slightly more land - 'Gentelmen Comessioners Pleas to lay my 3 strays Att my Croft End if you can mack it conveant to you. Your humble sarvant Samuel Dunn'.<sup>72</sup> Dunn had one cottage common-right of his own, and had purchased two more from other common-right holders.<sup>73</sup> He was awarded an area of three acres, which was situated against his croft of 0.2.17 of old enclosure.<sup>74</sup>

Tate, having investigated the work of commissioners in the midland counties, concluded that in general they were men of integrity.<sup>75</sup> Of course requests such as those cited above would have been easy for the commissioners to satisfy. Not only did the small plots allotted to commoners account for only a very small proportion of the total acreage, but it was also more sensible and convenient to place small allotments near the village, where other small closes of old enclosure were already located. Conversely, most of the larger proprietors were probably quite happy to have their land allotted further out, since they often had plans to build farmhouses outside the village centre after enclosure. Possibly many eastern Yorkshire commissioners adopted the same method of allotment as William Elmhirst, a Lincolnshire commissioner, who told Arthur Young that it was his policy:

always to begin to line out and allot for the smallest proprietors first (whether rich or poor) ... so as to make such allotment as proper and convenient for the occupation of such or their tenants ... to occupy ... for it is for the advantage of the greatest and most opulent proprietors that a Bill is presented and Act passed, their requests, and not the small ones; and as the little ones would have no weight by opposition, they must submit was it ever so disadvantageous to them.<sup>76</sup>

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71. HUL DDBA 4/58.

72. HUL DDBA 4/136.

73. Court books for South Cave, HUL DDBA.

74. HUL DDBA 4/58.

75. Tate (1951), op. cit. p.138.

76. A. Young, General view of the agriculture of the County of Lincoln. 2nd ed. (1813) pp.106-7.

Such an action, if followed by all commissioners would have gone some way to safeguard the interests of those small proprietors who managed to survive the enclosure process and hold on to their land. If however the commissioner was a man such as John Hall, ever on the look-out for new acquisitions for his employer, a large proprietor, and allotting the land in such a way that his employer's land was in the most convenient position with other proprietors given land as far out as possible 'where [they] could least annoy us',<sup>77</sup> then there might be considerable injustice done to some owners. Unfortunately there is insufficient data to show which of these extremes of behaviour, Elmhirst's or Hall's was the more common.

The surveyors generally began work at the same time as did the commissioners; their first task was to make a survey of the land to be allotted. This survey was used by the commissioners as the basis for their award. The claims, which were listed by the clerk, were made available to all interested parties either at the clerk's office or at an inn in the village, so that any person objecting to a specific claim might have the opportunity to make a case out against it. The valuation of the land was the responsibility of the commissioners, and they probably took advice from knowledgeable farmers of the neighbourhood. Quality men, that is men with local knowledge who undertook the valuation of the land whilst the surveyors concentrated upon its measurement, were apparently not used in eastern Yorkshire, although they are known to have been used elsewhere.<sup>78</sup> From the surviving commissioners' notebooks it is quite clear that the work of valuation was the province of the commissioner.

At an early stage in the enclosure process the commissioners appointed a local farmer to be a surveyor of the highways, a task for which he received a small annuity of about £10. He had to oversee the making of the

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77. HUL DDHO 8/3.

78. Select Committee (1801), op. cit. p.230; Turner (1977), op. cit. p.121.

roads and was responsible thereafter for their maintenance and repair. Once they had established where the new roads should go the commissioners advertised their intentions and requested those who had objections to make their views known. It was claimed by the Select Committee of 1800 that:

the setting-out, forming and putting in repair the necessary roads ... being kept, for a certain time under [the commissioners'] particular control, are often in consequence the occasion of delaying the execution of the award ... At the moment the Commissioners often hold meetings solely about the roads which raises the expense of the enclosure and leads to delay.<sup>79</sup>

However, this is not borne out by the commissioners' minutes for eastern Yorkshire enclosures, nor by the advertisements of roads having been set out in the local press; all the evidence suggests that the roads were set out at an early stage in the enclosure process, even in those cases where the enclosure award itself was long delayed. In Lincolnshire, too, this was generally the case.<sup>80</sup>

Having completed the survey and valuation, and received the claims, the commissioners could proceed to the allotment of the land. The meeting at which such business often lasted several days, and sometimes took place many miles from the township involved: at the enclosure of North Frodingham (211), 1801-08, the meeting at which the commissioners 'divided the township' began at York on 26 January 1804 and ended there on 10 February, beginning again at Market Weighton on 13 February and lasting until the 16th.<sup>81</sup> Within a week or two of the allotment of the land, and once the new plots had been staked out, it was announced that the proprietors might fence, plough and cultivate them; if tithes had been commuted, they ceased at this time. February was the month most commonly appointed for owners to take over their allotments: for the 16 enclosures for which the month is known, February

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79. Select Committee (1801), op. cit. p.230.

80. See the work of R.Russell on the enclosure of that county.

81. HUL DDCV 120/8.

occurred eight times, March three times, and January, April, October, and November, once each.<sup>82</sup> Entering into possession in late winter or early spring enabled the proprietors or their tenants to embark upon the management of their new land at the most convenient time. At the enclosure of East Newton (182), a township in which the owners took over their land in December, the commissioners excepted the South Field which was to be taken over 'at Michaelmas following or as soon as the Wheat now growing there or the corn to be sold there in the Spring can be carried off'.<sup>83</sup>

The proprietors were given a limited time, usually three to nine months, in which to complete their fencing, and if anyone failed to comply the clerk ordered him to do so immediately or the commissioners would undertake it themselves and charge the owner. The tithe fencing was included in the total expenses of the enclosure, the tithe owners being excluded from paying anything towards the cost of the enclosure. Usually the fencing of the tithe allotment was put out to tender; the sums paid for this item could be considerable: £331 1s 6d was paid out to fence 183 acres allotted to the Vicar of Millington when Fridaythorpe (48) was enclosed, 1810-17;<sup>84</sup> £129 16s 6d was paid to fence 44 acres, and £183 1s 6d for 40 acres, of tithe land at Elstronwick (161), 1806-13.<sup>85</sup> The private owners were given detailed instruction in the award as to where and how they were required to fence, but since the award was sometimes drawn up many years after the allotments were taken over they must have been supplied with this information as soon as their plots were staked out.

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82. The enclosures are Burton Pidsea, Cottingham, North Dalton, Keyingham, Owthorne, Etton, Elstronwick, Holmpton, Hornsea, Riplingham and Little Weighton, Ryhill, Settrington, South Cave, South Dalton, Cherry Burton and Walkington. In Lincolnshire April was the most common month, Russell; Beresford (1947), op. cit. p.312, found that the allotments in Newbold Verdon in Leicestershire were taken up in February.

83. DDCC (2) Box 8.

84. HUL PR 1.

85. DDIV 4/10.

Once the allotments had been fenced most of the work of the enclosure was completed; the commissioners then had to calculate the rate to be paid by each proprietor as his or her proportion of the total expenses, and the attorney had to be given directions so that he could proceed with the drafting of the award, which was engrossed upon parchment and formally signed by the commissioners. In eastern Yorkshire the award was registered at the Deeds Registry in Beverley.

The length of enclosures

The interval which elapsed between the act and the award changed over time, the shorter enclosures being mainly concentrated in the early period of parliamentary enclosure before 1780.

Table 6.2. Length of enclosures in eastern Yorkshire

<u>Date</u>	<u>Interval between the year of the act and the award</u>												
	<u>1</u>	<u>2</u>	<u>3</u>	<u>4</u>	<u>5</u>	<u>6</u>	<u>7</u>	<u>8</u>	<u>9</u>	<u>10</u>	<u>11</u>	<u>12</u>	<u>13</u>
Pre-1760	8	2											
1760-9	13	11	6		3	1	1	1					
1770-9	7	11	5	6		2	1		1				
1780-9	2	1	4										
1790-9	2	8	2	3	1								
1800-9	2	4	7	3	2		3	2	3			1	
1810-19	1	1		1	1		1		1		1		
1820-9					2	1							1
Post-1830	1	4	4		2							1	
Totals	36	42	28	13	11	4	6	3	5	0	1	2	1
% of 152 enclosures	23.7	27.6	18.4	8.5	7.2	2.6	3.9	2.0	3.3	0	0.7	1.3	0.7

An analysis has been made of the length of enclosures in the region, calculated from the date of the royal assent to the act until the signing of the award (Table 6.2). The table shows that enclosures taking place before 1760 were all completed within two years of the act, the majority in only one year; in the decade 1760-9 over four fifths of the enclosures were completed in three years. However, by 1800-9 slightly more than half were taking over three years to complete, and many of these were taking over six. A similar tendency has been noted in other regions: in Buckinghamshire the lengthening period of the enclosure process can apparently be correlated with the greater complexity of enclosures in the later period,<sup>86</sup> but in eastern Yorkshire there is no such correlation, because in that region the enclosures with the most owners involved were mainly concentrated in the early phase of parliamentary enclosures, before 1780, when the period elapsing between act and award was at its shortest. Moreover it is clear from commissioners' minutes that allotments were almost always set out within one or at the most two years from the date of the act, even in those enclosures where the signing of the award was delayed for many years.<sup>87</sup> It appears that the physical process of enclosure usually took place quickly and it was only the clerical work which delayed the signing of the award.

The increasing length of time taken up by the enclosure process was frequently blamed upon the commissioners. One criticism which was levelled at them related to the number of meetings judged to be necessary to carry out an enclosure. Some witnesses called by the Select Committee of 1800 claimed that commissioners often called meetings unnecessarily.<sup>88</sup>

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86. Turner (1980), op. cit. p.156; Turner (1977), op. cit.

87. To add to the large body of evidence from eastern Yorkshire upon this point, there is confirmation from the work of Russell in Lincolnshire, most notably in the enclosure of North Kelsey. An act to enclose this township was passed in 1813, the proprietors entered, fenced and cultivated their new allotments from April 1814, but the award was not signed until 1840, Russell (1964) op. cit. passim.

88. Select Committee (1800), op. cit. p.230.

Beresford examined the minutes of a number of enclosures in three midland counties and found that the work of receiving claims took up many meetings (although it could be done rapidly) and that the work of valuation and allotment was also a long task, often a matter of years.<sup>89</sup> However the minutes for eastern Yorkshire enclosures do not correspond to this picture: the commissioners in this region usually completed almost all their work within a year or two of the act, even in those enclosures where the award was not signed for a long period.

It is only rarely that any evidence emerges as to the reason for the delay, since the minutes were usually kept carefully until the allotments were set out and then they tailed away. This may be because no more meetings took place and the drafting of the award rested with the clerk to the enclosure. Certainly it appears that the commissioners were not always to blame for the delay: at Elstronwick (161) an enclosure took place which lasted seven years, 1806-13, but the allotments were set out in 1807 and the roads were also completed in that year, so the physical process of enclosure was complete within a year or two. The award was not drawn up until 1811, and then the surveyor failed to complete the plan, thus delaying the signing of the award for a further two years.<sup>90</sup> In the case of North Frodingham (211), 1801-8, a decision was made to delay the enclosure process until the Beverley and Barmston Drain (which was to run through the township) was completed.<sup>91</sup> Accordingly the commissioners did not begin work until 17 October 1803, and by 26 February 1804 the allotments were ready for fencing and cultivation. The award was not signed for a further four years,<sup>92</sup> but the reason for the delay cannot be ascertained. In the case of Gowthorpe (37)

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89. Beresford (1946), *op. cit.* p.137.

90. DDIV 4/1.

91. 41 Geo. III, c.87.

92. R.D.B. CI/276/20.



enclosure, 1810-14, we have some evidence on the reason for delay. The commissioner for this enclosure was John Hall, who was threatened with a writ of Mandamus, because he had apparently delayed the making and publishing of the award.<sup>93</sup> The area to be enclosed was quite small, only 330 acres, and there were only three proprietors and the church involved.<sup>94</sup> The roads were set out in 1811 and Hall had settled the allotments in April 1812, with the owners taking possession soon afterwards. The largest proprietor, Joseph Armitage, apparently became impatient when the award did not follow and he issued the threat of a writ for Mandamus in 1814 stating that once the allotments had been set out:

nothing remained to be done but the execution of the award. For want of such an award Joseph Armitage cannot have full title and if John Hall died before the execution of the award great inconvenience would ensue for all the proprietors.<sup>95</sup>

Apparently Armitage had made repeated applications to Hall to execute the award, but the commissioner had stated that Edward Copley, the York solicitor employed on the enclosure, had not drawn up his bill of costs for preparing, soliciting and obtaining the act, and the making of the award was delayed for want of this bill. Hall had gone to Copley's home on a number of occasions but had been told that he was not at home, and the other proprietors had agreed to wait until the bill was presented. Hall stated that:

from the ill state of health of Copley he could not live long, and if he died his bill of costs could be obtained from his representative.<sup>96</sup>

Hall said that he had been a commissioner 'for upwards of 30 enclosures', and could not remember the award being signed 'so early after the Allotments as this Award will be in case it should be executed in a short time'.<sup>97</sup> An

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93. DX 54-8.

94. R.D.B.G.

95. DX 54.

96. DX 5.

97. Ibid.

analysis of Hall's work confirms this: he completed 10 enclosures in three to four years, 18 in four to six years and nine in seven to 13 years (Appendix IV).

There are no other cases in the region with evidence for the reasons behind lengthy enclosures. One suspects that the attorneys were the chief culprits, inflating the legal niceties so as to increase their profits. It was alleged in 1844 that 'wherever attorneys have been employed they have increased the disputes for the purpose of keeping the matter in hand'.<sup>98</sup> The degree of actual inconvenience experienced by proprietors as a result of delays is difficult to assess; William Blamire gave evidence of:

many cases of very great loss and inconvenience resulting from the non-execution of awards; parties acquire no title to their land by the mere direction of an Inclosure Commissioner to enclose and enjoy in severalty; a party having received that authority has no legal title until the award is regularly executed by the Inclosure Commissioner.<sup>99</sup>

The evidence from Gowthorpe suggests that failure to execute the award left proprietors feeling insecure in the possession of their land; it also implies that they could not sell it if they wished, although it is quite clear that this was not the case. During the enclosure period, that is the period between the act and the award, land was bought and sold quite freely in eastern Yorkshire. Title deeds stated that the land involved in the transaction was either 'to be allotted' or 'lately allotted' and there seems to have been no difficulty in transferring it from one person to another.<sup>1</sup>

Sometimes an attempt was made to limit the time which could elapse between the act and the award: the Garton on the Wolds enclosure act stated that the award was to be drawn up within two years,<sup>2</sup> a stipulation

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98. Select Committee (1844), op. cit. p.163.

99. Ibid.

1. See Chapter 8, *passim*.

2. 14 Geo. III, c.71. Act dated 1774.

which was met;<sup>3</sup> the act for North Grimston (29) stated that the award must be made within 18 months,<sup>4</sup> and this was almost complied with.<sup>5</sup> At the enclosure of Kilnsea (141), a meeting was held in 1838 at which those present decided that the allotments should be set out before 1 January 1839 and the award should be signed by 6 April of that year. In fact the signing of the award did not take place until 18 April 1843.<sup>6</sup> Hornsea proprietors decided in 1801 that all the allotments should be made before the 1 January 1802; they were actually set out by 20 March of that year, but the award was not signed for another seven years.<sup>7</sup> The act of 1785 to enclose Kilnwick (80) stated that the award should be drawn up before January 1788.<sup>8</sup> It was signed in April of that year. In Buckinghamshire, too, similar attempts were made to bring about the speedier completion of enclosures by adding to the acts special clauses laying down time limits for surveys, valuations etc.<sup>9</sup> The tendency for busy commissioners to hold meetings for the enclosure of different townships on the same day, was described by Beresford as 'a convenience to the commissioners but a hindrance to the owners'.<sup>10</sup> No evidence that this was done in eastern Yorkshire has been found, but evidence from local newspapers shows that in the peak years of enclosure, the late 1760s and 1770s, meetings seem to have been carefully synchronised to reduce the travelling time of the busier commissioners. For example, in 1765 John Dickinson, John Outram, and John Raines were appointed to serve as commissioners for the townships of Ulrome

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3. R.D.B. AT/243/27. Award signed 30 Oct. 1775.
  4. 32 Geo. III, c.17.
  5. The royal assent was given on 30 April 1792, H.C.J. 47 (1792) p.748, and the award was dated 2 January 1794, R.D.B. BG/403/61.
  6. DDCC 56/104.
  7. Hull City Library. Hornsea enclosure minutes.
  8. 25 Geo. III, c.57.
  9. Turner (1977), op. cit. p.124.
  10. Beresford (1946), op. cit. p.139.

(217) and Flamborough (240), and the first two men were also commissioners for the enclosure of Bempton (241). Ulrome is situated a few miles to the south of Bridlington, while Flamborough and Bempton are both to the north, on Flamborough Head. On 30 April 1765 the commissioners attended the first meeting at Ulrome, they then went to Flamborough for the meeting on 1 May, and on the following day they met at the adjoining township of Bempton. On 26 June they were again at Ulrome, on 3 July at Flamborough and on 5 July at Bempton.<sup>11</sup>

The advertisements carried in the York Courant make it possible to follow the movements of John Outram, the busiest commissioner in the region. In 1769 Outram was engaged upon 16 enclosures, all at different stages: eight of them were at an early stage, the acts having been passed early in that year, and six of these were in eastern Yorkshire. Table 6.3 shows all those meetings which were advertised as taking place in 1769 for the enclosures on which Outram was working. Significantly, all those places in the table were in the first or second year of their enclosure. The table must underestimate Outram's work on enclosures in 1769 since he was involved in allotting many more townships at this time (Appendices IV and V). However, as already shown, the bulk of a commissioner's work was done in the first and second year after the act, so Outram probably visited townships which were in the later stages of enclosure infrequently. Moreover it seems likely that advertisements for commissioners' meetings were only placed in newspapers when some sort of response was required from proprietors, as when claims had to be handed in. In any event, the table indicates that in 1769 John Outram was very busy on enclosure work; perhaps this is the reason for his decision in the early 1770s to resign his post as estate steward to the Boynton family

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11. Y.C. (1765). The advertisements do not give the length of these meetings, but where commissioners' minutes are available for other enclosures it appears that the first meeting often occupied one day, and subsequent meetings took from two to four days, so it seems probable that when they worked on townships so close together, as in this case, the commissioners would have stayed overnight and proceeded directly to the next township after the meeting, although one of them, John Outram, who lived at nearby Burton Agnes could have returned home each night.

Table 6.3. John Outram's meetings in 1769

<u>Date</u>	<u>Venue</u>	<u>Stage of enclosure in years</u>
25 April	Thwing	1
27 April	Nafferton	1
15 May	Bishop Wilton	1
20 May	Sutton in Norton	1
24 July	Thwing	1
26 July	Burton Fleming	2
27 July	Nafferton	1
15 August	Thwing	1
17 August	Hutton Cranswick	1
26 August	Nafferton	1
28 August	Bishop Wilton	1
13 September	Hutton Cranswick	1
27 September	Bridlington	2
26 October	Nafferton	1
27 October	Thwing	1
13-14 November	Bishop Wilton	1
27 December	Nafferton	1

Source: advertisements of enclosure meetings in the York Courant.

(he was replaced by his brother Benjamin), and moved to Kilham (245), where he had bought a substantial amount of property.<sup>12</sup>

The advertisements in the York Courant indicate that in eastern Yorkshire most meetings were held either in the township itself, or near by. Some acts stipulated that this should be so: the act to enclose Ganton, Potter Brompton (265) and Binnington (266) contained a clause stating that all meetings should be held within eight miles of those townships;<sup>13</sup> that for Lund (74) stated that meetings must be held either at Lund itself, or at Beverley, but not elsewhere.<sup>14</sup>

The report of the Select Committee of 1800 recommended that the hours worked by commissioners each day should be strictly defined in order to reduce costs. Until the 1830s there is no evidence that this recommendation was followed in eastern Yorkshire, but the act of 1833 to enclose Great Givendale (51) stated that between March and September a full day should be defined as being eight hours in length, and between September and March six hours was to be regarded as a full day. Anything less was to be charged as half a day.<sup>15</sup> The Brandesburton (203) act contained a similar clause.<sup>16</sup> Another recommendation of the Select Committee - that the clerk to the enclosure should keep a register of the days and times when the commissioners worked - was also laid down in the Great Givendale act.<sup>17</sup> Despite these safeguards this enclosure was one of the most protracted in the region, taking a total of 12 years to complete, even though only 640 acres and three people were involved (Appendix IV).

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12. Appendix V.

13. 43 Geo. III, c.89.

14. 34 Geo. III, c.112.

15. 3 & 4 Wm. IV, c.14.

16. 7 & 8 Vic., c.4. This act also contained a clause stating that the commissioners should be paid three guineas per day for the first two years of enclosure business, but only two guineas thereafter. Possibly this contributed to the relatively speedy completion.

17. 3 & 4 Wm. IV, c.14.

Detailed evidence for the frequency of commissioners' meetings is not available for many eastern Yorkshire enclosures. Burton Pidsea (160), enclosed 1761-2, is the earliest enclosure for which there is full information, and here there were at least 51 days of meetings in the enclosure period, although only one commissioner attended them all. Most of the sessions lasted four or five days, and the enclosure, like many of the early ones was completed within eighteen months.<sup>18</sup> The enclosure of North Dalton (58), which took place between 1778 and 1779 occupied the commissioners for 63 days,<sup>19</sup> and that of Cottingham (116), 1766-71, took at least 66 days. The latter, however, was exceptional owing to the complexities which resulted from the combination of enclosure with a large-scale drainage scheme; most of the meetings after 1768 concerned drainage matters only.<sup>20</sup>

#### The costs of enclosure

No study of parliamentary enclosure would be complete without some general discussion of costs, because the immediate benefits of enclosure were dependent to a very large extent upon the amount of money expended on the undertaking. With the exception of the tithe owners every proprietor had to bear some proportion of the total costs, each contribution being calculated according to the valuation of the individual allotments. The accounts were finally settled when the award was signed, but it was quite usual for an interim rate to be levied upon the owners from time to time before the enclosure was completed. Commissioners' accounts are available for only 16 enclosures in the region, but a number of other county studies

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18. DDCK 32/5.

19. HUL DDCV 118/1-10.

20. HUL DRA 97.

of the cost of enclosure are available for comparison.<sup>21</sup> Table 6.4 shows the enclosure costs per acre for all those eastern Yorkshire enclosures where information is available. In order to assess the charge made to an individual landowner, and to provide a meaningful comparison between enclosures, it has been common practice for researchers to express costs in terms of shillings paid per acre allotted. This figure must be purely notional since the commissioners' rate was not based upon acreage, but upon valuation.<sup>22</sup> Moreover the rate levied varied according to the acreage being enclosed; a point well illustrated by the cases of Burstwick (150), enclosed 1773-7, and North Dalton (58), enclosed 1778-9. In the first township, less than one thousand acres were enclosed, and in the second, over four thousand acres were involved. As Table 6.4 shows, the two enclosures had very similar costs, but the average cost per acre to a Burstwick proprietor was only one quarter of the cost to a North Dalton proprietor.

Another factor which renders the average cost per acre as frequently calculated somewhat unrealistic, concerns the tithe allotment. In a number of enclosures, mainly those which took place before 1770 and after 1810, the tithe owner was compensated for the loss of his tithes by means of an annual cash payment; in other enclosures the compensation was given in land.<sup>23</sup> Because the tithe owner was exempted from paying the costs of the enclosure the rate would in fact have been levied upon the area enclosed minus the tithe allotment, which would result in owners paying costs at a higher rate per acre than might at first seem to be the case. This

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21. W.E. Tate, 'The cost of parliamentary enclosure in England', Ec.H.R., second series, 5 (1952-3) pp.258-65; J.M. Martin, 'The cost of parliamentary enclosure in Warwickshire', in: E.L. Jones, ed., Agriculture and economic growth in England, 1650-1815 (1967) pp.128-51; M.E. Turner, 'The cost of parliamentary enclosure in Buckinghamshire', Ag.H.R. 21 (1973) pp.35-46; Hunt, op. cit.; J.R. Ellis, Parliamentary enclosure in Wiltshire (University of Bristol, unpublished Ph.D. thesis, 1971).

22. See below for examples of individual assessments, pp. 331-2.

23. See Chapter 7, pp. 394-406.



Table 6.4. Enclosure costs in eastern Yorkshire. Individual townships

Date of Award	Township	Acreage enclosed	Acreage assessed	Total costs	Source	Average cost per acre	
						Non-adjusted <sup>1</sup>	Adjusted <sup>2</sup>
1762	Burton Pidsea	1,993	1,993	£1,680 10s 11½d	PR 1633	17s	17s
1771	Easington	1,118	1,118	£2,044 2s 0d	R.D.B. AQ/297/27	36s 6d	36s 6d
1777	Burstwick	882	768	£1,050 (estimate)	DDCC(2) Box 8	24s	27s
1779	North Dalton	4,294	3,694	£1,260 10s 10½d	HUL DDCV 118/4	6s	7s
1780	Foston	993	857	£ 701 6s 6d	R.D.B. BB/212/25	14s	16s
1798	Settrington	2,118	1,402	£2,683 3s 1d	HUL DDSY 59/1	25s	38s
1803	Riplingham	1,374	1,374	£2,198 12s 6d	HUL DDDU 10/70,86	32s	32s
1804	Weaverthorpe	2,854	2,305	£1,977 12s 8d	HUL DDSY 98/1	14s	17s
1804	Helperthorpe	2,492	2,022	£1,764 5s 10d	HUL DDSY 98/1	14s	17s 6d
1804	Leavening	230	202	£ 505 1s 6d <sup>3</sup>	R.D.B. CA/403/48	44s	50s
1813	Elstronwick	893	722	£3,073 2s 0d	DDIV 4/1	69s	85s
1815	Keyingham	1,404	1,141	£2,282 12s 6d	DDIV 8/13	32s 6d	40s
1815	Owthorne	596	454	£1,768 18s 0d	DDIV 39/1	59s	78s
1817	Fridaythorpe	1,834	1,558	£4,076 9s 5¼d	DX 33	44s 6d	52s
1820	Etton	2,894	2,894	£6,103 11s 9d	1090 Acc.	42s	42s
1850	Kirkburn	36	36	£ 218 0s 4s	DX 68	121s	121s

1. Based upon the total acreage enclosed.

2. Based upon the total acreage enclosed minus the tithe allotment.

3. The enclosure cost rather more than this; the award states that 6 acres were sold to defray some of the expenses.

distinction was first recognised by Swales in his work on the enclosures of Lindsey<sup>24</sup> and Tate took up the point in his work on enclosures in Nottinghamshire and Oxfordshire, concluding that in those enclosures where an allotment was made for tithes, 'the actual out-of-pocket cost of enclosure to a lay proprietor would be at least 10 per cent higher'<sup>25</sup> than might be immediately apparent. Accordingly Table 6.4 gives the eastern Yorkshire data in both forms, the non-adjusted figure being based upon acreage enclosed, the adjusted figure upon acreage enclosed minus the tithe allotment. In Table 6.5 data on costs is shown in broad periods to illustrate the rising cost of enclosure over time. The information upon the cost of enclosure in

Table 6.5. Enclosure costs in eastern  
Yorkshire by period

Period	Number of townships	Total acreage	Acreage assessed	Total costs	Costs per acre	
					Non-adjusted <sup>1</sup>	Adjusted <sup>2</sup>
1760-89	5	9,280	8,430	£6,736 10s 4d	14.5s	16s
1790-1815	8	11,961	9,622	£16,253 8s 1d	27.2s	33.8s
1816-50	3	4,764	4,488	£10,398 1s 6½d	43.7s	46.3s

1. Based upon total acreage enclosed.

2. Based upon total acreage enclosed minus tithe allotment.

eastern Yorkshire is limited, but fortunately the enclosures for which figures are available are spread throughout the parliamentary enclosure period, and they have been found to compare closely with the findings for other parts of England. Tate collected information on costs for 38 Oxfordshire townships enclosed between 1757 and 1796, and he found that 'the average cost per acre of the first dozen enclosures, 1757-73, was 15s,

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24. Swales, op. cit. p.86.

25. Tate (1952-3), op. cit. p.262, 264.

that of the last dozen, 1789-96, £1 19s.<sup>26</sup> The figures for Lindsey also show a tendency to increase over time.<sup>27</sup> Hunt's figures for Leicestershire show the rise as quite marked: 1755-9, 12s per acre; 1760-9, 12s; 1770-9, 16s; 1780-9, 22s; 1790-9, 23s. These three researchers were fortunate in having very full information on costs for the period before 1800 - it was usual in those counties for a schedule of costs to be annexed to the awards; in eastern Yorkshire this was not the practice. Martin in his study of enclosure costs in Warwickshire found information for 89 townships, all but eight of which were enclosed before 1800. He too found an upward trend, with average costs per acre rising from 11s in the period 1735-59 to 34s between 1792 and 1797, and 62s between 1801 and 1865 - a six-fold increase over the whole parliamentary enclosure period.<sup>28</sup>

Two other counties have been studied since Martin published his findings in 1964: J.R. Ellis examined the enclosure history of Wiltshire, having information upon costs for 58 townships. He found that there was a pronounced rise over time, most apparent after 1800, when the cost per acre had almost doubled compared to the 18th-century figures.<sup>29</sup> Over the whole enclosure period the average cost per acre in Wiltshire was 20s. Turner's article on enclosure costs in Buckinghamshire appeared in 1973:<sup>30</sup> his figures compared quite closely with those of Martin for Warwickshire, showing the same increase over time,<sup>31</sup> but Turner suggested that researchers before him had tended to under-estimate costs because they were reliant upon a single source - the enclosure award. From his study of commissioners'

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26. Ibid. p.264.

27. Swales, op. cit. p.87.

28. Martin, op. cit. p.132.

29. Ellis, op. cit. p.194.

30. Turner (1973), op. cit.

31. Ibid. p.43, Table IV.

working papers, Turner showed that in a number of cases a considerable amount of money had been laid out after the award had been signed. It follows from this that the average costs per acre as calculated from the award must be regarded as a minimum only. The material on costs available for eastern Yorkshire enclosures is all derived from commissioners' papers, though they rarely relate to the period after the award, so it is not possible to ascertain whether any further expenditure took place after that date in this region.

In a discussion of enclosure costs, using all the available data (in 1971) B.A. Holderness constructed a table aggregating the cost per acre in ten-year periods.<sup>32</sup> The table shows the cost of enclosure rising from an average of 10.5s per acre in the pre-1760 period, up to 3ls per acre between 1790 and 1799, and 67.3s after 1816. As Turner showed in his study of parliamentary enclosure published in 1980, the rise in enclosure costs was well in excess of rises in commodity prices and interest rates.<sup>33</sup>

The main elements of the public expenses of an enclosure (that is excluding costs of fencing individual allotments) were the parliamentary costs, the fees paid to the commissioners and surveyors, the solicitors' and clerks' bills, the cost of making roads and drains, and the ring-fencing of the tithe allotment (where compensation was made in land). The parliamentary fees are only known for three eastern Yorkshire townships: at North Dalton, enclosed 1778-9, £175 2s 9d was paid for this item;<sup>34</sup> at Keyingham, enclosed 1802-5 the bill for the act was £226 0 6d;<sup>35</sup> at

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32. B.A. Holderness, 'Capital formation in agriculture, 1750-1850' in J.P.P. Higgins and S. Pollard, eds. Aspects of capital investment in Great Britain, 1750-1850 (1971) p.163. For counties included in the table see his note 12, p.180.

33. Turner (1980), op. cit.

34. EUL DDCV 118/4.

35. DDIV 8/3.

Elstronwick, enclosed 1806-13, the figure was £234 13s 5d.<sup>36</sup> In Warwickshire the fees only rarely exceeded £250,<sup>37</sup> and figures calculated from information in the General Report on Enclosures of 1808 suggest that £180 to £200 was the usual sum.<sup>38</sup> Tuke wrote in 1794 of a North Riding enclosure involving only 250 acres where 'the expense of obtaining the act alone, ... without any opposition, cost the proprietors £370',<sup>39</sup> but this figures may have included expenses for attorneys and witnesses. John White, a parliamentary solicitor, stated in 1800 that the usual cost of an enclosure bill was 'from £180 to £280 or £300, including all expenses of both Houses'.<sup>40</sup>

Table 6.6 shows the distribution of costs in the six eastern Yorkshire enclosures where the full details are known. The proportion paid to the commissioners seems to average at about one fifth of the total and this compares closely with the information from other counties in Table 6.7, which shows a figure of 20.8 per cent to commissioners. Martin found that a proportion of 34 per cent of the total costs was paid to commissioners and surveyors employed in Warwickshire;<sup>41</sup> Table 6.7 shows that the comparable figure for enclosures mentioned in the General Report of 1808 was 36.5 per cent; Ellis found that 37 per cent of the total costs was paid to commissioners and surveyors in Wiltshire.<sup>42</sup> In eastern Yorkshire there was considerable variation in the six enclosures but in four a proportion of something over 30 per cent of the costs went to the commissioners and surveyors.

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36. DDIV 4/10.

37. Martin, op. cit. pp.148-50.

38. Tate (1952-3), op. cit. p.259.

39. J. Tuke, General view of the agriculture of the North Riding (1800) p.108.

40. Select Committee (1800), op. cit. p.235.

41. Martin, op. cit. p.139.

42. Ellis, op. cit. p.211.

Table 6.6. Distribution of costs for six  
eastern Yorkshire enclosures

<u>Percentage of total costs</u>							
<u>Township</u>	<u>Date</u>	<u>Commis- sioners</u>	<u>Surv- eyors</u>	<u>Solic- itors</u> <sup>1</sup>	<u>Roads</u>	<u>Tithe fencing</u>	<u>Other</u>
Burton Pidsea	1760-2	19.3	14.3	32.3	-	-	34.1 <sup>2</sup>
North Dalton	1778-80	20.4	12.1	32.3	3.4	20.0	11.8
Settrington	1797-8	11.4	9.5	26.5	22.8	20.4	9.5
Elstronwick	1806-13	8.2	3.9	21.2	35.8	10.2	20.7
Fridaythorpe	1810-17	23.3	8.9	6.5	22.4	2.5	36.4 <sup>3</sup>
Kirkburn	1849-50	15.3	24.3	28.0	32.5	-	-

1. Includes cost of obtaining act.
2. Includes payment to two people for their costs in opposing the act (32.5 per cent).
3. Includes a large sum paid to 'the Treasurer' (26.5 per cent), possibly this is for Parliamentary costs.

Table 6.7. Average expenses for enclosure  
costs recorded in 1808 General Report

<u>Act</u>		<u>Survey</u>		<u>Commissioners</u>		<u>Fences</u>		<u>Total</u>
<u>Cost</u>	<u>% of total</u>	<u>Cost</u>	<u>% of total</u>	<u>Cost</u>	<u>% of total</u>	<u>Cost</u>	<u>% of total</u>	
£497	30.1	£259	15.7	£344	20.8	£550 7s 6d	33.3	£1650 7s

Source: General report on enclosures (1808) op. cit. p.329.

One quite striking feature of the information in Table 6.6 is the rise over time in the cost of roads. At the enclosure of Burton Pidsea, 1760-2, it appears that nothing was spent on roads, and only 3.4 per cent of the total costs went on that item for the enclosure of North Dalton; in all the other townships a very high proportion of the total went to making the roads. Martin found a similar pattern in townships enclosed during the Napoleonic wars in Warwickshire: in a total of 12 awards the costs of making the roads made up 22 per cent of the total expenditure.<sup>43</sup> It may well have been a general feature of later enclosures, that is those taking place from the 1790s onwards, for more attention to be paid to roads. In an age when good communications were becoming increasingly desirable, as agricultural output increased and markets expanded, enclosure offered a most useful opportunity to realign and resurface roads which had often been very poor indeed. Unfortunately there is no information on the individual items of expenditure which made up the sum laid out for the roads. At the enclosure of Elstronwick, 1806-13, although only 893 acres were allotted, the total costs of the enclosure was £3,073 2s of which over one third, about £1,100 went for roads. This seems a very large sum to pay for roads in a township which was only a little over 1,000 acres in area, but the commissioners' accounts give no clues as to why the costs should have been so high.

Individuals' costs: general expenses and fencing costs

Very little evidence is available on the actual costs to individuals involved in eastern Yorkshire enclosures, but where it has survived it supports the evidence from Warwickshire, where Martin found that smaller

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43. Martin, op. cit. p.137.



proprietors tended to pay costs at a relatively higher rate than did the larger ones.<sup>44</sup> He found that in nine awards the owners of under 40 acres paid over five shillings per acre more than did those over 180 acres, and in six awards they paid between two and five shillings more. In Preston in Holderness, enclosed 1773-7, the people who received small plots in exchange for their common rights (usually less than one acre in size) paid the equivalent of 38s to 42s per acre as their share of the costs, whereas those allotted over 25 acres paid 26s to 28s for theirs.<sup>45</sup> The amount paid by individuals depended not upon the size of allotments, but upon their valuation, and it seems likely that the smallest plots, which were often allotted very close to the village settlement, were therefore of higher value and more highly rated. At the enclosure of Bridlington, Elizabeth Taylor, allotted 17.3.14, paid £14 4s 6d which was only 16s per acre, whereas Richard Brown, allotted 32 perches paid 6s 4d, the equivalent of 31s 7d per acre, and George Darley, allotted 22 perches also paid 6s 4d or 46s per acre.<sup>46</sup>

Apart from paying the commissioners' levy each proprietor was faced with a bill for fencing. Martin gave the cost of ring-fencing<sup>47</sup> in Warwickshire at 24s per acre;<sup>48</sup> Swales, using information from Arthur Young gave a figure of 44s per acre for Lincolnshire;<sup>49</sup> Ellis put the figure for Wiltshire much lower, at ten shillings per acre;<sup>50</sup> Hunt gave figures for

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44. Ibid. p.138.

45. R.D.B. AX/92/4.

46. R.D.B. AN/121/11.

47. Ring-fencing was the fencing by means of rails, posts, and quick-set hedges, of the boundaries of each allotment. Proprietors were usually responsible for one or two sides of their plot, and this was laid down in detail in the enclosure award. Internal fences could be erected when the owner wished, but ring-fencing had to be completed within three to six months.

48. Martin, op. cit. p.140. His evidence comes from the tithe owners' fencing costs.

49. Swales, op. cit. p.89.

50. Ellis, op. cit. p.212. His evidence comes from the expenses of enclosing five *tithe allotments*.

Leicestershire, based upon the cost of fencing one perch (eight yards) at 13s, or 80s to 100s per acre;<sup>51</sup> and Holderness suggested that 80s for hedges and ditches and another 20s for gates and culverts might be very likely.<sup>52</sup> Such variations are also found in eastern Yorkshire, where the available evidence gives a range of 22s to 120s per acre. With only a very limited number of cases one cannot place too much reliance upon these figures, but in conjunction with those cited above from other areas of the country there is reason to suppose that fencing costs were generally at least as large as the enclosure expenses. To a small proprietor the total cost of enclosure might be more than his finances could bear. Martin put the burden of expenditure thus:

the total cost of enclosing even a small estate of five acres would be fifteen pounds, almost equal to a labourer's wages for one year.<sup>53</sup>

Because of the structure of landownership in many townships the smaller owner had little power to influence the timing of enclosure. The costs of enclosure had to be paid within a very short time and many small proprietors must have had difficulty in raising the necessary money. The larger gentry owners had access to banks for loans or were able to take out mortgages on their estates. They were also able to raise the rents of their farms and recoup their costs that way. The very small proprietors, especially the common-right owners, faced with bills which represented a sizeable proportion of their annual income and which had to be paid within a few months, were in a more difficult position. They too could mortgage their allotments and as will be shown in Chapter 8 they often did so. However, a number were forced to sell their small plots to others with more resources. Arthur Young visited eastern Yorkshire in the late 1760s and wrote that from his observations it appeared that:

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51. Hunt (1956), op. cit., p.170.

52. Holderness, op. cit. p.165.

53. Martin, op. cit. p.142.

even where the expences do not exceed the profit, it is very often the case that the proprietor is not repaid in six or seven years, perhaps more; and when it is considered how little able some proprietors, even in good circumstances, are to wait so long before they are reimbursed their expences ... how often they are prevented cultivating their new inclosure to any advantage, by being drained of ready money - I think it will incontestibly appear, that the advantages resulting from this extravagant method, are trivial to the majority of proprietors ... <sup>54</sup>

#### Some conclusions

The parliamentary enclosure of eastern Yorkshire was carried out by a group of men who were predominantly local; most of them possessed professional skills such as land surveying, estate management or legal work and in general they undertook the work of the enclosure efficiently and speedily. In the pre-1780 period enclosures were almost always completed within two or three years; even when in later years enclosures took longer to complete, the actual allotment of the land was usually finished after two years. Commissioners, surveyors, attorneys and bankers were appointed by the larger proprietors and were dependent upon the gentry for the bulk of their work outside enclosure. They were obliged therefore to consider the wishes of these 'pay masters' before those of the humbler members of village society. Where the two interests were not in conflict there is evidence that the commissioners were prepared to listen to the requests of the small proprietors and do their best to satisfy them. There is also reason to believe that when a Quaker was involved in an enclosure there was a good chance that all classes of owners received equally sympathetic treatment. However, as has been shown in the case of John Hall and the enclosures of Cherry Burton, South Dalton and Etton, a commissioner was in a very privileged and

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54. Young (1770) 2, p.260.

powerful position when he was engaged upon an enclosure, enabling him, if he so wished, to manipulate owners to his own or others' advantage. The enclosures cited above are well documented; unfortunately most others are not, and the behind-the-scenes manipulations which may well have taken place during the enclosure process remain for the most part unknown. The assumption may be made however, that given the close connections between the implementers of the enclosure process and the chief beneficiaries, a certain degree of injustice must inevitably have been the result.

The previous chapter examined the evidence for opposition to enclosure in eastern Yorkshire. In relation to the sweeping changes brought about by enclosure in eastern Yorkshire, both in terms of physical surroundings and of agricultural organisation, the degree of opposition appears relatively limited. The rural population had ample opportunity to assess the benefits and disadvantages of enclosure as landowners in one township after another put themselves into the hands of the commissioners and surveyors. The fact that 52 per cent of enclosure acts were entirely unopposed, and a further 27 per cent were supported by over 90 per cent of the ownership in value and 12 per cent by 80-90 per cent of the ownership, seems to indicate a remarkable degree of agreement with enclosure in the region.<sup>55</sup> However, the proportion of dissents and neutrals when expressed as they often were (Appendix III), in terms of the ownership of open-field arable, may give an inaccurate impression. One wonders whether the common-right owners were even asked for their opinion although as interested parties they clearly should have been.

As has been shown there is a number of cases where opposition was quite strong, but frequently it was to the terms of the enclosure rather than to the enclosure itself. Wallingfen and Walkington were exceptional in the degree of opposition expressed and this is directly attributable to

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55. See Chapter 5. This may be compared with evidence from Northamptonshire where almost every act was opposed, Neeson, *op. cit.* In Buckinghamshire there was almost always some opposition, Turner (1973), *op. cit.* p.373.

the nature of the land being enclosed. In eastern Yorkshire in the 18th and 19th centuries there were very few areas of rough heath and common land with numerous commoners. The most celebrated protests against enclosure as recorded nationally concerned such land: Otmoor was an extensive common in Oxfordshire where many people exercised rights and where considerable opposition, both through parliamentary channels and in the form of riots, was shown to enclosure;<sup>56</sup> Haut Huntræ was a similar area in Lincolnshire.<sup>57</sup> Although the enclosure of Wallingfen, the most extensive such common pasture in eastern Yorkshire, was quite vigorously opposed, no evidence has been found of any violent protests. In the case of Walkington, opposition to enclosure was centred upon the woods, where commoners had rights of pasturage. The only other extensive area of common pasture in the region (except for the common pastures of Beverley which still remain open) was situated at Brandesburton in the Hull valley. Perhaps it is significant that its enclosure occurred very late (1844-7) and then apparently only took place because the institutional owners who had the largest interest in the common, decided to promote the enclosure. The circumstances relating to this enclosure were reported to the Select Committee on Commons' Inclosure of 1844:

A rich corporation in the City of London [Emmanuel Hospital] is one of the parties principally interested. They have in their employment officers paid by the year, by salaries. They were very anxious to effect this inclosure, and they made a bargain ... with the other landowners, that the expenses (assuming there was no opposition to the Bill) should be taken at £750 and that for that proportion of the £750 which the small landowners were to pay, they would guarantee the Inclosure Bill being passed (assuming there was no litigation and no objection).<sup>58</sup>

Thus it seems the small owners were persuaded that their costs would be kept very low if they allowed the bill to go through without opposition. The

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56. Hammonds, op. cit. pp.49-56.

57. Ibid. pp.256-61.

58. Select Committee (1844), op. cit. pp.30-1.

common was unstinted and probably stocked by more people than were legally entitled. No doubt the interests of many villagers were harmed by this enclosure, but since they probably had no legal entitlement their opposition would go unrecorded. Since there is no record of any rioting, fence-breaking or other active opposition the assumption must be that any opposition there was must have been limited.

Perhaps the most important point to be made about opposition to enclosure is that those who had the most reason to oppose it had the least right to express their opinions. Every village must have had some inhabitants who although not strictly entitled to do so, ran a goose or two on the village pastures, or a few pigs in the wood, or obtained fuel from the common.<sup>59</sup> When opinions were canvassed on enclosure such people were not approached, yet when enclosure had taken place the reorganisation of the land was totally against their interests. The tenants of common-right cottages were in a similar position; before enclosure they were able to stock the commons as of right, but in the award the land in lieu of common rights was allotted to the owner and not to the occupier of the cottage. In eastern Yorkshire in the parliamentary enclosure period there is ample evidence from enclosure minutes that a very large number of cottages with common rights were owned by the lord of the manor and other large proprietors. Possibly a number allowed their tenants the use of the small allotments which were given in lieu of their cottages; however from the evidence given by William Blamire to the Select Committee of 1844, it would seem that many did not:

In right of a tenement there would be, as a matter of course, an allotment; how far the tenant in the occupation of the tenement might be allowed to retain upon the same terms and conditions the use of the allotment during his lease, would depend upon the terms

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59. At the enclosure of Owthorne, 1806-15, villagers told the commissioners that some cottagers put geese, donkeys or a few sheep on the common without strict entitlement, DDIV 13/1-16.

of the arrangement between the two parties; there are, no doubt, many cases in which, upon an allotment being set out to a tenement not in the occupation of the owner ... the owner takes that allotment in lieu of the common right to himself, and possibly may build another cottage on it, or otherwise dispose of it, and by doing so he in fact increases the rent of the tenement to his original tenant, because he has subtracted from the tenant the value of the common right, and the tenant has got no consideration in lieu of it; that is a case that often occurs, and it is a case of hardship.<sup>60</sup>

As Yelling has stated 'the fate of the small land-owner did not depend only upon the treatment of his strict legal rights'.<sup>61</sup> Chambers and Mingay said that parliamentary enclosure represented 'a major advance in the recognition of the rights of the small man'.<sup>62</sup> Perhaps this was so for those fortunate enough to have had definite rights, but many did not. The commissioners in general carried out their work fairly and with some awareness of the effects of their actions upon the villagers; some indeed considered it their duty to interpret the terms of the act in favour of the less privileged and to allot small plots to those who could not establish a strictly legal claim. Nevertheless there can be no doubt that enclosure acted contrary to the interests of many of the humbler villagers. As will be shown in the next chapter, in eastern Yorkshire consolidation of landholding was already considerably advanced by the parliamentary enclosure period and in the majority of villages the landed gentry controlled an overwhelming proportion of the land. The actions of the enclosure commissioners merely served to establish the larger owners even more firmly in their dominance. Before enclosure the land in a township was subject to a detailed, carefully controlled and well-understood network of rights and privileges. The open-field land was individually owned but nevertheless

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60. Select Committee (1844), op. cit. p.33.

61. J.M. Yelling, Common field and enclosure in England, 1450-1850 (1977) p.221.

62. J.D. Chambers and G.E. Mingay, The agricultural revolution, 1750-1880 (1966) p.88.

commonly stocked at certain times. The commons were collectively owned by those with certain rights but there was room, in a village where the rules were not too rigidly interpreted, for the poor to provide themselves with a little benefit from the land. Enclosure brought this system to an end: the enclosure award provided those with property with the right to exclude others entirely from their land. A more rigid definition of property meant that there was less opportunity for mobility from one class of village society to another. Perhaps it is not surprising that there was relatively little protest at enclosure in eastern Yorkshire: as will be shown in the next two chapters the most dominant group of owners in the region was the larger proprietors with over 100 acres, many of them simply land lords, although some were resident owner-occupiers. They had to pay substantial costs to bring about the enclosure, and considerable sums to fence and improve their property, but such owners reaped considerable benefits from enclosure at a time of rising commodity prices. These people, and their tenants, seem rarely to have been opposed to a change which was so clearly in their interests. Furthermore, in eastern Yorkshire even the majority of the smaller land-owners seem to have been in favour of enclosure. In Buckinghamshire there is evidence that opposition from this group of owners delayed enclosure until the Napoleonic war period,<sup>63</sup> but in eastern Yorkshire this was not the case. Indeed, the evidence is quite to the contrary: the smaller proprietors were generally more predominant in townships enclosed during the first (pre-1780) wave of enclosures, than they were during the second (post-1790) wave.<sup>64</sup>

It would appear that opposition to enclosure in eastern Yorkshire was limited in scale and muted in expression: no riots or other violent

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63. Turner (1980) p.164.

64. See Chapter 4, pp. 193-200.



acts associated with enclosure seem to have occurred,<sup>65</sup> indeed rural unrest associated with turnpiking, food shortages and labour problems also seem to have been generally absent from the region: in a recent study of the subject of rural unrest in Great Britain Andrew Charlesworth fails to cite a single case from the region.<sup>66</sup> This may be because eastern Yorkshire still awaits a researcher upon the subject, but certainly the present study, which covers the period from 1730 to 1860, has not revealed any evidence of violence or group action protesting about enclosure in particular, or agricultural change in general, with the single exception of a few comments in the correspondence of John Hall, Lord Hotham's agent at South Dalton, about some isolated cases of rick burning as a protest against the introduction of threshing machines in the early 1830s.<sup>67</sup> This is not to say that enclosure was regarded with approval by the agricultural population in general; possibly the limited opposition which was expressed through the available legal channels represented a far wider dissatisfaction which could find no outlet. It may well be that Yelling was correct to say that enclosure was greeted 'grudgingly if not with downright hostility by the mass of the population'.<sup>68</sup> Certainly Arthur Young, one of the most enthusiastic advocates of enclosure, came to believe that it often acted against the interests of the poor. Perhaps it was fortunate that, at the same time as enclosure was taking away the poor villager's access to the common, it was providing him with increased opportunity for wage labour. Eastern Yorkshire was a relatively high-wage region, and Strickland wrote in 1812 that the price of labour had in many cases been doubled since Leatham published his agricultural report in 1794.<sup>69</sup> In the heavy claylands

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65. Swales found no evidence of riots associated with enclosure in Lindsey, a similar area geographically, Swales, op. cit. p.263.

66. A. Charlesworth, ed. An atlas of rural protest in Britain, 1548-1900 (1983).

67. HUL DDHO 8/5.

68. Yelling, op. cit. p.214.

69. Strickland (1812) pp.25.

of the midland counties much land was laid down to pasture after enclosure, resulting in a diminution in the demand for labour. In eastern Yorkshire, enclosure resulted in more land being put under cultivation. Especially on the Wolds the population was thinly spread, and so the labourer in the region was relatively favourably placed with ample opportunity for employment.<sup>70</sup> At harvest time it was necessary to employ workers from outside the county, from the other Ridings of Yorkshire or even from Ireland.<sup>71</sup> Giving evidence to the Select Committee on Agricultural Distress in 1836, Charles Howard stated that because of the improved cultivation of the Wolds there had been an increased demand for labour in the region.<sup>72</sup>

In the mid-19th century the governing classes began to show a somewhat belated concern that labourers should have allotments on which to grow produce to help support their families. In the parliamentary report on the employment of women and children in agriculture (1843), Christopher Sykes reported that there was no allotment system in the whole of Holderness, except at Sigglesthorne, but he said that farmers in many townships allowed their labourers a small piece of land upon which to grow potatoes. At Sigglesthorne the vicar had introduced an allotment system whereby 26 roods of land were let to labourers at eight shillings per rood. The scheme had been a great success, as had been 'grudgingly admitted' by local farmers.<sup>73</sup> Sigglesthorne seems to be exceptional at this

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70. E.L. Jones, 'The agricultural labour market in England, 1793-1872', Ec.H.R. second series, 17 (1964-5) pp.323-4, 326.

71. Legard (1848) p.117.

72. Select Committee on Agricultural Distress (1836) Q.5,510.

73. Select Committee on the Employment of Women and Children in Agriculture (1843) p.32.

time; on the Wolds the allotment system had not yet been taken up in 1843.

It was stated of Hunmanby that there was no allotment system because:

it would scarcely work well among the large farms of the Wolds, where labour, or rather the demand for labour, is much more uniform than in grazing districts; but many of the cottages have garths, and some, perhaps one seventh, a cow.<sup>74</sup>

By 1867 the system was spreading throughout eastern Yorkshire, and many labourers, especially in Wolds townships, were able to cultivate a small plot of land to grow vegetables or feed a cow. At Bainton, for example, there were two allotment fields rented out for five shillings per rood, as well as a pasture field for cows and a right to feed cows in the lanes. The rector stated that the system worked well and was 'a good help to the poor'.<sup>75</sup> In Kilham 12 acres of parish land were let at ten shillings per acre, in portions of one rood to each labourer.<sup>76</sup> Even in Hunmanby there were by 1867 about 12 acres of allotments.<sup>77</sup> Perhaps the somewhat belated interest shown by the governing classes in the mid-19th century in the subject of allotments to labourers was a tacit admission that enclosure had had a detrimental effect upon the poorer villagers by depriving them of some access, however limited, to land in their township. The attitudes of the small landowners and landless labourers of eastern Yorkshire to parliamentary enclosure must remain an open question.

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74. Ibid. p.323.

75. Select Committee on the Employment of Children, Young Persons and Women in Agriculture (1867) p.379.

76. Ibid. p.384.

77. Ibid.

CHAPTER SEVEN. LANDOWNERSHIP AND ENCLOSURE,

I: AN ANALYSIS

There is no totally satisfactory general source on landownership in England in the 18th and early 19th century. Estate records are useful, but are necessarily very limited in their coverage. The Land Tax returns are invaluable, since their coverage is good, and in most counties they are available for a continuous period of about 50 years, c.1780-c.1830.<sup>1</sup> However, being expressed in terms of tax paid rather than acreage owned they cannot be used as a totally dependable record of landownership structure. The tithe awards of the 1830s are accurate, but they only cover those townships in which the tithes were not exonerated at an earlier date.<sup>2</sup> Interest in landownership in the parliamentary enclosure period has a long history, but as Yelling pointed out in 1977:

very little systematic consideration has been given to the question of land-holding structure in open-field townships, so that even for the late-18th century period no general estimates are yet possible...<sup>3</sup>

The enclosure awards provide very detailed and accurate evidence of landholding, but it could be argued that they only show the landownership structure as it existed in a township which had just discarded its open-field system, and much buying, selling and consolidating could have taken place between the act and the award. This is a matter which will be dealt with in Chapter 8. This chapter will concentrate upon the static picture of landownership in townships which were in the process of enclosure, and upon the changing structure of landownership in all eastern Yorkshire townships during the period 1787 to 1827. The principal source for landownership

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1. D.R. Mills and J. Gibson, Land Tax assessments, c.1690-c.1950 (Plymouth, 1983).
  2. R.J.P. Kain, 'Tithe surveys and landownership', Journal of historical geography 1 (1975) pp.39-48.
  3. J.A. Yelling, Common field and enclosure in England, 1450-1850 (1977) p.110.

at enclosure is the award. In a region such as eastern Yorkshire, where the majority of townships were affected by some degree of parliamentary-type enclosure (Figs. 5 and 6) the study of awards can provide quite a full picture of the landowning structure at one particular date. The principal source for landownership in the period 1787 to 1827 is the Land Tax returns.

#### Landownership at enclosure (i) by size of allotment

Researchers have adopted a number of different methods of classifying the data on ownership from enclosure awards; the one most commonly used - and the least open to misinterpretation - is based solely upon size of allotment, excepting only ecclesiastical and parochial land.<sup>4</sup> This is the form of analysis which will be used in the first section of this chapter. Most researchers have presented their information chronologically, that is according to the date of enclosure.<sup>5</sup> This is the method used in Chapter 4 of the present study, because it is of value when analysing the effect of landownership structure upon the timing of enclosure. However such an analysis totally fails to bring out variations associated with geographical factors. As Yelling pointed out, there has been no 'thorough examination of possible geographical variation related to land use'.<sup>6</sup> This study deals with only a very limited region, but as has been shown in earlier chapters, it does contain quite different geographical districts with varied enclosure histories. In this chapter the landownership structure of the nine districts will be examined separately, so that any connections between topography and landholding may be investigated and assessed.

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4. e.g. allotments for the poor, to the parish clerk, for gravel pits etc.
  5. See for example J.M. Martin, 'The parliamentary enclosure movement and rural society in Warwickshire', Ag.H.R. 15 (1967) table VIII p.25; Turner (1980) table 29, p.154.
  6. Yelling, op. cit. p.110.

The tables in Appendix VII show the structure of landownership at enclosure in every township in the nine districts of eastern Yorkshire. With the exception of those categories headed 'Church' and 'Other' the proprietors have been categorised entirely upon size of allotment. Clerical proprietors receiving land in their own right have been included with other proprietors; the wording of the awards makes it quite clear when they were being allotted land as private individuals rather than in their ecclesiastical capacity.<sup>7</sup> Institutional landowners, for example Trinity House and St. John's College, Cambridge, have also been placed with individual proprietors; they were indistinguishable in their management of the land from any large gentry absentee owner. The column headed 'Other' might perhaps be described as parochial: allotments placed in this category include poor allotments, land for gravel pits, for keeping a bull, for schools, for parish clerks etc.

Each enclosure award stands on its own; there is no satisfactory way of identifying the strength of any one landowner whose estate may have straddled the boundaries of two or more adjoining townships. The award also dealt with only the land being allotted, that is old-enclosed land is not included, so the full details of landownership structure are not ascertainable from the award.<sup>8</sup> However, as Fig. 5 shows many enclosure awards, especially of upland townships, covered 80 per cent or more of the land. Moreover when the numbers of persons allotted land in the award are compared

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7. As Turner pointed out, Lavrosky, in an article on tithe commutation (V. Lavrovsky, 'Tithe commutation as a factor in the gradual decrease of landownership by the English peasantry', Ec.H.R., 2nd series, 4 (1933) pp.273-89) made the mistake of including all land allotted to the clergy in the category of ecclesiastical land. In Buckinghamshire, as in eastern Yorkshire and no doubt in the parishes studied by Lavrowsky, it was quite common for the clergy to own land as private individuals; many were landlords and even farmers, and their private land was quite separate from the glebe and tithe land owned by the church. M.E. Turner, Some social and economic considerations of parliamentary enclosure in Buckinghamshire, 1738-1865 (Unpublished Ph.D. thesis, University of Sheffield, 1973) p. 77.

8. Except in a few cases, where the commissioners did give details of other land owned by allottees, often in order to settle payments for exonerating tithes on old-enclosed land. However, for the sake of consistency this information has not been used here.

with the numbers of owners in the contemporary Land Tax returns, it would seem that awards only rarely understated owners' numbers,<sup>9</sup> except in those cases where only a very small part of the township was allotted by award.

The classification of landownership formulated by Turner in his study of enclosure in Buckinghamshire has been followed, that is - church land; allotments over 500 acres; 3-500 acres; 2-300 acres; 1-200 acres; 50-100 acres; 10-50 acres. However, Turner's last general group of under 10 acres has been subdivided into 5-10 acres and under 5 acres, because in this way most of the common-right owners, who frequently were allotted below 5 acres in eastern Yorkshire, are more easily separated out. Table 7.1 provides a digest of the information contained in Appendix VII, and in Table 7.2 a number of the categories have been conflated to show the distribution of very large (over 500 acres), large (2-500 acres), medium (50-200 acres), and small (less than 50 acres). The landownership patterns show considerable variations, reflecting the differing geographical nature of the various districts. Before comparing one district with another, however, it is proposed to examine the distribution of ownership in each one separately.

District 1, the Jurassic hills district was the least affected by parliamentary enclosure, and the average size of acreage per enclosure was only 796.5 acres (Table 7.3). For this reason alone, the low proportion of land allotted in estates of over 500 acres seems unsurprising. The very large proportion of land which went to the church is, however, very striking: it may be partly explained by the fact that at a number of the enclosures in the district, although only part of the land was allotted by act (the rest having been enclosed at an earlier date) the tithes were commuted for both the old and new enclosures, and the church therefore received a very large proportion of the land allotted. When the landownership pattern in district 1 is expressed in terms of very large, large, medium and small estates (Table 7.2), excluding the church the large estates had the greatest

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9. See section on the Land Tax returns below, pp. 407-21.

Table 7.1. Landownership at enclosure in the nine districts

District	Total acreage enclosed	Church	Very large >500a.	Medium			Small			Other	
				Large 2-300a.	1-200a.	50-100a.	10-50a.	5-10a.	<5a.		
1. Jurassic hills (8 townships) % of whole Owners as % of total owners	6372	2386 37.5	1117 17.5 1.6	1166 18.3 4.8	237 3.7 1.6	484 7.6 6.5	505 7.9 11.3	349 5.5 22.6	72 1.1 14.5	46 0.7 37.1	10 0.2
2. High Wolds (20 townships) % of whole Owners as % of total owners	66211	10773 16.3	38607 58.3 10.2	4256 6.4 3.6	2744 4.1 3.6	5991 9.1 12.8	2122 3.2 9.2	1253 1.9 17.7	176 0.3 8.5	200 0.3 34.4	89 0.1
3. Vale of Pickering fringe (8 townships) % of whole Owners as % of total owners	15,505	2375 15.3	8526 55.0 8.0	1481 9.6 5.3	1316 8.5 8.0	1148 7.4 10.7	275 1.8 5.3	166 1.1 8.0	147 1.0 29.3	46 0.3 25.3	25 0.2
4. Wold scarp/Jurassic hills (22 townships) % of whole Owners as % of total owners	41395	8062 19.5	11481 27.7 1.6	3952 9.6 1.3	2842 6.9 1.5	3981 9.6 3.7	4985 12.0 8.8	4200 10.2 22.2	824 2.0 14.0	820 2.0 47.0	248 0.6
5. Lower Wolds (34 townships) % of whole Owners as % of total owners	71882	4988 6.9	32824 45.7 3.8	8448 11.8 2.6	5995 8.3 2.8	8033 11.2 6.2	5181 7.2 8.5	4611 6.4 21.8	717 1.0 11.6	745 1.0 42.7	340 0.5
6. Hull valley (18 townships) % of whole Owners as % of total owners	25918	1334 5.2	7731 29.8 1.6	1804 7.0 0.9	3033 11.7 2.3	3684 14.2 4.9	2124 8.2 5.4	4847 18.7 37.5	742 2.9 18.0	419 1.6 29.5	200 0.8
7. North Holderness (16 townships) % of whole Owners as % of total owners	22625	1845 8.2	4539 20.1 1.6	3541 15.7 3.5	3877 17.1 5.1	2661 11.8 6.6	2975 13.2 13.3	2472 10.9 31.3	205 0.9 9.2	171 0.8 29.4	339 1.5
8. Middle Holderness (11 townships) % of whole Owners as % of total owners	14955	1795 12.0	567 3.8 0.4	1971 13.2 1.8	701 4.7 1.1	4285 28.7 11.2	2646 17.7 13.4	2517 16.8 33.3	186 1.2 10.5	105 0.7 28.3	182 1.2
9. South Holderness (14 townships) % of whole Owners as % of total owners	16744	1558 9.3	1231 7.6 0.5	1955 11.7 1.2	1427 8.5 1.4	4184 25.0 7.4	3235 19.3 11.0	2381 14.2 25.4	309 1.9 10.3	307 1.8 42.8	157 0.9



Table 7.2. Landownership at enclosure: broad groups

District	Total acreage enclosed	Church	Very large >500a	Large 200-500a	Medium 50-200a	Small <50a	Other
1. Jurassic hills % of whole	6,372	2,386	1,117	1,403	989	467	10
Owners as % of whole		37.5	17.5	22.0	15.5	7.3	0.2
			1.6	6.4	17.8	74.2	
2. High Wolds % of whole	66,211	10,773	38,607	7,000	8,113	1,629	89
Owners as % of whole		16.3	58.3	10.6	12.3	2.5	0.1
			10.2	7.2	22.0	60.6	
3. Vale of Pickering fringe % of whole	15,505	2,375	8,526	2,797	1,423	359	25
Owners as % of whole		15.3	55.0	18.0	9.2	2.3	0.2
			8.0	13.3	16.0	62.6	
4. Wold scarp/Jurassic % of whole	41,395	8,062	11,481	6,794	8,966	5,844	248
Owners as % of whole		19.5	27.7	16.4	21.7	14.1	0.6
			1.6	2.8	12.5	83.2	
5. Lower Wolds % of whole	71,882	4,988	32,824	14,443	13,214	6,073	340
Owners as % of whole		6.9	45.7	20.1	18.4	8.5	0.5
			3.8	5.4	14.7	76.1	
6. Hull valley % of whole	25,918	1,334	7,731	4,837	5,808	6,008	200
Owners as % of whole		5.2	29.8	18.7	22.4	23.2	0.8
			1.6	3.2	10.3	85.0	
7. North Holderness % of whole	22,625	1,845	4,539	7,418	5,636	2,848	339
Owners as % of whole		8.2	20.1	32.8	24.9	12.6	1.5
			1.6	8.6	19.9	69.9	
8. Middle Holderness % of whole	14,955	1,795	567	2,672	6,931	2,808	182
Owners as % of whole		12.0	3.8	17.9	46.4	18.8	1.2
			0.4	2.9	24.6	72.1	
9. South Holderness % of whole	16,744	1,558	1,231	3,382	7,419	2,997	157
Owners as % of whole		9.3	7.6	20.2	44.3	17.9	0.9
			0.5	2.6	18.4	78.5	

Table 7.3. Average acreage per enclosure

<u>Districts</u>	<u>Total acreage enclosed</u>	<u>No. of enclosures</u>	<u>Average acreage</u>
1. Jurassic hills	6372	8	796.5
2. High Wolds	66211	20	3310.6
3. Vale of Pickering fringe	15505	8	1938.1
4. Wold scarp/Jurassic	41395	22	1881.6
5. Lower Wolds	71882	34	2114.2
6. Hull valley	25918	18	1439.9
7. North Holderness	22625	16	1414.1
8. Middle Holderness	14955	11	1359.6
9. South Holderness	16744	14	1196

proportion of the land allotted, but the distinction between the very large, large and medium estates was quite small. The small (under 50 acres) estates only formed 7.3 per cent of the land allotted.

The pattern of ownership in district 2, the high Wolds district, shows a definite skew towards the very large estates: no less than 58.3 per cent of the land went to owners of over 500 acres. Partly this very high proportion may be an effect of the very sizeable acreage involved at the average high Wolds enclosure. As Table 7.3 shows, the average acreage for an enclosure in this district was well over 3,000 acres. Obviously when such large areas were involved in a single enclosure there was greater scope for large estates. Of course such a factor would not by itself result in large estates, it merely provided the opportunity for them; the large townships of the high Wolds could in theory have been subdivided between many proprietors, and estates could have been quite small.

The average number of owners per enclosure on the high Wolds is shown in Table 7.4. When expressed as a mean there were 15, and when expressed as a median the average was 14. There were very few high Wolds townships where owners were very numerous, but there were quite a number where only one or two people were involved in the enclosure: at Sledmere (44) Sir Christopher Sykes was the sole proprietor; at Croom (44), the Rev. Rousby was similarly

Table 7.4. Average no. of owners per enclosure

<u>District</u>	<u>No. of enclosures</u>	<u>No. of owners</u>	<u>Mean</u>	<u>Median</u>
1. Jurassic hills	8	62	8	7.5
2. High Wolds	20	305	15	14
3. Vale of Pickering fringe	8	75	9	9
4. Wold scarp/Jurassic	22	788	36	26
5. Lower Wolds	34	871	26	17
6. Hull valley	18	573	32	28.5
7. North Holderness	16	315	20	18
8. Middle Holderness	11	276	25	18
9. South Holderness	14	422	30	24

placed; at Helperthorpe (21) only four owners were allotted land; and at Cottam (247) there were only three owners and the Dean and Chapter of St. Peter's, York (York Minster). Undoubtedly many estates were very large indeed in a number of high Wolds townships and a closer look at individual enclosure awards shows how heavily ownership was concentrated in a number of places: in Huggate (49), enclosed 1767-73, 4,993 acres (86.5 per cent) went to one man, the owner of the manor, William Tuffnell Jolliffe, with the church receiving 319 acres (5.5 per cent) and the remaining 13 proprietors sharing what was left; in Kilham (245) enclosed 1771-3, 4,763 acres (68.5 per cent) were allotted to five owners, each with estates of over 500 acres; in Rudston (244), enclosed 1774-7, 3,502 acres (93 per cent) went to four owners, whilst seven common-right owners were allotted eight acres between them; Sledmere and Croom have already been mentioned; even at Hunmanby (258), a township with 35 proprietors allotted land at enclosure, the bulk of the land enclosed was concentrated into a few hands, for two owners were allotted a total of 5,076 acres, or 79.9 per cent of the whole.

The large (2-500 acres) group in the high Wolds district had a much smaller share of the land proportionately than did the very large owners: Table 7.2 shows that 10.6 per cent of the land went to owners in this

category. The medium (50-200 acres) owners were only a little bigger, with 12.3 per cent, while the share of the small (less than 50 acres) group was negligible: only 2.5 per cent of the land allotted went to owners in this category. Quite clearly consolidation of holdings was very far advanced on the high Wolds; large estates dominated, small owners were very weak indeed.

A similar structure of landownership prevailed in district 3, the Vale of Pickering fringe. Land in very large estates formed 55.0 per cent of the area allotted (Table 7.2), whilst 18.0 per cent went to the large owners. The small owners were even weaker proportionately than they were in districts 1 and 2: only 9.2 per cent of the land allotted went to medium owners, and 2.3 per cent went to small (Table 7.2). There were very few proprietors on average at enclosures in the Vale of Pickering: both the mean and the median figure was nine. In two of the enclosures which took place at the turn of the century, coincidentally with the drainage of the eastern part of the Vale of Pickering,<sup>10</sup> the lords of the manor were the only allottees, apart from allotments to the church for tithes. At Ganton (265), where the Legards had their seat, and had been established since the late 16th century,<sup>11</sup> Sir John Legard received 92.3 per cent of all the land allotted. At Folkton (270) James Bell was allotted 57 per cent of the land and the church received the remainder.

In district 4, the Wold scarp/Jurassic hills district, the proportion of land in very large estates was quite low compared to most of the other upland districts: less than 30 per cent went to this group (Tables 7.1 and 7.2). The relatively low proportion of very large estates in this district may be partly attributable to the high number of populous settlements there. Not only did it include two market towns, Pocklington (53), and Market Weighton (72), both enclosed by act, but it also included several populous market villages, and all these settlements tended to have numerous owners

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10: Under a public act of 1800, 40 Geo. III, c.118. See Chapter 2, pp 72-3.

11. V.C.H. Yorks. E.R. 2, pp.210-11.

and quite a widely diffused distribution of landownership. In Pocklington (53), enclosed 1757-9, there were 86 allottees, all but one receiving allotments of less than 200 acres; in North Cave (106), enclosed 1764-5, there were 54 allottees, all but two with allotments of less than 200 acres; at Market Weighton (72), enclosed 1773-6, 145 people were allotted land, and by far the majority received less than 50 acres; at the enclosure of North and South Newbald (93, 103), enclosed 1777-83, there were 76 allottees, only four of whom received more than 200 acres; at South Cave (118), enclosed 1785-7, there were 64 allottees and only one was allotted over 200 acres. As Table 7.4 shows the mean number of owners (36) at enclosure in district 4 was the highest in eastern Yorkshire, and the median was 26 owners. Table 7.2 shows that the proportion of the land allotted to owners of large estates (2-500 acres) was 16.4 per cent, a little higher than the figure for the high Wolds, and 21.7 per cent went to owners of medium-sized estates (50-200 acres), which was quite a lot more than in the high Wolds. Owners of small estates (less than 50 acres) received 14.1 per cent, quite a high proportion and well above that in any of the other upland districts. Together, the small and medium owners in district 4 received 35.8 per cent of the land allotted, putting them in a position of strength which would have enabled them to delay enclosure in a number of townships had they so wished. However, as was shown in Chapter 4, this district was one of the earliest to be enclosed, by far the majority of the acts being passed before 1780, so it must be presumed that they were not opposed to enclosure.

In district 5, the lower Wolds, the very large owners (over 500 acres) were very strong, with 45.7 per cent of all the land allotted, and the large owners (2-500 acres) had 20.1 per cent (Table 7.2). The medium (50-200 acres) and small (less than 50 acres) owners were stronger proportionately than in the high Wolds, though not so strong as in the Wold scarp/Jurassic district. The average acreage of land allotted in district 5 was the second highest in eastern Yorkshire - 2,114.2 acres (Table 7.3); and as Table 7.4 shows, the

mean number of owners per enclosure was 26 and the median was 17, which was quite high for an uplands district. The district included a few towns or large villages where owners were numerous: at Driffield (63), enclosed 1741-2, 86 people received land, most of them in allotments of less than 200 acres; at Bridlington (238), enclosed 1768-71, there were 151 allottees, only one of whom received more than 200 acres; at Nafferton (228), enclosed 1769-72, there were 63 allottees, three receiving over 200 acres.

Turning to the lowland districts, it is clear from the tables that the large estate was less prevalent there than in the uplands. In district 6, the Hull valley, only 29.8 per cent of the land went to owners of very large and 18.7 per cent to owners of large estates (Table 7.2). The medium-sized and small owners were quite strong with 22.4 and 23.2 per cent respectively. Table 7.3 shows that an average of 1,439.9 acres were allotted at a Hull valley enclosure but this figure hides a very wide variation in individual enclosures, some of the enclosures only involving a few hundred acres. Principally this was because a number of the enclosures by act taking place in this district were of pasture land only, the open-field land having been enclosed at an earlier date. The earliest parliamentary enclosure concerned Summergangs (134), 1748, and this involved 648 acres of pasture land, allotted to 32 people. At nearby Southcoates (134), enclosed 1756 (confirmed by act 1764), 322 acres of pasture were allotted to 12 people and at Cottingham (116), enclosed 1766-71, 2,603 acres of pasture were allotted to 118 people.<sup>12</sup> The enclosure of a common pasture at Myton (133), 1771-3, concerned 178 acres allotted to 13 people. Woodmansey (114), Thearne (115) and Skidby (117) carrs were enclosed 1785-8 and 499 acres were allotted to 37 people, whilst under the same act Weel (100) carr, an area of 446 acres, was allotted to 11 people. At Tickton (99) 221 acres of pasture were allotted to 12 people in 1790-2. Leven (202) enclosure was almost entirely concerned with common pasture and 1,481 acres

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12. The open fields were enclosed later, 1791-3.

were allotted to 39 people. The enclosure of land in Wilfholme in Beswick (81) in 1806-14 was solely concerned with pasture land, and 542 acres were allotted to 15 people. The last enclosure in the district, that of Brandesburton (203), 1844-7, concerned the moor and the carrs, with 1,323 acres being allotted to 28 people. With a relatively high proportion of such enclosures of common pastures the allotments tended generally to be less extensive than was the case where open-field land was also concerned. Common pastures were stocked by the owners or tenants of messuages and cottages, and although in some cases these had been accumulated into a few hands by the parliamentary enclosure period the evidence is that there was little competition for common rights on the ill-drained carrs of the Hull valley before enclosure and improvement. According to Arthur Young who visited the district at the end of the 18th century, rights on pasture land at Woodmansey (114) and Thearne (115) sold for 'little or nothing', and at Tickton (99) before the land was drained:

there were forty-eight cattle gaits, at 2s 6d each or £6 a year for the whole carr: when drained Mr. Keld of Beverley gave from £45 to £60 a gait for them; and a gait has let at £4 10s.<sup>13</sup>

At Cottingham (116), according to evidence given just before the enclosure, there were 3,386 gates,<sup>14</sup> or rights of common on the pastures, and in the award 66 of the 116 allottees received less than 10 acres, so ownership was very fragmented. The predominance in the Hull valley of enclosures affecting only common pastures, and the relatively low value of the land, goes some way to explain the distribution of landownership. Even in those townships where both open fields and common pastures came under the enclosure act, ownership was generally quite widely diffused: in Sutton on Hull (169) there were 65 owners allotted land at the enclosure of 1763-8,

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13. A. Young, 'Holderness-Beverley-Hull: some notes in 1797', Annals of agriculture 31 (1798) p.127.

14. HUL DRA/51.

many receiving quite small allotments; at the enclosure of Hutton Cranswick (77), 1769-7, 39 people were allotted land; and at the enclosure of North Frodingham (211), 1801-8, there were 54 allottees, many of them small owners. Table 7.4 shows that in the Hull valley the mean number of owners at enclosure was 32 and the median was 28.5.

In district 7, North Holderness, the owners of very large estates (over 500 acres) were allotted 20.1 per cent of the land and those of large estates (2-500 acres) received almost a third - 32.8 per cent (Table 7.2). Medium owners were quite strong, with 24.9 per cent, while small owners were allotted 12.6 per cent, a marked contrast with the figure of 23.2 per cent for district 6. Table 7.4 shows that the mean number of owners per enclosure was the lowest of all the Holderness districts, only 20 compared to 25 and 30 for Middle and South Holderness respectively, although the median, at 18, was the same as for Middle Holderness. It appears that consolidation of holdings had advanced much further in North Holderness than in any other lowland district: when the very large and large owners' shares are added together they form almost 53 per cent of the whole, a figure which far exceeds that of the Hull valley and Middle and South Holderness (Table 7.2).

In district 8, Middle Holderness, very large estates formed a small proportion of the land allotted - only 3.8 per cent - which is the lowest figure for any district of eastern Yorkshire. The proportion of the land going to owners of large estates was only 17.9 per cent, so that large and very large estates only accounted for 21.7 per cent of all the land enclosed. The proportion allotted to medium owners (46.4 per cent) was very high indeed compared not only to the Hull valley and North Holderness, but more especially to the upland districts. Small owners, too, received quite a high share of the land - almost 20 per cent - those allotted 10-50 acres having the most land allotted within this group (Table 7.1). There were on average 25 owners (mean) and 18 owners (median) allotted land at an enclosure in this district.



The distribution of ownership in district 9, South Holderness, resembles that of Middle Holderness very closely. In both districts the figure which stands out in Table 7.2 is the percentage allotted to the medium owners, 46.4 per cent in Middle, and 44.3 per cent in South Holderness. In South Holderness the percentage allotted to very large owners is double that in Middle Holderness, but in fact all of the land making up this high percentage was in Ottringham (146), no other township having an allotment of over 500 acres. The percentage allotted to owners of large estates was quite similar in both districts, as was that allotted to small owners. However Middle and South Holderness differ in the number of allottees on average: the mean figure for Middle Holderness was 25 whilst the mean figure for South Holderness was 30; the median figure for the two districts was 18 and 24 respectively. This is mainly because of the quite high numbers of common-right owners awarded land at a number of South Holderness enclosures: a total of 179 of the 418 owners were in the under 5 acres group (Table 7.1).

The discussion has so far been concerned with the proportion of land allotted to the various groups and the tables have shown that the distribution of land in the nine districts of eastern Yorkshire shows considerable inequality of ownership by the time of the parliamentary enclosure period, an inequality which was particularly pronounced in the uplands districts and more especially on the high Wolds and in the Vale of Pickering fringe. Another way of looking at the material on ownership is to express it in terms of the proportions of numbers of owners in each group (Table 7.2). A comparison between the percentage of the land allotted to owners in a group, and their weight in terms of numbers only, brings out more fully the degree of differentiation or consolidation in the different districts.

Taking the two districts with the highest proportion of very large estates, the high Wolds and the Vale of Pickering fringe, the table shows that in the former almost 60 per cent of the land went to ten per cent of the owners, whilst in the latter 55 per cent of the land went to only eight

per cent of the owners. Taking the small owners (less than 50 acres) the table shows that in the high Wolds district almost 61 per cent of the owners were allotted only two and a half per cent of the land, with a very similar picture in the Vale of Pickering fringe district. Table 7.1 shows these broad groups broken down; it shows that in district 2, the high Wolds, the under 5 acres group was the strongest numerically, whilst in the Vale of Pickering fringe it was the 5-10 acres which was the strongest group. Table 7.2 shows that in districts 4 and 5 the small (under 50 acres) owners were numerically stronger than in districts 2 and 3; in district 4, the Wold scarp/Jurassic, they formed over 80 per cent of the owners and were allotted 14.1 per cent of the land, whilst in district 5, the lower Wolds, they formed just over three-quarters of the owners and were allotted 8.5 per cent of the land. The district with the highest number of small owners proportionately was the Hull valley; 85 per cent of the owners there were allotted less than 50 acres, and their share was 23.2 per cent of the land allotted. Even in the districts where smaller estates were more prevalent the distribution of the land was very unequal: in South Holderness where the small owners formed 78.5 per cent of all owners, they only received 17.9 per cent of the land, while 3.1 per cent of the owners (the large and very large) received 27.8 per cent of the land.

To summarise the pattern of distribution with regard to the very large estates, they were more prevalent in upland districts than they were in the lowlands, the high Wolds district having the highest proportion of land allotted in very large holdings (58.3 per cent), with the Vale of Pickering fringe district not far behind with 55 per cent (Tables 7.1 and 7.2). The lower Wolds district also had a high proportion (45.7 per cent) in very large estates, but the other two upland districts, the Jurassic hills and the Wold scarp/Jurassic districts, had a rather smaller proportion of such holdings. When the large (2-500 acres) and the very large (over 500 acres) groups are added together the true dominance of the owners of large estates

in most of the upland districts can be fully appreciated (Table 7.5).  
Clearly by the date of enclosure the substantial property owner was in a

Table 7.5. Landownership at enclosure:

No.	District	<u>cumulative by percentage of total</u>						<u>Total</u>	<u>Total + 1 &amp; 2</u>
		1. Church	2. Other	>500 <sub>a</sub>	>200 <sub>a</sub>	>50 <sub>a</sub>	>0 <sub>a</sub>		
1.	Jurassic hills	37.5	0.2	17.5	39.5	55.1	62.4	62.4	100.0
2.	High Wolds	16.3	0.1	58.3	68.9	81.1	83.6	83.6	100.0
3.	Vale of Pickering fringe	15.3	0.2	55.0	73.0	82.2	84.5	84.5	100.0
4.	Wold scarp/Jurassic	19.5	0.6	27.7	44.1	65.8	79.9	79.9	100.0
5.	Lower Wolds	6.9	0.5	45.7	65.8	84.1	92.6	92.6	100.0
6.	Hull valley	5.2	0.8	29.8	48.5	70.9	94.1	94.1	100.0
7.	North Holderness	8.2	1.5	20.1	52.8	77.8	90.4	90.4	100.0
8.	Middle Holderness	12.0	1.2	3.8	21.7	68.0	86.8	86.8	100.0
9.	South Holderness	9.3	0.9	7.6	27.6	71.9	89.8	89.8	100.0

very dominant position in most parts of the uplands. As has already been noted the prevalence of large estates on the Wolds, especially on the high Wolds, may be partly attributable to the large acreage being enclosed (Table 7.4), but a variety of other factors, chiefly concerned with land usage, were probably more significant.

The chalk uplands, not only in eastern Yorkshire, but also in Lincolnshire, and Wiltshire were regions where the mixed farming system often referred to as the sheep-corn or sheep-barley system prevailed before enclosure. Such areas were typified by marked concentration of ownership even in open-field townships. Kerridge and Molland found this to be the case in Wiltshire,<sup>15</sup> and Thirsk and Fuller found the same pattern

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15. E. Kerridge, 'Agriculture c.1500-c.1793', V.C.H. Wiltshire 4 (1959) pp. 59-60; R. Molland 'Agriculture c.1793-1850', V.C.H. Wiltshire 4 (1959) p.69.

in the northern and central Wolds of Lincolnshire.<sup>16</sup> In a study of large estates in Lindsey in the 19th century Fuller used the Land Tax returns to show the striking concentration of ownership in many parts of that district. She found that in 181 parishes (45 per cent of all the parishes in Lindsey) more than four-fifths of the land was the property of only one or two owners.<sup>17</sup> The most marked concentration of property was in townships situated in the northern and central Wolds. Like the eastern Yorkshire uplands, this part of Lindsey was a district with low population density, much land being occupied by sheep pastures and rabbit warrens.<sup>18</sup>

Before the Dissolution of the monasteries much land on the Yorkshire Wolds was in the hands of monastic foundations; Bridlington priory was especially well endowed, but many other religious homes also held land.<sup>19</sup> Much of this land, being of low value agriculturally, could not support a high population, and over the course of centuries large tracts were converted to sheep pasture and used for rabbit warrens. Partly as a result of the Black Death, and partly because of a deliberate policy of depopulation, many villages were reduced in size or were completely deserted. Most Wolds townships were extensive in area, but for the most part the settlements, even those unaffected by depopulation, were relatively small. After the Dissolution the land owned by the monasteries generally passed in large estates to local gentry families. In a study of the Yorkshire gentry Cliffe wrote:

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16. J. Thirsk, English peasant farming: the agrarian history of Lincolnshire from Tudor to recent times (1957) p.161; H.A. Fuller, Landownership in Lindsey, circa 1800-1860 ... (Unpublished M.A. thesis, University of Hull, 1974).

17. Ibid. pp.41-2.

18. In the southern Wolds the structure of ownership was more diffuse; parishes were smaller in extent and yet had much higher populations than in the northern and central Wolds. The land was richer and more intensively farmed. See also Thirsk, op. cit. pp.80-1, and passim.

19. Allison (1976) pp.67-9; V.C.H. Yorks. E.R. 2 and 4, passim .

By the end of the sixteenth century most of the landed property of the Yorkshire monasteries was in the possession of the country gentry [which] resulted in a spectacular increase in the economic wealth of the squirearchy.<sup>20</sup>

It appears that the resident gentry families were in a very powerful position territorially from a relatively early date and by the parliamentary enclosure period they had been most successful in accumulating into their hands much of the land in the uplands. In old-enclosed townships the degree of consolidation was especially marked.<sup>21</sup> As will be shown in the next section the social and economic influence of the gentry families in those districts where they had their principal estates was considerable.

In the lowland districts the greatest concentration of landownership tended to be found in those townships already enclosed before the parliamentary enclosure period;<sup>22</sup> in later-enclosed townships the pattern of landownership was generally more diffuse. Very large estates occupied a comparatively low proportion of the land enclosed by act in all lowland districts; in districts 8 and 9 the proportion of land in this group was below ten per cent (Tables 7.1 and 7.2). In Holderness the land was more highly settled and more intensively cultivated than in the uplands, and competition for property which came on the market was therefore more intense. Large (2-500 acres) estates occupied about one-fifth of the land enclosed in the Hull valley and Middle and South Holderness, and about one third of that in North Holderness.

The medium-sized owner (allotted 50-200 acres) received a relatively low proportion of the land in most upland districts: in the Vale of Pickering fringe (district 3), only 9.2 per cent went to this group, and in the Jurassic hills (district 1), the high Wolds (district 2), and the

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20. J.T.Cliffe, The Yorkshire gentry (1969) p.15; see also Allison (1976) p.140.

21. See section below on the Land Tax returns, pp.407-21.

22. Ibid.

lower Wolds (district 5), the proportion was between 12.3 and 18.4 per cent. The percentage allotted to owners in this group in district 4, the Wold scarp/Jurassic was very similar to that in district 6, the Hull valley - about one fifth - and in North Holderness, district 7 they were allotted about one quarter. In Middle and South Holderness, districts 8 and 9, this group was very strong, with 46.4 and 44.3 per cent respectively. In a region like eastern Yorkshire where the smaller owner was generally so weak, such a high proportion is particularly striking.

Table 7.5 which shows estate size cumulatively for the nine districts, brings out the very different patterns in each quite clearly. Generally owners of newly enclosed land of over 200 acres were quite strong, in districts 2, 3 and 5 particularly so, but in districts 8 and 9, Middle and South Holderness, they held less than a third of the land allotted, indeed, a comparison with the information as set out in Table 7.2 shows that in Middle Holderness the share of the over 200 acres group (21.7 per cent), was only a little more than the share of 18.8 per cent allotted to the under 50 acres group.

The principal conclusions from the study of landownership as shown in the awards is the striking association between ownership structure and physiography in eastern Yorkshire. Large estates predominated in the uplands districts, particularly in the high Wolds and the Vale of Pickering fringe; small estates were more prevalent in the lowlands, especially in Middle and South Holderness. Any comparison between landownership patterns in eastern Yorkshire and those in other regions of England must take such factors into account and topographical differences must therefore be a prime consideration.

There is a number of county studies of landownership at enclosure. The counties of Leicestershire, Warwickshire and Buckinghamshire have received attention from Hunt, Martin and Turner respectively, and their findings

may usefully be compared with those from eastern Yorkshire.<sup>23</sup>

Lincolnshire has also received much attention from researchers but a specific and detailed study of enclosure and landownership for the county does not exist, although much useful material is available in related studies.<sup>24</sup> Unfortunately direct comparisons with other areas are complicated by the fact that some researchers have tabulated their material by date of enclosure, but it has been possible in some cases to rework their figures to make a comparison more meaningful.

Hunt, in a study of 44 Leicestershire enclosure awards, presented his findings in one table,<sup>25</sup> but because he excepted aristocratic, institutional and clerical owners from his analysis of ownership by allotment size the comparison made in Table 7.6 between Leicestershire and lowland eastern Yorkshire is not quite as close as could be wished. The evidence on landownership in eastern Yorkshire has demonstrated a relationship between physiography and ownership structure. Therefore, because Leicestershire is basically a clayland county the only meaningful comparison that can be made, using Hunt's findings is between Leicestershire and the lowland districts of eastern Yorkshire (Table 7.6).

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23. H.G. Hunt, The parliamentary enclosure movement in Leicestershire, 1730-1842 (Unpublished Ph.D. thesis, University of London, 1956); H.G. Hunt, 'Landownership and enclosure, 1750-1830', Ec.H.R., 2nd series, 11 (1958-9) pp.497-505; J.M. Martin, Warwickshire and the parliamentary enclosure movement (Unpublished Ph.D. thesis, University of Birmingham, 1965); Martin (1967), op. cit.; Turner (1973), op. cit.; Turner (1980) pp.153-62. Two other county studies of enclosure are by J.R. Ellis, Parliamentary enclosure in Wiltshire (Unpublished Ph.D. thesis, University of Bristol, 1971) and J.M. Neeson, Common right and enclosure in 18th-century Northamptonshire (Unpublished Ph.D. thesis, University of Warwick, 1977), but their findings are not presented in a tabular form which is comparable with eastern Yorkshire evidence.

24. See for example: Fuller (1974), op. cit.; Thirsk (1957), op. cit.; T.H. Swales, 'The parliamentary enclosure of Lindsey', Architectural and Archaeological Societies of Lincolnshire and Northamptonshire, Reports and papers 42 (1934-5) pp.233-74 and new series 1 (1936) pp.85-120; D.B. Grigg, The agricultural revolution in south Lincolnshire (Cambridge, 1966); T.W. Beastall, The agricultural revolution in Lincolnshire (Lincoln, 1978) and the work of R. Russell.

25. Hunt (1958-9) p.499.

Table 7.6. Landownership at enclosure in  
Leicestershire and lowland eastern Yorkshire

<u>Class of owner</u>	<u>Percentage of land</u>	<u>Percentage of land</u>	<u>Category of owner</u>
Aristocracy	17.0		
Clergy	11.0	9.6	Church
Institutions	5.0		
Owners of 200 acres +	20.0	36.5	Owners of 200 acres +
1-200 acres	14.0	20.5	1-200 acres
50-100 acres	14.0	16.3	50-100 acres
25-50 acres	10.0		
5-25 acres	8.0	14.9	5-50 acres
less than 5 acres	1.0	1.1	less than 5 acres

Source: Hunt (1958-9) p.499.

As the table shows, owners in Leicestershire allotted less than 5 acres received only one per cent of the land enclosed, and this proportion is the same as that allotted to the same group in eastern Yorkshire. Hunt's next two categories, those allotted 5-25 acres and 25-50 acres received 18 per cent, which was slightly more than the proportion of 14.9 per cent which went to the corresponding group in eastern Yorkshire. The next category, 50-100 acres, was slightly stronger in eastern Yorkshire (16.3 per cent) than in Leicestershire (14 per cent), while the 1-200 acres group had 20.5 per cent of the land allotted in eastern Yorkshire but only 14 per cent in Leicestershire. Combining these two groups produces the category which has already (Table 7.2) been termed medium-sized landowners, that is those allotted between 50 and 200 acres, In Leicestershire this group received 28 per cent of the land, whilst in eastern Yorkshire it received 36.8 per cent, but as already stated the comparison cannot be made with accuracy because Hunt has separated out the aristocracy and the institutional owners, and these two groups have not been



isolated in the eastern Yorkshire data. The same difficulty applies to Hunt's next group, those allotted over 200 acres. The only way that a meaningful comparison may be made between the two sets of figures is to conflate the aristocratic and institutional owners with the owners of over 200 acres (on the assumption that their estates would tend to be large), and set this figure of 42 per cent against the figure of 36.5 per cent for the over 200 acres group in eastern Yorkshire. The comparison suggests that the larger owner was slightly more powerful territorially in Leicestershire.

Hunt's conclusion from the material in the awards was that although the proportion of land (32 per cent) owned by those with 5-100 acres was not large (particularly when compared to the 51 per cent of land held by this group in 11 Suffolk parishes studied by Lavrovsky<sup>26</sup>), nevertheless they were:

strong enough to muster the necessary one-fifth or one-quarter (by value of the land to be enclosed) of opposition to prevent enclosure had they so desired ... they remained by the middle of the 18th century, collectively at least, as great in land-owning strength as any other single class in many parishes.<sup>27</sup>

In lowland eastern Yorkshire this group was allotted 31.2 per cent, almost exactly the same figure as in Leicestershire and the same conclusion could therefore be drawn. It appears from the comparison between clayland Leicestershire and the lowland districts of eastern Yorkshire that the small landowner was in possession of quite a substantial share, about one third, of the land allotted in both regions. Hunt stated that the relative strength of this group in Leicestershire did not support the view that the extinction of the small landowner was a prelude to parliamentary enclosure, and this was clearly also the case in the lowlands of eastern Yorkshire.

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26. V.M. Lavrovsky, 'Parliamentary enclosures in the county of Suffolk (1797-1814)', Ec.H.R. 7 (1937) p.187.

27. Hunt (1958-9) p.501.

Table 7.7. Landownership at enclosure  
in Warwickshire

<u>Period of award</u>	<u>&gt;500a</u>	<u>3-500a</u>	<u>2-300a</u>	<u>1-200a</u>	<u>50-100a</u>	<u>10-50a</u>	<u>&lt;10a</u>
1720-49 12 awards	7,722 50%	2,286 15%	469 3%	1,365 9%	2,044 13%	1,211 8%	324 2%
1750-69 35 awards	12,076 30%	5,717 14%	3,272 8%	5,980 15%	6,288 16%	5,974 15%	1,011 2%
1770-89 38 awards	10,177 23%	4,959 11%	5,735 12%	7,827 18%	8,866 20%	6,089 14%	1,056 2%
1790-1815 25 awards	9,974 36%	1,989 7%	3,666 13%	5,018 18%	3,812 14%	3,158 11%	443 2%
After 1815 15 awards	5,357 40%	1,780 13%	1,342 10%	1,595 12%	1,972 15%	1,156 9%	226 2%
Totals	45,306	16,731	14,484	21,785	22,982	17,588	3,060
141,936	31.9	11.8	10.2	15.3	16.2	12.4	2.2
Average size of enclosed land per township							
1720-49 = 1,285 acres							
1750-69 = 1,152 acres							
1770-89 = 1,177 acres							
1790-1815 = 1,122 acres							
After 1815 = 895 acres							

Source: Martin (1967) op. cit. Table VIII p.25.

A similar county survey was made by Martin. He studied enclosure and landownership in Warwickshire and concluded that 'a considerable degree of inequality in the distribution of land had already come about by the enclosure date in almost all parishes'.<sup>28</sup> He grouped his enclosure data chronologically, and his findings are shown in Table 7.7. Martin's figures, based upon material from 125 awards, show that the proportion of land allotted to owners of less than 100 acres (Hunt's 'smaller landowners') varied from 23 per cent in the period 1720-49, to 33 per cent in 1750-69,

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28. Martin (1967) p.27.

36 per cent in 1770-89, 27 per cent in 1790-1815 and 25 per cent after 1815 (28.8 per cent for all periods). These figures compare quite closely with Hunt's proportion of 32 per cent in Leicestershire and the figure of 31.2 per cent for lowland eastern Yorkshire, although it must be noted that Martin makes no mention of allotments to the church and it must be assumed that he has omitted this landowning group from his calculations, making a true comparison between his figures and both Leicestershire and eastern Yorkshire material impossible. Martin also found that the small owner tended to be stronger in townships where the whole, or almost the whole, of the acreage was dealt with in the award.<sup>29</sup> This is not the case in eastern Yorkshire where the highest density of enclosure per township occurred in Wolds districts (see chapter 2 and Fig. 5) where the small owner was weakest. In lowland districts which in general had a lower density of enclosure the small owner was much stronger.

Turning to the relative strength of the very large proprietor (over 500 acres) in Warwickshire, as Table 7.7 shows, this group was allotted 31.9 per cent of all the land enclosed by act and this figure may be compared to the strength of the corresponding group in eastern Yorkshire (Tables 7.1 and 7.2) where the proportion allotted to this group varied markedly from one district to another: in districts 2, 3 and 5 they were allotted 58.3, 55.0 and 45.7 per cent of all the land, figures which far exceed the 31.9 per cent which went to the same group in Warwickshire; in districts 1, 4, 6, 7, 8 and 9 they received rather less than the corresponding group in Warwickshire. Unfortunately, Martin includes all types of township in his table so it does not bring out the variable pattern of distribution of landownership which he found between the Arden forest district in the northern part of the county and the open-field arable district in the south. In the forest district where the parishes were large and consisted of scattered hamlets, there was greater differentiation and fragmentation

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29. Ibid. pp.26-7.

of ownership. There was a large percentage of uncultivated waste and woodland in this district, and many small landowners and commoners. The parishes tended to be enclosed from the later 18th century onwards, whereas the champion districts were generally enclosed at an earlier date and estates were larger.<sup>30</sup>

A comprehensive study of parliamentary enclosure in Buckinghamshire was presented by Turner in 1973. The statistics on landownership in his published work are all presented in chronological order by date of enclosure, but in his unpublished thesis Turner presented the data, still chronologically, but separated into districts, and Table 7.8 is constructed from two tables of landownership statistics<sup>31</sup> for the claylands of North and Middle Buckinghamshire. This table also includes comparable statistics for the three Holderness districts; being also predominantly claylands the information upon landownership in these districts is suitable for comparison with the evidence from Buckinghamshire.

Table 7.8. Comparison between landholding at enclosure in the claylands of Buckinghamshire and eastern Yorkshire

	<u>Church</u>	<u>Very Large</u> <u>&gt;500a</u>	<u>Large</u> <u>2-500a</u>	<u>Medium</u> <u>50-200a</u>	<u>Small</u> <u>&lt;50a</u>	<u>Other</u>	<u>Average acreage</u> <u>per enclosure</u>
North Bucks.	11.9	19.2	16.7	33.0	16.4	2.9	1,410
Mid-Bucks.	11.4	26.8	13.8	26.9	18.5	2.6	1,568
North Holderness	8.2	20.1	32.8	24.9	12.6	1.5	1,414
Mid-Holderness	12.0	3.8	17.9	46.4	18.8	1.2	1,360
South Holderness	9.3	7.6	20.2	44.3	17.9	0.9	1,196

Source: <sup>adapted from</sup> Turner (1973) Tables IV(d), IV(e), pp.91-2.

30. Ibid. pp.19-24.

31. Turner (1973) tables IV(d), IV(e) pp.91-2.

Turner's emphasis when discussing his findings on the structure of landownership in Buckinghamshire was primarily upon the changing pattern over time, but arguably his most important conclusion was that in Buckinghamshire there existed, primarily in later enclosed townships, a group of landowners who might be termed 'peasant' owners. He identified this group as those allotted 0-200 acres, and he found the group to be especially strong in the enclosure period 1790-9. Turner considered that the existence of this group called into question the Marxist interpretation of landownership history, which argued that the peasantry were virtually eliminated before the parliamentary enclosure period began.<sup>32</sup> As we have seen, in the upland districts of eastern Yorkshire the ownership of land was in general in large estates, but in the lowlands this was not so much the case, and therefore Turner's thesis is worth investigating in connection with this region. When a comparison is made between the three Holderness districts of eastern Yorkshire and clayland Buckinghamshire it is clear that Turner's 'peasantry', that is owners allotted less than 200 acres, were in a weaker position in North Holderness than they were in the claylands of Buckinghamshire, but, that in Middle and South Holderness they were considerably stronger.

The question of whether this group may in fact be correctly termed a 'peasant class' is clearly an important one. The Russian historian Lavrovsky, who did a substantial amount of work in the 1940s and 1950s on enclosure and landownership, similarly identified the peasantry by allotment size. Having examined a large number of awards from various counties Lavrovsky concluded, because he found the medium to small owners to be very weak territorially, that he could 'dispose of the legend of an independent peasantry' still surviving in the late 18th/early 19th

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32. Turner (1980) p.158, 166.

century'.<sup>33</sup> Some 15 years later however, Lavrovsky revised this opinion and asserted that a 'peasant' class still held a substantial share of the land in later enclosed townships.<sup>34</sup> Since he based this conclusion upon landownership in only three townships his opinion is of little interest; it would be possible by careful selection to find three such cases in any area. However, Turner's findings are based upon a much wider sample and therefore his conclusions on the survival of a class of 'peasants' still in possession of a sizeable proportion of the land in the later 18th century, are worth following up and comparing with available evidence from eastern Yorkshire. If Turner is correct to identify this group of medium to small owners as 'peasants' they must surely have farmed their allotments themselves, and not leased them to others. In other words they must have been owner-occupiers. To investigate whether this was indeed the case two lines of enquiry are available: first, many of the awards contain information on the social and economic status of the people receiving land which may be used to give some indication of the allottees' relationships to the land; secondly, the Land Tax returns may be used to assess the degree of owner-occupancy in open-field or recently enclosed townships. Both these sources will be used in order to obtain as full a picture as possible of landownership in eastern Yorkshire.

Landownership at enclosure (ii) by social and economic grouping

The form of analysis of landownership structure used so far has been based solely upon allotment size (excepting only ecclesiastical and parochial

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33. C. Hill, 'Review of: V.M. Lavrovsky. Parliamentary enclosure of the common fields in England at the end of the 18th and the beginning of the 19th centuries (Moscow-Leningrad, 1940 ...)', Ec.H.R. 12 (1942) p.93.

34. V.M. Lavrovsky, 'The expropriation of the English peasantry in the 18th century', Ec.H.R., 2nd series, 9 (1956-7) pp.271-82.

land). However, many eastern Yorkshire awards include a description of the social status and/or occupation of allottees, as well as their place of residence. This information has seldom been used by researchers in recent years, either because in some counties it was only rarely included, or because it was considered somewhat misleading.<sup>35</sup> Admittedly the designations were subjective; the status was either self-ascribed or was based on the subjective judgement of the commissioners. Too much credence cannot be placed upon such information therefore, but nevertheless it has some value in adding an extra dimension to the analysis of enclosure data - the proportion of land held by gentry and aristocratic owners may be tabulated and the more important families identified, the strength of the 'yeoman' class (as defined in the awards) may be assessed, and the degree of absentee ownership may be ascertained. Furthermore a comparison may be made between the picture of landownership produced by this analysis and that produced by an analysis based purely upon size of allotment.

In the 18th century landowners were generally regarded as falling into three broad groups: peers, the gentry, and freeholders.<sup>36</sup> Peers were easily identified, and they formed a relatively small, homogeneous group; the gentry were far more numerous, less exclusive, and more diverse in origin. Gregory King divided them into the wealthy gentry - the barons and knights, and the lesser gentry - the esquires and gentlemen.<sup>37</sup> They formed, with the nobility, the country's ruling class; from their ranks came the Members of Parliament and the Justices of the Peace. They lived

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35. Chapman, in a study of enclosure in Sussex, found that the number of awards including this information was limited: in that county it was only usual in awards made after 1855. He went on to state that where it did appear, it gave an indication of the importance of absentee ownership and of the relative size of smallholders, major landowners and non-agriculturalists, but the information was often incomplete and the personal details 'somewhat arbitrary' - J. Chapman, 'Some problems in the interpretation of enclosure awards', Ag.H.R. 26 (1978) p.113.

36. G.E. Mingay, English landed society in the 18th century (1963) pp.6-10.

37. *Ibid.* p.6.

for the most part on rents and investments and it was principally this which distinguished them from the freeholders; whilst many members of the gentry might take a close interest in practical agriculture, and might personally supervise the management of their home farms, they were primarily rentiers, and they leased the major part of their estates to tenants. In eastern Yorkshire the gentry were very strong; Ward, in his study of East Yorkshire landed estates in the 19th century described the region as being 'dominated by a fairly small number of landed families', to a much greater extent than were the West or North Ridings.<sup>38</sup> The first really comprehensive analysis of landownership - the 'New Domesday Return' of 1873 - showed that 12 major families were in possession of 30 per cent of all the land in the East Riding, and about 100 gentry and aristocratic families, together with a few institutional landowners, owned over 60 per cent of the whole.<sup>39</sup> Unfortunately no such survey is available for the 18th century, but all the available evidence - from enclosure awards, Land Tax returns and estate papers - shows that in many townships the gentry and aristocracy were already in that century in possession of at least three-quarters of the land; indeed in many old-enclosed Wold townships they owned 100 per cent. Doubtless consolidation of estates continued throughout the 19th century but it is quite clear that well before the 'New Domesday Return' the gentry and aristocratic proprietors of eastern Yorkshire were already very firmly established as the dominant property owners.

Very few landowners in eastern Yorkshire were members of the peerage: only the Dukes of Devonshire and the Earls of Carlisle had estates of any

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38. J.T. Ward, East Yorkshire landed estates in the 19th century (York, 1967). - (E.Y. local history series, no.23) p.5.

39. Ibid. Appendix I, pp.72-3. Cf. Leicestershire, where 86 families owned half the total area of the county in 1873, and 16 families owned one quarter, J. Thirsk, 'Agrarian history, 1540-1940', V.C.H. Leicestershire 2 (1954) p.240.



size in newly enclosed townships in the region in the 18th and early 19th centuries.<sup>40</sup> There were a number of baronetcies, e.g. the Boyntons of Barmston - created 1618, the Hothams of Scarborough - created 1622 (raised to the status of barons in 1797), and the Sykes of Sledmere - created in 1783,<sup>41</sup> but many heads of landed families in eastern Yorkshire were never more highly ranked than knight, esquire or gentleman. The term 'esquire' was only strictly applicable to the eldest sons of knights, the eldest sons of the younger sons of peers, esquires created by royal letters patent, and esquires by right of office under the Crown, but the term seems to have been in general use for those members of the gentry who considered themselves to rank higher than 'gentleman'.<sup>42</sup> Those with the appellation 'esquire' in enclosure awards may generally be identified quite firmly as members of the substantial landed gentry of eastern Yorkshire; families such as the Bethells, the Grimstons and the Constables of Holderness, and the Osbaldestons, the Greames and the Burtons of the Wolds, were very influential in their own part of the region. They had large estates and many tenants and were generally active in agricultural matters, many playing a prominent part in the promotion of enclosure and drainage works. They were for the most part long-established in eastern Yorkshire, having built up their estates over many generations. Strickland singled out the families of Bethell, Boynton, Constable, Crathorne, Creyke, Ellerker,

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40. In 1812 Strickland wrote that the Duke of Devonshire, Lord Stourton and Lord Middleton were the only resident noblemen in the East Riding, whilst in addition to these only Lord Carrington and Lord Muncaster had any extensive property in the Riding, Strickland (1812) p.32.

41. For a full list, see: P. Roebuck, Yorkshire baronets, 1640-1760: families, estates and fortunes (Oxford, 1980) Appendix I, pp.367-9.

42. The title 'gentleman' had an even vaguer definition than did that of 'esquire': in the 5th edition of the Encyclopaedia Britannica (1815) it was stated that 'a gentleman is one who without any title, bears a coat of arms', and since the College of Heralds was by that date issuing coats of arms with extreme liberality it appears that any person of property could easily obtain the right to the title of gentleman.

Gee, Grimston, Langley, Legard, Osbaldeston, Palmes, Saltmarsh, St. Quintin, Strickland and Vavasour as having possessed their estates for many centuries;<sup>43</sup> most of these names appear in enclosure awards for many townships. . Mingay, in his study of the gentry stated that for a member of that class:

the possession of wealth [was] ... fundamental ... [they were] mostly countrymen living on their estates in houses of some note and distinction, deriving much of their means from the rent of farmland ... distinguishable from yeomen and landowning farmers by an elusive quality of gentility, a distinction acquired principally by birth, education and wealth ... up to the late 19th century the description of persons as 'Esq.' or 'Gent.' still conveyed an indication of particular status.<sup>44</sup>

By the parliamentary enclosure period, indeed well before it, the 'old' county squirearchy, in eastern Yorkshire as elsewhere was being infiltrated by men who lacked long pedigrees but who sought, with the aid of fortunes made in trade or the professions, to establish themselves as country gentlemen. Some broke off all connections with trade and business, but many retained their town houses or livings as well as their country residences.<sup>45</sup>

Table 7.9, which lists the principal gentry, aristocratic and institutional owners of newly enclosed land in eastern Yorkshire shows that a total of 135,437 acres was awarded to 52 major landowners: almost half the land allotted in all awards went to these owners.<sup>46</sup> The table greatly underestimates the property of many of the landed families, since they

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43. Strickland (1812) p.32.

44. G.E. Mingay, The gentry: the rise and fall of a ruling class (1976) pp.3-4.

45. K.J. Allison, 'Hull gent seeks country residence' 1700-1850 (Beverley, 1981). - (E.Y. local history series, no.36) p.4.

46. i.e. 135,437 acres out of a total of land enclosed of 301,782 acres. Table 2.1, Chapter 2.

Table 7.9. Institutional, aristocratic and gentry  
owners allotted over 500 acres at enclosure

1. Institutional owners (ecclesiastical and lay)

<u>Institution</u>	<u>Acreage</u>	<u>No. of enclosures</u>
St. Peter's Church, York	8,687	25
Deanery of Ripon	1,318	1
St. John's College, Cambridge	1,148	8
Bishopric of Chester	577	3
Hull Corporation	573	6
Deanery of Durham	500	5
	Total 12,803	

2. Aristocratic owners

<u>Family</u>	<u>Seat</u>	<u>Acreage</u>	<u>No. of enclosures</u>
Dukes of Devonshire	Chatsworth, Derbyshire (and Londesborough in E.R.)	5,940	10
Earls of Carlisle	Castle Howard, N.R.	2,514	4
	Total	8,454	

3. Gentry owners

<u>Family</u>	<u>Seat</u>	<u>Acreage</u>	<u>No. of enclosures</u>
Sykes	Sledmere	18,137	25
Langley	Wykeham Abbey, N.R.	8,231	13
Osbaldeston	Hunmanby	8,230	20
Strickland	Boynnton	5,931	11
Broadley	Hull; Ferriby	5,120	25
Hotham	South Dalton	4,968	7
Bethell	Rise	4,442	13
Jolliff	Nun Monkton, N.R.	4,434	1
Grimston	Neswick; Grimston	4,187	12
Legard	Ganton; Anlaby	3,818	7
Boynnton	Burton Agnes	3,645	8
St. Quintin	Scampston	3,530	7
Greame	Sewerby	3,095	9
Sykes	West Ella	2,641	9
Burton	Hotham	2,323	16
Newton	Thorpe, Lines.	2,300	6
Grimston	Kilnwick	2,052	4

<u>Family</u>	<u>Seat</u>	<u>Acreage</u>	<u>No. of enclosures</u>
Hudson	Bessingby	2,017	8
Gee	Bishop Burton	1,759	3
Bell	Elstronwick; Welwick	1,408	13
Barnard	South Cave	1,375	3
Topham	Wold Cottage, Thwing	1,213	1
Moyser	Beverley	1,197	3
Wilberforce	Hull	1,195	5
Williamson	Hull	1,189	3
Acklom	Beverley	1,127	4
Burton	Cherry Burton	1,085	1
Best	Beverley	1,080	1
Maister	Hull; Winestead	1,080	6
Constable	Burton Constable	990	18
Pool	Sutton	970	4
Midgeley	-	953	4
Hudson	-	895	1
Outram	Kilham	890	2
Duesbery	Beverley	886	4
Foord	Heslerton	838	3
Ellerker	Risby	753	7
Metham	North Cave	734	4
Hildyard	Winestead	661	6
Hall	Scarborough	605	1
Todd	Swanland	575	1
Bell	Scarborough, N.R.	562	2
Caley	-	533	5
Pease	Hull	526	5
		Total	114,180

Total (institutions, aristocracy and gentry)	135,437
Acreage enclosed in eastern Yorkshire	301,782

often had the core of their estates in old-enclosed districts.<sup>47</sup> Having accumulated most of the land in the vicinity of their mansions at an early date they were able to enclose it without resort to act of Parliament.<sup>48</sup> The Constables of Burton Constable (174) owned extensive property in Holderness; the 1787 Land Tax returns show that they had holdings in 17 townships in the area.<sup>49</sup> In 1801 the Constable estate in Holderness extended over 12,594 acres (well over double the acreage shown in Table 7.9), and it hardly varied in size until the late 1830s, when some outlying farms were sold.<sup>50</sup> In 1873 the family held 10,981 acres.<sup>51</sup> The Bethells of Rise (192), who were allotted 4,442 acres at 13 enclosures (Table 7.9) held land in 17 townships in Holderness in 1787.<sup>52</sup> Eight of these townships were old-enclosed. The Hildyards of Winestead (145) only received 661 acres at enclosure (Table 7.9), but they owned the whole of Winestead in 1787 and a large estate in South Frodingham (152).<sup>53</sup>

The Constables and the Hildyards were among the oldest established landowners in eastern Yorkshire, but many other gentry families of ancient origin also appear in the table. The St. Quintins of Scampston (14) were one of the most ancient families of the region; their title to land in eastern Yorkshire dated back to the Conquest.<sup>54</sup> The Grimstons of Grimston

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47. Moreover some of them, for example the Dukes of Devonshire, had their principal seats outside the region, and others, although locally based, held considerable property elsewhere. For example the Hothams of South Dalton owned land in North Yorkshire, HUL DDHO.
48. In Buckinghamshire Turner found that the more substantial county families rarely appeared in the enclosure awards because their estates had been enclosed at a relatively early date, Turner (1973), op. cit. p.83.
49. William Constable paid the whole of the tax for Halsham (151) and over three quarters of the tax for Keyingham (147) and Marton (184). In other townships he was a very substantial owner, QDE 1 1787.
50. Ward, op. cit. pp.22-3.
51. Ibid. p.22 and Appendix 1, p.72.
52. QDE 1 1787.
53. Ibid.
54. Ward, op. cit. p.30.

Garth (181) in Holderness and of Kilnwick (80) in the lower Wolds claimed descent from William the Conqueror's standard bearer.<sup>55</sup> The Boyntons had moved from Barmston (219) where they had held land since 1497,<sup>56</sup> to Burton Agnes (233) in 1654.<sup>57</sup> As Table 7.9 shows, the Boyntons were allotted 3,645 acres in eight enclosures. The family's estate was concentrated around Barmston and Burton Agnes and, as in the case of other long-established families, they had accumulated most of the land in a number of the townships in the vicinity of their mansion. They enclosed much of this land without act of Parliament and so the table underestimates the extent of their property quite considerably. The Hothams' ownership of the manor of South Dalton (88) dated from 1680,<sup>58</sup> but their associations with eastern Yorkshire dated back to the 12th century or earlier. Unlike many of the other eastern Yorkshire families mentioned, the Hothams often played a prominent role in national affairs, as courtiers, soldiers and ecclesiastics.<sup>59</sup> The Legards of Anlaby (124) and Ganton (265) were another family with long associations with eastern Yorkshire. Originally based at Anlaby near the Humber they bought an estate at Ganton in the extreme north of eastern Yorkshire in 1586.<sup>60</sup> Sir Digby Legard was a keen agricultural improver of his Wolds estate, and corresponded with Arthur Young on the introduction of sainfoin and improved rotations.<sup>61</sup> A close interest in agricultural matters was common to a number of these gentry owners of eastern Yorkshire; the Sykes family were not the only landowners actively

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55. Ibid. p.33.

56. G. Poulson, The history and antiquities of the Seigniorie of Holderness ... 1 (1840-1) p.185.

57. V.C.H. Yorks. E.R. 2, p.108.

58. V.C.H. Yorks. E.R. 4, p.87.

59. Ward, op. cit. p.27.

60. Ibid. p.31; V.C.H. Yorks. E.R. 2, p.210.

61. Young (1770) 2, pp.11-36.

improving their estates in the parliamentary enclosure period. Sir Griffith Boynton, the 6th baronet, who employed members of the Outram family as his stewards, actively encouraged the improvement of his estate by enclosure and the introduction of new crops.<sup>62</sup> As noted in Chapter 3, Thomas Grimston (1753-1821) took a very close interest in estate management by planting trees and generally devoting considerable attention to the improvement of his land. Other less ancient families also produced individuals who played a prominent part in the improvement of eastern Yorkshire agriculture. The Osbaldestons of Hunmanby (258) were landowners in that township and in others nearby from the 17th century.<sup>63</sup> Humphrey Brooke Osbaldeston encouraged his celebrated agent Isaac Leatham in his improvement of the Hunmanby estate by the introduction of new rotations in the open fields of Hunmanby some years before enclosure.<sup>64</sup> The Barnards whose ownership of land in South Cave (118) dated only from 1748 (until 1769 under the name of Boldero), were active in its improvement in the second half of the 18th century. They played an instrumental role in the enclosure of the township, and after the award had been signed laid out the park, rebuilt the mansion and planted the estate.<sup>65</sup>

A number of the families shown in the table had their origins in trade: the Sykes, Broadley, Wilberforce, Williamson, Maister and Pease families were all of Hull merchant stock. Investment in land had long been popular with Hull merchants; some, most notably the Sykes family, built up very

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62. Poulson, op. cit. 1. p.224.

63. V.C.H. Yorks. E.R. 2, pp.231-2.

64. Leatham (1794) pp.45-6.

65. D. Neave, ed., South Cave: a market village community in the 18th and 19th centuries (South Cave, 1974) p.20, pp.67-8.

large estates indeed.<sup>66</sup> As Table 7.9 shows, the Sykes family owned by far the largest share of newly-enclosed land; most of their property was on the Wolds but they also owned land in Hutton Cranswick (77), enclosed 1769-71, Roos (159), enclosed 1783-6, Hollym (153) and Withernsea (154), enclosed 1793-7, and other Holderness townships. Christopher Sykes's name is indissolubly linked with the improvement of the Wolds. His memorial recorded that:

by assiduity and perseverance in building and planting and enclosing the Yorkshire Wolds [he] in the short space of 30 years set such an example to other owners of land as had caused what was once a bleak and barren tract of country to become now one of the most productive and best cultivated in the County of York.<sup>67</sup>

The part played by other large landowners in improving and planting the Wolds has tended to be overshadowed by the prominence accorded to the Sykes family, but undoubtedly Sir Christopher, and his son Sir Mark Masterman Sykes were the leaders in converting much pasture land on the Wolds to arable and in planting the Wolds with timber, both for shelter and for profit. Sir Christopher bought large estates in many Wolds townships, especially in the 1780s and 1790s.<sup>68</sup> His son Mark bought little; his father's death in 1801 coincided with the peak year of enclosing on the Wolds, a process in which Sir Mark was heavily involved, and which demanded the expenditure of very large sums of money. Sir Mark was a bibliophile

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66. G. Jackson, Hull in the 18th century: a study in economic and social history (1972) pp.113-14. The Sykes family were perhaps atypical of this class, since as a result of the acquisition of the Sledmere estate by marriage, they established themselves at some distance from Hull and cut off most of their business links (although at the end of the 18th century they established a banking firm). Most Hull merchants, unlike the Sykes, tended to settle just outside the city, mainly on the western side, Allison (1981), op. cit. passim.

67. Memorial in Sledmere village. Quoted from Ward, op. cit. p.13.

68. The 1787 Land Tax returns show that he owned land in 36 townships in that year; 11 of them were old-enclosed, 12 were enclosed in the period 1769-78, and 13 remained open until after 1790. See also Chapter 8, pp. 508-11.



and a liberal patron of the arts, as well as an enthusiastic sportsman;<sup>69</sup> indeed he seems to have over-reached himself financially, for in 1812 he was in debt and an act of Parliament had to be passed to allow him to sell some of the estate which was under settlement.<sup>70</sup> His brother Sir Tatton succeeded him in 1823, by which time the enclosure of the estate was virtually complete; Sir Tatton purchased yet more land, amounting to some 15,000 acres,<sup>71</sup> his son the second Sir Tatton owned 30,000 acres in 1873,<sup>72</sup> and was by far the largest owner of land in the East Riding at that date.

Another merchant family, the Broadleys, were also very active in the land market during the parliamentary enclosure period.<sup>73</sup> Robert Carlisle Broadley, as will be shown in the following chapter, bought up many estates on the Wolds, and he was also an active purchaser of land in the city of Hull.<sup>74</sup> The Maister family built up a large estate in Holderness, concentrated around their country seat at Winestead (145);<sup>75</sup> Henry Maister played a central role in the enclosure negotiations for Ottringham (146), where he had a large estate. In 1757 he wrote to a fellow landowner John Grimston 'I have great reason to hope I shall bring about the Inclosure of Ottringham ... Francis Boynton begins to see how advantageous this will be to him'.<sup>76</sup> Boynton was allotted 725 acres when Ottringham was enclosed, a holding accumulated via several purchases made between the act and the award; Maister received 489 acres so the two men between them were allotted

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69. J.Fairfax-Blakeborough, Sykes of Sledmere: the record of a sporting family and a famous stud (1929) pp.44-66.

70. H.C.J. 67 (1812) p.384.

71. ex. inf. B.A. English.

72. Ward, op. cit. p.72.

73. Jackson, op. cit. pp.11-314; Ward, op. cit. p.44.

74. Jackson, op. cit. p.114.

75. Ibid. pp.112-13; J. Rowley, The house of Maister (Beverley, 1982).

76. DDGR 42/7.

42 per cent of all the land enclosed.<sup>77</sup> The Wilberforce family of Hull held land at Coniston (172), Hessle (131), Bringham (226), and Riplingham (110), as well as other land which was old-enclosed.<sup>78</sup> Thomas Williamson, another Hull merchant had built up a large estate at Elloughton (128), where he was in possession in 1796 of a newly enclosed holding of 700 acres as well as a 600 acre estate leased from the Prebend of Wetwang.<sup>69</sup> Other members of the Williamson family received land at the enclosure of West Ella (125), Kirk Ella (122) and Willerby (123).<sup>80</sup> Charles Pool, a Hull merchant, had a large estate at Sutton (169), with smaller plots of land in Drypool (134) and Thorngumbald (148),<sup>81</sup> but his land was gradually sold from the 1770s onwards and by the turn of the century most of it belonged to R.C. Broadley.<sup>82</sup> The Pease family also appear in Table 7.9: John Robinson Pease had land at Woodmansey (114), Cottingham (116), Hessle (131), and Owthorne (156)<sup>83</sup> whilst Joseph Robinson Pease had an estate at North Ferriby (130).<sup>84</sup> However the family were not very substantial landowners and much of this property may have come into their hands in the course of financial deals entered into by them in their role as bankers.<sup>85</sup>

Table 7.9 includes only those gentry owners allotted over 500 acres; many less substantial gentry owners were allotted land at enclosure, and may be regarded as members of the same class. They can be identified from

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77. R.D.B. AC/45/2.

78. R.D.B. BG/291/39; BT/93/16; CA/180/28; QDE 1 1787.

79. R.D.B. BT/306/41.

80. R.D.B. CA/6/3.

81. R.D.B. AK/228/20; B/250/47; Y/124/26; Y/142/27.

82. V.C.H. Yorks. E.R. 1, pp.464, 475.

83. R.D.B. BG/216/20; AN/203/14; BT/93/16; CQ/401/23.

84. R.D.B. FG/87/2.

85. Appendix Va.

the descriptions of their social status in the awards, and from the Land Tax returns (where available) which show that they were generally landlords rather than owner-occupiers. Their origins were diverse; some were long-established landowners, but unlike the more substantial gentry they had been content to keep their estates small and their influence purely local. Typical of such lesser gentry owners was the Creyke family of Sewerby and Marton (239). Its members had been established there since at least the 15th century.<sup>86</sup> They also owned land in Kilham (245), Rudston (244) and Foston on the Wolds (225) in the late 18th and early 19th centuries, but their estate remained relatively modest.<sup>87</sup> Others were of more recent entry to the ranks of landlords; John Courtney of Beverley,<sup>88</sup> the Iveson brothers of Hedon,<sup>89</sup> Marmaduke Prickett, father and son, were all lawyers who were building up family estates in the late 18th and early 19th centuries.<sup>90</sup> Benjamin Blaydes<sup>91</sup> and Samuel Standidge were Hull merchants who were investing in land. According to Poulson, Standidge bought a farm of 130 acres in Preston (164) using the profits of one voyage to New York after which city the farm was named; he also purchased an estate in Thorngumbald (148) shortly after it was enclosed.<sup>92</sup>

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86. V.C.H. Yorks. E.R. 2, p.96.

87. QDE 1.

88. He was allotted land in five townships: Woodmansey (114) R.D.B. BG/216/20; Weel (100) R.D.B. BG/95/5; Tickton (99) R.D.B. BG/329/47; Hessle (131) R.D.B. BT/93/16; Keyingham (147) R.D.B. CI/90/5.

89. Landowners in four newly enclosed townships: Easington (140) R.D.B. AQ/297/27; Preston (164) R.D.B. AX/92/4; Burstwick (150) R.D.B. AX/433/12; Paull (136) R.D.B. DQ/3/1.

90. Landowners in eight newly enclosed townships: Skeffling (139) R.D.B. AH/126/4; Beeford (212) R.D.B. AK/57/6; Bridlington (238) R.D.B. AN/121/11; Hutton Cranswick (77) R.D.B. AK/333/24; Kilham (245) R.D.B. AQ/351/29; Langtoft (249) R.D.B. CI/14/2; Marton and Sewerby (239) R.D.B. CQ/113/4; Owthorne (156) R.D.B. CQ/401/23.

91. Involved in four enclosures: Summergangs (134) R.D.B. B/250/47; Sutton (169) R.D.B. AK/228/20; Southcoates (134) R.D.B. Y/124/26; Cottingham (116) R.D.B. AN/203/14.

92. Poulson, op. cit. 2, p.495.

Sir Henry Etherington of North Ferriby (130) was allotted land at four enclosures.<sup>93</sup>

Table 7.9 shows those institutions receiving substantial land at enclosure: the largest was the See of York with 8,637 acres at 25 enclosures. The Archbishop of York received 1,756 acres;<sup>94</sup> the Dean and Chapter of St. Peter's, York (the Minster) were allotted 5,542 acres;<sup>95</sup> the Subdean was allotted 860 acres;<sup>96</sup> the Subchanter was allotted 197 acres;<sup>97</sup> and the Chancellor was allotted 332 acres.<sup>98</sup> The land was let on leases for lives to the larger gentry owners of eastern Yorkshire: the large estate allotted for tithes to the Dean and Chapter at East and West Lutton (22) was leased to Richard Langley of Wykeham Abbey, as was that at Weavershorpe (20) and Helperthorpe (21).<sup>99</sup> The allotment of 2,220 acres at Cottam (247), enclosed 1846-51, was leased to Thomas Duesbery.<sup>1</sup> St. John's College, Cambridge was the owner of property in eight townships enclosed by act.<sup>2</sup> The college leased its land directly to tenants. In at least two of the enclosures in which the College was concerned, the tenants were to pay the expenses of the

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93. Patrington (144), R.D.B. AK/98/8; Cottingham (116) R.D.B. AN/203/14; Woodmansey (114) R.D.B. BG/216/20; Hollym (153) BT/364/40.
94. Dringhoe (216) R.D.B. AC/178/9; Skipsea (215) R.D.B. AF/180/9; North Cave (106) R.D.B. AF/265/12; Ulrome (217) R.D.B. AH/331/9; Hotham (104) R.D.B. AN/83/7; Nafferton (228) and Wansford (227) R.D.B. AQ/97/13; Sancton (89) R.D.B. AN/2/2; Easington (140) R.D.B. AQ/297/27; Harpham (232) R.D.B. AT/296/31; Keyingham (147) R.D.B. CI/90/5.
95. Pocklington (53) R.D.B. Y/230/39; Burton Pidsea (160) R.D.B. AF/34/7; Bishop Burton (96) R.D.B. AQ/1/1; Millington (50) R.D.B. AK/297/22; Kilham (245) R.D.B. AQ/351/29; East and West Lutton (220) R.D.B. CA/365/45; Weaverthorpe (20) and Helperthorpe (21) R.D.B. CA/329/44; Cottam (247) R.D.B. IA.
96. Lelley (162) R.D.B. AK/213/19; Preston (164) R.D.B. AX/92/4.
97. Tunstall (158) R.D.B. BB/134/17.
98. Acklam (35) R.D.B. AT/308/33; Leavening (34) R.D.B. CA/403/48; Acklam (35) R.D.B. IA.
99. R.D.B. CA/356/45; CA/329/44.
1. R.D.B. IA.
2. Danthorpe (177) R.D.B. N/436/907; Marfleet (135) R.D.B. AF/122/8; Skeffling (139) R.D.B. AH/126/4; Millington (50) R.D.B. AK/297/22; Atwick (207) R.D.B. AQ/221/20; Preston (164) R.D.B. AX/92/4; Fridaythorpe (48) R.D.B. DA/271; Paull (136) R.D.B. DQ/3/1.

enclosure.<sup>3</sup>

A table has been made (Appendix VIII) showing the percentage of land allotted to social and economic groups in individual townships using the information given in the awards. Not all awards included this information and therefore the list is incomplete. The aristocracy and the gentry have been included in the same group; the latter include all those owners described as 'esquire' or 'gentleman' in the award. Most of the categories are self explanatory: the term 'yeoman' was in common usage in awards, and the problems associated with this title will be discussed below; the 'artisan' category comprises those people identified with such titles as cordwainer, wheelwright, carpenter, blacksmith etc.; women have been placed in a separate category because they were usually termed 'widow', 'singlewoman', or 'wife of', and in the first two instances their social and economic status cannot be determined; the column headed 'Queries' includes all those owners without designation, as well as miscellaneous allotments such as parish land; the ecclesiastical allotments include those for the church as an institution but not land allotted to clerical owners as private individuals who have been placed with the gentry.

As Appendix VIII shows, the aristocracy and gentry were very strong in terms of land allotted in many townships in all districts. They owned at least three quarters of all the land allotted in 58 of the 119 townships; in 25 they owned over 90 per cent; in only 17 did their share drop below half of the land allotted. Quite a high proportion of land also went to the church. The ecclesiastical allotments made to the rector or the vicar of the parish usually included glebe land, if any, and land in lieu of tithes if they were being commuted in this way, and if they were owned by the church and not by a lay impropiator.<sup>4</sup> In some townships very considerable estates

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3. <sup>4</sup> Geo. III, c.18; 3 Geo. III, c.30.

4. See below for fuller discussion of the land allotted to the church and lay impropiators of the tithes, pp.394-406.

were in the hands of ecclesiastical owners: as stated earlier the Cathedral Church of St. Peter's, York owned much land on the high Wolds and in other upland districts. At the enclosure of North and South Newbald (93, 103), 1777-83, over one third of all the land allotted went to the Prebends of North Newbald, South Newbald, Husthwaite, Osbaldwick, Warthill, and Riccall, the land concerned being held by lessees for three lives, both before and after enclosure.<sup>5</sup> At the enclosure of North Grimston (29), 1792-4, one allotment of 167 acres went to the Prebend of Langtoft (leased for three lives to Richard Langley).<sup>6</sup> Another allotment of 137 acres went to the vicar, and 12 acres to the Subchantor and Vicars Choral of St. Peter's, York (this too was leased to Richard Langley). Langley was allotted the residue - 349 acres- in compensation for 63 oxgangs. The act stated that he should fence all the allotments, including those leased to him, and he also paid the enclosure expenses.<sup>7</sup> Apart from the vicar and two people with some old-enclosed land, Langley was in effect the sole owner of North Grimston. He let his own land and sub-let the church's land to 15 tenants.<sup>8</sup> At the enclosure of Fridaythorpe (48), 1810-17, almost 45 per cent of the land allotted went to the church - part to the vicar for glebe land and tithe allotments, part to the Prebendaries of Wetwang and Fridaythorpe, and part to the curate of a North Riding township.<sup>9</sup> At the enclosure of Cottam (247), 1846-51, the Dean and Chapter of York, the lords of the manor, were allotted 2,220 acres, which was almost 90 per cent of all the land allotted.<sup>10</sup>

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5. R.D.B. BG/4/3.
  6. R.D.B. BG/403/61. This allotment was made partly in lieu of tithes and partly in compensation for five oxgangs.
  7. 32 Geo. III, c.17.
  8. QDE 1; R.D.B. BG/403/61.
  9. R.D.B. DA/2/1.
  10. R.D.B. IA.

Institutional owners included such corporate bodies as Trinity House, Hull, the corporations of Beverley and Hull, Pocklington School, Trinity College and St. John's College, Cambridge, and Emanuel Hospital, London. Institutions did not in general own very large estates in eastern Yorkshire, but when their share is added to that owned by the gentry, the aristocracy and the church, very little is left in the hands of humbler allottees. Table 7.10 shows the proportion of land which was allotted to the groups who comprised what might be termed the 'establishment' owners, in the upland and lowland districts.

Table 7.10. Proportion of land allotted at enclosure to aristocracy, gentry, institutions and the church

District	Over 90%		80-9%		70-9%		60-9%		Less than 60%		Total
	A	B	A	B	A	B	A	B	A	B	
Upland districts (1-5)	38	50.0	19	25.0	11	14.5	3	3.9	5	6.6	76
Lowland districts (6-9)	12	29.3	12	29.3	7	17.1	7	17.1	3	7.3	41

A: number of townships in category

B: percentage of all townships in category

As the table shows, in three-quarters of upland townships enclosed by act, more than 80 per cent of the land allotted went to 'establishment' owners, and in half no less than 90 per cent or more was allotted to this group. In lowlands townships the predominance of the 'establishment' owners was not quite so marked but in more than a quarter over 90 per cent of the land went to this group, and in well over half over 80 per cent was allotted to them. Quite clearly, in both upland and lowland districts, if the information in the awards on the social and occupational status of owners is to be relied upon, land in newly enclosed townships was overwhelmingly in the hands of the

gentry, the church and a few institutions. Indeed, in half of the upland townships, less than ten per cent of the land was owned by humbler people. This finding is backed up by a contemporary comment from William Marshall in 1788. He stated that:

The lands of the Wolds belong chiefly to large owners; being mostly occupied by tenants; few of them ... being in the hands of the yeomanry.<sup>11</sup>

The information in Table 7.10 may be compared with Lavrovsky's findings for landownership in 60 English parishes enclosed after 1793.<sup>12</sup> He found that in these parishes 55.9 per cent of the land allotted went to the Crown, the nobility and the gentry, 15.6 per cent went to the church and to improprators of the tithes, and six per cent went to corporate bodies and 'representatives of the urban bourgeoisie', a sum total of 77.5 per cent, which left only 22.5 per cent for what he termed the 'peasants', that is anyone not described by a social or professional title. Lavrovsky believed that the fact that his study concentrated upon those parishes enclosed after 1793 considerably understated the degree of consolidation of ownership overall, since in parishes enclosed earlier the 'peasantry' would probably have been still weaker. Lavrovsky's work has yet to be translated into English, so non-Russian speakers only have Hill's review of the study, but as he summarises it, Lavrovsky's main conclusion at this date seems to have been that his research allowed him to 'dispose of the legend of an independent peasantry' by the late 18th/early 19th centuries'.<sup>13</sup> The eastern Yorkshire evidence from many awards would seem to support this statement, especially when applied to upland districts.

Turning to the other categories of owners identified in the awards - the yeomen, artisans, and labourers - it is immediately apparent from the tables that in many townships their share of the land was negligible. These

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11. Marshall (1788) p.239.

12. Hill, op. cit.

13. Ibid. p.94. But see his later revision of this conclusion discussed above, p.369.



groups were firmly identified by Lavrovsky as 'peasant owners' but there are various problems in accepting the designations at their face value. Those identified in awards as 'gentlemen' or 'esquires' may perhaps have had some claim to those ranks by merit of a certain social status; in the case of people lower down the social scale the terms employed often had a very unclear definition, and this applies particularly to those called 'yeoman'. In the 18th and early 19th centuries the term undoubtedly implied some connection with the farming of land, but it did not necessarily always indicate ownership. J.V. Beckett, in an article on the decline of the small landowner in Cumberland, stated that in that county the title 'yeoman' was not only accepted by the community as applicable to anyone holding land by freehold or customary tenure, but 'a number of tenant farmers also used the style', that is, it was used 'to describe more or less anyone to whom a gentry style was not applicable'.<sup>14</sup> Such an explanation seems to fit the eastern Yorkshire evidence; many 'yeomen' who were allotted land in the region only received very small plots in lieu of common rights - that is they owned no open-field land in the township being enclosed, and might best be described as cottagers. Such people did not merit the title 'yeomen' on the strength of their ownership of land, although they may have been occupiers of other people's estates. Adam Smith used the term 'yeoman' for a small farmer, a cultivator of land who was superior in status to a small husbandman or a labourer, but inferior to a large farmer; Mingay suggested that the term was a mark of social status.<sup>15</sup> At all events the evidence suggests that those described in the awards as 'yeoman' constituted the humbler ranks of society in eastern Yorkshire. However, evidence from the awards cannot be used to assess owner-occupancy; the Land Tax returns do give such information and will be used for this purpose where appropriate.<sup>16</sup>

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14. J.V. Beckett, 'The decline of the small landowner in 18th and 19th century England', Ag.H.R. 30 (1982) p.100.

15. Mingay (1963), op. cit. p.88.

16. See below, pp. 424-37.

In eastern Yorkshire awards the title 'husbandman' was only used infrequently, and all the evidence suggests that the term 'yeoman' was used in the region to denote both large and small farmers.<sup>17</sup> Appendix VIII shows the proportion of the land allotted in each township to the 'yeoman' group; as can be seen, their share of the land in most townships was very low and rarely exceeded 20 per cent. There were only two townships where the 'yeomanry' held over 40 per cent. The first, Burton Fleming (252), enclosed 1768-9, was a large 'open' village on the high Wolds. A number of the yeomen allotted land at this enclosure received substantial holdings. Thomas Milner, described as a Burton Fleming yeoman, was allotted 441 acres.<sup>18</sup> In the earliest available Land Tax return (1787) for the township he paid £3 17s 2d and was an owner-occupier.<sup>19</sup> In 1823 the Milner family was still farming land in Burton Fleming.<sup>20</sup> Thomas Wharram, a Wetwang yeoman, was allotted 392 acres which included 130 acres as part of the tithes.<sup>21</sup> He was an owner-occupier in Wetwang in 1787 (the earliest full year for Land Tax coverage) and he rented his Burton Fleming land in that year to John Wharram.<sup>22</sup> All the remaining 'yeomen' owners were resident in Burton Fleming. At Millington (50), enclosed 1768-70, the 'yeomen' who received

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17. At the enclosure of East and West Lutton (22), 1801-4, William Sawdon, described as a yeoman of West Lutton was awarded 495 acres, R.D.B. CA/356/45. The Land Tax returns showed that he did not occupy the land himself but leased it to someone else. This is a puzzling, but unusual case. There are very few instances in eastern Yorkshire of the term yeoman being applied to proprietors receiving more than 75 acres but the individuals concerned were usually owner-occupiers.

18. R.D.B. AN/312/16.

19. QDE 1 1787.

20. E. Baines, History, directory and gazetteer of the County of York ... vol.2: East and North Ridings (Leeds, 18 ) p.184.

21. R.D.B. AN/312/16.

22. QDE 1.

land were not in general large landowners - only one received over 100 acres - but they were quite numerous, there being 20 'yeomen' in all named in the award.<sup>23</sup> There were three townships where yeomen held between 30 and 35 per cent of the land allotted: Burton Pidsea (160), enclosed 1760-2; Great Cowden (194), enclosed 1770-2; and Leven (202), enclosed 1791-3. The size of allotments to 'yeomen' at Burton Pidsea enclosure varied from 4 to 156 acres; most of these allottees were resident in the township.<sup>24</sup> The yeomen allotted land at Great Cowden enclosure were mainly owners of small to medium-size holdings, 15-70 acres in size, and they were almost all resident in the village.<sup>25</sup> Leven was a large 'open' village and 39 people were allotted land at the enclosure. The majority, some 23 of them, were described in the award as either yeoman, husbandman or farmer.<sup>26</sup> Far from the term husbandman being given to the smaller owners in this group in Leven, it seems to have been applied to the larger ones; most of those allotted over 15 acres were described as husbandmen, whilst those allotted less were mainly 'yeomen'. Almost every individual in the group was resident in Leven, whilst those described in the award as 'esquire' or 'gentleman' were, with one exception, non-residents. Most awards which include the occupation or social status of allottees also give their place of residence. In the absence of other sources on occupancy this can throw some light upon the owner's relationship to the land being allotted. The award for Great Cowden shows that eight gentry owners were allotted 347 acres, or 36 per cent of the land; all the men in this group were non-resident. The 11 yeomen were allotted 322 acres, or 33.6 per cent of the

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23. R.D.B. AK/297/22.

24. R.D.B. AF/34/7.

25. R.D.B. AQ/61/8.

26. R.D.B. BT/182/24.

land; eight of these owners were resident.<sup>27</sup> Such a pattern is very common and suggests that the term 'yeoman' was broadly applied to the farmer.

The 'artisan' class, that is such village craftsmen as cordwainers, wheelwrights, carpenters and blacksmiths, were often named in awards, although their share of the land was generally minimal. In the towns however, the structure of landownership generally differed quite markedly from the pattern in a purely rural township. In Pocklington (53), enclosed 1754-5, the artisan class was quite strong, with 23.6 per cent of the land allotted, whilst yeomen only received 9.7 per cent;<sup>28</sup> in Bridlington (238), enclosed 1768-71, the artisans had 20.2 per cent, and yeomen 23.0 per cent;<sup>29</sup> in Sutton in Norton (10), enclosed 1769-72, which is a township situated adjacent to Malton, both artisans and yeomen received 24.3 per cent each of the land allotted in the award.<sup>30</sup> The Market Weighton (72) award is one of those which does not distinguish the status or occupation of allottees, and at Driffield (63), enclosed 1740-1, a very low proportion of the land, only 2.2 per cent, went to owners described as artisans,<sup>31</sup> but possibly the term 'yeoman' was extended to tradesmen in Driffield.<sup>32</sup> At the enclosure of Patrington (144), enclosed 1766-8, only eight per cent of the land went to artisans.<sup>33</sup> According to the information given in awards, labourers were very rarely allotted any land: they figure in only nine of the 119 awards in Appendix VIII, and in no case was the amount of land allotted in excess of five acres.

Any conclusion based upon the titles given to proprietors in the enclosure awards must be tentative, but the information is certainly of

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27. R.D.B. AQ/61/8.

28. R.D.B. Y/230/39.

29. R.D.B. AN/121/1.

30. R.D.B. AN/379/25.

31. R.D.B. B/153/42.

32. Mingay (1963), op. cit. suggested that this may sometimes have been the case, p.88.

33. R.D.B. AK/98/8.

some use, providing as it does an extra dimension to the picture of landownership based on estate size alone. There are some dangers in accepting the designations 'gentleman' or 'yeoman' at their face value, because the commissioners may have bestowed such titles on individuals according to how much land they owned, rather than according to their relationship to that land. In any case we know that some of the people who were called 'esquire' or 'gentleman' in the awards were country squires who, although they rented some land to others also kept part of it in hand. But they were certainly not owner-occupiers in the more general use of that term.<sup>34</sup>

Setting aside such problems for a time, the chief conclusion from an examination of eastern Yorkshire enclosure awards must be that the 'gentry' owners were very strong territorially in most townships and districts; moreover, when their share of the land allotted is added to that of the church and institutional owners very little land indeed remains for the humbler proprietors - the 'yeomanry' of the awards. When the main geographic regions of eastern Yorkshire are examined separately a slightly divergent pattern is apparent: the establishment owners generally had a larger share of the land in the uplands than in the lowlands (Table 7.11). The first section of this chapter, which examined the awards as sources on size of allotment only, established that the large estate predominated in the uplands of eastern Yorkshire, but that in the lowlands, especially in Middle and South Holderness, a substantial share of the land went to medium to small owners, that is those allotted less than 200 acres, and these people were at least as strong as, if not stronger, territorially than, the

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34. Mingay (1963), *op. cit.* divided the gentry into: a) the wealthy gentry comprising about 7-800 families with incomes of £3-4,000 a year, b) the lesser gentry comprising about 3-4,000 families with incomes of £1-3,000 a year, c) 'modest' gentlemen comprising about 15,000 families with incomes of 'some hundreds of pounds, ... derived partly from rents, often from farming, and also from investments other than land', pp.21-2.

same group which Turner for Buckinghamshire,<sup>35</sup> and Hunt for Leicestershire,<sup>36</sup> tentatively termed the 'peasantry'. If the term peasantry may be correctly applied to these people they could not by any means fall into the gentry/aristocracy group, so in districts 8 and 9 it might be expected that the proportion of the land allotted to 'establishment' owners would be somewhat lower than in other districts. Table 7.11 shows the pattern in the nine

Table 7.11. Proportion of land allotted at enclosure to aristocracy, gentry, institutions and the church in the nine districts

<u>District</u>	<u>Over 90%</u>		<u>80-9%</u>		<u>70-9%</u>		<u>60-9%</u>		<u>Less than 60%</u>		<u>Total</u>
	A	B	A	B	A	B	A	B	A	B	
1. Jurassic hills	5	71.4	1	14.3					1	14.3	7
2. High Wolds	9	52.9	4	23.5	1	5.9	2	11.8	1	5.9	17
3. Vale of Pickering fringe	5	83.3	1	16.7							6
4. Wold scarp/Jurassic	5	26.3	6	31.6	5	26.3	1	5.3	2	10.5	19
5. Lower Wolds	14	51.9	7	25.9	5	18.5			1	3.7	27
6. Hull valley	5	45.5	4	36.4			1	9.1	1	9.1	11
7. North Holderness	5	33.3	4	26.7	1	6.7	4	26.7	1	6.7	15
8. Middle Holderness	2	25.0	2	25.0	3	37.5			1	12.5	8
9. South Holderness			2	28.6	3	42.9	2	28.6			7

A: number of townships in category

B: percentage of townships in category

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35. Turner (1980) p.156.

36. Hunt (1958-9), op. cit. p.501.

districts and it does indeed show that the 'establishment' owners were noticeably weaker territorially in Middle and South Holderness. In Middle Holderness there was only one quarter of the townships where this group had over 90 per cent of all the land allotted, and in South Holderness there was none, whereas in other districts, a very high proportion of townships were in this category. The relative weakness of 'establishment' owners was especially marked in district 9: only in two out of the seven townships for which details are known did their share exceed 80 per cent. Unfortunately a particularly high proportion of townships in this district had incomplete information on social and economic status recorded in the awards, so too much weight cannot be attached to only a limited number of cases. In any case the 'establishment' owners were still in quite a strong position, even in Middle and South Holderness.

#### The tithe owners

Although the church as a substantial landowner at enclosure has been considered in an earlier section, the tithe owner, whether ecclesiastical or lay, has yet to be mentioned. Much of the land which was allotted to the church was in lieu of tithes and the landownership tables (Tables 7.1 and 7.2) show that the church was a considerable beneficiary of enclosure. The statistics as presented however mask the considerable acreage of land which was transferred, as a result of tithe commutation, from the owners as a whole, into the hands not only of the church but also of lay improprators, who were almost invariably members of the substantial gentry and aristocracy of the county.

Tithes were divided into two categories, the 'small' tithes and the 'great' tithes.<sup>37</sup> The small tithes were generally of lower value than the

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37. For a very useful account of the tithes in the 18th and 19th centuries see E.J. Evans, The contentious tithe: the tithe problem and English agriculture (1976).

'great', and were collected on wool, all kinds of livestock, and garden produce. Small tithes were usually collected by the vicar of the parish. They were difficult to collect and very unpopular with farmers, but many vicars were dependent upon the small tithes for a substantial part of their income. Great tithes were of considerably more value; they were collected on corn, hay and wood, and they were the perquisite of the rectories.

The great tithes in eastern Yorkshire, as in the rest of the country, were not solely in the hands of the church in the 18th century. A high proportion of all tithes was held by lay impropiators, primarily as a result of the dissolution of the monasteries in the 16th century, when the Crown granted or sold tithe rights to gentry owners, and these rights were subsequently transferred from hand to hand at will.<sup>38</sup> It has been suggested that lay impropiators were more harsh in their insistence upon their rights than were the clergy, since they could afford to adopt a purely business-like approach to the collection of the tithes, whereas the clergy were forced to consider their standing in the community.<sup>39</sup> It certainly appears from some Yorkshire evidence on tithe causes in the 16th century, just after the large-scale transfer of tithing rights from church to lay hands that some laymen were more assiduous in insisting upon their full rights than had been the monasteries before them.<sup>40</sup>

Strickland noted that on the Wolds it was not unusual for the tithe owner to receive a higher rent for his tithe than did the owner of the soil upon which it grew.<sup>41</sup> He did not consider that objections to tithes were

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38. Ibid. pp.8-9.

39. Ibid. p.9.

40. J.S. Purvis, ed. Select 16th century causes in tithe from the York Diocesan registry (Leeds, 1949). - (Yorkshire Archaeological Society. Record series, vol. 114) pp.vii-viii.

41. Strickland (1812) pp.54-5. Tithe owners frequently 'farmed out' or leased the collection of the tithes to others, taking a rent in lieu and thus avoiding the difficulties involved in their collection.



were any stronger in the East Riding than they were elsewhere, but he called them a 'heavy burthen' and the fact that in almost every enclosure act passed the tithes were commuted indicates that landowners were very much in favour of ridding themselves of this burden even, as will be shown, when it involved a considerable diminution of their land.

By the middle of the 18th century, when the parliamentary enclosure movement was beginning, the tithing system was coming under increasingly severe criticism. Tithes had long been the subject of bitter dispute;<sup>42</sup> when farmers and owners were beginning to improve their yields by the introduction of new rotations and crops, the taking of the tithe was seen as a tax on improvement, since it was a tax on the gross, rather than the net produce of the land.<sup>43</sup> Arthur Young said:

Of all the oppressive taxes the wit of man could devise, none throws such a damp on the culture of the earth as those which increase in proportion to produce; being literally taxes on improvement. But at every place where I made enquiry, all ranks agreed, the clergy as well as others, that tithes were universally found a great discouragement to husbandry.<sup>44</sup>

It was natural, therefore, for proprietors to seek to obtain commutation of the tithe at the same time as they enclosed the land, so that they might have full control, not only over the ownership of the newly enclosed land, but of its profit also.

As an interested party, the tithe owner's consent was necessary to an enclosure and it appears from evidence from Keyingham (147) enclosure negotiations that the tithe owner's lessee also had some rights in the matter.<sup>45</sup> There was no question of forcing the tithe owner to accept commutation; some

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42. Purvis, op. cit. pp. vii-viii.

43. Evans, op. cit. p.16; W.R. Ward, 'The tithe question in England in the early 19th century', Journal of ecclesiastical history 16 (1965) p.69.

44. Young (1770) 4, p.487.

45. Chapter 5, pp. 215-16.

enclosures went ahead without it, presumably because the tithe owner considered that his interests were best served by continuing to keep the enclosed land tithable. This was the case in South Cave (118) where the lay impropriator, Mrs. Walford wanted an unacceptably high proportion of the land; eventually, after some 20 years of discussions South Cave was enclosed without commutation.<sup>46</sup>

Of a total of 140 acts passed between 1725 and 1825 for eastern Yorkshire townships, only eight<sup>47</sup> did not include commutation of the tithes (Appendix IX). This compares with seven out of 125 enclosure acts without commutation for Warwickshire and 10 out of 47 acts passed between 1777 and 1836 for Oxfordshire.<sup>48</sup> According to Evans a decision not to exonerate was more likely when the enclosure concerned only commons or waste land; in Staffordshire where the majority of enclosure acts concerned this type of land, only 25 out of a total of 101 contained provision for tithe commutation.<sup>49</sup> The value of tithes on common land was much less than upon open fields, and it was very difficult to calculate the degree of improvement likely after enclosure, so it seemed that tithe owners preferred to continue the old system until they could assess the benefits of enclosure more accurately.<sup>50</sup> Eastern Yorkshire, like Oxfordshire and Warwickshire, was primarily an open-field region and the evidence on tithe commutation confirms Evans's suggestion that there was a clear correlation between

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46. HUL DDBA/4.

47. Scagglethorpe (12), Cottingham (116), Croom (44), South Cave (118), Tickton (99), Speeton (256), Southburn (66), and Cherry Burton (95).

48. As calculated by Evans, op. cit. p.95, from information in Martin (1965), op. cit. and from D.M. McClatchey, Oxfordshire clergy, 1777-1869 (Oxford, 1969).

49. Evans, op. cit. p.95. In Derbyshire nine out of the 12 enclosure acts which preserved the incumbent's right to tithe concerned non-arable common and waste, M.R. Austin, 'Enclosure and benefice incomes in Derbyshire, 1772-1832', Derbyshire archaeological journal 100 (1980)p.88.

50. Evans, op. cit. pp.94-5.

open-field enclosure and the likelihood of tithe exoneration. Ward calculated that over the whole of England about 70 per cent of acts included provision for tithe exoneration,<sup>51</sup> although Evans put the figure closer to 60 per cent.<sup>52</sup>

The method of tithe commutation varied from one period to another; in eastern Yorkshire there were four quite distinct phases:<sup>53</sup> the first ran from the 1730s to the early 1760s and during this period tithes were commuted to a yearly cash payment; the second lasted from about 1763 until the late 1770s, and during this period tithes were commuted to an allotment of land plus a yearly rental charge; the third phase ran from c.1780 until c.1810, and in this period, with very few exceptions, commutation was made in land only; between 1810 and 1822 a rental based upon the price of corn was used; in 1836 the Tithes Commutation Act was passed making other arrangements unnecessary.<sup>54</sup> Strickland in 1812 noticed the changes in the method of commutation:

The principle adopted under the first acts of inclosure about forty years ago was a money-payment in lieu of all tithes; this was afterwards altered for half money and half land; and this proving unsatisfactory, the tithes were exchanged for land only: this last mode has been chiefly adopted in the late acts, but in some cases a corn-rent has been given in lieu of the tithe.<sup>55</sup>

He went on to give reasons for the changes: a simple money payment although beneficial to the landowner had proved to be against the interests of the tithe owner, since the value of the money paid subsequently dropped; the second method, a combination of money and land, was in part liable to the

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51. Ward, op. cit. p.70.

52. Evans, op. cit. note 10, p.111.

53. See Table 7.12 and cf. V.M. Lavrovsky (1933), op. cit. table I, p.275.

54. 6 & 7 Wm. IV, c.71. For a full discussion of the events leading to the passage of the act see Evans, op. cit. chapter 6, pp.115-35.

55. Strickland (1812) p.55.

same criticism; but Strickland reserved his strongest words for the method of commutation which involved land alone, since he considered that it placed into the hands of the clergy, who were the landowners with 'the least capital and with (usually) the least inclination for, or interest in, the improvement of the land', vast tracts of ground, which were often quite remotely situated vis à vis the village settlement.<sup>56</sup> The reason for their remote situation, in one or two large plots, was to limit the costs of fencing, which were borne by the other proprietors.<sup>57</sup> Strickland also asserted that if this policy of commuting tithe for land only, had been adopted in all parliamentary enclosures, then the church would have found itself owning land on the same sort of scale as it had done before the dissolution of the monasteries. It would thereby lay itself open to the same criticism made of it in that period, since it would be regarded as unacceptable for a spiritual institution to be such a large landowner. Certainly tithe commutation for land involved a very large-scale transfer of property indeed, from the general body of ordinary proprietors, both large and small, to either ecclesiastical owners, or to lay impropiators, who were almost invariably members of substantial gentry families.<sup>58</sup> The 'squarsons', clergymen who were in some townships the largest landowners, and who played a central role in local politics and social administration, were increasingly prominent in the 19th century and were often considered by the villagers to be unsympathetic to the poor and to be too closely associated with the gentry. The Primitive Methodists made thousands of converts in the East Riding in the 19th century, and it has been suggested

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56. Ibid. p.57. Strickland ignored the fact that about one third of the land allotted for tithes went to lay impropiators, who were usually gentry owners with the means and often the inclination to improve the land.

57. Chapter 6, p.312.

58. Lavrovsky (1933), op. cit. stated that 'tithe commutation affected the upper class of landowners much less, because for them it often meant a transfer of land within a privileged group of clergy and gentry', p.288.

that the increasing role of the parson as landowner had some influence on the spread of dissent in the region.<sup>59</sup>

In those enclosures where land was to be given in compensation for the tithe the question of how much should be given was crucial. Although tithe was supposedly one tenth of the produce of the land, to allot the tithe owner one tenth of that land would have been to deprive him of some of his rights, since he had been receiving one tenth of the gross produce, that is no allowance was made for the farmer's expenses. If the tithe owner were to receive a once-for-all compensation in land he therefore expected rather more than one tenth.<sup>60</sup>

Evans pointed out that in enclosures taking place before the mid-1770s it was unusual for a differentiation to be made in the types of land being allotted: one proportion, usually one seventh or one eighth of all the land was given for tithe.<sup>61</sup> At that period no differentiation seems to have been made in eastern Yorkshire also; during the negotiations to enclose Hessle (131) in the 1770s a memorandum was made of the compensation for tithes given at other enclosures in eastern Yorkshire. At Garton on the Wolds (248) enclosed 1774-5, one fifth of the land was given for tithe;<sup>62</sup> at Bainton (68) and Neswick (67) enclosed 1774-6:

Capt. Grimston agreed for the Impropiator to give him Land that wd let for 20 years lease for 500 a Year, which is better<sup>63</sup> than 1/5 of all Land - supposed to be 1/4.

At the enclosure of Keyingham (147), 1802-5, the tithe owner was allotted 1/5 of the open fields, 1/7 of the Ings and Saltmarsh (the meadowlands), and 1/8 of the carrs.<sup>64</sup> At the enclosure of Owthorne (156), 1806-15, the tithe

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59. Ward, op. cit. p.74.

60. Chapters 5 and 6.

61. Evans, op. cit. p.99.

62. DDHB 1/14.

63. Ibid.

64. DDIV 8/1.

owners (both ecclesiastical and lay) were allowed 'the terms of other enclosures in the neighbourhood', that is 1/5 of the cornfields, 1/7 of the meadows and 1/8 of the pastures.<sup>65</sup> Before the enclosure of North Frodingham (211), 1801-8, the tithe owners demanded 1/5 of the open fields, 1/7 of the old enclosures and 1/9 of the carrs and the common. The proprietors said that this was too high; they agreed to 1/5 of the open fields and 1/7 of the old enclosures but would only allow the tithe owners 1/10 of the remainder. Eventually an agreement was made to divide the difference; the tithe owners were given 1/5 of the open fields, 2/19 of the carr and common, 1/7 of the old enclosures and 2/15 of the residue.<sup>66</sup> Some tithe owners seem to have made a very good bargain: at Elloughton (128), enclosed 1794-6, the ecclesiastical tithe owner was to be allotted 1/5 of all the land;<sup>67</sup> at North Ferriby (130), enclosed 1824-37, the act stated that the tithe owners were to get 2/9 of all the titheable land;<sup>68</sup> and at Settrington (11), enclosed 1797-8, the church as tithe owner was to receive 1/4 of the land 'now under the plough'. 1/6 of the pasture, and 1/7 of the old enclosures.<sup>69</sup> The proportion allowed to the impropiator of Filey's (273) tithes looks rather low; it was only 1/7 of the arable land, 1/10 of the common, moor and waste, and 1/8 of the old enclosure, with the tithe owner paying for his own fencing (which was usually done at the expense of all the other owners).<sup>70</sup> However the impropiator was Humphrey Osbaldeston,<sup>71</sup> a substantial landowner in Filey, and he may have accepted

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65. DDIIV 13/4.

66. HUL DDCV 120/8.

67. 34 Geo. III, c.69.

68. 5 Geo. III, c.13.

69. 37 Geo. III, c.124.

70. 28 Geo. III, c.13.

71. R.D.B. BG/310/43.

a relatively low proportion because the land transfer would have been notional rather than real. At Kilnwick (80), enclosed 1785-7, the church as tithe owner agreed to only 1/7 of the arable, together with 1/8 of the ings and 1/10 of the old enclosure.<sup>72</sup>

All the available evidence suggests that an enclosure was preceded by some very hard bargaining, many suggestions being made and rejected before agreement was reached. When Langtoft (249) owners were considering enclosure in 1774 it was proposed that 1/8 of all the land should be given to the tithe owner, the Prebend of Langtoft. The enclosure did not go ahead at this time, but in 1794 more negotiations took place and this time 1/5 of the open fields was suggested as fair compensation. The Prebend's lessee, Richard Knowsley, objected to these terms however, and the enclosure was again dropped, only going ahead in 1801 after Knowsley had died.<sup>73</sup> The negotiations preceding the enclosure of Hessle (131) have been dealt with in a previous chapter; at that township much of the argument centred upon tithe compensation and the enclosure was held up for many years because of the difficulties of obtaining agreement. The papers recording the negotiations include some terms at which the tithe owner was prepared to agree to the enclosure in 1774:

For the open Fields, Lands to the Value of what they wd now let for at present, to which add 1/5 of the sd Rent for improvement also if any be taken from the common right Houses and added to the Lands the Tithe to have a share thereof in proportion to the Rents.  
2/15 of Commons, open Meadows and Pastures.  
2/15 of old Inclosures or an Acre Tax ...  
The Tithe Allotment to be clear of all Charges and fenced at the Public Charge.<sup>74</sup>

In 1775 the tithe owners proposed that they should receive:

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72. 25 Geo. III, c.57.

73. Chapter 5, pp. 216-17.

74. DDHB 1/13.

Land in lieu of Tyths of the Open Fields to the present value. One seventh of the meadows and Pastures ... in lieu of the Tythes of old Inclosures and homesteads an Annual money payment ... one tenth in lieu of the tithes of all Commons and Waste Lands ... The Tith Owners to name two Commissioners.<sup>75</sup>

These terms were proposed to the owners at a meeting in 1777 and they offered the tithe owners one seventh of the open fields, which one of the lay owners agreed to but the other, Mr. Broadley, refused, because he considered that the Tranby land,<sup>76</sup> which he was offered was not such good land. He was offered one sixth but held out for one fifth which the owners refused to consider. Broadley wrote to the Rev. Bowman on 1 December 1777 that he would have been happy to agree to an enclsoure if he had been given one fifth of Tranby land but:

I shall never agree to an Inclosure except I have an adequate consideration for my Tiths ... I hope you will do me the justice to think that the failour of the Inclosure hath not been owing to me.<sup>77</sup>

When the enclosure eventually took place, 1792-7, the tithe owners were allotted one fifth for the open fields, one eighth of the meadows, pastures and waste and one tenth of the common,<sup>78</sup> so Broadley was satisfied.

Table 7.12 shows the proportion of land which went as tithe allotments in eastern Yorkshire at enclosure: as the table shows, during the period 1780 to 1819 a little over 17 per cent of the area allotted<sup>79</sup> went to tithe owners. In the period 1760-77 the proportion was a little lower - 12 per cent - and this lower figure may be explained by the tendency in that period to commute either in rent per annum only or by a combination of rent and an allotment, whereas in the 1770s, and later, compensation was usually made

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75. DDHB 1/15.

76. Tranby was a hamlet in the township of Hessle.

77. DDHB 1/21.

78. 32 Geo. III, c.109.

79. That is in those enclosures where the tithe was commuted to land.



Table 7.12. Acreage allotted for tithes at enclosure in eastern Yorkshire

<u>Period</u>	<u>No. of enclosures</u>	<u>Total acreage allotted</u>	<u>Acreage allotted for tithes</u>		<u>% of total area for tithe</u>	
			To church owners	To lay Total		
Pre 1760	9	15,674	82	-	82	0.5
1760-79	70	154,134	12,250	6,293	18,543	12.0
1780-99	23	35,743	3,843	2,466	6,309	17.7
1800-19	34	62,160	7,472	3,470	10,942	17.6
1820-39	7	10,205	-	781	781	7.7
Total	143	277,916	23,647 (64.5)	13,010 (35.5)	36,657	13.2

Note: the table includes only those townships where tithes were commuted to land.

in land only. The distribution in the table between church owners and lay impropiators conforms quite closely to the pattern noticed by Lavrovsky in his study of tithe commutation in 20 townships which were enclosed 1793-1815. Lavrovsky found that 61.8 per cent of the land alienated for tithes went to clerical tithe owners and 38.2 per cent went to lay impropiators:<sup>80</sup> for eastern Yorkshire the distribution was very similar - 64.5 per cent went to clerical tithe owners and 35.5 per cent to lay impropiators.<sup>81</sup>

Over the whole of the parliamentary enclosure period, as Table 7.12 shows, a total of 36,657 acres, 13.2 per cent of the acreage allotted, went to the tithe owners and this redistribution of the land put more land than ever into the hands of an already privileged group. Many of the substantial gentry

80. Lavrovsky (1933), op. cit. p.288.

81. But Martin found that in Warwickshire the distribution was more than half to the church and half to lay impropiators, Martin (1967), op. cit. p.37.

families of eastern Yorkshire either owned tithes, or leased them from clerical owners, so they were often the direct beneficiaries of tithes commutation.

The position of the church as landowner was considerably strengthened by enclosure. Appendix VIII shows the proportion of each newly enclosed eastern Yorkshire township which was allotted to the church for glebe land and for tithes. In a number of townships the amount of land was quite substantial. Appendix VII and Table 7.1 show the proportion of land awarded to ecclesiastical owners<sup>82</sup> in all the districts of eastern Yorkshire. In district 1 over one third of the newly enclosed land went to the church, and in districts 2, 3 and 4 the proportion was over 15 per cent. In general, the church as landowner was stronger in upland districts than in lowland districts, but this is at least partly an effect of the changing pattern of commutation: lowland townships were more likely to be enclosed in the early parliamentary enclosure period, generally in the 1760s and early 1770s when commutation was effected by a rental payment, or by a combination of rent and land, whilst many townships in the upland districts were enclosed in the 1790s and early 1800s, when a land allotment was commonly made. As Table 7.9 shows, York Minster was one of the greatest beneficiaries of enclosure; at 25 enclosures the dignitaries of the Minster received a total of 8,687 acres. They generally let this land, on three lives, to members of the eastern Yorkshire gentry, who in turn sub-let the land to tenant farmers; Strickland described the disposition of church land thus:

[estates] belonging to the church, or other corporate bodies, are generally let out upon lease for three lives, renewable on the fall of each, at the rate of a year and a half, or a year and three quarters improved rent; and the lessees commonly let them to the occupiers by the year, according to the usual tenure of the country.<sup>83</sup>

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82. By right of their office, not as personal property.

83. Strickland (1812) p.33.

Such a system had the indirect effect of placing in the hands of the gentry yet more land than they already owned. Tithe commutation therefore, reduced still further the smaller owner's share in the land of eastern Yorkshire.

The sources on enclosure and landownership used so far have shown that much newly enclosed land was in the hands of a few very large proprietors in the upland districts, a pattern of landownership which was common to many chalk districts in other counties. When the social and economic background of allottees as given in the awards is examined it is apparent that the overwhelming majority of the land allotted went to the church, the gentry, the aristocracy and a few institutional owners (Tables 7.10 and 7.11), and if the evidence has been correctly interpreted the humbler ranks of society received a very small proportion of the land indeed. Only in district 4, the Wold scarp/Jurassic district, were the smaller owners at all significant in terms of the acreage they owned. In the other upland districts the 'yeomen's' share was very small indeed.

In lowland districts the pattern of ownership was rather more diffuse. Large and very large estates occupied a much lower proportion of the land allotted than was the case in the uplands. The 'establishment' owners, as identified in the awards, although still very powerful territorially, were not in quite such a dominant position (Tables 7.10 and 7.11), and when the pattern of ownership in the lowlands is compared with that of other regions the smaller owner appears to have been holding his own in eastern Yorkshire, indeed in Middle and South Holderness he was somewhat stronger than in other regions studied. In the last section of this chapter the structure of land ownership in old-enclosed, pre-1780 and post-1779 enclosed townships, as evidenced in the Land Tax returns, will be examined first by geographical districts and secondly by region and enclosure history, so that the patterns of distribution of ownership and owner-occupancy may be revealed and compared, both within eastern Yorkshire and outside.

The structure of landownership in eastern Yorkshire as shown by the Land Tax returns

The value of the Land Tax returns as a source on landownership has been disputed by a number of researchers at different periods in the past 30 years. In the mid-1960s an exchange of views between G.E. Mingay and J.M. Martin<sup>84</sup> highlighted both the strengths and the weaknesses of the Land Tax returns, and in 1982 an article by L. Soltow revived the dispute.<sup>85</sup> Soltow's use of the returns was subject to stringent criticism for failing to take account of the regional variations in the tax which, as will be shown, make comparisons between different parts of the country rather difficult.

The Land Tax was first levied in the 1690s, and was collected throughout the 18th century, but the surviving assessments for most counties are only extant for the period c.1780 to 1832,<sup>86</sup> because in 1780 a new act<sup>87</sup> required the Clerk of the Peace in every county to keep a copy of the return as an aid to establishing who had a right to the franchise. The Land Tax was levied upon property as well as land, and the original assessment which was made in 1692 seems to have remained fossilised, at least in some townships, whilst in others a reassessment may have taken place at some time. Certainly the sum to be paid by individual townships remained the same

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84. D.B. Grigg, 'The Land Tax returns', Ag.H.R. 11 (1963) pp.82-94; G.E. Mingay, 'The Land Tax assessments and the small landowner', Ec.H.R., 2nd series, 17 (1964-5) pp.381-8; J.M. Martin, 'Landownership and the Land Tax returns', Ag. H.R. 14 (1966) pp.96-103; G.E. Mingay, 'Letter to the editor', Ag.H.R. 15 (1967) p.18.
85. L. Soltow, 'Wealth distribution in England and Wales', Ec.H.R., 2nd series, 34 (1981) pp.60-70; G.J. Wilson, 'The Land Tax problem', Ec.H.R., 2nd series, 35 (1982) pp.422-6; D.E. Ginter, 'A wealth of problems with the Land Tax', Ec.H.R., 2nd series, 35 (1982) pp.416-21; L. Soltow, 'The Land Tax redemption records, 1798-1963', Ec.H.R., 2nd series, 35 (1982) pp.427-33.
86. For a useful introduction to the history, administration, availability and usefulness of the returns see J. Gibson and D. Mills, eds. Land tax assessments, c.1690-c.1950 (Plymouth, 1983).
87. 20 Geo. III, c.17.

throughout the entire period 1692 to 1832 and it has been frequently noted that the weight of assessment was heavily biased geographically, the northern and western counties paying a very much lower burden per acre taxed than did those of the south and east.<sup>88</sup> This differentiation between regions makes any cross-country comparisons using tax paid extremely dubious, since a man who paid five pounds in Kent or Essex might be a medium-sized landowner, whilst a man who paid the same sum in Cumberland might be quite a substantial landowner. When Davies<sup>89</sup> studied a cross-section of Land Tax returns from several different counties he attempted to compensate for this difficulty by calculating an acreage equivalent for each county separately and this may have gone some way to answer the problem. However this was to assume that within each county the assessment was distributed equally. Mingay disputed this assumption, citing the initial differences in the value of land even within one township, let alone a county, the failure of reassessment to keep pace with changes in land use and value, the possibility that in some parishes an enclosure followed by a reassessment may have occurred whilst others preserved the same system rigidly for the whole of the 18th century.<sup>90</sup> Grigg in an article published the year before Mingay's discussed this problem of relating tax paid to land owned and concluded that even if acreage equivalents were worked out separately for each parish the margin of error would still be great unless the parish had a uniform rate per acre irrespective of value of property.<sup>91</sup> In an attempt to counter this assertion, Martin in 1966<sup>92</sup> used the Land Tax assessments for Warwickshire to test the relationship between tax paid

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88. See for example Mingay (1964-5) p.382.

89. E. Davies, 'The small landowner, 1780-1830, in the light of the Land Tax assessments', Ec.H.R. 1 (1927) pp.87-113.

90. Mingay (1964-5), op. cit. p.385.

91. Grigg (1963), op. cit. p.85.

92. Martin (1966), op. cit.

and acreage owned, so that an estimate might be made of the likely error in estimating estate size from the tax paid. He found that in the five parishes that he studied the error was surprisingly small and concluded that if certain parishes where there are very marked variations of soil, or much urban or industrial property, are excepted from the study 'it is possible, in most rural villages, to use the Land Tax returns to build up a picture of the structure of landownership with an acceptable degree of accuracy'.<sup>93</sup> Nevertheless, most researchers have concluded that no direct relationship can be established between the amount of tax paid and the size of holding, but the Land Tax returns can safely be used to calculate broad relationships of landownership units within townships and regions by concentrating upon numbers of owners per township, numbers of owner-occupiers and the proportion of Land Tax paid by owner-occupiers as a percentage of the total tax.<sup>94</sup> As Grigg stated this last method is still open to the objection that acreage is not directly proportional to value, and if there were within a township two types of land of contrasting annual value and all the holdings of owner-occupiers were on land of the lesser value, their importance would be under-estimated.<sup>95</sup> But it seems unlikely that such would be the case, and therefore it seems reasonable to suppose that this method should yield meaningful results.

Other criticisms of the Land Tax returns as a valid source on landownership have been concerned with the possibility of avoidance of the tax by some owners and the voluntary redemption which was introduced in 1798. Mingay considered these two points to present very real problems to

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93. Ibid. p.101.

94. The debate is still very much alive. At a conference on the Land Tax assessments held in September 1981 a number of researchers presented papers which provided evidence for and against the use of the Land Tax assessments as a source on estate size. It is hoped that a publication including these contributions will be available shortly.

95. Grigg (1963), op. cit. p.88.

the researcher.<sup>96</sup> Martin also examined the Warwickshire returns in the light of these criticisms, and concluded that for that county at least they were not proven; he found that there were no instances where landowners had succeeded in avoiding the Land Tax or reducing their assessment and also that although redemption of the tax after 1798 was as widespread in Warwickshire as it was in other counties the assessors still continued to record all the landowners and occupiers just as meticulously as before redemption, merely including two lists of owners, those who had redeemed and those who had not.<sup>97</sup> Martin also stated that from his examination of the assessments for Warwickshire he could state that in that county at least reassessments were very rare.<sup>98</sup>

The debate on the reliability of the Land Tax returns as a source was revived in 1981 after the publication of an article by Soltow on wealth distribution in England and Wales.<sup>99</sup> Soltow used the entire run of the Land Tax returns (6,516 entries) for England and Wales in 1798 to analyse the distribution of wealth at the end of the 18th century. Given the difficulties already inherent in the use of the returns on a comparative basis it is not surprising that Soltow found himself the subject of much criticism.<sup>1</sup> Had he taken into account - if it were possible to do so - the enormous differences in assessments between counties in the north and west and the south and east, he would still have encountered many of the other problems of interpretation familiar to students of the Land Tax at the more

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96. Mingay (1964-5), op. cit. pp.382-3.

97. Martin (1966), op. cit. p.98. This is confirmed by other researchers working with the Land Tax returns in other counties. See Gibson and Mills, op. cit. p.5; in eastern Yorkshire redeemed and unredeemed holdings were always included in the returns after 1798 with the exception of one or two very small townships, e.g. Moortown (209), where the whole township was in the hands of one owner who redeemed the tax and the return is not filed with the rest after 1798.

98. Martin (1966) p.98.

99. Soltow (1981), op. cit.

1. Wilson (1982), op. cit.; Ginter (1982), op. cit.

local level. Soltow replied to the criticisms made of him by welcoming them and reworking his material to some extent to take them into account. He asserted, having done so, that his conclusions still held good - that is the Land Tax returns suggested that inequality in 1798 was as large as it was in 1873.<sup>2</sup>

In the present study extended use has been made of the Land Tax assessments, but bearing in mind the problems encountered by other researchers such use has been limited to an investigation of ownership units, their distribution and change over time, and owner-occupiers, expressed in terms of their numbers and in terms of the tax they paid as a proportion of their township's total assessment. Moreover, in order to avoid the problems intrinsic in using the Land Tax returns for urban areas only purely rural townships have been included in the tables.

Table 7.13. Mean numbers of proprietors in uplands and lowlands districts, 1787, 1807, 1827

<u>Districts</u>	<u>Old-enclosed</u>			<u>Enclosed 1730-79</u>			<u>Enclosed post-1779</u>		
	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>
Uplands (1-5)	4.6	4.6	4.3	20.9	21.2	21.6	17.8	17.5	16.0
Lowlands (6-9)	7.0	6.6	6.8	26.2	28.3	28.4	21.3	19.9	22.2

Table 7.13 shows the mean number of owners in 1787 (and 1807 and 1827) in townships which were old-enclosed, enclosed 1730-79 and enclosed after 1779, for the upland and lowland districts of eastern Yorkshire. In both regions there were significantly fewer owners in old-enclosed townships than there were in those enclosed during the parliamentary enclosure period. Such a finding is closely comparable with the results from other counties where the Land Tax returns have been used in this way: Hunt found that in

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2. Soltow (1982), op. cit. p.433.



Leicestershire there was a very marked concentration of ownership in the hands of large proprietors in those villages enclosed by 1740;<sup>3</sup> Martin found that in Warwickshire there were on average only four owners in old-enclosed townships;<sup>4</sup> in Buckinghamshire there were on average 8.1 owners per village in old-enclosed townships.<sup>5</sup>

The connection between early enclosure and large estates is indisputable; the question arises - was enclosure early because the land was already concentrated into a few hands, or was enclosure at an early date succeeded by consolidation? Unfortunately the Land Tax returns cannot answer such a question, but there was in many old-enclosed townships in eastern Yorkshire an association pre-dating enclosure with a long-established, dominant landowning gentry family. Such families probably owed their dominant position to a number of factors: first, they may have benefited from the redistribution of monastic estates into lay hands after the Dissolution - a number of eastern Yorkshire families increased their estates enormously in this way; secondly, throughout the centuries they probably systematically bought up property coming on the market in the vicinity of their mansions; and thirdly, intermarriage may have increased their property still further, so that by the 18th century they had concentrated much of the land for miles around into their own hands.

Clearly geographical factors played some part in the ownership patterns in the districts. Table 7.13 and Fig.8 show that there were on average fewer owners in old-enclosed uplands townships than in the lowlands and Table 7.14 shows that between districts there was a considerable variation, from as low as 1.3 owners in district 3, the Vale of Pickering fringe, to 8.8 in district 8, Middle Holderness. It has already been

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3. Hunt (1956), op. cit. p.271.

4. Martin (1965), op. cit. p.64.

5. Turner (1980) table 33, p.163.

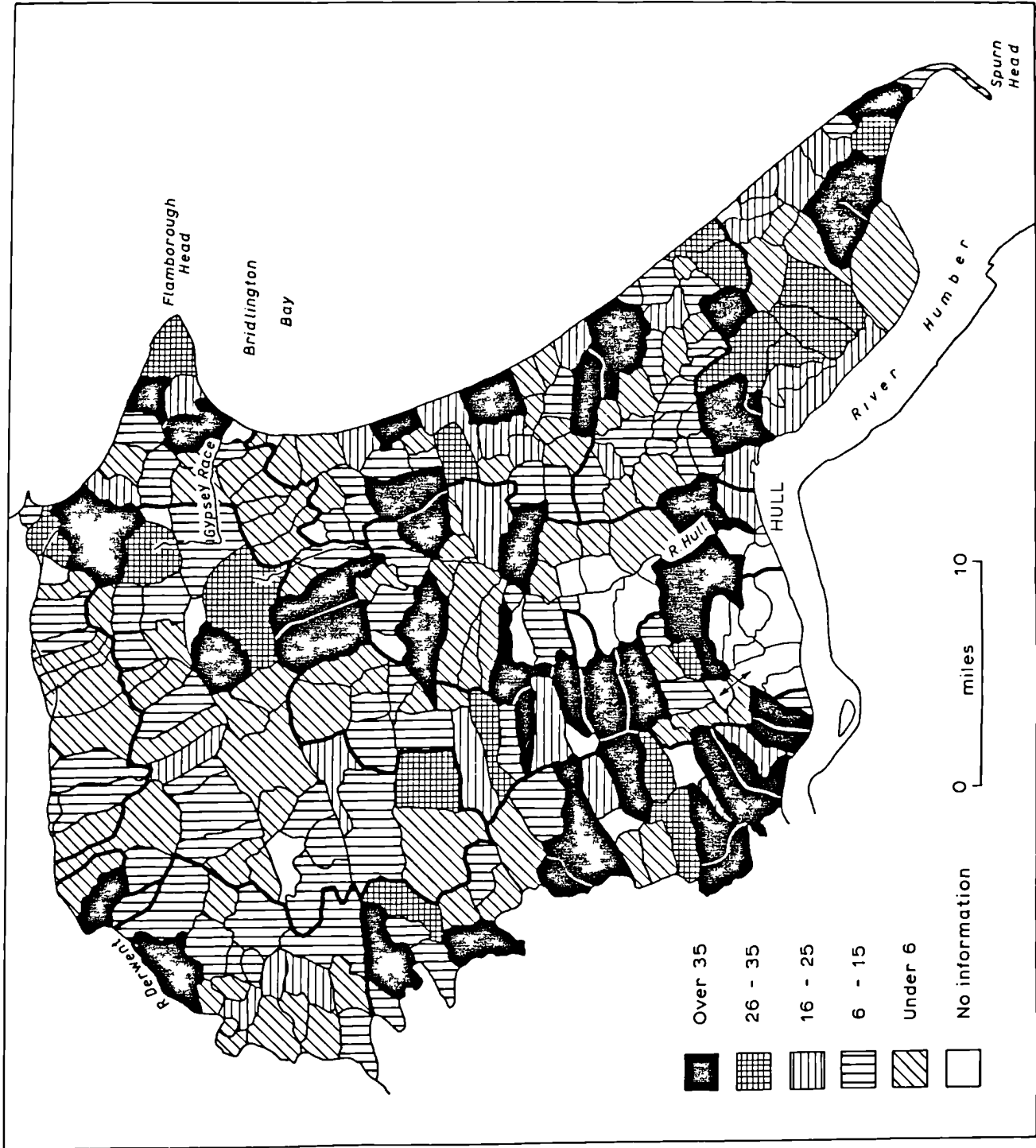


Figure 8. Eastern Yorkshire: owners paying Land Tax in 1787

Table 7.14. Mean numbers of proprietors in the  
nine districts of eastern Yorkshire, 1787, 1807, 1827

<u>Districts</u>	<u>Old-enclosed</u>			<u>Enclosed 1730-79</u>			<u>Enclosed post-1779</u>		
	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>
1. Jurassic hills	7.2	6.8	6.0	11.7	13.7	13.7	10.0	4.6	4.7
2. High Wolds	3.3	3.7	3.6	13.2	13.0	11.8	15.5	16.6	15.6
3. Vale of Pick- ering fringe	1.3	1.3	2.3	14.2	18.0	22.8	10.3	10.8	10.3
4. Wold scarp/ Jurassic	3.5	2.0	2.0	30.1	30.1	31.8	33.0	28.0	26.6
5. Lower Wolds	3.9	4.3	3.7	21.4	20.0	17.9	19.3	18.7	16.3
6. Hull valley	4.3	3.9	3.6	23.3	25.8	25.0	32.3	24.3	31.8
7. North Holderness	7.3	7.2	7.7	23.0	25.2	25.3	13.0	12.0	13.8
8. Middle Holderness	8.8	8.2	8.9	26.1	26.8	26.8	16.7	20.7	21.0
9. South Holderness	4.5	4.3	4.3	33.9	37.1	38.1	22.6	22.1	23.1

established in an earlier section in this chapter that large estates predominated in the uplands even in those townships where open fields persisted into the parliamentary enclosure period. In early-enclosed upland townships, especially those which were the sites of depopulated villages the concentration of property into a few hands was particularly marked. Very commonly these old-enclosed townships were situated at a higher elevation or in a more unfavourable location than were those still in open field. Most of the communities had been weakened by the Black Death and it was relatively easy for landlords to evict the few remaining tenants and convert all the land in the township to pasture.<sup>6</sup>

In the lowlands the same factors played some part in the landownership structure: in Watton (79) in the Hull valley all the land was owned by only two people in 1787, and the township was the site of Watton Priory, a Gilbertine foundation; similarly in Meaux (189) the site of a Cistercian

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6. Allison (1980) p.104. See below for discussion of occupancy in these townships.

abbey, the Land Tax returns for 1787 show that the land was owned by three people only. In a number of old-enclosed townships in the lowlands there is an association with depopulation: Sunderlandwick (65) in the Hull valley was the site of a deserted medieval village, was early-enclosed, and in 1787 was in single ownership, Storkhill (98) and Eske (85) in the Hull valley were in a similar position. There were many old-enclosed townships in Holderness where one of the resident gentry families of the locality owned either the whole, or almost all the land in the township and had probably, by a long process of purchases over a century or more, concentrated all the property into its hands. In the Land Tax returns for old-enclosed townships in Holderness the same names constantly recur: Constable, Bethell, Grimston, Hildyard and Sykes. In 1787 the Bethell family paid 65 per cent of the Land Tax for Arnold (191), 70 per cent for Catfoss (204), 82 per cent for Rise (192), and 100 per cent for Tanston in Aldborough (183); all were old-enclosed townships. The Constables paid 89 per cent of the tax for Burton Constable and Marton (184), 100 per cent for West Newton (174), and 100 per cent for Halsham (151);<sup>7</sup> all three townships were old-enclosed. These Holderness townships probably owned their landownership structure not to their soil or topography, but to their location near the seat of a prosperous gentry family.

In the lowlands early enclosure was not always associated with concentration of ownership; in Middle Holderness where there was much early enclosure many townships enclosed at an early date were still in the hands of quite a numerous body of owners in 1787. In Fitling (179) there were 19 landowners and no one person paid more than 30 per cent of the tax, whilst many were quite small owners; in Owstwick (178) there were 17 owners, although Sir Christopher Sykes paid almost 50 per cent of the tax there; in Ellerby (185) 14 owners paid tax with William Constable paying 18 per cent, Henry

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7. QDE 1 1787.

Maister paying a little over 20 per cent and William Bethell paying about 9 per cent. At Seaton with Wassand (205) in North Holderness there were 23 owners in 1787; Marmaduke Constable paid 29 per cent of the tax but the remaining owners shared the rest.<sup>8</sup> Enclosure seems to have been achieved by agreement in these townships without the need for any buying up of property, at least on any large scale. It has been suggested that much of the land in Holderness enclosed in the century or so before 1730 was converted to pasture<sup>9</sup> and there may have been common agreement amongst owners that an enclosure followed by more emphasis on pasture was in their interests.

Conversely, this concentration of property into a few hands did not inevitably result in early enclosure. At Boynton (262) in the lower Wolds Sir George Strickland paid almost 70 per cent of the Land Tax in 1787 and there were only two other owners.<sup>10</sup> The Stricklands bought the manor in 1549 and had accumulated much of the remaining property in Boynton in the 16th century; in the middle of the 18th century the Boynton family who were the only other substantial owners sold their holding to the Stricklands.<sup>11</sup> Despite the concentrated ownership of Boynton it remained in open field until well into the parliamentary enclosure period, and when it was enclosed under an act of 1777<sup>12</sup> it was allotted to Sir George Strickland alone, he being not only the sole owner, but also the impropiator of the rectory.<sup>13</sup> At Binnington (266) in the Vale of Pickering fringe district the

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8. QDE 1 1787.

9. Harris (1961) p.44.

10. QDE 1 1787.

11. V.C.H. Yorks. E.R. 2, p.23.

12. 17 Geo. III, c.32.

13. R.D.B. BB/397/52. Pocklington School had a small estate in Boynton before enclosure which was allotted to Strickland by exchange for an estate in Pocklington.

Legard family owned almost the entire township in 1787 and had done so since 1716,<sup>14</sup> yet the enclosure did not take place until 1803-4.<sup>15</sup> At Speeton (256) in the lower Wolds Michael Newton, who had inherited from Sir Michael Wharton, was the sole owner in 1787,<sup>16</sup> and despite the fact that the whole of Speeton had been held as a single estate since the middle of the 17th century<sup>17</sup> it was not enclosed until 1794.<sup>18</sup> All these examples have been taken from upland districts because such concentrated ownership in townships remaining in open field into the parliamentary enclosure period was not a feature of the lowland districts; only at Lissett (218) in North Holderness, where at enclosure in 1771-2 there was only one allottee with 877 acres and one with four acres together with a church allotment,<sup>19</sup> was there a similar case of singular ownership where open fields survived into the parliamentary enclosure period. In fact at Lissett the Land Tax returns show that there were seven owners in 1787,<sup>20</sup> which suggests that either the principal owner had broken up part of his estate, or that the other owners' property was old-enclosed.

The difference between the mean number of owners in old-enclosed townships and those enclosed during the parliamentary enclosure period in both the upland and lowland districts when expressed as an aggregate is striking (Table 7.13). In the uplands there were four to five times more owners in parliamentary enclosed townships than in old-enclosed townships,

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14. V.C.H. Yorks. E.R. 2, p.334.

15. Appendix I.

16. QDE 1 1787.

17. V.C.H. Yorks. E.R. 2, p.102.

18. Appendix I.

19. R.D.B. AN/391/27.

20. QDE 1 1787.

whilst in the lowlands there were three to four times as many.<sup>21</sup> When ownership numbers in townships enclosed during the first wave of enclosures, c.1730-79, are compared with those in townships enclosed after 1779 an interesting divergence is apparent: in both upland and lowland districts there were fewer owners in the later enclosed townships, and this is in contrast to Turner's findings in Buckinghamshire. In that county later enclosed townships were characterised by a more diffuse ownership - more owners and more owner-occupiers - than those enclosed before 1780.<sup>22</sup>

One possible explanation for there being more owners on average in newly-enclosed townships than in open-field townships in eastern Yorkshire relates to the effects of parliamentary enclosure upon those people who owned cottages with common rights. After enclosure some of those people may have become landowners for the first time, as a result of the small allotment they received in lieu of their common right. They may thereafter have appeared in the Land Tax returns, whereas in open-field townships such owners would not have been recorded.

Table 7.14, which shows the figures for each of the nine districts separately, reveals that in 1787 not all districts show a drop in the mean number of owners for townships enclosed after 1779. In three out of the nine districts there were more owners in townships enclosed later than those enclosed in 1730-79. In district 6 there was a very striking difference - 23.3 owners per township enclosed before 1780, and 32.3 for post-1779 enclosed townships - and in districts 2 and 4 there is a slight difference. These figures may be compared with those in Table 7.15 which shows the mean number of allottees (as given in the enclosure award)

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21. The discussion at this point relates only to the numbers of owners recorded in 1787.

22. Turner (1980) pp.163-4. In Warwickshire there was a negligible difference between the mean number of owners in 1726-79 and post-1779 enclosed townships - 22.1 and 23.6 owners respectively - Martin (1965), op. cit. p.66.

in each district for those townships enclosed 1730-79 and after 1779.

Table 7.15. Mean number of allottees per township at enclosure in the nine districts

<u>District</u>	<u>Townships enclosed 1730-79</u>	<u>Townships enclosed post-1779</u>
1. Jurassic hills	11.7	5.4
2. High Wolds	14.2	16.3
3. Vale of Pickering fringe	8.3	10.0
4. Wold scarp/Jurassic	30.0	21.4
5. Lower Wolds	23.5	18.2
6. Hull valley	27.0	26.6
7. North Holderness	21.5	16.8
8. Middle Holderness	26.1	22.3
9. South Holderness	37.0	19.9

Note: In order to correlate with Table 7.16, owners allotted land in towns are not included in this table.

As the table shows, in almost every district there were more owners per enclosure in the earlier period than in the later; only districts 2, the high Wolds, and 3, the Vale of Pickering fringe, did not conform to this pattern. Unfortunately the numbers of owners in enclosure awards and Land Tax returns cannot be directly compared one with another for several reasons. First, awards excluded those people who only owned old-enclosed land and such owners, unless they owned very small holdings indeed, would probably pay some Land Tax. The second point has already been discussed above, that is that the Land Tax returns would probably not include cottagers with common rights until they were allotted someland in lieu of those rights, and only thereafter would they appear in the returns. However it might be decided to except them from paying tax (this could be done on a purely local level) and in any case, if their allotment was worth less than 20s per annum, after 1798, they were not liable for tax.<sup>23</sup>

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23. 38 Geo. III, c.5 Mingay (1964-5), op. cit. p.383.



Taking these considerations into account it is surprising that the data on mean owners per township shown in Tables 7.14 and 7.15 is so close in so many cases: the figure for townships enclosed 1730-79 for district 1 is exactly the same in the two tables, as is the corresponding figure for district 8; some of the other figures also correspond quite closely. At all events both tables show that in general there were more owners in townships enclosed 1730-79 than there were in those enclosed after 1779.

The discovery that in eastern Yorkshire there were more mean proprietors in townships enclosed 1730-79 than in those enclosed after that date demands an alternative hypothesis to that formulated by Turner for Buckinghamshire, because he linked the trend in ownership he found in that county with the timing of enclosure, suggesting that the higher numbers of owners in later enclosed townships could be seen 'as a direct reason for delayed enclosure'.<sup>24</sup> A possible explanation for the pattern of ownership in eastern Yorkshire (and indeed in other similarly placed areas) may also be linked with the timing of enclosure. It may well be that in townships with numerous owners the restrictions imposed by the open-field system were felt more heavily than they were in townships where owners were relatively few. Agreements on changes in cropping could have been more difficult to introduce in those townships where there were numerous owners. Enclosure by act was possible with the assent of the owners of only three-quarters to four-fifths of the property; changes in the cultivation of the open fields normally demanded general agreement.<sup>25</sup> Many proprietors, anxious to farm their land more efficiently or to urge their tenants to do so, may by the late 1760s and early 1770s have been finding themselves held back by their more

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24. Turner (1980) p.164.

25. Although an act of 1773 did in fact allow the introduction of improvements into the open fields with the consent of the owners of only three-quarters of the property in value, 13 Geo. III, c.81.

conservative neighbours. The more proprietors there were in a township the greater likelihood there was that this would be the case. In a township with only a few owners it would have been possible, by informal agreement, to rearrange the balance of arable to pasture, change the rotations or introduce new crops relatively easily. Moreover in townships with fewer estates, holdings would in any case have been less scattered and therefore less inconvenient to farm, and an enclosure would therefore have brought fewer benefits.<sup>26</sup>

Obviously not only the numbers of owners but also the number of farmers in a township would affect the chances of general agreement on the introduction of new improvements. Tables 7.13 and 7.14 show that the townships enclosed 1730-79 were likely to have more owners than those enclosed after 1779; in Table 7.16 the information on occupancy as shown in the Land Tax returns is given. The table shows somewhat contradictory trends: in the three Holderness districts, numbers 7,8 and 9, there were more occupiers in townships enclosed 1730-79 than there were in those enclosed after 1779; in districts 3, 4 and 5 the numbers were very similar, and in districts 1, 2 and 6 there were more occupiers in townships enclosed after 1779, than in those enclosed before 1780. The figure of 26.2 for post-1779 enclosures in district 2 includes the 122 occupiers in Hunmanby (258), where Isaac Leatham, under the act of 1773, had introduced improvements into the open fields, and by doing so possibly delayed enclosure for another quarter of a century.<sup>27</sup> Without Hunmanby the mean number of occupiers is only 16.6, that is very similar to that for townships enclosed 1730-79.

The mean number of occupiers in old-enclosed townships in districts 2 and 3 is particularly low. Many of these townships were the sites of deserted medieval settlements and their open fields had been converted to

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26. cf. H.L. Gray, 'Yeoman farming in Oxfordshire from the 16th to the 19th centuries', Quarterly journal of economics 24 (1910) p.322.

27. Chapter 2, p. 58.

Table 7.16. Mean number of occupiers in the nine districts of eastern Yorkshire, 1787

<u>District</u>	<u>Old-enclosed</u>	<u>Enclosed 1730-79</u>	<u>Enclosed post-1779</u>
1. Jurassic hills	15.0	19.3	32.8
2. High Wolds	4.8	16.9	26.2 <sup>1</sup>
3. Vale of Pickering fringe	3.0(?) <sup>2</sup>	14.8	15.3
4. Wold scarp/Jurassic	10.0	37.8	36.8
5. Lower Wolds	9.4	24.2	24.1
6. Hull valley	14.6	31.4	50.0
7. North Holderness	11.4	25.2	20.8
8. Middle Holderness	11.6	28.4	19.3
9. South Holderness	5.5	36.0	24.1
Uplands	9.9	25.9	25.7
Lowlands	17.3	29.4	27.8

Notes

1. Includes Hunmanby which had 122 occupiers. Without Hunmanby the mean is 16.6
2. Data incomplete.

pasture at an early date; thus one single farm frequently covered the whole township. Cowlam (45) in the high Wolds was typical: it was owned by the Reverend Barnard Foord who let the entire estate to one man.<sup>28</sup> At Thirkleby (23) also in the high Wolds, the owner, Lord Middleton let his land to two tenants, Samuel Milbourn (an enclosure commissioner) and William Sowersby.<sup>29</sup> There were similar townships in the lower Wolds: at Bracken (76), another deserted medieval settlement, one owner, the Duke of Bridgewater, leased the entire estate to one tenant;<sup>30</sup> at Eastburn (61) two owners leased their land to one man, so that in effect the township was in a single farm;<sup>31</sup> at Easton (242) the sole owner, Sir George Strickland, let the land to two tenants.<sup>32</sup> Such a pattern was typical of many old-enclosed

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28. QDE 1 1787.

29-32. Ibid.

townships in the uplands, but in the lowlands the land was usually more subdivided. First, as Tables 7.13 and 7.14 showed there were on average more owners in lowland than in upland districts; secondly there were more occupiers in the lowlands (Table 7.16). Even in those townships in single ownership it was more likely that the land would be let to several tenants. In Halsham (151), in South Holderness, William Constable owned all the land in 1787, but he let it to five tenants;<sup>33</sup> at Swine (171) in Middle Holderness there were three owners in 1787, but the largest, Sir Francis Wood paid by far the majority of the tax and let his land to twelve tenants; at Rise (192) William Bethell who paid 82 per cent of the tax, had 18 tenants and farmed some land himself.<sup>34</sup>

One noticeable feature of Table 7.16 is the consistently high figures for mean numbers of occupiers in district 6 the Hull valley, especially for townships enclosed after 1779. Even some old-enclosed townships tended to be let in numerous tenancies: at Leconfield (86) the land was owned by six people and let to 52;<sup>35</sup> whilst in Skerne (64) the land was owned by eight and let to 52.<sup>36</sup> The district also included some very populous villages like Sutton (169), Hutton Cranswick (77), Leven (202) and North Frodingham (211).<sup>37</sup> These were 'open' villages where no one owner had overall control of the land. They provided labour for many villages round about and much of the property was sub-let to many small tenants. Even in those with few owners there were often many tenants. At Beswick (81) all the land was owned by one man, John Denison. He kept some land in hand and let the rest to 26 people.<sup>38</sup> As the Table 7.16 shows there were 50.0 mean occupiers in those townships in the Hull valley enclosed after 1779 and if the figures were complete this average might be even higher. A number of townships enclosed by act have been omitted because the Land Tax returns for those townships in the liberty of Beverley have not survived.

Tickton (99), Weel (100), Woodmansey (114) and Thearne (115) all underwent enclosures of their common lands after 1780 (Appendix I).

Owner-occupancy in eastern Yorkshire in 1787

The Land Tax returns constitute the only general source for owner-occupancy in the later 18th and early 19th century, and as such have been used by many researchers to assess the changing fortunes of a group which has long been of considerable interest. The returns vary in the way they record owner-occupiers: most frequently in eastern Yorkshire the word 'self' is used in the occupier column, but 'occupier' is sometimes used and some returns repeat the name of the owner. When 'ditto' is used it can on occasion create some uncertainty as to whether it refers to the owner of the holding or to the occupier above, but familiarity with the records, careful scrutiny of the usual form of words employed and sometimes reference to other year's returns can almost always solve this problem.

The returns can be used in a number of ways to show the distribution of owner-occupiers: they may be expressed in numbers per township, as a percentage of all owners, as a percentage of all occupiers, or, the tax they paid can be expressed as a percentage of the total tax paid in that township or in that district, giving a useful indication of their strength territorially.

Table 7.17. Mean number of owner-occupiers in townships in upland and lowland districts, 1787, 1807, 1827

<u>Districts</u>	<u>Old-enclosed</u>			<u>Enclosed 1730-79</u>			<u>Enclosed post-1779</u>		
	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>
Uplands (districts 1-5)	0.7	1.1	0.9	9.9	10.6	10.7	6.8	7.9	6.7
Lowlands (districts 6-9)	1.7	2.1	2.3	10.8	13.1	12.8	8.7	11.7	10.9

Table 7.17 shows the mean numbers of owner-occupiers per township in the uplands and lowlands of eastern Yorkshire. In conjunction with Table 7.13 it can be used to show the incidence of owner-occupiers in 1787 in townships which were old-enclosed, enclosed 1730-79 and enclosed after 1779. In old-enclosed upland districts in 1787 there were 0.7 owner-occupiers and 4.6 owners, that is only about 15 per cent of owners were also occupiers, but in the lowlands almost a quarter of the owners in old-enclosed townships were occupiers of their own land. For those townships enclosed 1730-79 in the uplands almost half (9.9) of the 20.9 owners occupied the land they owned. In the lowlands for townships enclosed 1730-79, a slightly lower proportion, 10.8 of the 26.2 owners farmed their land. For those upland townships enclosed after 1780 6.8 of the 17.8 owners were occupiers, that is about 38 per cent of owners were owner-occupiers. For the lowlands the figure was almost identical to that for the earlier period, about 40 per cent, since although there were fewer owner-occupiers in townships enclosed later there were also fewer owners.

Table 7.18. Mean number of owner-occupiers in townships in the nine districts, 1787, 1807, 1827

<u>Districts</u>	<u>Old-enclosed</u>			<u>Enclosed 1730-79</u>			<u>Enclosed post-1779</u>		
	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>
1. Jurassic hills	0.9	1.6	1.5	5.3	5.7	4.0	4.0	5.0	6.8
2. High Wolds	1.0	1.0	0.9	5.7	5.5	5.6	5.1	8.1	7.5
3. Vale of Pickering fringe	?	0.3	0.3	5.3	8.7	10.3	4.3	4.2	3.3
4. Wold scarp/ Jurassic	0.5	0.5	0.5	15.3	17.1	17.1	11.4	14.4	14.2
5. Lower Wolds	0.5	1.1	0.6	9.7	9.3	8.4	8.1	7.8	6.6
6. Hull valley	1.4	1.3	1.1	8.2	10.0	9.7	16.8	20.8	17.8
7. North Holderness	1.9	2.1	3.2	8.4	11.0	10.5	3.2	5.0	4.8
8. Middle Holderness	1.7	2.5	2.4	11.9	13.9	12.0	10.0	15.7	12.7
9. South Holderness	1.8	2.3	2.3	15.6	18.8	20.5	7.8	10.0	10.7

Table 7.19. Owner-occupiers as a percentage of all  
owners in the nine districts, 1787, 1807, 1827

<u>Districts</u>	<u>Old-enclosed</u>			<u>Enclosed 1730-79</u>			<u>Enclosed post-1779</u>		
	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>
1. Jurassic hills	12. <sup>8</sup>	23.5	25.0	45.7	41.5	29.3	40.0	43.5	57.4
2. High Wolds	30.0	26.9	24.0	43.0	42.6	47.7	32.8	48.7	48.1
3. Vale of Pick- ering fringe	?	25.0	25.0	37.6	48.1	45.3	41.9	38.5	32.3
4. Wold scarp/ Jurassic	14.3	25.0	25.0	51.0	56.8	53.4	34.5	51.4	53.4
5. Lower Wolds	14.0	25.5	17.1	45.5	41.4	46.7	41.8	41.7	40.6
6. Hull valley	33.3	33.3	32.0	35.2	38.8	38.7	51.9	85.6	55.9
7. North Holderness	26.0	29.2	41.6	36.4	43.7	41.4	24.6	41.7	34.8
8. Middle Holderness	18.9	30.9	27.4	45.5	51.9	44.8	60.0	75.8	60.3
9. South Holderness	38.9	52.9	52.9	46.1	50.5	53.8	34.5	45.3	46.2

When differences between the districts are examined (Tables 7.18 and 7.19) some interesting patterns become apparent. In every district but one there were fewer owner-occupiers proportionately in old-enclosed townships than in those enclosed in the parliamentary enclosure period. In many of the districts the incidence of owner-occupiers in old-enclosed townships was low - less than one fifth in four of them, less than two-fifths in every one. There were few owner-occupiers in other regions studied: Davies found that occupying owners 'had almost ceased to exist' in the old-enclosed midland parishes that he studied,<sup>39</sup> that is, from over 82 per cent of such parishes they had totally disappeared.<sup>40</sup> Martin found that 35 out of 48 old-enclosed Warwickshire townships were without owner-occupiers,<sup>41</sup> and in Lindsey Chambers stated that old-enclosed townships had very few owner-occupiers at all.<sup>42</sup>

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39. Davies, op. cit. p.103.

40. Ibid. p.105.

41. Martin (1965) p.64.

42. J.L. Chambers, 'Enclosure and the small landowner', Ec.H.R. 10 (1939-40) p.123. See also J.L. Chambers, 'Enclosure and the small landowner in Lindsey', Lincolnshire historian 1 (1947) pp.15-20.

In six of the nine districts of eastern Yorkshire owner-occupiers were less strong in those townships enclosed after 1780 than they were in those enclosed 1730-79. This is contrary to Turner's findings in Buckinghamshire; in that county the figures for owner-occupiers as a percentage of owners was 26.8 for old-enclosed townships, 35.2 for townships enclosed before 1780, 36.2 for those enclosed 1780-1800 and 36.1 for those enclosed 1800-20, that is owner-occupiers were slightly stronger in later enclosed townships.<sup>43</sup> Table 7.19 shows that owner-occupiers were stronger proportionately in eastern Yorkshire than they were in Buckinghamshire. In 1787 in every one of the nine districts over 35 per cent of the owners were owner-occupiers in townships enclosed 1730-79; in many the figure was well over 40 per cent. The fact that in most districts, townships with a higher proportion of owner-occupiers tended to be enclosed before 1780 conflicts not only with the evidence from Buckinghamshire but also with that from Lindsey, where Chambers found that there were significantly more owner-occupiers in open-field than in newly enclosed townships.<sup>44</sup> Confirmation of the eastern Yorkshire pattern comes from the findings of Davies who reported that in the Midland counties studied by him:

occupying owners ... were more widely distributed  
and numerous in parishes already enclosed by Act  
than in those yet wholly or partly open,<sup>45</sup>

and also from Martin who found that in Warwickshire owner-occupiers were strongest in those parishes enclosed in the period 1730-79. In Warwickshire 58 per cent of all owners in townships enclosed 1730-79 were owner-occupiers, whereas the comparable figure for old-enclosed parishes was only 23 per cent, with 47 per cent for those enclosed in the period 1780-99,

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43. Turner (1980) p.163.

44. Chambers (1940), op. cit. p.123.

45. Davies, op. cit. p.103.



and only 30 per cent for those enclosed 1800-22.<sup>46</sup>

An alternative, perhaps more revealing method of showing the importance of owner-occupiers is to look not at their numbers, but at the proportion of the tax they paid and hence, indirectly, the proportion of the land they held. The Land Tax returns are admirably suited to such a use; some caution should be employed in interpreting the figures, however, since as already stated the amount of tax paid cannot be directly related to the area of land held. Nevertheless some broad generalisations may be deduced from the figures which are shown for the uplands and lowlands district in Table 7.20. The table shows that owner-occupiers were stronger in terms of

Table 7.20. Percentage of total tax paid by owner-occupiers in upland and lowland districts, 1787, 1807, 1827

<u>Districts</u>	<u>Old-enclosed</u>			<u>Enclosed 1730-79</u>			<u>Enclosed post-1779</u>		
	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>
Uplands	8.4	9.1	7.5	15.1	15.6	18.5	18.3	14.1	16.6
Lowlands	13.0	8.8	9.6	16.1	21.8	21.4	15.8	19.2	20.4

proportion of tax paid in townships enclosed after 1730 in both upland and lowland districts, than they were in old-enclosed districts. In no case did their share in 1787 exceed 18.3 per cent however, so it would seem that whilst they were numerically quite strong, especially in parliamentary-enclosed townships, in terms of the land they owned they were relatively weak. The figures for eastern Yorkshire in 1787 as set out in Table 7.20 may be compared to those from Buckinghamshire in 1785 in Table 7.21.

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46. Martin (1967) p.34.

Table 7.21. Percentage of total tax paid by owner-occupiers  
in Buckinghamshire, 1785, 1825

<u>Type of parish</u>	<u>Percentage paid</u>	
	<u>1785</u>	<u>1825</u>
39 old-enclosed	6.0	7.1
23 enclosed before 1780	16.4	19.9
16 enclosed 1780-1800	15.9	19.5
14 enclosed 1800-1820	21.2	23.1

Source: Turner (1980) pp.164 and 166.

The two regions seem to resemble one another remarkably closely. The owner-occupiers in old-enclosed townships in eastern Yorkshire were somewhat stronger than in Buckinghamshire, but in parliamentary-enclosed townships especially those enclosed before 1780 there is a marked similarity.

Table 7.22. Percentage of total tax paid by owner-occupiers  
in the nine districts of eastern Yorkshire, 1787, 1807, 1827

<u>Districts</u>	<u>Old-enclosed</u>			<u>Enclosed 1730-79</u>			<u>Enclosed post-1779</u>		
	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>
1. Jurassic hills	5.9	6.0	3.9	5.8	5.6	6.1	7.5	12.0	35.0
2. High Wolds	2.1	2.2	5.5	10.7	7.6	8.9	17.8	14.1	12.7
3. Vale of Pickering fringe	-	-	-	9.1	25.2	25.5	14.3	11.1	7.8
4. Wold scarp/ Jurassic	49.8	51.0	51.4	21.1	24.2	27.3	34.2	17.7	12.7
5. Lower Wolds	4.7	6.5	1.5	16.5	10.6	17.3	17.6	13.8	18.0
6. Hull valley	25.2	4.9	11.3	10.3	12.1	14.3	21.7	28.5	23.5
7. North Holderness	8.2	6.9	11.6	17.9	22.8	25.0	7.2	8.7	11.6
8. Middle Holderness	7.9	11.7	8.3	23.8	27.9	22.9	24.5	38.9	31.6
9. South Holderness	8.7	10.9	7.6	17.0	26.3	24.7	14.4	15.0	19.7

In Table 7.22 the proportion of the tax paid by owner-occupiers is shown for all the districts of eastern Yorkshire. For old-enclosed districts the owner-occupiers were very weak in districts 1, 2, 5, 7, 8 and 9, but in

district 4, the Wold scarp/Jurassic, they appear to be very strong, and in district 6, the Hull valley they held over a quarter of all the land. However the figure for district 4 may be dismissed as an aberration: it is based upon only two townships, Kilwick Percy (54) and South Cliffe (92). In Kilwick Percy, Robert Denison, the lord of the manor, had most of the land in hand and it is this that is responsible for distorting the figures. In district 6 a similar case, that of Watton (79) where two very large owners farmed their own land, also distorted the proportions.

For townships enclosed 1730-79 owner-occupiers only exceeded a proportion of one fifth of the tax paid in two districts, the Wold scarp/Jurassic and Middle Holderness, and even in these they were relatively weak. Table 7.19 showed that owner-occupiers formed between a third and a half of the owners in all the districts for townships enclosed in this period; clearly although quite strong in numbers they were not in terms of land owned.

For those townships enclosed after 1780 (that is mostly still in open fields in 1787) except in district 4, the Wold scarp/Jurassic, owner-occupiers were still relatively weak. Nevertheless in all upland districts and in the Hull valley, district 6, they were quite a lot stronger in those townships than in the ones enclosed 1730-79. This is particularly interesting, because as Table 7.19 showed, when owner-occupiers are expressed as a percentage of owners they appear weaker for townships enclosed after 1779 than for those enclosed 1730-79, in all upland districts except district 3. To take an example, in 1787 in district 2, the high Wolds, 43 per cent of the owners were owner-occupiers in those townships enclosed 1730-79, and they paid 10.7 per cent of the tax; in the townships enclosed after 1779 only 32.8 per cent of the owners were also occupiers but they paid 17.8 per cent of the tax (Tables 7.19 and 7.22). It would seem that the owner-occupiers in high Wolds townships enclosed after 1779, although they were less strong as a percentage of owners than in earlier enclosed townships, nevertheless held a higher proportion of the land. The same tendency for owner-occupiers to be stronger

territorially in post-1779 enclosed townships than in those enclosed earlier is apparent in all upland districts. In 1787 these later enclosed townships were still in open fields. They may have been still unenclosed because the owner-occupiers had delayed enclosure, or the owner-occupiers may have been able to survive better in open-field townships. At all events the owner-occupiers in these upland townships were generally not very strong; except in district 4 they paid less than 20 per cent of the tax.<sup>47</sup> The proportion of 34.2 per cent of the tax paid by owner-occupiers in district 4 is striking, but it comes from only five townships and one of those is South Cave (118), a large market village, enclosed 1785-8, where we know that what delayed enclosure was not the opposition of owner-occupiers, but a dispute over the tithes.<sup>48</sup> Certainly South Cave had an exceptionally high proportion of owner-occupiers - 90 out of 102 owners farmed their own land - and together they paid 51.5 per cent of the tax. However, when the bill to enclose South Cave went through the House of Commons in 1785 it was recorded that all parties had consented.<sup>49</sup> /

In district 6, the Hull valley, the proportion of tax paid by owner-occupiers in townships enclosed after 1780 was double that for those enclosed 1730-79, but only four townships are included in the former category, because the Land Tax returns are lacking for townships such as Woodmansey (114), Weel (100), Tickton (99) etc. which are situated in the liberty of Beverley, so the number of cases is not large.

Owner-occupiers were quite weak in terms of the proportion of the tax paid in townships enclosed after 1780 in the three Holderness districts, indeed, in North Holderness they were particularly weak paying only 7.2 per cent of the tax. They were stronger in Middle Holderness than in any other district except the Wold scarp/Jurassic, but only three townships are included in this group so the sample is not large. In North and South

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47. A proportion of one fifth of the property in the township was needed if owners were to prevent enclosure, see Chapter 5, pp. 212-14.

48. See Chapter 5, p. 245.

49. Appendix III.

Holderness they were weaker (in terms of the tax paid) in those townships enclosed after 1779 than they were in those enclosed 1730-79, and Table 7.19 shows that they were also weaker numerically. Whatever delayed the enclosure of half the open-field townships in South Holderness until the second wave of enclosure, the Land Tax returns indicate that a high proportion of land owned by owner-occupiers was not one of the factors.

The studies of the ownership and occupancy of property as revealed by the Land Tax returns made by Davies and Gray suggested a level of owner-occupancy in the midlands counties of around ten per cent (judged by the proportion of tax paid): Davies concluded from his study of 1,395 parishes in Derbyshire, Leicestershire, Lindsey, Northamptonshire, Nottinghamshire and Warwickshire that owner-occupiers in 1780:

contributed only 10.4 of the land tax, so that  
nearly 90 per cent of the land was in the  
occupation of tenant farmers<sup>50</sup>

and Gray concluded that in Oxfordshire 'only nine per cent of the county's rural real estate was in the hands of the independent farmer in 1785'.<sup>51</sup> Since these two studies other researchers have looked at the level of owner-occupancy and their results have produced figures consistently higher than either Davies or Gray. Hunt found that in the 105 Leicestershire villages which he looked at owner-occupiers paid 19 per cent of the Land Tax in 1780;<sup>52</sup> Turner's figures have already been given (Table 7.21) and as he said they 'do not compare well with those for the neighbouring county of Oxfordshire', that is with Gray's findings;<sup>53</sup> in eastern Yorkshire (as in Buckinghamshire) a level of owner-occupancy of only nine to ten per cent was only found in old-enclosed townships, and in those enclosed 1730-79 or after 1779 the proportion was in the range 15 to 25 per cent for most

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50. Davies, op. cit. p.110.

51. Gray, op. cit. p.301.

52. Hunt (1956), op. cit. p.283.

53. Turner (1980) p.165.

districts. The tax paid in 1787 by owner-occupiers in all upland townships was £800 13s 6d (£800.675) out of a total of £5,438 6s (£5,438.3), which is 14.7 per cent; for lowland townships owner-occupiers paid £890 13s 3d (£890.665) out of a total of £5,945 4s (£5,945.2), which is 15.0 per cent. For the whole of eastern Yorkshire owner-occupiers paid 14.9 per cent of the total tax (Table 7.23).

All writers have stressed the critical influence of enclosure date upon the level of owner-occupancy; not all have emphasised the influence of topography, but this is a factor which the present study highlights quite strongly. Table 7.23 shows owner-occupancy levels by district, and there

Table 7.23. Tax paid by owner-occupiers in the nine districts of eastern Yorkshire, 1787, 1807, 1827

<u>District</u>	<u>Total tax</u>	<u>Tax paid by owner-occupiers</u>			<u>Percentage of whole</u>		
		<u>1787</u>	<u>1807</u>	<u>1827</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>
1. Jurassic hills	£741.2	£46.0	£52.475	£75.75	6.2	7.1	10.2
2. High Wolds	£1,137.2	£123.8	£94.25	£102.45	10.9	8.3	9.0
3. Vale of Pickering fringe	£452.85	£40.35	£67.4	£56.0	8.9	14.9	12.4
4. Wold scarp/Jurassic	£1,304.5	£341.3	£325.55	£341.35	26.2	25.0	26.2
5. Lower Wolds	£1,802.55	£248.725	£206.25	£269.25	13.8	11.4	14.9
6. Hull valley	£1,622.55	£285.63	£194.875	£238.05	17.6	12.0	14.7
7. North Holderness	£1,071.45	£127.495	£158.41	£192.6	11.9	14.8	18.0
8. Middle Holderness	£1,454.2	£209.58	£278.82	£215.22	14.4	19.2	14.8
9. South Holderness	£1,797.0	£267.95	£362.2	£369.605	14.9	20.2	20.6
Uplands	£5,438.3	£800.675	£745.925	£844.8	14.7	13.7	15.5
Lowlands	£5,945.2	£890.665	£994.305	£1,015.475	15.0	16.7	17.1
All eastern Yorkshire	£11,383.5	£1,691.35	£1,740.23	£1,860.275	14.9	15.3	16.3

is quite a marked difference between a number of the districts. The one with the lowest proportion of the tax paid by owner-occupiers is district 1,

the Jurassic hills, a district which was predominantly early-enclosed (Chapter 2), and which had relatively few owners (Table 7.15). The district with the highest proportion of its area (over 25 per cent), owned by owner-occupiers is district 4, the Wold scarp/Jurassic district. Apart from this one upland district, the table shows that the owner-occupier was generally stronger in the lowlands than in the uplands, although the proportion for North Holderness is lower than that for the lower Wolds and for the Wold scarp/Jurassic districts. There were of course a number of individual townships in North Holderness with quite high levels of owner-occupancy: at Catwick (201) 37.8 per cent of its Land Tax was paid by owner-occupiers;<sup>54</sup> at Bewholme (208) the figure was 38.2 per cent;<sup>55</sup> at Skipsea (215) it was 27.7 per cent;<sup>56</sup> and at Sigglesthorne (200) it was 29.9 per cent<sup>57</sup> but significantly all these townships were enclosed in the period 1730-79. Of those enclosed after 1779 two, Mappleton (195) and Rowlston (196) had no owner-occupiers<sup>58</sup> and most of the others had only a few. The very high level of owner-occupancy in district 4 is the result first, of there being only two townships out of the 25 in the district that were old-enclosed (we have established a direct connection between a low level of owner-occupancy and old-enclosure) and secondly, by the prevalence in the district of many populous villages which were 'open' in the sense that no large gentry owners controlled the bulk of the property in the township.<sup>59</sup> Even in those villages where a resident gentry owner had a large estate, the rest of the property was much subdivided: at the

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54. QDE 1 1787.

55-58. Ibid.

59. D.R. Mills, Lord and peasant in 19th-century Britain (1980) pp.23-5.

enclosure of Bishop Wilton (38) one man received 1,760 acres, which was 59 per cent of all the land enclosed, but there were 52 allottees;<sup>60</sup> L.B. Barnard, the lord of the manor, was allotted 821 acres when South Cave (118) was enclosed, which was 36 per cent of the land allotted, but there were another 63 allottees, and a level of owner-occupancy (by tax paid) of 51.5 per cent.<sup>61</sup>

David Grigg investigated the level of owner-occupancy in Lincolnshire, and found that a survey mapping the geographical distribution of owner-occupiers revealed some interesting patterns. In South Lincolnshire there was a high proportion of owner-occupancy in the fens, but the heath was farmed mostly by tenants; in the clay vale there was a 'moderate proportion' of owner-occupiers but the majority of the land was farmed by tenants.<sup>62</sup> Grigg suggested several explanations for this pattern. The first hypothesis assumed that at a date prior to the 18th century owner-occupiers had formed a higher proportion of the farming community and were more widely distributed than they were in the early 19th century. Perhaps the processes leading to their decline may have been geographically selective, so that they were found in large numbers only in the more favourable parts of the county. The second hypothesis assumed that there never had been any owner-occupiers in certain areas, for example on the heath in Lincolnshire, so a general decline had simply reduced the numbers in other areas. Johnson had suggested that owner-occupiers had tended to survive in 'favourable' areas, that is where there was particularly fertile land or where the type of farming was suitable for small-scale owner-occupied farms.<sup>63</sup> Grigg stated that this explanation seemed to fit in quite well with the

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60. HUL DDSY/4/151.

61. R.D.B. BG/139/12; QDE 1 1787.

62. D. B. Grigg (1963), op. cit. pp.88-9.

63. A.H. Johnson, The disappearance of the small landowner (1909) p.149.



Lincolnshire distribution, but when the pattern was looked at more closely there were certain inconsistencies. A factor which had to be incorporated in the explanation was the nature and timing of enclosure: in South Lincolnshire old-enclosed parishes were found mainly in the claylands and they were often predominantly under grass. Although owner-occupiers were not entirely absent from these parishes there was some association between their enclosure history and occupancy pattern: of 27 parishes where less than five per cent of the Land Tax was paid by owner-occupiers all but two were old-enclosed.<sup>64</sup> Grigg concluded that a distribution in space was as valuable as one in time. Another study of parishes in Lincolnshire, this time of Lindsey in the north of the county, found quite striking differences between the distribution of owner-occupiers in various geographical locations: Heather Fuller found that in 1816 owner-occupiers were most numerous along the Lincolnshire coast in the marshes, where they paid between 20 and 50 per cent of the tax; in the northern and central Wolds 'there were large tracts with almost no owner-occupiers' and they were not very strong (less than 20 per cent of the tax paid) in the mid-clay vale and the southern Wolds.<sup>65</sup> In Wiltshire in the sheep-corn country of the chalk uplands Kerridge stated that from occupying about one third of the land in the mid-17th century 'family farms', that is those which were owner-occupied had diminished quite markedly so that by the 19th century owner-occupiers were 'no longer of much significance' as a class.<sup>66</sup> As Table 7.23 shows in the high Wolds (the chalk uplands) of eastern Yorkshire owner-occupiers only paid about a tenth of the tax in 1787, that is they were in a very weak position territorially by that date. How long this had been the case the Land Tax returns cannot tell us.

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64. Grigg (1963), op. cit. p.93.

65. Fuller, op. cit. p.45.

66. Kerridge, op. cit. p.58.

They can however answer the question of how the owner-occupier fared in the next forty years, a period when there was a very marked inflation of prices and a long-drawn out war, and this is the approach to the Land Tax returns which will be taken in the next section.

The changing pattern of ownership and occupancy, 1787-1827

When the pattern of ownership change between 1787 and 1827 is assessed (Table 7.15) it appears that there had been an increase in the mean numbers of owners in old-enclosed townships in four of the nine districts, but no clear geographical pattern is discernable and the differences are minimal. In townships enclosed 1730-79 there had been an increase in mean numbers of owners in almost all districts, only numbers 2 and 5, the high and lower Wolds had seen any decrease. In those townships which mostly had undergone enclosure in the intervening years (1787-1827) there had been an increase in numbers of owners in the Holderness districts, but in the upland districts in 1827 the figures were either more or less the same, or slightly lower than in 1787, and this was also the case in the Hull valley, district 6. In Holderness where there had been an increase, it was very small in North and South Holderness, although in Middle Holderness a rise from 16.7 to 21 seems more significant. However there are only three townships in this group and the rise in numbers is really based upon only one of them, Roos (159). From most of the information in the table it appears that enclosure per se did not have the effect of increasing the numbers of owners paying Land Tax in eastern Yorkshire, although it has been suggested that this was the case in other regions.<sup>67</sup> Generally any rise in the numbers of proprietors of very small estates - those

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67. e.g. Davies, op. cit. p.103; J. Thirsk, 'Agrarian history, 1540-1950', V.C.H. Leicestershire 2 (1954) pp.234-5.

allotted land in lieu of common rights - was counterbalanced by the removal from the records in 1798 of owners of land worth less than 20 shillings per annum.<sup>68</sup> It is interesting that the category of townships where there was an overall rise in numbers of owners between 1787 and 1827 (those enclosed 1730-79) was that where they were already most numerous in 1787. The fact that the land in these townships had been enclosed by act before 1787 does not appear to have encouraged any marked consolidation of estates.

Turner found that in Buckinghamshire there was a decrease in the numbers of owners per parish in all categories of enclosure,<sup>69</sup> and Hunt also found a decrease, a factor which he attributed not to enclosure, but to a gradual process of engrossing, that is the transfer of property from small to large owners.<sup>70</sup> The material in Table 7.15 does not show such a pattern for eastern Yorkshire so it would appear that little engrossing was taking place in the region, although we know that there were some townships where this was certainly not the case.<sup>71</sup>

Tables 7.17 and 7.18 show the mean level of owner-occupation in eastern Yorkshire over a 40-year period. At first glance the tables seem to show relatively little change but when expressed as a percentage of owners (Table 7.19) quite a marked change in the relationship of occupancy to total landownership is revealed. Taking first of all the old-enclosed townships, Table 7.19 shows that in six districts owner-occupiers increased proportionately over the period and in townships enclosed 1730-79 there was also a rise in almost every district. The same trend was apparent in townships enclosed during the 40-year period, 1787-1827, with only district 3

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68. See above.

69. Turner (1980) p.165.

70. Hunt (1958-9), *op. cit.* pp.504-5.

71. See Chapter 8, pp.498-512.

showing a decrease. Clearly owner-occupiers had strengthened proportionately between 1787 and 1827 and, as the table also shows, in most cases the sharpest rise occurred between 1787 and 1807, with in some instances a slight falling back in strength between 1807 and 1827, though still not to the level of 1787. This finding is very similar to the pattern which Davies found in the midland counties that he studied. From 1780-6 until 1802 he found a marked increase in numbers of owner-occupiers with something of a reversal between 1802 and 1832.<sup>72</sup> Chambers found that in Lincolnshire there was a rapid rise in owner-occupancy from 1790 to 1812. He did not find the slump after 1802 detected by Davies, but he found that from 1812 to 1830 the rise was less marked.<sup>73</sup> Chambers also found that the increase in owner-occupiers was most marked in villages enclosing in the period 1790-1832.<sup>74</sup> As Table 7.19 shows in some districts of eastern Yorkshire this was also true: all districts except 3 and 5 show a marked rise in owner-occupancy for those townships enclosed after 1779 whereas for those enclosed 1730-79, although most of them show a rise, it was less sharp. It looks as though enclosure in eastern Yorkshire was certainly not detrimental to the small owner-occupier. It is generally accepted that during the Napoleonic war years, owner-occupancy increased as sitting tenants bought property when profits were high.<sup>75</sup> In eastern Yorkshire owners increased slightly in numbers and owner-occupiers increased rather more. It only remains to show whether they also increased in terms of the land they controlled and Table 7.22 shows how their position in so far as tax paid is concerned, changed between 1787 and 1827. As the

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72. Davies, op. cit. p.108.

73. Chambers (1939-40), op. cit. p.118.

74. Ibid. p.123.

75. Davies, op. cit. p.112; Turner (1980) p.166 and note 38, p.229. See also A.H. John, 'Farming in wartime: 1793-1815', in: E.L. Jones and G.E. Mingay, Land, labour and population in the Industrial Revolution ... (1967) pp.28-47.

table shows, the picture is very variable. In most districts for areas with most types of enclosure histories there was an increase over time: for old-enclosed townships there was an increase in owner-occupancy in four districts, and a decrease in four;<sup>76</sup> for townships enclosed 1730-79 there was an increase in seven and a decrease in two; for townships enclosed after 1779 there was an increase in six, and a decrease in three. Lowland townships enclosed after 1730 show a consistent increase with only one exception. For upland townships the pattern is more mixed. In districts 2, 3 and 4 there was quite a sharp decline in the level of owner-occupancy for townships enclosed after 1780 although in most of the uplands there was a rise before that date.

Table 7.24. Owner-occupiers as a percentage of owners, 1787, 1807, 1827

<u>District</u>	<u>1787</u>	<u>1807</u>	<u>1827</u>
1. Jurassic hills	26.7	33.3	35.6
2. High Wolds	37.3	44.7	46.3
3. Vale of Pickering fringe	39.7	44.1	40.3
4. Wold scarp/Jurassic	46.8	55.5	53.2
5. Lower Wolds	41.3	40.3	41.1
6. Hull valley	40.9	51.1	44.0
7. North Holderness	32.5	39.4	40.3
8. Middle Holderness	38.8	49.3	42.1
9. South Holderness	41.1	48.5	50.8
Uplands	41.2	46.1	45.9
Lowlands	38.5	47.4	44.7
All eastern Yorkshire	40.0	46.7	45.3

Tables 7.23 and Tables 7.24 show the fortunes of the owner-occupiers in eastern Yorkshire in terms of the tax paid and of their strength as a class in 1787, 1807 and 1827. Over the 40-year period they strengthened,

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76. Figures not available for district 3.

both in terms of their relationship to total owners (Table 7.24) and in terms of the proportion of the Land Tax they paid (Table 7.23). In 1787 in the uplands owner-occupiers comprised 41.2 per cent of the total owners and paid 14.7 per cent of the tax, and in 1807 they comprised 46.1 per cent of the owners, but their share of the tax had dropped to 13.7 per cent. In 1827 they formed 45.9 per cent of the owners and paid 15.5 per cent of the tax. The differences are not immense but they show no weakening of owner-occupiers in that 40-year period. In the lowlands there is a similar trend upwards: in 1787 owner-occupiers comprised 38.5 per cent of all owners and paid 15 per cent of the tax; in 1807 they were stronger in terms of numbers, forming 46.7 per cent of all owners and their share of the tax had risen to 16.7 per cent; in 1827 they were slightly less strong being 44.7 per cent of the owners, but their share of the tax had risen to 17.1 per cent. As Table 7.24 shows the steepest rise in most districts in owner-occupancy occurred in the period 1787 to 1807. In most districts the trend was still upward from 1807 to 1827, but less steeply so; in districts 3, 4, 6 and 8 there was a drop between 1807 and 1827. During this period the prosperity which farmers enjoyed during the war began to recede, and from 1815 prices dropped and land-lords, tenants and owner-occupiers began to experience a period of agricultural depression. By the late 1820s rents were having to be reduced when tenants were unable to pay.

Turner suggested that the rise in owner-occupancy which he found in Buckinghamshire between 1805 and 1825 may have been an illusion, that is, it may have represented a taking of more land in hand by landlords who found difficulty in finding tenants for their farms, rather than an increase in small or medium owner-occupiers. When information from Tables 7.23 and 7.24 is co-ordinated, this is a suggestion which would seem to fit the findings on land-holding in eastern Yorkshire. Table 7.23 showed that there was an increase in the proportion of the land in the hands of

owner-occupiers, not only between 1787 and 1807, but also between 1807 and 1827. Table 7.24 showed that although the proportion of owner-occupiers as a percentage of all owners undoubtedly increased between 1787 and 1827, when the figures for 1807 are taken into account it is clear that the owner-occupiers were losing ground between 1807 and 1827, in both upland and lowland districts, that is, whilst slightly more land was being farmed by owners in 1827 than was the case in 1807, slightly fewer owners were involved.

Confirmation of the difficulties being experienced by farmers in the 1820s comes from the correspondence of Lord Hotham's agent, John Hall. In 1823 he wrote to his employer that the Sykes family:

have a great many farms about Sledmere without  
Tenants and there are others in a similar  
predicament. Times dont appear to improve.<sup>77</sup>

By January 1830 he was reporting that all Hotham's tenants could not pay their rents and many landlords were making reductions. 'Estates are getting out of condition from the great loss of capital'.<sup>78</sup> Hotham reduced the rents but in September the tenants were still in distress. Hall wrote:

I think half the tenants I am concerned with will  
either give or have notice given them for not  
being able to pay their rent ... the reduction must  
be very considerable. If we part with good  
Tenants we shall assuredly regret it, and I do  
really believe that many farms must be without  
occupiers.<sup>79</sup>

In October Hall had 'many Farms to let'. This evidence of distress amongst farmers from the early 1820s onwards taken in conjunction with the drop in owner-occupiers as a percentage of owners between 1807 and 1827 (Table 7.24) and the rise in the tax they paid in that period (Table 7.23)

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77. HUL DDHO 8/3.

78. HUL DDHO 8/5.

79. Ibid.

certainly suggests some degree of selling up by owner-occupiers experiencing difficulty, accompanied by the taking in hand of land by landlords.<sup>80</sup> An investigation of the Land Tax returns for 1832 would probably reveal a continuation of this process.

### Conclusion

The evidence from the enclosure awards for eastern Yorkshire showed that by the period 1760 to 1830 much of the land in those townships enclosed by act was in the hands of very substantial owners. This was especially marked in upland districts, although in district 4, the Wold scarp/Jurassic, there was a strong body of medium to small owners. In the lowlands the large estates still occupied quite a high proportion of the land allotted, but there were very few of the very large (over 500 acres) holdings which were typical of the Wolds districts. Analysis of the information on the social and economic status of the people receiving land at enclosure showed that the gentry were very strong indeed territorially although the aristocracy did not possess a very large share of the land. Many of the gentry owners were members of long-established families, property owners in eastern Yorkshire for several centuries; others were comparative newcomers, frequently they were Hull merchants or members of the professional classes. Some institutions were quite important as landowners, and the church was a very large proprietor indeed, partly as a result of the commutation of the tithes, which placed very large estates in the hands of clerics. The humbler allottees, usually identified in the awards as 'yeomen' were territorially very weak indeed. The majority of this group were resident in the township being enclosed and so might be tentatively identified as owner-occupiers.

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80. See Chapter 8, the case of South Dalton, pp. 499-507.



The Land Tax returns indicate that most of the land in eastern Yorkshire was tenanted; even in recently enclosed and open-field townships no more than 15 to 20 per cent of the land was in the hands of owner-occupiers, in old-enclosed townships even less. When calculated in terms of their numbers, rather than the proportion of the land they occupied, owner-occupiers formed only about one third to one half of all the owners listed for townships enclosed after 1730, whilst in old-enclosed townships they comprised about one sixth to one fifth of all owners. Over the period covered by the Land Tax returns, their position strengthened somewhat, but **only** marginally.

Comparisons with other areas have been made throughout this chapter, and it would seem that in many respects the structure of landownership in eastern Yorkshire did not differ dramatically from other regions. Much emphasis has been placed in this study on geographic variations: the tables show that the landownership structures of the nine districts exhibit interesting divergences. Like other chalk upland districts, for example the Lincolnshire Wolds, the Wiltshire downs and the Chilterns, property on the Yorkshire Wolds was predominantly in the hands of large landlords, whilst in the lowlands, as in the Midland clay districts, the ownership was more diffuse. Turner's principal conclusion from his study of Buckinghamshire enclosure awards and Land Tax returns was that in that county there still existed, at least in later enclosed parishes, a strong 'peasantry'. He based his definition of peasantry primarily upon allotment size, that is, following Lavrovsky he identified the group as those owners receiving less than 200 acres. As the awards for eastern Yorkshire show, this group was never very strong in most of the uplands districts, although in the lowlands, especially in Middle and South Holderness they received over 60 per cent of the land allotted. However, as the information on social and economic status recorded in the awards shows the

'yeoman' was very weak territorially in all parts of eastern Yorkshire. As indicated, the information on the social and economic status of allottees cannot be entirely relied upon, being the result of subjective judgement (on the part of the commissioners, presumably), but the information from the Land Tax returns on owner-occupancy may be used to assess the extent to which the land of eastern Yorkshire was still in the hands of the 'peasantry', for surely in this context the crucial test must not be the size of acreage allotted, but whether or not the allotments were farmed by the owner. The returns indicated that eastern Yorkshire could by no means be described as having a strong peasantry in 1787, except perhaps in district 4, the Wold scarp/Jurassic district, where 26.2 per cent of the tax was paid by owner-occupiers, and in district 9, South Holderness, where the figure was 20.6 per cent. Taking eastern Yorkshire as a whole, only 14.9 per cent of the land was in the hands of owner-occupiers in 1787, so the 'peasantry' would appear to be relatively weak overall in the region, especially when gentry owner-occupiers are taken into account. However, as Table 7.23 shows, during the period 1787 to 1827 there was no decline in the incidence of owner-occupancy, and other tables have shown that enclosure does not seem to have affected the owner-occupier detrimentally. This chapter has dealt with general trends; but it is only by examining enclosure and landownership change in detail, at the local level, that the real effects can be assessed, and therefore in the concluding chapter a close analysis will be made of a number of townships undergoing enclosure.

CHAPTER EIGHT. LANDOWNERSHIP AND ENCLOSURE II:

THE CASE STUDIES

The debate upon the effects of enclosure upon landholding, particularly by the smaller proprietor, has had a long history, and as each new researcher has added to the body of evidence general opinions upon the matter have been modified. In the early years of the 20th century several studies were published which argued that enclosure led to a decline in the number of small proprietors: that is they agreed with the Marxian indictment of enclosure as dealing a death blow to what remained of the peasantry.<sup>1</sup> The best known of these studies, the Hammonds' book, The village labourer, is a brilliant and powerful study of an emotive subject, the divorce of the small proprietor from his land, and the authors' use of their material is very convincing. The book was described in 1966 by G.E. Mingay as 'a masterpiece ... [which] established what is still for all but the specialist the accepted view of enclosure'.<sup>2</sup> However, the main failing of The village labourer is its reliance upon a few, probably untypical cases; as Mingay pointed out in an introduction to the 1978 edition:

the book's systematic, logical approach concealed many fundamental weaknesses and distortions. The most general of these weaknesses, perhaps, concerns the typicality of the changes and conditions discussed, the question of how far the argument is well founded in terms of numbers of people and the geographical areas involved.<sup>3</sup>

At about the same time as the Hammonds were writing their study other

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1. See for example W. Hasbach, A history of the English agricultural labourer (1908) - translated from the German ed. published Leipzig, 1894; G. Slater, The English peasantry and the enclosure of common fields (1907); H. Levy, Large and small holdings: a study of English agricultural economics (Cambridge, 1911); J.L. and B. Hammond, The village labourer (1911). For a general discussion on the historiography of the part played by enclosure upon the ownership of land by smaller proprietors, see G.E. Mingay's introduction to E.C.K. Gonner, Common land and inclosure. 2nd ed. (1966) pp.xxiii-xliv.
  2. Mingay, op. cit. p.xliii.
  3. G.E. Mingay's general introduction to J.L. and B. Hammond, The village labourer (New ed., with new introduction and bibliographical note, 1978) p.xi.

historians were examining the effects of enclosure on landholding: A.H. Johnson's study, The disappearance of the small landowner, was published in 1909, and H.L. Gray's article on yeomen farming in Oxfordshire was published in 1910.<sup>4</sup> Both these writers used the Land Tax returns to assess the changing fortunes of the smaller proprietors and adopted a much more detached and statistical approach to the subject so that their work never achieved the popularity and fame of the Hammonds' study. In 1927 an article by E. Davies was published in the Economic history review.<sup>5</sup> Like Johnson and Gray, Davies made a systematic study of landholding as evidenced by the Land Tax returns and all three writers independently reached similar conclusions: first, that the small owner declined in strength before the era of parliamentary enclosure, and secondly that during the period covered by the Land Tax returns, far from weakening still further, the small owners strengthened when measured by the proportion of land they held. Their work suggested that whilst enclosure may have been damaging to the interests of some smaller owners, nevertheless, when examined as a class, the smaller proprietors did not appear to suffer from enclosure. This new analysis of enclosure and landholding became the new orthodoxy, at least in academic circles, although the Marx-Hammond view of the subject lingered on in the public mind, and does so to this day. In later editions of their book the Hammonds failed to modify their earlier conclusions, indeed to have done so would have undermined the foundations of their arguments to an unacceptable degree. Like Marx before them<sup>6</sup> the Hammonds were guilty of selective use of sources; their book is probably the most readable study of parliamentary enclosure but it needs to be treated with caution.

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4. A.H. Johnson, The disappearance of the small landowner (1909); H.L. Gray, 'Yeoman farming in Oxfordshire from the 16th century to the 19th', Quarterly journal of economics 24 (1910) pp.293-326.
  5. E. Davies, 'The small landowner 1780-1832, in the light of the Land Tax assessments', Ec.H.R. 1 (1927) pp.87-113.
  6. K. Collins, 'Marx on the English agricultural revolution: theory and evidence', History and theory: studies in the philosophy of history 6 (1967) pp.372-6.

In the 1940s and 1950s the work of J.D. Chambers and W.E. Tate<sup>7</sup> seemed to confirm the view that enclosure was not only economically beneficial (the Hammonds did not dispute this), but also that its harmful effects upon village society had been overstated. In 1966, when J.D. Chambers and G.E. Mingay published their study of the agricultural revolution, their analysis of parliamentary enclosure emphasised the economic benefits, and played down or dismissed any social damage it may have brought with it.<sup>8</sup>

In the 1950s, 1960s and 1970s a number of detailed county studies contributed much to the body of knowledge upon the effects of enclosure,<sup>9</sup> and in recent years a new group of scholars has emerged who have begun to question in their turn the by now widely accepted view that enclosure had in general not been injurious to the smaller owners. In 1975 M.E. Turner published a study of landownership and enclosure in Buckinghamshire.<sup>10</sup> He used the Land Tax returns not only upon an aggregative level, but also to identify actual individuals holding land in townships on the eve of enclosure and to trace their survival as owners over the crucial ten-year period during which enclosure took place. By adopting this methodology Turner was able to show that although the structure of landownership appeared to change very little 'the personal constitution of landownership was sometimes restructured completely'.<sup>11</sup> This study was a useful and

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7. J.D. Chambers, 'Enclosure and the small landowner', Ec.H.R. 10 (1940) pp.118-27; J.D. Chambers, 'Enclosure and labour supply in the Industrial Revolution', Ec.H.R. 5, second series (1952-3) pp.319-43; for Tate's work see bibliography.
  8. J.D. Chambers and G.E. Mingay, The agricultural revolution, 1750-1880 (1966) Chapter 4: 'Enclosure', pp.77-105.
  9. Most notably H.G. Hunt, The parliamentary enclosure movement in Leicestershire, 1730-1840 (University of London, unpublished Ph.D. thesis, 1956); J.M. Martin, Warwickshire and the parliamentary enclosure movement (University of Birmingham, unpublished Ph.D. thesis, 1965); M.E. Turner, Some social and economic considerations of parliamentary enclosure in Buckinghamshire, 1738-1865 (University of Sheffield, unpublished Ph.D. thesis, 1973).
  10. M.E. Turner, 'Parliamentary enclosure and landownership change in Buckinghamshire', Ec.H.R. 27, second series (1975) pp.565-81.
  11. *Ibid.* p.569.

original contribution to the debate, suggesting that by looking at the Land Tax returns purely in terms of numbers paying tax earlier researchers had failed to detect a large-scale transfer of property during the enclosure years.

In 1979 J.M. Martin published a study of the small landowner and parliamentary enclosure in Warwickshire.<sup>12</sup> The study was based upon information from poll books, enclosure awards and Land Tax returns, but Martin adopted a different approach from that of Turner, choosing to look at the information in the returns in terms of the amount of tax paid and the fluctuations over time,<sup>13</sup> rather than to undertake a detailed investigation of individual persons. Martin found that in the Warwickshire townships investigated by him 'the small landowner was seen to decline as a class by perhaps 25 per cent within a decade of enclosure',<sup>14</sup> and this is a finding which is in direct conflict with Mingay's assertion that 'the Land Tax evidence ... leaves no doubt that on balance small owners could not have been severely affected by parliamentary enclosure'.<sup>15</sup>

Both Turner and Martin were convinced, having studied the evidence available to them in considerable detail, that in their counties at least, enclosure had the effect of inducing many small owners to sell. In Buckinghamshire whilst there was no significant drop in the number of owners paying Land Tax over the enclosure period (except in one or two parishes), there was a considerable diminution in the ranks of original owners: in a number of parishes well over half of the owners had disappeared from the tax returns at the end of the ten-year period.<sup>16</sup> A

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12. J.M. Martin, 'The small landowner and parliamentary enclosure in Warwickshire', Ec.H.R. 23, second series (1979) pp.328-43.

13. That is ten years before the enclosure and ten years after it.

14. Martin, op. cit. p.343.

15. G.E. Mingay, Enclosure and the small farmer in the age of the Industrial Revolution (1968) pp.24-5.

16. Turner (1975), op. cit. pp.575-80.

similar study of the Land Tax and enclosure in Northamptonshire by J.M. Neeson<sup>17</sup> revealed an even higher rate of loss of original owners than in Buckinghamshire: the average loss of original owners in Northamptonshire was 46 per cent,<sup>18</sup> whilst in Buckinghamshire it was 38.7 per cent.<sup>19</sup>

In his study Turner concentrated upon ownership units and did not discuss whether the disappearing owners were occupiers or landlords. Neeson however did look at this factor and found that the loss in original owners affected landlords and owner-occupiers alike: approximately half of the landlords and half of the owner-occupiers no longer held land at the end of the enclosure period.<sup>20</sup> Martin also used the Land Tax returns to investigate the changing fortunes of owner-occupiers and concluded that whilst by the 1780s the small owner-occupier in Warwickshire, as in most other counties, was in a relatively weak position in terms of land held, he did not decline to the same extent over the enclosure period as did the small landlord.<sup>21</sup> In Warwickshire 'a large number of the holdings found to be changing hands were tenant-occupied' and Martin suggested that the selling which Turner had detected in Buckinghamshire could have primarily involved land which was leased rather than owner-occupied.<sup>22</sup>

▷ In this chapter an attempt will be made to obtain answers to the same questions posed by Turner, Martin and Neeson. What was the effect of enclosure upon landholding in eastern Yorkshire townships undergoing enclosure? Which people were buying property and which people were selling? Were proprietors taking out mortgages in order to finance enclosure? Did

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17. J.M. Neeson, Common right and enclosure: Northamptonshire, 1720-1800 (Unpublished Ph.D. thesis, University of Warwick, 1977).

18. Ibid. p.209.

19. Turner (1975), op. cit. p.568.

20. Neeson, op. cit. pp.211-13.

21. Martin (1979), op. cit. p.337.

22. Ibid. p.329.

owner-occupiers decline over the enclosure period? Did enclosure have a detrimental effect upon the small landowner in eastern Yorkshire?

The case studies (i) Property transactions recorded over a 30-year period

A detailed study has been made of the landownership structure and changes in landholding during the enclosure process in 34 eastern Yorkshire townships. The townships were chosen firstly because they were enclosed between 1785 and 1832, the years for which the Land Tax returns are extant, and secondly because other sources on landownership apart from the enclosure award and the Land Tax returns are available to add detail to the picture of landholding obtained from these two sources. The most useful source, and one almost unique to this region, is the Register of Deeds at Beverley. Only four deeds registries were established in England: in the West Riding of Yorkshire in 1704; in the East Riding in 1707; in Middlesex in 1708; and in the North Riding in 1736.<sup>23</sup> Justices in other counties attempted to establish registries during the 18th century but were unsuccessful.<sup>24</sup> The purpose of the registries was to provide a record of every property transaction involving freehold land. In the early years of their history the registers were probably incomplete, since registration was optional, but it soon became the accepted practice for registration to take place, since it was in the interests of all parties to have an official written record of property transactions. Failure to register a deed was very rare in Middlesex<sup>25</sup> and there seems little reason to expect that the situation was otherwise in the East Riding,

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23. For a useful introduction to deeds registries see F. Sheppard and V. Belcher, 'The deeds registries of Yorkshire and Middlesex', Journal of the Society of Archivists 6 (1980) pp.274-86.

24. Ibid. p.276.

25. Ibid. p.277.



especially in the late 18th and early 19th centuries, when the registry had been in operation for about a century. Copyhold transactions were excluded from the register; they continued to be recorded in the manorial court book.

The deeds were written in an abbreviated form (that is they were 'memorials' of deeds rather than straightforward copies of the originals) in large folio volumes, in the order in which they were presented to the clerk. Fortunately index volumes to the register were compiled at the same time, the memorials being indexed from the earliest years under the name of the township in which the land was situated. From 1828 another index of all the parties involved was also compiled. By using the index volumes for townships it has been possible to trace all transactions (including mortgages) involving freehold land in the 34 townships being studied and to record the level of activity of buying, selling and mortgaging for the pre-enclosure, enclosure and post-enclosure periods.

The main disadvantage for historians using the Yorkshire deeds registries is the brevity of the record. In Middlesex the nature of the transaction - bargain and sale, lease and release, mortgage - was generally stated, but in Yorkshire this was not always done, and it is thus not always possible to establish beyond doubt that land was being sold rather than merely mortgaged or vice versa. Nevertheless, the register provides an invaluable source of information upon property transactions, and in conjunction with other sources, throws considerable light upon the property market in a township undergoing enclosure.

Together with the register, manorial records have been used to trace the transferring and mortgaging<sup>26</sup> of copyhold land, and estate records where available have also provided a useful source. Turner made a limited use of copyhold transfers in his work on Buckinghamshire, and found 'increased activity upon enclosure',<sup>27</sup> but he stated that he could not

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26. Mortgages of copyhold land were recorded as 'conditional transfers'.

27. Turner (1975) p.571.

make extensive use of manorial records since they had not survived in sufficiently large numbers. In eastern Yorkshire they are relatively common, but many townships had little or no copyhold land; where manorial records are available and are relevant they are an exceptionally good source, since they include much detail upon the nature of the transaction they record, and often include the sum paid for the property.

The 34 townships selected for the study constitute a good cross-section of eastern Yorkshire townships both geographically and by ownership structure, given the fact that they were taken from those townships enclosed after 1785. The group comprises 12 townships in the lowlands and 22 townships in the uplands.<sup>28</sup> They range from Thixendale where only two owners were named in the enclosure award, to Hornsea where 62 owners were allotted land. The mean number of owners at enclosure in the group was 19.6 and the median was 17.5, which compares with a figure of 20.0 mean and 15.5 median owners for all eastern Yorkshire townships enclosed between 1780 and 1830.<sup>29</sup> In Table 8.1 the townships are listed by date of enclosure, with their total acreage, acreage allotted by award and number of owners involved. Table 8.2 shows the landholding distribution at enclosure in the case study townships.

By using the index volumes of the Registry of Deeds in conjunction with manorial records for copyhold transactions it has been possible to show the level of activity on the land market in each township over a 30-year

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28. Eight townships are in district 2, the high Wolds, two in district 3, the Vale of Pickering fringe, 12 in district 5, the lower Wolds, one in district 6, the Hull valley, two in district 7, North Holderness, three in district 8, Middle Holderness, and six in district 9, South Holderness. They could not be selected to represent each district equally since only those enclosed after 1785 could be included in the study and some districts, most notably district 4, the Wold scarp/Jurassic, were almost entirely enclosed before that date. Moreover the availability of good sources dictated the choice after date of enclosure.

29. See Chapter 4 for changes in number of owners at enclosure for townships enclosed at different periods, Table 4.7, p. 195.

Table 8.1. Enclosure data for the  
case study townships

Dis- trict	Map No.	Township	Enclosure date	Total acreage	Acreage enclosed	Density <sup>1</sup>	Prop- rietors
8	159	Roos	1783-6	2,528	1,554	61.5	42
8	172	Coniston	1789-90	602	540	89.7	4
5	66	Southburn	1793-7	1,103	1,017	92.2	12
9	154	Withernsea	1793-7	746	454	60.9	13
9	153	Hollym	1793-7	2,120	1,445	68.2	28
5	117	Skidby	1793-5	1,561	1,152	73.8	32
5	59	Tibthorpe	1794-6	2,885	2,760	95.7	16
5	74	Lund	1794-6	3,078	2,227	72.4	18
2	40	Thixendale	1795-6	3,812	2,437	63.9	2
5	75	Holme on the Wolds	1795-8	1,516	1,444	95.3	15
9	143	Holmpton	1800-7	1,875	864	46.1	17
2	258	Hunmanby	1800-9	6,994	6,353 <sup>2</sup>	72.0	35
5	110	Riplingham	1801-3	1,800	1,374	76.3	5
5	111	Little Weighton	1801-3	1,600	1,546	96.6	9
2	21	Helperthorpe	1801-3	2,593	2,492	96.1	4
2	20	Weaverthorpe	1801-3	2,977	2,854	95.9	12
3	268	Staxton	1801-3	1,576	1,456	92.4	14
2	22	East and West Lutton	1801-4	2,624	2,454	93.5	15
7	206	Hornsea	1801-9	3,316	2,198	66.3	62
6	211	North Frodingham	1801-8	3,137	2,269	72.3	54
5	239	Marton/Sewerby	1802-11	2,116	1,554	73.4	18
3	269	Flixton	1802-7	2,561	2,418	94.4	20
7	193	Withernwick	1802-14	2,822	1,701	60.3	20
9	147	Keyingham	1802-5	3,549	1,404	39.6	42
2	47	Fimber	1803-6	1,927	1,809	93.9	6
2	46	Wetwang	1803-6	3,436	3,185	92.7	18
5	69	Middleton on the Wolds	1803-5	3,664	3,454	94.3	23
9	149	Ryhill	1805-10	1,574	1,396	88.7	14
8	161	Elstronwick	1806-13	1,159	893	77.0	18
9	156	Owthorne	1806-15	1,052	596	56.7	20
2	48	Fridaythorpe	1810-17	1,920	1,834	95.5	21

Dis- trict	Map No.	Townships	Enclosure date	Total acreage	Acreage enclosed	Density <sup>1</sup>	Prop- rietors
5	257	Reighton	1811-20	1,827	1,593	87.2	6
5	87	Etton	1818-20	3,729	2,894	77.6	19
5	88	South Dalton	1822-7	1,844	1,603	86.9	4

1. i.e. acreage enclosed by act as a percentage of total acreage
2. Includes allotments in Fordon.

Table 8.2. Landownership structure at enclosure in the case study townships<sup>1</sup>

Date	Township	Acreege enclosed	Church	>500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a	Other
1783-6	Roos %	1,554(42) <sup>2</sup>	337(1) 21.7		201(1) 12.9	339(2) 21.8	231(4) 14.9	358(13) 23.0	71(13) 4.6	16(12) 1.0		1 0.1
1789-90	Coniston %	540(5)			275(1) 50.9	104(1) 19.2	159(2) 29.4		4a.(1) 0.1			2 0.4
1793-7	Southburn %	1,017(12)		319(1) 31.4	474(2) 46.6	156(1) 15.3		43(2) 4.2	15(2) 1.5	7(4) 0.7		3 0.3
1793-7	Withernsea %	454(14)	3(1) 0.7			114(1) 25.1	160(2) 35.2	157(7) 34.6	18(2) 4.0	2(2) 0.4		
1793-7	Hollym %	1,445(28)	246(1) 17.0		212(1) 14.7	559(4) 38.7	209(3) 14.5	177(7) 12.2	17(2) 1.2	19(11) 1.3		6 0.4
1793-5	Skidby %	1,152(32)	178(1) 15.4	364(1) 31.6		134(1) 11.6	142(2) 12.3	296(10) 25.7	14(2) 1.2	22(16) 1.9		2 0.2
1794-6	Tibthorpe %	2,760(16)	14(1) 0.5	614(1) 22.2	238(1) 8.6	149(1) 5.4	185(2) 6.7	95(3) 3.4		12(4) 0.4		6 0.2
1794-6	Lund %	2,227(19)	153(1) 6.9	858(1) 38.5	359(1) 16.1	539(4) 24.2	221(3) 9.9	70(2) 3.1	7(1) 0.3	13(7) 0.6		7 0.3
1795-6	Thixendale %	2,437(2)		2,374(1) 97.4			63(1) 2.6					
1795-8	Holme on the Wolds %	1,444(15)		472(1) 32.7	526(2) 36.4	329(2) 22.8		77(2) 5.3	22(3) 1.5	14(5) 1.0		4 0.3
1800-7	Holmpton %	864(18)	109(1) 12.6	432(1) 50.0			211(3) 24.4	91(4) 10.5	8(1) 0.9	12(9) 1.4		1 0.1
1800-9	Hunmanby %	6,353(35)	352(1) 5.5	460(1) 7.2		152(1) 2.4		243(11) 3.8	39(6) 0.6	27(14) 0.4		4 0.1
1801-3	Riplingham %	1,374(5)	73(1) 5.3	543(1) 39.5	268(1) 19.5	171(1) 12.4				4(1) 0.3		3 0.2
1801-3	Little Weighton %	1,546(9)	44(1) 2.8	511(1) 33.1	244(1) 15.8	296(1) 19.1	68(1) 4.4		5(1) 0.3	9(2) 0.6		3 0.2
1801-3	Helpthorpe %	2,492(4)	472(2) 18.9	1,540(2) 61.8	340(1) 13.6	137(1) 5.5						3 0.1
1801-3	Weaverthorpe %	2,654(13)	584(2) 20.5	1,906(2) 66.8	203(1) 7.1		98(1) 3.4	48(2) 1.7		11(7) 0.4		4 0.1
1801-3	Staxton %	1,456(14)	185(1) 12.7	536(1) 36.8	666(3) 45.7			23(1) 1.6	16(3) 1.1	24(6) 1.6		6 0.4
1801-4	East & West Lutton %	2,454(17)	460(2) 18.7	536(1) 21.8	840(2) 34.2	307(2) 12.5	230(3) 9.4	57(3) 2.3	9(1) 0.4	11(5) 0.4		4 0.2

1. The table only includes newly enclosed land

2. Numbers in parentheses are numbers of proprietors

Date	Township	Acres enclosed	Church	'00a	3-500a	2-300a	1-200a	50-100a	10-50a	'5-10a	'5a	Other
1801-9	Hornsea %	2,198(62)	68(1) 3.1		355(1) 16.2	488(2) 22.2	467(4) 21.2	271(4) 12.3	362(17) 16.5	75(11) 3.4	33(23) 1.5	79 3.6
1801-8	North Frodingham %	2,269(54)	109(1) 4.8	641(1) 28.3	372(1) 16.4	252(1) 11.1	273(2) 12.0	57(1) 2.5	460(22) 20.3	54(7) 2.4	46(19) 2.0	5 0.2
1802-11	Marton/Sewerby %	1,554(19)		842(1) 54.2		202(1) 13.0	116(1) 7.5	180(3) 11.6	197(9) 12.6	5(1) 0.3	9(4) 0.6	3 0.2
1802-7	Flixton %	2,418(20)	635(2) 26.3	1,007(1) 41.6		213(1) 8.8	427(3) 17.7	63(1) 2.6	51(8) 2.1	51(8) 2.1	16(6) 0.7	6 0.2
1802-14	Witherwick %	1,701(21)	345(5) 20.3	572(1) 33.6		278(1) 16.3	116(1) 6.8	214(3) 12.6	162(6) 9.5		12(9) 0.7	2 0.1
1802-5	Keyingham %	1,404(41)	389(1) 27.7				633(4) 45.1	147(2) 10.5	140(6) 10.0	43(6) 3.1	18(23) 1.3	34 2.4
1803-6	Fimber %	1,809(6)	413(2) 22.8	1,066(1) 58.9			156(1) 8.6	142(2) 7.8	25(1) 1.4		2(1) 0.1	5 0.3
1803-6	Wetwang %	3,185(19)	1,183(4) 37.1	936(1) 29.4	353(1) 11.1		392(3) 12.3	59(1) 1.9	229(9) 7.2	7(1) 0.2	10(3) 0.3	16 0.5
1803-5	Middleton on the Wolds %	3,454(23)	868(1) 25.1	1,619(2) 46.9		253(1) 7.3	297(2) 8.6	120(2) 3.5	280(16) 8.1			17 0.5
1805-10	Ryhill %	1,396(14)	117(3) 8.4		725(2) 51.9		187(1) 13.4	266(4) 19.1	84(3) 6.0	8(1) 0.6	8(3) 0.6	1 0.1
1806-13	Elstronwick %	893(18)	51(1) 5.7				322(2) 36.1	321(4) 35.9	170(7) 19.0	25(3) 2.8	4(2) 0.4	
1806-15	Owthorne %	596(20)	40(1) 6.7				392(3) 65.8	51(1) 8.6	66(4) 11.1	31(4) 5.2	16(8) 2.7	
1810-17	Fridaythorpe %	1,834(21)	799(5) 43.6			202(1) 11.0	630(4) 34.4	135(2) 7.4	32(2) 1.7	15(2) 0.8	16(10) 0.9	5 0.3
1811-20	Reighton %	1,593(6)	63(1) 4.0	1,108(1) 69.6		208(1) 13.1	140(1) 8.8	59(1) 3.7	12(1) 0.8		1(1) 0.8	2 0.1
1818-20	Etton %	2,894(19)	36(1) 1.2	1,910(2) 66.0	711(2) 24.6			54(1) 1.9	105(3) 3.6	72(11) 2.5		6 0.2
1822-7	South Dalton %	1,603(4)	36(1) 2.2	1,500(1) 93.6				50(1) 3.3		6(1) 0.4	5(1) 0.3	6 0.4

Table B.3 The number of transactions in the case study townships over a 30-year period<sup>1</sup>

Dis- trict	Township	Enclosure date	Owners	Year																														Mean A	Mean B	Mean C	Mean D
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30				
2	Thixendale	1795-6	2	0	0	0	3	3	2	3	7	2	0	1	0	2	5	3	7	2	2	3	1	0	1	0	0	4	0	0	1	1	0	2.0	2.6	0.7	1.8
2	Helporthorpe	1801-3	4	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	1	2	0	0	0	0	1	0	1	1	0	1	0	1	0.1	0.3	0.5	0.3	
8	Coniston	1789-90	4	2	0	0	0	2	1	0	1	0	1	0	0	0	0	3	1	2	0	0	2	0	0	0	0	0	0	1	0	0	0.7	0.7	0.3	0.6	
5	South Dalton	1822-7	4	0	0	0	6	1	6	3	2	2	0	7	1	4	8	0	1	0	1	1	3	0	0	0	0	0	1	0	0	2.0	2.3	0.4	1.6		
5	Riplingham	1801-3	5	1	2	1	1	0	0	0	1	3	0	0	0	4	2	0	2	0	3	0	0	0	0	0	1	1	0	1	0	0	0.9	1.3	0.3	0.8	
5	Reighton	1811-20	6	1	5	1	0	1	0	0	0	0	0	0	6	8	4	0	0	1	0	0	1	1	0	5	2	1	0	0	0	0.8	1.9	1.2	1.3		
2	Fimber	1803-6	6	0	1	0	3	0	0	0	0	0	0	0	2	0	4	2	3	0	3	0	0	0	0	0	1	0	1	2	2	0	0.4	1.4	0.6	0.8	
5	Little Weighton	1801-3	9	1	1	0	0	0	0	1	0	0	1	2	1	0	0	1	0	0	2	4	0	3	0	0	2	0	1	0	2	0	0.3	1.1	0.8	0.7	
5	Southburn	1793-7	12	1	1	1	2	8	2	2	0	3	0	1	2	0	2	1	1	2	0	1	0	0	1	3	1	0	2	1	1	2.0	1.0	1.0	1.3		
2	Weaverthorpe	1801-3	13	0	1	0	0	0	0	2	0	0	1	1	0	1	0	1	2	1	1	1	2	2	2	0	0	1	3	0	3	0.4	0.8	1.3	0.8		
9	Withernsea	1793-7	14	1	2	2	1	2	3	4	6	7	3	2	4	2	3	5	3	0	2	1	1	0	3	0	2	0	1	0	1	2	3.1	2.3	1.1	2.2	
3	Staxton	1801-3	14	2	1	0	3	1	1	1	4	4	2	1	0	1	0	3	1	0	0	1	3	2	2	0	1	2	3	3	0	1	1.9	0.7	1.7	1.4	
9	Ryhill	1805-10	14	7	2	1	1	6	1	2	1	2	0	1	2	1	10	9	4	3	3	5	11	12	2	1	7	0	0	2	6	4	2.3	4.3	4.5	3.7	
5	Holme on Wolds	1795-8	15	2	0	1	1	1	1	0	4	1	2	4	4	2	1	1	0	1	0	1	2	0	0	1	0	1	1	0	1	1	1.3	1.6	0.5	1.1	
2	Luttons	1801-4	15	0	0	0	1	0	2	0	0	0	1	2	0	0	1	2	0	0	0	0	3	3	1	0	0	1	0	0	1	1	0.4	0.8	0.7	0.6	
5	Tibthorpe	1794-6	16	0	1	1	0	1	1	2	0	0	1	5	2	0	6	3	2	1	2	1	1	1	3	3	1	1	1	1	0	1	0.7	2.3	1.3	1.4	
9	Holmpton	1800-7	17	2	0	2	7	3	3	0	3	2	4	3	1	0	1	1	2	2	2	13	6	5	3	15	5	4	8	4	1	0	6	2.6	3.1	5.1	3.6
8	Elstronwick	1806-13	18	3	2	1	0	1	2	0	0	1	2	2	2	4	0	1	11	6	7	9	1	5	3	1	8	1	3	0	0	1	1.0	5.3	2.2	2.8	
5	Marnton/Sewerby	1802-11	19	1	4	3	2	2	3	3	1	0	4	2	2	4	0	0	2	2	0	1	1	3	0	2	1	0	1	2	3	2	1	2.3	1.4	1.5	1.7
5	Etton	1818-20	19	2	0	4	2	3	1	0	2	1	4	3	0	3	4	8	8	8	2	1	1	1	2	6	3	4	3	3	9	2	2	1.9	3.8	3.5	3.1
5	Lund	1794-6	19	3	4	2	3	0	0	3	2	2	0	1	3	7	7	0	8	2	0	0	0	4	0	0	1	0	0	1	1	2	1	1.9	2.8	1.0	1.9
2	Wetwang	1803-6	20	2	5	4	5	3	4	6	2	3	5	5	2	1	3	4	2	5	4	0	2	2	1	2	4	1	1	0	1	1	0	3.9	3.1	1.3	2.8
9	Owthorne	1806-15	20	3	6	2	2	3	3	7	6	3	1	0	2	2	6	4	6	1	8	4	6	3	1	1	5	2	5	1	10	0	1	3.6	3.9	4.3	3.9
3	Flixton	1802-7	20	0	0	2	1	0	1	0	1	0	0	1	1	3	3	0	1	0	6	2	6	0	1	2	6	0	0	2	0	1	0.5	2.3	1.3	1.4	
2	Fridaythorpe	1810-17	21	0	0	2	2	0	4	1	2	0	4	0	2	2	3	2	2	0	8	2	7	4	4	3	1	1	5	6	7	2	1	1.5	2.8	3.4	2.6
7	Withernwick	1802-14	23	2	1	3	0	4	5	2	4	7	2	8	9	5	8	6	6	9	5	2	2	1	5	4	10	3	4	9	4	6	2	3.0	6.0	4.8	4.6
5	Middleton	1803-5	23	1	2	0	4	3	3	1	2	0	1	0	2	2	2	5	12	5	3	2	3	6	6	3	8	16	9	3	6	9	7	1.7	3.6	7.3	4.2
9	Hollym	1793-7	28	0	3	1	0	2	1	0	2	3	1	2	1	1	3	3	2	1	0	4	2	4	3	2	2	1	0	1	2	2	2	1.3	1.9	1.9	1.7
5	Skidby	1793-5	32	4	5	3	7	4	10	6	8	6	4	9	5	5	7	4	6	4	3	5	5	3	2	2	1	1	6	4	7	3	2	5.7	5.3	3.1	4.7

Dis- trict	Township	Enclosure date	Owners	Mean																																				
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	A	B	C	D			
2	Hunmanby	1800-9	35	4	3	8	7	3	5	6	3	5	5	8	15	8	10	7	4	3	2	3	5	8	7	6	14	9	2	6	12	5	7	4	9	6	5	7	6	6.3
8	Ross	1783-6	42	0	2	0	4	5	5	6	6	6	5	4	2	4	7	0	0	4	5	4	2	3	9	5	6	0	6	6	2	1	2	3	9	3	2	4	0	3.7
9	Keyingham	1802-6	42	5	2	10	4	1	1	4	3	1	3	3	2	2	5	9	7	10	4	6	12	3	12	10	13	7	5	2	9	6	4	3	4	6	0	7.1	5.5	
6	North Frodingham	1801-8	54	18	16	10	10	9	11	6	18	13	15	27	10	9	22	40	15	9	9	10	11	20	15	14	10	4	8	6	16	10	6	12	6	16	2	10.9	13.2	
7	Hornsea	1801-9	62	4	3	2	5	9	7	9	6	2	6	11	4	12	5	19	12	13	7	12	15	14	10	13	13	12	9	11	5	4	20	5	3	11	0	11.1	9.1	

Key:

- A: Yearly mean for first ten years
- B: Yearly mean for middle ten years (enclosure period)
- C: Yearly mean for last ten years
- D: Yearly mean for 30-year period.

1. Source: Registry of Deeds, Beverley - index volumes. Manorial records.



period, broadly a ten year period during which the enclosure took place and ten years on either side (Table 8.3). The intention, in taking such a long time span was to investigate whether the enclosure process stimulated an abnormally high number of property transactions, as would be the case if many people were selling land as a result of enclosure.

The townships have been ranked in Table 8.3 according to the number of people awarded land at enclosure, and as might be expected the number of transactions increases as the owners increase in most, though not in all cases. The table also shows the mean number of transactions per annum for the first ten-year period (before the enclosure), the second ten-year period (encompassing the act and award), and the third ten-year period (after the enclosure), as well as over the whole 30 years, so that a comparison may be made.

The transactions recorded for the years during which the enclosure was taking place - that is the period from the act to the award - are underlined in the table, so that it is possible to identify those years when more activity than the average might be expected, if, as apparently happened in other areas, enclosure stimulated a higher degree of buying and selling. It would seem from the results of the study that in the majority of townships the enclosure years were indeed characterised by a higher than normal level of buying, selling or mortgaging, and in some townships this feature was especially marked. In Elstronwick, for example, the mean number of transactions per year over the whole 30-year period was 2.8, but for the decade of enclosure the figure was 5.3. Moreover, there were no less than 14 transactions in the year after the act was passed, and the four years just before the award was signed were also very busy. In Tibthorpe the mean for the 30-year period was 1.4 whilst that for the enclosure decade was 2.3, with six transactions in the year of the act.

When the mean for the enclosure decade is compared with that for the decade preceding it there were 25 out of the 34 townships where the

enclosure decade shows a higher level of activity than the decade before it. It was not uncommon for the number of transactions in that decade to be double (or more than double) the number in the preceding decade: this was the case in Reighton, Fimber, Little Weighton, Weaverthorpe, Elstronwick, East and West Lutton, Tibthorpe, Eton, Flixton, Withernwick, Middleton on the Wolds, and Hornsea. Possibly there was a period of uncertainty in the years before an application to Parliament was made, when people preferred to refrain from buying or selling, but the only way one could test this hypothesis would be by extending the period of study even further. It seems more likely, however, that the level of activity for the first decade was not artificially low but that the level for the enclosure decade was raised as a result of the various pressures to buy, sell or mortgage during those years.

When the enclosure decade is compared with the ten-year period succeeding it, the table shows that in 19 townships the mean was higher when enclosure was taking place than it was thereafter, whilst in 13 the last decade of the 30-year period was a period of greater activity, which suggests that enclosure in those townships had a stimulating effect on the property market. This seems to have happened in Holmpton where there were 2.6 mean transactions per year for the first ten years, 3.1 for the enclosure decade, and 5.1 for the third ten-year period. In Fridaythorpe the mean was 1.5 for the first period, 2.8 for the enclosure decade and 3.4 for the last decade, and in Middleton the figures were 1.7, 3.6 and 7.3. Hunmanby and Keyingham are two other townships where this pattern also occurred.

In some townships there was a drop in the number of transactions during the enclosure decade. In Southburn the decade before enclosure was busier than the two subsequent decades, and in Withernsea, Marton and Sewerby and Wetwang this was also the case. This pattern could have been the result of an individual landowner buying land before enclosure, either to buy out

opposition or merely to accumulate a substantial estate in a township on the eve of enclosure. In Wetwang the Sykes family were substantial owners at enclosure and they also leased a very large area of land from ecclesiastical owners.<sup>30</sup> Sir Mark Masterman Sykes had certainly been accumulating land in the neighbouring village of Fimber over at least a decade prior to the enclosure of that village,<sup>31</sup> but in Wetwang there is no evidence that he was doing the same.<sup>32</sup> The Land Tax returns for 1787 record 19 owners paying tax in Wetwang<sup>33</sup> and there are 20 owners named in the enclosure award of 1806,<sup>34</sup> which does not suggest any consolidation of property in that 20-year period. There is usually no obvious reason why there should have been a decline in activity during the enclosure decade in those few villages where it did occur, particularly when it extended into the post-enclosure period as it did in most cases. At Staxton and Roos there was a lower level of activity in the enclosure decade than there was in the decades that preceded and followed it. The land at Roos was copyhold and therefore all transactions had to go through the manorial court;<sup>35</sup> this may help to explain the lack of any transactions at all in the two years after the act was passed. There may have been a decision to hold no courts whilst the enclosure was taking place,<sup>36</sup> although if this were so one would expect a higher level of activity afterwards to compensate for the hiatus, and this does not seem to have been the case.

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30. R.D.B. CI/141/9.

31. HUL DDSY/18.

32. HUL DDSY/72.

33. QDE 1 1787.

34. R.D.B. CI/141/9.

35. HUL DDCV 134/9.

36. When the allotments had been settled all owners of copyhold land had to present themselves at the manorial court, receive their new allotments formally, and pay a fine. These transactions are not included in the table since they do not constitute a change of ownership.

Some of the townships mentioned as having a lower level of transactions in the enclosure decade than in the one before it are those in which other sources indicate that enclosure was accompanied by very little upheaval so far as property ownership was concerned. At Southburn only two out of the 12 owners allotted land engaged in any transactions, and out of the 14 people named in the Staxton award only two bought, sold or mortgaged.<sup>37</sup>

In a number of townships certain years were particularly busy; the year of the award in Holmpton has already been noted. At Thixendale in the year of the award there were seven transactions, a very high number, and as we shall see they were all sales to one man who accumulated much land in the enclosure years. At South Dalton it was the year of the act which was the busiest, and here as we shall see the same process was taking place - one man buying property from several owners. At Reighton the two years after the act were noticeable for many more than the average number of transactions and at Ryhill the same two years were also very busy. At Elstronwick it was also the year following the act which saw the most transactions. At Hornsea and North Frodingham, both of them quite lengthy enclosures, the middle years seem to have been the busiest. At Hornsea, the year 1804, three years after the act, was the busiest and at North Frodingham this was also the most active year for transactions, though the year before was also very busy.

This study of the number of transactions taking place over a 30-year period in 34 townships undergoing enclosure seems to show that the enclosure process generally stimulated a higher level of activity in the land market. The results recorded for some townships show a particularly striking increase in the number of transactions in certain years: in North Frodingham, enclosed 1801-8, there were 40 transactions in 1804, a figure which may be compared to the mean of 13.2 for the whole 30-year period; in Hornsea, enclosed 1801-9, in the same year, 1804, there were 19 transactions

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37. See below, Table 8.6, p. 480.

compared to the 30-year mean of 9.1 (Table 8.3). Increased buying, selling and mortgaging during the enclosure years seems hardly surprising; such a pattern would be expected when holdings were being rearranged, farms were being consolidated, and when proprietors were having to find money to pay their enclosure costs. Moreover, a simple count of transactions measures only the level of activity; in order to investigate the nature of the transactions a more detailed study of all those taking place in the enclosure decade is required. Such a study had been made and where possible transactions have been linked to those people allotted land in the award, so that it has been possible to construct a very detailed picture of the land market at enclosure. However, before this information is presented, the evidence on property transactions as provided by the Land Tax returns will be examined.

The case studies (ii) Turnover of proprietors as recorded in the Land Tax returns

Apart from the enclosure award the Land Tax returns constitute the most useful source on landownership in the 18th and 19th centuries, and they have the advantage over the award in that they reflect the changes in landownership year by year. In Chapter 7 they were used, as they most commonly have been by other researchers, on a purely quantitative basis. In this chapter, in which the landownership structure of certain townships is examined in depth, they will be used to provide evidence of the fortunes over the enclosure period of actual individuals, the people who were recorded in the returns as landowners, and those who sold their land during the enclosure years. In this respect the present study follows Turner's methodology, as reported in an article in 1975.<sup>38</sup> Turner looked at the Land

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38. Turner (1975), op. cit.

Tax returns for 60 Buckinghamshire townships, 37 of them during their enclosure period, and recorded not only the numbers of those paying tax and the changes over a period during which enclosure occurred, but also the changes in actual owners, their disappearance or survival during the crucial enclosure decade - that is, he made a 'face' count as well as a hand count.

Table 8.4 records the changes in ownership in 33 eastern Yorkshire townships,<sup>39</sup> using a similar methodology to that employed by Turner. For each township a detailed examination has been of the Land Tax returns for the critical ten-year period during which the enclosure act was passed and the award enrolled (Table 8.3 has already shown that this decade was a period when there was increased buying and selling in most townships in the study). In order to estimate property turnover the names of individual owners have been recorded, and their reappearance from year to year has been noted. Additionally a simple count of owners paying tax from year to year has been made. In order to include a year or two before the act and a year or two after the award it has been necessary in a few cases - for example Withernwick, enclosed 1802-14, and Owthorne, enclosed 1806-15 - to extend the period of study by a few years. Where possible adjustment has been made for inheritance; where this could be conclusively established the property has been considered to have been in uninterrupted ownership.<sup>40</sup> The numbers in the table without parentheses (A) apply to actual owners paying tax in each year; those in parentheses (B) record the survival of original owners (or their heirs) from year to year.

The first set of figures allows an analysis to be made of the fluctuations in numbers from year to year; in 14 townships there was an increase in numbers over the ten-year period; in another 14 there was a decline in the numbers; in five the numbers remained steady. Of the 14

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39. One township, Thixendale, could not be included in the table because the Land Tax returns include several other hamlets as well as Thixendale, making an analysis of property turnover impossible.

40. cf. Turner (1975), op. cit. p.567.

Table 8.4. Landowners named in the Land Tax returns over a period encompassing the enclosure act and award - changes in numbers and in individuals

Dis-trict	Township	Enclosure date	Owners in award	and award - changes in numbers and in individuals																% of original owners surviving	% Lost
				1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16		
8	Roos	1783-6	42 A <sup>1</sup> B <sup>2</sup>	NA	30	NA <sup>3</sup>	NA	NA	NA	32	32	32	32	32	32	32	32	32	32	73.3	26.7
8	Coniston	1789-90	4	A	6	NA	NA	6	6	4	4	4	4	4	4	4	4	4	4	66.7	33.3
5	Southburn	1793-7	12	A	11	11	11	11	12	12	11	11	11	12	12	12	12	12	12	90.9	9.1
9	Withernsea	1793-7	14	A	21	21	20	20	19	19	20	20	21	21	21	21	21	21	21	81.0	19.0
9	Hollym	1793-7	28	A	21	21	23	20	20	26	28	29	28	28	28	28	28	28	28	90.5	9.5
5	Skidby	1793-5	32	A	31	36	36	36	36	39	39	39	41	41	41	41	41	41	41	80.6	19.4
5	Tibthorpe	1794-6	16	A	10	10	10	10	11	16	16	16	16	16	16	16	16	16	16	80.0	20.0
5	Lund	1794-6	19	A	25	25	25	24	25	25	25	23	24	24	24	24	24	24	24	80.0	20.0
5	Holme on the Wolds	1795-8	15	A	15	16	16	16	16	15	15	15	15	15	15	15	15	15	15	73.3	26.7
9	Holmpton	1800-7	17	A	16	16	17	17	20	20	20	19	20	20	20	20	20	20	20	81.3	18.7
2	Hunmanby	1800-9	35	A	56	55	64	67	67	67	67	70	69	69	69	69	69	69	69	73.2	26.8
5	Riplingham	1801-3	5	A	4	4	4	4	4	4	4	4	4	4	4	4	4	4	4	75.0	25.0

1. A: Number of landowners listed.  
 2. B: Landowners surviving from year 1, adjusted for inheritance where possible.  
 3. The owners in the enclosure years, act to award, are underlined.





Dis- trict	Township	Enclosure date	Owners in award	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	% of orig- inal owners surviving	% lost
9	Ryhill	1805-10	14	A 27 (27)	27 (27)	27 (27)	23 (22)	23 (21)	23 (21)	23 (21)	23 (21)	23 (19)	23 (19)							70.4	29.6
8	Elstronwick	1806-13	18	A 15 (15)	15 (14)	15 (14)	15 (14)	15 (14)	14 (12)	15 (11)	14 (10)	14 (10)								66.7	33.3
9	Owthorne	1806-15	20	A 15 (15)	15 (14)	15 (13)	25 (12)	24 (12)	24 (12)	24 (12)	24 (12)	22 (12)	22 (12)	22 (12)	22 (12)	22 (11)				73.3	26.7
2	Fridaythorpe	1810-17	21	A 15 (15)	15 (13)	15 (13)	15 (13)	15 (13)	16 (13)	16 (13)	16 (13)	16 (13)	16 (12)							80.0	20.0
5	Reighton	1811-20	6	A 13 (13)	13 (13)	13 (13)	9 (9)	9 (9)	9 (9)	9 (9)	9 (9)	9 (9)	9 (9)	9 (9)	9 (9)					69.2	30.8
5	Etton	1818-20	19	A 26 (26)	26 (26)	25 (25)	25 (25)	23 (18)	23 (18)	23 (18)	23 (17)	23 (17)	23 (17)	23 (17)						65.4	34.6
5	South Dalton	1822-7	4	A 29 (29)	27 (27)	27 (27)	24 (24)	16 (16)	12 (12)	5 (5)	5 (5)	5 (5)	5 (5)	5 (5)	5 (5)	5 (5)				17.2	82.8

where there was an increase there were nine townships in which it was quite substantial, for example, from 56 to 69 owners in Hunmanby, from 35 to 47 owners in Withernwick, from 31 to 41 owners in Skidby.<sup>41</sup> In almost every case the rise occurred at a point where a clear association could be established with the enclosure of the township, that is a year or two after the act, at a point when other sources indicate that proprietors were taking possession of their new allotments.<sup>42</sup> When the Land Tax returns for individual townships where such rises occurred are examined in detail it is possible to establish that the new owners appearing in these years were common-right holders who became landowners for the first time because of the enclosure. The returns for Hollym, enclosed 1793-7, show that there were five people paying tax for the first time in 1795 and they all received allotments in the award of just over one acre; for example John Cook, a Hollym labourer, was allotted one acre and appeared in the returns for 1795 paying one shilling in tax.<sup>43</sup> At Tibthorpe, enclosed 1794-6, there was a rise in the number recorded in the returns from 11 in 1795 to 16 in 1796, the year in which the award was signed. The newcomers included John Luccup, a Garton (248) yeoman, allotted three acres and paying 2s 2d as an owner-occupier from 1796, and Stephen Potter, a Tibthorpe yeoman and John Newlove, a Huggate (49) yeoman, together allotted two acres and paying 1s 7½d tax from 1796.<sup>44</sup> The rise in the numbers paying tax as a result of their recognition as property owners has been noticed by other researchers and seems to have occurred generally.<sup>45</sup> Turner found a 13.7 per cent increase in the

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41. The other six townships are Hollym, Tibthorpe, Holmpton, Hornsea, Middleton on the Wolds, and Owthorne.

42. See Chapter 6, pp. 311-15.

43. R.D.B. BT/364/50; QDE 1 Hollym 1795.

44. R.D.B. BT/39/9; QDE 1 Tibthorpe 1795.

45. See for example J. Thirsk, 'Agrarian history, 1540-1950', V.C.H. Leicestershire 2 (1954) pp.234-5; J.D. Chambers, 'Enclosure and labour supply in the Industrial Revolution', Ec.H.R. 5, second series (1952-3) pp.325-6.

number of owners paying tax in Buckinghamshire parishes enclosed in the 1780s and similar increases in the 1790s.<sup>46</sup> For townships enclosed after 1798 a sudden rise in the number of owners was less common, because from that date there was a change in the levying of the Land Tax. It was decided that owners of property worth less than 20s per annum should cease to pay tax.<sup>47</sup> Since many of the common-right owners received very small plots they would not appear in the returns as landowners after enclosure. This new ruling was certainly followed at Hornsea, enclosed 1801-9, where many of the people allotted very small plots never appeared in the Land Tax returns at all. When a search through the Registry of Deeds and the Hornsea manorial court books has failed to find any transactions recorded for these people the conclusion may be drawn that they held on to their property throughout the ten years of the study. They include Robert Byass, a Hornsea ropemaker, allotted one rood in the award, and Ann Watson, a Hornsea spinster, allotted 21 perches. Other very small owners were already in the returns, probably because they owned some old-enclosed land: John Bell, a Hornsea yeoman, was allotted two roods and had appeared in the returns paying 1s 8d tax as an owner-occupier from 1800 to 1809.<sup>48</sup> In fact the number of owners paying tax at Hornsea did show a rise over the enclosure period but it was gradual rather than abrupt. In other townships, too, the rise in numbers was gradual, and may have come about, not because of the entry into the returns of common-right owners, but because of a fragmentation of holdings during the enclosure period. Certainly this seems to have occurred at Hornsea, where the number of tax payers grew from 73 in 1800 to 80 in 1809. However, Hornsea was not a typical eastern Yorkshire township. At the beginning of the 19th century it was on the verge of becoming a modest

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46. Turner (1975), op. cit. p.568.

47. See Chapter 7 for details, p.419.

48. R.D.B. CI/345/7.

seaside resort; there were already some bathing machines on the beach, and in 1822 it was described as 'a fashionable watering place'.<sup>49</sup> Hornsea was an 'open' township; no one landowner held the greater part of the land (Table 8.2), and so some fragmentation of ownership might be expected in a growing settlement.

Withernwick, enclosed 1802-14, is another township where the rise in the number of owners was gradual rather than sudden. It was a township with a protracted enclosure, and possibly the uncertainty engendered by the enclosure process resulted in more buying, selling and subdividing of holdings than in townships where only a year or two elapsed between the act and the award. Withernwick had a very high proportion of owners making transactions and those owners who did buy and sell had a higher average of transactions per owner than was the case in many other townships.<sup>50</sup>

In some townships the table shows a significant drop in the number of owners listed. The most dramatic decline occurred at South Dalton, enclosed 1822 to 1827. In 1817 there were 29 owners paying tax in the township; in 1826 only four remained. The buying up of most of the property by the lord of the manor, Lord Hotham, has already been referred to in Chapter 6 and will be discussed again in detail in the next section of this chapter. This was a case of consolidation of property at its most extreme, but there were other places in eastern Yorkshire where a similar process was occurring. Thixendale, enclosed by agreement 1795-6, is not included in Table 8.4, but if it were possible to separate that township's owners from those of the other townships recorded in the same return it would probably show that there were about 13 owners in the early 1780s and only one or two by the date of the award.<sup>51</sup> Sir Christopher Sykes bought property from 13 people in the period 1786-93 and when the enclosure award was signed he and one

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49. Allison (1976) p.251.

50. See next section.

51. Ibid.

other person were the only allottees.<sup>52</sup> At Fimber, enclosed 1803-6, the Sykes family were also accumulating property. As Table 8.4 shows there was a drop in the number of owners in this township from 11 in 1800 to seven in 1809. Sir Mark Masterman Sykes, who was allotted 1,066 acres at enclosure had bought much of this property in the previous ten years.<sup>53</sup> At Etton, enclosed 1818-20, the table shows that there were 26 owners at the beginning of the period and 23 at the end. Here, too, Lord Hotham of South Dalton was busily accumulating property during the enclosure years: he bought land from many people between 1815 and 1823.<sup>54</sup> There was a decline in the number of owners paying tax at Reighton, enclosed 1811-20, from 13 people in 1809 to nine in 1818, and the decline was not gradual, but occurred in one year, 1812-13, when one man, H.E. Strickland, a resident gentry owner, accumulated the property of four people into his hands.<sup>55</sup>

All those owners mentioned so far have been members of long-established gentry families, but enclosure also provided an opportunity for relative newcomers to build up substantial estates. Robert Carlisle Broadley of North Ferriby (130) was a Hull merchant who seems to have put much of his money into land. He bought property in both Hull and rural East Riding, but seems to have been in the habit of selling his urban plots quite quickly, whilst retaining his rural purchases as a longer term investment.<sup>56</sup> Between about 1798 and 1810 Broadley bought considerable property, not all of it in townships which were being enclosed during those years: he built up a substantial estate to the east of Hull, in Southcoates (134) and Sutton (169), so that by the early 19th century the Broadley family was the largest landowner in

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52. HUL DDSY/66; R.D.B. BG/426/67.

53. R.D.B. CI/141/9; HUL DDSY/18.

54. R.D.B. DA/266/58; HUL DDHO/48.

55. See next section.

56. DDHB passim.

those townships.<sup>57</sup> Much of the property purchased by Broadley was in the high Wolds and the Vale of Pickering fringe, many miles distant from Hull. He bought land from three people in Flixton, enclosed 1802-7, but also sold small plots to others,<sup>58</sup> so that the numbers of owners in Table 8.4 show little change. At Langtoft (249), enclosed 1801-5, Broadley bought land from several people,<sup>59</sup> and at Staxton, enclosed 1801-3, he had been building up an estate for some years and during the enclosure period he bought more land.<sup>60</sup> At Hessle (131), enclosed 1792-6, Broadley bought many holdings just before enclosure.<sup>61</sup> He also had land in Holderness: at Ryhill, enclosed 1805-10, he bought land from three people just before the enclosure and was allotted 350 acres in the award.<sup>62</sup> The number of owners listed in Table 8.4 for Ryhill went down from 27 to 23 over the enclosure period so this was a township where some consolidation of property was occurring. Broadley was not the only Hull merchant amassing property during the enclosure years: at Coniston where there were six owners in the Land Tax returns in 1782 but only four in 1790, William Wilberforce bought the property of two quite substantial owners.<sup>63</sup>

In most of these townships it is apparent from the table that property was being accumulated into fewer hands during the enclosure period, but there were others in the case study group where such consolidation was proceeding side by side with the fragmenting of property and the two processes

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57. V.C.H. Yorks. E.R. 1, p.464, p.475.

58. R.D.B. CD/453/706; CE/577/878; CK/22/37; CL/427/665; CM/138/224; CM/312/476; CM/333/510; CO/82/135; CO/83/136; CO/238/386.

59. V.C.H. Yorks. E.R. 2, p.265.

60. Ibid. p.335; R.D.B. CD/104/142.

61. R.D.B. BT/93/16.

62. R.D.B. CM/127/209; CM/128/210; CN/269/409; R.D.B. CQ/68/2.

63. R.D.B. BO/422/650; BO/543/842; BP/57/88.

tended to cancel each other out. A study based on numbers alone cannot pick up such trends but when the individuals concerned are studied a much more detailed impression may be gained.

The numbers in parentheses in Tables 8.4 and 8.5 show the survival of individuals from year to year in the 33 townships for the crucial enclosure decade. A comparison may be made between these findings and Turner's findings for Buckinghamshire<sup>64</sup> and Neeson's for Northamptonshire.<sup>65</sup> Taking the general trends first of all, Table 8.5 shows that a little over a

Table 8.5. The survival of original owners in the decade including the enclosure act and award in the case study townships

<u>Decade studied</u>	<u>No. of enclosures</u>	<u>Original owners</u>	<u>Those surviving at end of period</u>	<u>% surviving</u>	<u>% lost</u>
1780s	2	36	26	72.2	27.8
1790s	7	134	110	82.1	17.9
1800s	20	466	337	72.3	27.7
1810s	3	54	38	70.4	29.6
1820s	1	29	5	17.2	82.8
All enclosures	33	719	516	71.8	28.2

Source: Land Tax returns, QDE 1

quarter of the original owners had disappeared at the end of the enclosure period. When the enclosures are grouped by decade there is only a little variation in the degree of decline of owners in townships enclosed in the 1780s, 1800s and 1810s (27-30 per cent), whilst in the 1790s the decline was only a little over 15 per cent. In the one enclosure (South Dalton) which took place in the 1820s the decline was very marked indeed. In Buckinghamshire the turnover of property seems to have been of a higher order than was the case in eastern Yorkshire. Of 1137 proprietors recorded in the

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64. Turner (1975), op. cit.

65. Neeson (1977), op. cit.

Land Tax returns at the beginning of the enclosure period in 38 Buckinghamshire townships, 689 (adjusted for inheritance where possible), that is 39.4 per cent, had sold their property by the end of the ten-year period,<sup>66</sup> compared to 203 out of 719, that is 28.2 per cent who had sold their property in eastern Yorkshire townships.

Table 8.4 shows the turnover of property in individual townships in eastern Yorkshire. Some townships show a remarkable degree of stability of ownership: in one township, Helperthorpe, no owners had disappeared from the returns; in three townships less than ten per cent of the owners had disappeared at the end of the enclosure period; in a further seven only between ten and 19 per cent had apparently sold their land. In 13 townships the loss of owners was 20 to 29 per cent, and in six it was well over the average for all townships at 30 to 39 per cent. The highest percentage of loss of original owners occurred in North Frodingham (40.9 per cent of owners lost), Witherwick (45.7 per cent of owners lost), Fimber (54.5 per cent of all the owners lost), and South Dalton (82.8 per cent of the owners lost). Turner's figures in his appendix<sup>67</sup> show a much more dramatic loss of owners in many Buckinghamshire townships than was the case in most eastern Yorkshire townships. Many Buckinghamshire townships show a decline of the order of 40 to 60 per cent, but proportions of these dimensions are exceptional in eastern Yorkshire. One possible explanation for the apparent divergence between the two regions may relate to methodology: Turner allowed, so far as was possible, for the inheritance of property in his calculations, that is when one owner disappeared from the returns and another with the same surname replaced him Turner regarded this as continuity of ownership. The same policy has been followed in the present study, but there are instances when it has been possible, because of the greater depth of analysis

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66. Turner (1975), op. cit. Calculations made from Appendix, pp.577-80.

67. Turner (1975), op. cit. pp.577-80.



of the land market in the individual townships, to ascertain continuity of ownership (through inheritance) even when the surname of an owner changed. This difference in method may go some little way towards explaining the differences between the two regions but it does not seem entirely sufficient to account for the divergencies. The conclusion would seem to be that there was a greater degree of stability of ownership in eastern Yorkshire townships undergoing enclosure compared to those in Buckinghamshire. Possibly this may be attributable to the fact that those eastern Yorkshire townships enclosed after 1780 were in general in the hands of medium to large owners, the majority of townships with numerous smaller and medium owners having been enclosed in the pre-1780 period (Chapter 4). Were it possible to assess turnover for those townships for the enclosure decade a more volatile property market might have been found. In Buckinghamshire, in those townships enclosed after 1780 small to medium owners held a relatively high proportion of the land being allotted and therefore a more vigorous property market might perhaps be expected.

In Northamptonshire the property turnover was very marked. Neeson found that 46 per cent of all the owners in enclosing parishes examined no longer held land at the end of the enclosure decade.<sup>68</sup> This very high turnover may perhaps be related to the fact that much conversion from arable to pasture took place in Northamptonshire after enclosure and the process was perhaps for this reason accompanied by more upheaval than was the case in eastern Yorkshire. At all events, when in the light of information from the Land Tax returns the different experiences of the three regions, Buckinghamshire, Northamptonshire and eastern Yorkshire, are compared it appears that ownership in eastern Yorkshire showed considerable stability at a time when more volatility might have been expected.

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68. Neeson, op. cit. p.209.

The case studies (iii) Individual transactions

Using the information obtained from the Registry of Deeds (for freehold land) and the manorial court books (for copyhold land) it has been possible to obtain a full record of all the transactions taking place in a township undergoing enclosure. In the first section a count was made of all the transactions taking place over a 30-year period in order to assess whether there was more activity than usual during the enclosure decade. In most townships there was a rise in the number of transactions recorded. In this section many of those transactions will be analysed in detail.

In order to restrict the survey to newly enclosed land only, the methodology involved listing the proprietors named in the enclosure award on separate cards, together with their names, designations, places of residence and full details of their new allotments. All their property transactions over the ten-year enclosure period were then traced through the Registry of Deeds and court books (where appropriate), and their payments of Land Tax were also examined. By this method it was possible to ascertain not only whether these people bought, sold or mortgaged land in the enclosure decade, but also from whom they bought, to whom they sold, and who were the mortgagees. If some people owned land or common rights before the enclosure took place, and sold it to others who were allotted land in the award, this methodology would pick up such transactions.

The question of mortgaging as a means of financing enclosure has been considered by Turner, but the topic has been neglected by other researchers.

As Turner stated:

The widespread use of the mortgage has yet to be investigated, and it may turn out to be more mythical than real.<sup>69</sup>

Turner pointed out that Pressnell, in his study of country banking, had commented on the provision in enclosure acts of a clause specifically

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69. M.E. Turner, 'Cost, finance and parliamentary enclosure', Ec.H.R. second series, 34 (1981) p.236.

authorising the mortgaging of newly enclosed land and had concluded that 'in view of the monotonous recurrence of this clause ... it is surely likely that such lending occurred'.<sup>70</sup> The clause stated that the sum raised on mortgage should not exceed a certain amount: in the early years the sum was generally £2 per acre, but it rose in the 1790s to £3 and by the 1800s was £4 or £5.<sup>71</sup>

Both Pressnell and Turner seemed to consider that the clause applied to the mortgaging of all allotments. An examination was made of the mortgaging clause in eastern Yorkshire enclosure acts to ascertain if this was also the case in this region. It is quite clear that in eastern Yorkshire, at least, the clause applied only to certain classes of proprietors - those whose property was encumbered in some way, for example under entail, and those who were minors, insane, overseas etc. The relevant clause in the enclosure act of 1765 for Brantingham states:

And whereas several of the Owners and Proprietors of Allotments ... may have Occasion to borrow Money to pay and defray their respective Shares and Proportion of the Charges ... and cannot, by reason of some Settlement or other Incapacities or Impediments respectively, make effectual Securities for the Monies that may be lent for that Purpose: Be it therefore further enacted ... that it shall be lawful for the several Owners and Proprietors, being Tenants for Life, or Tenants in Tail, and also for the Husbands, Guardians, Trustees, Committees or Attornies of ... the said Owners ... as shall be under Coverture, Minors, Lunatics, or beyond the Seas, or otherwise incapable of acting for themselves ... to charge the Lands and Grounds ... with such Sum or Sums of Money for the Purposes herein before mentioned, not exceeding Forty Shillings an Acre ... and for securing the Repayment of such Sum of Money, with Interest, to grant, mortgage, surrender or lease or demise ... the Lands ... unto the Person or Persons who shall advance and lend the same ... for any Term or Number of Years ...<sup>72</sup>

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70. L.S. Pressnell, Country banking in the Industrial revolution (Oxford, 1956) p.350.

71. Turner (1981) pp.242-3. There is similar evidence from eastern Yorkshire enclosure acts.

72. 5 Geo. III, c.32, pp.14-15.

This clause is fairly typical of those included in other eastern Yorkshire enclosure acts; the wording varied slightly but the content was the same. The General Inclosure Act of 1801 also includes a clause to this effect,<sup>73</sup> and this suggests that there may have been throughout the parliamentary enclosure period a similar enabling clause inserted in enclosure acts for other areas, and that the evidence from eastern Yorkshire is not unique.

As the subsequent discussion will show, mortgaging of new allotments was quite common in eastern Yorkshire, and a detailed analysis of the deeds registered for freehold property and of the copyhold transfers suggests that if it were possible to study other counties in the same way then Turner's statement that 'the mortgage was a convenience enjoyed by the promoters of enclosure only'<sup>74</sup> might need to be revised. The advantage of what might be termed the 'official' enclosure mortgage, that is one taken out by the owners of encumbered property, is that it is easily identified as such, since the enclosure commissioners were named as parties; a number of examples of such mortgages are given throughout the study. From such evidence we know that these mortgages were directly related to enclosure expenses, whereas with mortgages taken out for unencumbered property this is not so certain. Nevertheless when, as was quite common, we find proprietors mortgaging new allotments at a time when we know from other sources that they were fencing their property and being asked to contribute to the general enclosure expenses, it seems a fair assumption that the mortgagors were applying at least some of the money raised, for this purpose.<sup>75</sup>

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73. 41 Geo. III, c.109, clause XXX. The clause states that 'it shall be lawful for Husbands, Guardians, Trustees, Committees ... of Owners or Proprietors ... under ... Disability, and for ... Owners or Proprietors being Tenants in Tail ...' to mortgage allotments for a sum not exceeding £5 per acre.

74. Turner (1981) p.236.

75. The preceding account of discussion on mortgaging and enclosure has benefited from discussion with Dr. M. Turner.

Table 8.6. The transactions of those allotted land at enclosure in the case study townships

<u>Date of enclosure</u>	<u>Township</u>	A <u>Allottees</u>	B <u>Allottees with transactions</u>	B as <u>% of A</u>
1801-3	Helperthorpe	4	0	0.0
1801-4	East and West Lutton	15	2	13.3
1801-3	Staxton	14	2	14.3
1793-7	Southburn	12	2	16.7
1793-5	Skidby	32	7	21.9
1794-6	Lund	19	5	26.3
1793-7	Hollym	28	9	32.1
1789-90	Coniston	5	2	40.0
1795-8	Holme on the Wolds	15	6	40.0
1802-7	Flixton	20	9	45.0
1801-3	Weaverthorpe	13	6	46.2
1802-11	Marion/Sewerby	19	9	47.4
1810-17	Fridaythorpe	21	10	47.6
1802-6	Keyingham	42	21	50.0
1803-6	Wetwang	20	10	50.0
1795-6	Thixendale	2	1	50.0
1803-6	Fimber	6	3	50.0
1805-10	Ryhill	14	7	50.0
1811-20	Reighton	6	3	50.0
1822-7	South Dalton	4	2	50.0
1783-6	Roos	42	22	52.4
1801-3	Little Weighton	9	5	55.6
1803-5	Middleton on the Wolds	23	13	56.5
1793-7	Withernsea	14	8	57.1
1806-15	Owthorne	20	12	60.1
1806-13	Elstronwick	18	11	61.1
1818-20	Etton	19	12	63.2
1801-9	Hornsea	64	41	64.1
1800-7	Holmpton	17	11	64.7
1794-6	Tibthorpe	16	11	68.8
1802-14	Withernwick	23	16	69.6
1801-8	North Frodingham	49	35	71.4
1800-9	Hunmanby	35	27	77.1
1801-3	Riplingham	5	5	100.0
	Total	<u>665</u>	<u>345</u>	<u>51.9</u>

Table 8.6 shows the townships in the study ranked in the order of the proportion of owners engaging in transactions during the period studied. They range from Helperthorpe, where none of the allottees apparently bought, sold or mortgaged in the period, to Riplingham where every allottee made at least one transaction. As the table shows, there were some townships with a very low level of activity: at Lutton only two out of 15 people made a transaction; at Staxton only two out of 14 did so; and at Southburn only two out of 12 did so. Table 8.3, which shows the property transactions over a 30-year period, provides corroboration that these townships, with Helperthorpe, were places where there was very little activity on the property market, and Table 8.4 shows that there was little turnover of holdings in the townships according to Land Tax evidence.

Skidby, Lund and Hollym also show low levels of activity over the ten-year period as gauged by the proportion of owners engaging in transactions: over three-quarters of the owners of newly enclosed land had neither bought, sold or mortgaged in the period, which seems to suggest remarkably little upheaval was engendered in these townships by the enclosure. In a further 13 townships half the owners or more had no transactions at all, which means that in 20 out of the 34 townships studied at least half the owners held on to their property intact and apparently did not even borrow money on mortgage to help towards their expenses.

There is a correlation between geographic district and the proportion of owners engaging in transactions: out of the 20 townships with half or less of the owners having transactions 16 were in upland districts and four were in lowland districts; of the remaining townships six were in upland districts and eight in lowland districts. In part this may be because townships with a relatively high number of allottees were more likely to have a high proportion of people with transactions: the mean number of owners in townships with half or less of the owners with transactions was 15.6, whereas for those with over half the owners engaging in some

transactions the mean was 25.3. Most of the townships with many owners were in the lowland districts. Those 'open' villages like North Frodingham, Hornsea and Roos tended to have a high level of owners with transactions. Not only did such townships have numerous owners, but they also had quite high populations, with high demand for property, particularly, as populations grew, for building plots. Inevitably there would be a higher turnover of property in such townships than there was in the underpopulated townships of the high Wolds.

In order to assess who was buying, selling or mortgaging over the ten-year enclosure period proprietors have been divided, according to allotment size, into five groups: the very small proprietors awarded land under five acres (this would include most owners of common rights allotments only<sup>76</sup>); the small proprietors awarded between five and 50 acres; the medium proprietors awarded between 50 and 200 acres; the large proprietors awarded between 200 and 500 acres; and the very large proprietors awarded over 500 acres.

As Table 8.7 shows, 51.9 per cent of all owners made transactions, and the majority of those transactions were purchases (51.7 per cent), about one quarter (25.7 per cent) were sales, and one fifth or a little more (19.2 per cent plus 3.4 per cent) were mortgages. When the proprietors are grouped by size of allotment the table shows some interesting divergences: it looks as though a transfer of property might have been taking place during the enclosure years, albeit on a small scale, because the smallest owners were selling more often and buying less often than were the larger owners. The very small owners engaged in a significantly higher proportion of sales (35.1 per cent) than did the owners in any other group, and this suggests that some of them may have been forced to sell their land because they could not afford the costs of enclosure. These people were owners who had

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76. Though not in every case: in Etton common right owners were allotted five to six acres, R.D.B. DA/266/58.

Table 8.7. Breakdown of transactions by allotment size

<u>Group</u>	<u>No. of owners</u>	<u>% of all owners</u>	<u>Owners with transactions</u>		<u>Total trans- actions</u>	<u>Mean tr- ansactions per tran- sacting owner</u>	<u>% of all transactions</u>		
			<u>No. of owners</u>	<u>% of all in group</u>			<u>Sales</u>	<u>Mort- gages</u>	<u>Pur- chases</u>
All owners	665	100.0	345	51.9	770	2.2	25.7	19.2 <sup>1</sup>	51.7
Very small <5a	220	33.1	100	45.5	185	1.8	35.1	18.9	45.9
Small 5-50a	260	39.1	140	53.8	267	1.9	19.9	22.5 <sup>2</sup>	48.3
Medium 50-200a	114	17.1	65	57.0	132	2.0	25.0	25.0 <sup>3</sup>	49.2
Large 2-500a	46	6.9	24	52.2	58	2.4	25.9	17.2	56.9
Very large >500a	25	3.8	16	64.0	128	8.0	25.0	7.8	67.2

Notes:

1. Add 3.4 per cent unspecified transactions which were probably mortgages (see n.94, p.486 for explanation).
2. Add 9.4 per cent.
3. Add 0.8 per cent.

Source: Register of Deeds, Beverley, and manorial court books.

survived the period between the act and the award, since they were still in possession of their land when the award was signed. Some of the smaller owners who sold soon after enclosure may have found their plots too small for efficient farming; they may have been small landlords owning a cottage or two, who were happy to have small plots to sell,<sup>77</sup> or they may have mortgaged their allotments in order to pay the costs of enclosure, and then been unable to

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77. It was possible to sell a common-right allotment whilst still retaining the cottage to which the right was attached. Many enclosure acts contained clauses allowing such sales and they were quite common in eastern Yorkshire townships.



repay the loan. Joseph Robson, a Kilnwick (80) yeoman, was allotted one and a half acres at the enclosure of Fridaythorpe, 1810-17.<sup>78</sup> He had mortgaged his cottage and garth for £100 in 1813;<sup>79</sup> in 1816 the mortgage was transferred to another mortgagee, Robson's allotment was added to the property mortgaged, and the sum borrowed was increased to £170.<sup>80</sup> In 1819 Robson sold the property to the mortgagee for £200, which included the £170 borrowed.<sup>81</sup> We know that Robson's enclosure expenses were £6 3s;<sup>82</sup> this sum does not include his fencing costs, but even so there seems little relation between the sum borrowed and his likely expenses. Unfortunately he did not pay Land Tax, his allotment being too small, but from his place of residence we may assume that he was a landlord rather than an owner-occupier, Kilnwick being some miles distant from Fridaythorpe. The enclosure awards suggest that many small landowners were landlords, because a number of the small proprietors lived at some distance from the township undergoing enclosure. The Land Tax returns can often confirm whether a particular owner was a landlord or an owner-occupier. Martin excluded the very smallest holdings from his study of landownership and enclosure, but found that of those holdings for which owners paid 10s to £8 Land Tax, only 40 per cent were owner-occupied.<sup>83</sup> Absenteeism was certainly widespread in most counties of England by the late 18th century, and eastern Yorkshire was no exception.<sup>84</sup>

As well as having the highest rate of sales the very small proprietors had the lowest rate of purchases: 45.9 per cent of all

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78. R.D.B. DA/2/1.

79. DDPY/9/1. See below for discussion on mortgages.

80. Ibid. Mortgages were frequently transferred if the original mortgagee wished to regain his money without claiming it from the mortgagor.

81. DDPY/9/1.

82. HUL DX/33.

83. Martin (1979), op. cit. p.335.

84. See Chapter 7, pp. 424 - 37.

transactions by members of this group were purchases compared to 67.2 per cent for the very large proprietors. Significantly the proportion of purchases increases with the size of holding. A number of the purchases made by very small owners came from other small owners who sold land or rights before the award was signed. Francis Welburn, a Hunmanby yeoman, bought two horse gates and five sheep gates belonging to a cottage owned by a Hunmanby farmer in 1802,<sup>85</sup> two years after the act, and he was allotted three acres for it in the award.<sup>86</sup> Bryan Spike, a Flamborough (240) yeoman bought a common right from a Hunmanby widow in 1802<sup>87</sup> and was allotted three acres in the award.<sup>88</sup> In some townships there was quite a brisk trade in common rights or allotments in lieu: during the enclosure of Hornsea, 1801-9, some very small allotments of only a few perches changed hands. Stephen Linskin, a Hornsea butcher, bought three allotments beside Hornsea Mere<sup>89</sup> from a Hornsea widow and two Hornsea yeomen;<sup>90</sup> another Hornsea butcher, William Bulsom, bought some land from a local cordwainer.<sup>91</sup> Linskin was allotted almost half an acre and Bulsom was allotted almost three-quarters of an acre in the award.<sup>92</sup> Possibly Linskin and Bulsom intended to use the land for fattening cattle. Robert Stabler, a Hornsea yeoman, in 1802 bought some land in the West Field of the town from an Aldborough (183) widow, and sold his allotment of one and a half acres in 1809 for £105 to Marmaduke Constable,<sup>93</sup> who

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85. R.D.B. CE/54/88.

86. R.D.B. CQ/8/1.

87. R.D.B. CE/9/8.

88. R.D.B. CQ/8/1.

89. There is a very large mere in Hornsea, Yorkshire's largest fresh water lake, and the sole survivor of the many meres which used to be situated in Holderness before it was drained.

90. HUL DDCV 82/5.

91. Ibid.

92. R.D.B. CI/345/7.

93. HUL DDCV 82/5.

was a large landowner and lord of the manor of a neighbouring township. Constable bought several holdings from small and medium owners. People like him, well-established local gentry, were always at hand to 'mop up' these small plots during the enclosure years, but many of them nevertheless went to the humbler people.

Table 8.7 shows that the very small owners group had the lowest proportion of people engaging in transactions: below half of the owners of less than five acres bought, sold or mortgaged in the enclosure period so it would seem that whilst some people were forced, or else chose, to sell these small plots, there were very many who survived what could have been a difficult time with their property intact.

Small owners (allotted 5-50 acres) constituted the largest group numerically, and just over half of the owners engaged in one transaction or more during the ten-year period studied. They had the lowest proportion of sales of any group but seem to have mortgaged their property readily - 22.5 per cent of the transactions were mortgages, to which might be added another 9.4 per cent.<sup>94</sup> The mortgagees were almost invariably persons of a similar social and economic status to the mortgagors. Thomas Jackson, a Witherwick yeoman, mortgaged a messuage, some old-enclosed land, and four and a half acres of new enclosure in that township to another Witherwick yeoman in 1807<sup>95</sup> and the following year the mortgage was transferred to a yeoman from Siggles-thorne (200).<sup>96</sup> William Tranmer, a Middleton yeoman mortgaged a cottage, some field land and a common right in Middleton to another Middleton yeoman

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94. As explained earlier the information in the Registry of Deeds is sometimes very abbreviated, and it is not always possible to be certain whether property was being sold or mortgaged. If the Land Tax returns show the owner paying the same amount of tax after such a transaction it seems a fair assumption that the land was mortgaged and not sold. In the case of copyhold land there is no such problem. Copyhold mortgages, or conditional transfers, are quite unambiguous in their wording. See also Turner (1981), op. cit. p.244.

95. R.D.B. CL/472/745.

96. R.D.B. CN/35/56.

in 1804;<sup>97</sup> he was allotted 19 acres in the award<sup>98</sup> and he was an owner-occupier.<sup>99</sup> Henry Watson, a Holmpton yeoman, mortgaged a messuage, a new allotment of four acres and another of eight and a half acres in Holmpton in 1806 to a Humbleton yeoman.<sup>1</sup> Watson was allotted 13 acres in the award of 1807<sup>2</sup> and his enclosure expenses were £14 1s, though this may have only been the first instalment since it was levied on July 18 1800<sup>3</sup> and the award was not signed until 1807. Many more examples of yeomen or artisans lending money to people of the same class could be given. As with the very small owners (see the case of Joseph Robson above) a sale sometimes followed a mortgage. Robert Dixon, a Roos yeoman, mortgaged his cottage, garth and a quarter of an oxgang in Roos for £55 to Samuel Dean, another Roos yeoman, in 1787 and in 1789 he mortgaged the property again for £80. In 1790 Dean took possession of the land so it appears that Dixon had been forced to sell.<sup>4</sup>

When mortgagees of small allotments were not local villagers they were frequently women or craftsmen from neighbouring towns. Elizabeth Watson of Beverley was allotted almost 40 acres at the enclosure of Etton.<sup>5</sup> In the year of the award, 1820, she mortgaged the property to Mary Robson, a 'single woman' of Hull.<sup>6</sup> William Drury, an Etton yeoman, mortgaged his cottage and common right in Etton in 1818 to a Beverley cordwainer.<sup>7</sup> Drury

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97. R.D.B. CF/565/904.

98. R.D.B. CI/47/3.

99. QDE 1 Middleton.

1. R.D.B. CK/540/885.

2. R.D.B. CI/202/15.

3. DDCC 49/2.

4. HUL DDCV 134/9.

5. R.D.B. DA/266/58.

6. R.D.B. DH 337/386. This was an 'official' enclosure mortgage.

7. R.D.B. DE/75/105.

was allotted five and a half acres in 1820,<sup>8</sup> and his expenses were £17 3s.<sup>9</sup> William Tenney of Roos, allotted about 50 acres,<sup>10</sup> borrowed £400 from a Hull brazier in 1787, and £170 from a Beverley grocer in 1790.<sup>11</sup>

Well above half of the medium (50 to 200 acres) allottees engaged in some transactions during the enclosure period; the proportion was second only to that for the very largest owners. Almost half of their transactions were purchases, and the other half was divided equally between mortgages and sales. A number of the small plots sold around the date of enclosure came their way: the Rev. Mosey, allotted 68 acres at the enclosure of Lund, 1794-6,<sup>12</sup> had bought a small part of it from a Lund tailor;<sup>13</sup> Richard Hudson, a 'gentleman' from North Dalton (58), bought some land in Tibthorpe in 1791 from a South Dalton farmer.<sup>14</sup> Many of the small plots being sold at the time of enclosure went to 'yeomen' who intended to farm them, a number were bought by artisans from nearby towns who required a use for their extra cash, but in other cases these small holdings were bought by people higher up the social scale, who sometimes resold them after a short time, presumably at a profit.<sup>15</sup>

The large (200-500 acres) proprietors formed only 6.9 per cent of all owners. Just over half of the owners in this group made transactions of some kind. This group had the second lowest proportion of mortgages: only 17.2 per cent of transactions were mortgages, compared to a probable figure of

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8. R.D.B. DA/266/58.
  9. 1090 Acc.
  10. R.D.B. BG/103/9.
  11. HUL DDCV 134/9. The enclosure of Roos took place 1783-6.
  12. R.D.B. BT/244/31.
  13. R.D.B. BQ/182/263.
  14. R.D.B. BP/605/1002 and 1003.
  15. See below - the case of Thomas Duesbery and Thomas Hinderwell during the enclosure of North Frodingham, pp. 490-2.

over 30 per cent for the small owners group (Table 8.7). Without further information any attempt to account for the comparatively low rate of mortgages for this group must be purely speculative. It may be relevant that out of the 24 owners in this group who had transactions, 19 of them were landlords. We know that rents were raised substantially on enclosure, and it may well be that these people were able to pay their enclosure costs out of current income without the need to borrow. Those who did borrow were often people with land in many places. Charlotta Bethell of Rise (192) was allotted 254 acres when Hornsea was enclosed.<sup>16</sup> She mortgaged her new allotment in 1802,<sup>17</sup> apparently to Peter Jackson, one of the enclosure commissioners, and the other commissioners were named in the deed. Charlotta Bethell was involved in several other enclosures at this time and so a mortgage to pay her costs may have been necessary.

The very large owners (over 500 acres) only constituted 3.8 per cent of all the owners in the case study townships but the 16 owners who made transactions out of the total of 25 in this group made 128 transactions in all, whereas 100 very small owners only made 185 (Table 8.7). The table also shows the mean number of transactions per transacting owner, and it shows that the very large owners made 8 transactions each whereas the very small only made 1.8 each. Purchases formed a very high proportion of total transactions made by the owners of very large holdings. Of the 128 transactions 86 were purchases which gave a mean of 5.4 purchases for every owner who made transactions in the enclosure decade. This indicates at least some degree of accumulation of property into the hands of this group, but closer analysis reveals that it was only in certain townships that these very substantial property owners were buying up property on a large scale.

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16. R.D.B. CI/345/7.

17. R.D.B. CE/184/284. The act to enclose Hornsea was passed in 1801 but the award was not signed until 1809. Nevertheless it is clear from this mortgage that the new allotments had been set out by 1802.

South Dalton has already been mentioned; here one owner, Lord Hotham, made 21 purchases during the enclosure decade.<sup>18</sup> At Thixendale Sir Mark Masterman Sykes made 13 purchases.<sup>19</sup> The evidence from North Frodingham is also of interest. During the enclosure years, generally from 1800 to 1805, William Duesbery, a Beverley attorney, and Thomas Hinderwell, a Scarborough attorney, allotted 641 acres in the award,<sup>20</sup> made many purchases some of them very small plots. In the second half of the enclosure decade Duesbery and Hinderwell proceeded to sell most if not all of this land, generally to people described as yeomen or artisans.<sup>21</sup> The court books show that the two men made 25 purchases in 1800-5, and 22 sales from 1805 to 1810. From 1809 the court books include details of the sums paid for the allotments; they show that Duesbery and Hinderwell were paid £21,063 for the 16 estates they sold between 1809 and 1810.<sup>22</sup> The two attorneys seem to have been opportunists; they knew that in North Frodingham, a large 'open' market village with numerous proprietors, there would be many people who would be considering selling their land for various reasons. They had capital, so they used it to buy up these holdings and then sold them again, presumably at a considerable profit. The vendors of these plots were landlords and owner-occupiers, 'yeomen' and 'gentlemen'. Duesbery and Hinderwell bought very small properties, like the common right and three beast gates they bought from Christopher Pinder, yeoman of North Frodingham in 1804, and the messuage,

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18. See below for further details, pp. 499-507.

19. Ibid.

20. R.D.B. CI/276/20. The allotments made to the two men came from over a score of people. The manorial court books give full details of the transactions, HUL DDCV 121/6-7.

21. e.g. in 1809 they sold ten acres for £619 to James Posthill and Richard Ellerker, two North Frodingham yeomen; in 1810 they sold 13 acres to Thomas Slingsby, a Beeford yeoman, and William Jarrat, a North Frodingham yeoman, for £735. They also sold to people described as 'gentlemen', e.g. 42 acres to Jonathan Harrison for £2,450, HUL DDCV 121/6-7.

22. HUL DDCV 121/6-7.

croft and common right from two yeomen in the same year.<sup>23</sup> They also purchased some quite large holdings of open-field land, for example they bought six oxgangs, four beast gates, two crofts and other property from William Graburn, a landlord, in 1804, and they bought five oxgangs from William Mosey, a gentleman of Bishop Burton (96), in 1800.<sup>24</sup> A detailed analysis of the status and occupations of those who sold land or rights to Duesbery and Hinderwell is not possible, because the information on the vendors given in the court books is often somewhat abbreviated, that is only their names are given, and the smaller owners did not appear in the Land Tax returns.

One or two of the transactions made by Duesbery may have been mortgages. Most manorial court records show very clearly when transactions were conditional surrenders, the copyhold equivalent of a mortgage. Curiously the court books for North Frodingham record no conditional surrenders, and yet all the evidence from other eastern Yorkshire townships shows that mortgages were quite common; it may be that some of the 'sales' to Duesbery and Hinderwell were in fact mortgages, and the two attorneys may have been lending money to some owners to meet the enclosure costs. Some substance is given to this conjecture by the evidence that in one or two cases the 'vendors' of property in the period 1800-5 seem to have 'bought' it back between 1808-10. For example Jonathan and William Harrison transferred part of the Turf carr, three pastures in the Starr carr and 16 foddors of turbary to Duesbery and Hinderwell in 1803, and four oxgangs and one beast gate in 1804; in 1807 the attorneys transferred, for the sum of £2,450, 42 acres to Jonathan Harrison, and another 21 acres to him in the same year for £1,350.<sup>25</sup> Moreover the Land Tax returns show Jonathan Harrison paying £6 4s throughout the enclosure decade.<sup>26</sup> However

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23. Ibid.

24. Ibid.

25. Ibid.

26. QDE 1.



there is strong evidence that most of the other property transferred from various people to Duesbery and Hinderwell was sold to them, since the enclosure award lists their names as vendors,<sup>27</sup> and they are not amongst those who bought from the two attorneys in the second part of the enclosure decade.<sup>28</sup>

Table 8.7 shows that the very large (over 500 acres) owners did not engage in a high proportion of mortgages: only 7.8 per cent of all transactions by members of this group were mortgages which is a very low proportion compared to that of other groups. The enclosure expenses for the owners of large allotments must have been high, so it seems surprising that they did not mortgage their land more often. As was suggested in connection with the large owners it would seem likely that they managed to finance the enclosure from current income.<sup>29</sup> When the owners of very large allotments did mortgage the commissioners were generally named as parties<sup>30</sup> and this was probably because the property of these substantial gentry owners was often entailed. It appears that property under settlement could be mortgaged, but only for certain specified purpose as stated in the settlement deeds.<sup>31</sup>

The information in Table 8.7 suggests that when looked at on an aggregative level the proportion of owners buying, selling or mortgaging land was quite low: over a ten-year period during a time of considerable upheaval and expense only just over half of the owners of newly enclosed

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27. R.D.B. CI/276/20.

28. HUL DDCV 121/6-7.

29. For further discussion on this point see M.E. Turner, 'Cost, finance and parliamentary enclosure', Ec.H.R. second series, 34 (1981), pp.236-7.

30. For example Lord Hotham mortgaged all his newly enclosed land in Etton in 1823 for £3,930 and the commissioners were parties to the agreement, R.D.B. DP/96/86, and Charlotta Bethell of Rise mortgaged her new allotments in Witherwick in 1806, the commissioners being named as parties, R.D.B. CK/403/662.

31. B.A. English and J. Saville, Strict settlement: a guide for historians (Hull, 1983). - (University of Hull. Occasional papers in economic and social history, no.10), pp.28-9.

land had engaged in any transactions at all. When this finding is added to the evidence from Tables 8.4 and 8.5, which show that over three-quarters of the Land Tax payers named in the returns at the beginning of the enclosure decade still owned land at the end of the decade, an impression of considerable stability seems to be emerging in eastern Yorkshire. This is not to suggest that all owners were unaffected by the pressures put upon them by the enclosure process; undoubtedly some were affected, and were forced to sell their land, but in eastern Yorkshire there is not, except in a few townships, much evidence of the 'very drastic changes' in the composition of landowners over the decade of enclosure which Turner found in Buckinghamshire and Neeson in Northamptonshire.<sup>32</sup> However, any researcher on landownership and enclosure cannot fail to be impressed by the variety of experience in townships undergoing enclosure. It is only by looking at individual townships in some depth that the 'real' effects of enclosure may be assessed, and this is the approach taken in the next section.

#### The varieties of enclosure experience

When the 34 townships, their ownership structures and property transactions during the enclosure decade are looked at closely they seem to group themselves into four or five broad categories. First there are those townships where there was considerable stability of ownership, secondly there are those townships where a degree of engrossing of property, usually by one man, was taking place, thirdly there are those townships with numerous owners and relatively high populations, where enclosure appears to have stimulated much buying and selling of property, and fourthly there are the others, which do not fall neatly into any of those groups.

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32. Turner (1975), op. cit. p.568; Neeson, op. cit. p.209.

Group A. Townships with marked stability of ownership

Over one quarter of the townships in the 34 studied fall into this group: namely Helperthorpe, Holme on the Wolds, Little Weighton, East and West Lutton, Riplingham, Skidby, Southburn, Staxton, Weaverthorpe and Withernsea.<sup>33</sup> All but the last named are upland townships; the mean number of owners at enclosure in this group was 13.3 and the median was 14.<sup>34</sup> Of the 124 owners in these townships named in the Land Tax at the beginning of the enclosure period 100, or 80.6 per cent were still there after ten years (Table 8.4). Of the 133 owners named in the enclosure awards only 38, or 28.6 per cent, had any transactions during the decade studied (Table 8.6). In Helperthorpe not one of the four owners allotted land had a single transaction in the enclosure decade, and all owners were still paying tax at the end of the period (Tables 8.6 and 8.4). In Weaverthorpe seven out of the eight owners paying tax still remained after ten years, and only three out of the 13 owners had transactions (Tables 8.6 and 8.4). Seven out of the 13 owners were allotted less than five acres, and only one of these engaged in any transactions. He was described as a Weaverthorpe yeoman and he bought a cottage and two beast gates two years before the act from another yeoman.<sup>35</sup> Another yeoman who was allotted ten acres had bought the land from an owner who lived in North Yorkshire.<sup>36</sup> None of the owners of over 200 acres bought, sold or mortgaged during the enclosure decade. At Southburn, enclosed 1793-7, ten out of the 12 owners named in the Land Tax returns were still there at the end of the study

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33. The high proportion of owners named in the Land Tax returns surviving the enclosure decade (Table 8.4), and the low proportion of owners with transactions in the townships (Table 8.6) have been taken as evidence of stability of ownership.

34. Calculated from enclosure awards.

35. R.D.B. BZ/431/692.

36. R.D.B. CE/48/74.

period, and only two out of the 12 allottees had any transactions (Tables 8.4 and 8.6). One of them, a Southburn yeoman mortgaged his allotment in 1795<sup>37</sup> and he either sold it or the mortgage was transferred in 1798.<sup>38</sup> The other, a tailor who was allotted 18 acres, had sold some land to a Kirkburn (60) schoolmaster in 1794, but apparently retained the open-field allotment.<sup>39</sup> At Skidby, enclosed 1793-5, although there were 32 allottees only eight of them had any transactions during the enclosure decade (Table 8.6). Only two of the 13 people allotted land in lieu of common rights bought or sold. One of these was a Cottingham yeoman and he sold his allotment in 1796 to his tenant who was described as a gardener.<sup>40</sup> The other man was an Etton yeoman allotted just under an acre for a common right which he had purchased from another yeoman.<sup>41</sup> The transactions recorded in the Skidby court books are quite numerous during the enclosure decade, but many of them relate to land in the carr and the ings, which had been enclosed some ten years earlier in 1785-8.<sup>42</sup> There was quite a brisk trade in land in the carrs, and the court books for 1785 show that a Hull gentleman bought numerous small plots in that year.<sup>43</sup> Table 8.3 shows that the mean number of transactions per year for the decade when the carrs were enclosed was 5.7, a little higher than the figure of 5.3 for the decade when the enclosure of the open fields took place.

During the ten-year enclosure period in East and West Lutton only two out of the 15 allottees had any transactions (Table 8.6). As was the case in Weaverthorpe most of the common-right owners bought or sold nothing, although one sold his allotment shortly after the act,<sup>44</sup> and a Lutton

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37. R.D.B. BU/505/764.  
38. R.D.B. BY/593/923.  
39. R.D.B. BS/531/764.  
40. Skidby court books, HUL DDCV 150/3.  
41. Ibid.  
42. 25 Geo. III, c.48; R.D.B. BG/216/20.  
43. HUL DDCV 150/3.  
44. R.D.B. CK/386/638.

cordwainer some time before the award bought three common rights from local yeomen.<sup>45</sup>

Staxton, enclosed 1801-3, shows a very similar pattern to Weaverthorpe and East and West Lutton. Of the 14 allottees of land in Staxton only two had transactions (Table 8.6), and of the six people allotted land in lieu of common rights not one bought or sold in the period studied. Although Staxton has not been included in the next category - those townships where one owner was engrossing land - there is evidence that R.C. Broadley, who was the largest landowner in the township, had been building up an estate in the years prior to the period of the study, and he bought a little more land during the enclosure decade.<sup>46</sup> He also mortgaged his allotment to the Sykes family, probably in their role as bankers.<sup>47</sup> Broadley was also a substantial landowner in Riplingham, enclosed 1801-3.<sup>48</sup> This was a township where all the allottees were members of the gentry, and they all engaged in transactions during the enclosure decade; most of them were on a small scale but Broadley bought quite a substantial estate from a Brantingham man (who may himself have bought some of it from a husbandman) in 1801.<sup>49</sup> Little Weighton was enclosed at the same time as Riplingham, and here there was very little buying and selling (Table 8.3). A local blacksmith who was allotted five acres had bought the land just before the act was passed,<sup>50</sup> and a labourer sold a cottage and a close in 1798 to one of the largest landowners.<sup>51</sup>

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45. R.D.B. CA/356/45.

46. R.D.B. CD/104/142.

47. R.D.B. BZ/303/490. However, Broadley himself was a partner in the bank, G. Jackson, Hull in the 18th century: a study in economic and social history (1972) p.213.

48. R.D.B. CA/180/28.

49. R.D.B. CC/85/125; CC/67/108; CC/68/109.

50. R.D.B. CB/30/38.

51. R.D.B. BZ/124/81.

There were two mortgages of new allotments by one of the larger landowners,<sup>52</sup> but otherwise there was little activity.

During the enclosure period at Holme on the Wolds, enclosed 1795-8, there were only a few transactions (Table 8.6), but there is an interesting case of a Beverley attorney John Lockwood buying a cottage and common right from a Holme yeoman in 1792<sup>53</sup> and selling the allotment in lieu of the common right in 1796 to another yeoman,<sup>54</sup> who proceeded to mortgage it to a Beverley tanner in 1800.<sup>55</sup> The records show that attorneys played an important role in lending money and buying land during the enclosure years in eastern Yorkshire.<sup>56</sup> The case of Thomas Duesbery and Thomas Hinderwell at North Frodingham is the best example of this process in action, but there are many more. John Lockwood and Marmaduke Prickett are two attorneys whose names recur in the records as purchasers, vendors and mortgagees. Samuel Hall of Beverley was another attorney who often acted as mortgagee. He, and a Beverley grocer, lent money to a proprietor of 49 acres at Holme on the Wolds in 1793.<sup>57</sup>

Withernsea was enclosed 1793-7. Table 8.4 shows that four of the 21 people named in the Land Tax returns had disappeared by the end of the enclosure period, but two of them seem to have been owners of old-enclosed land only.<sup>58</sup> The number of transactions by allottees was only small. A yeoman allotted one acre had bought the common right for which it was

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52. R.D.B. CG/72/123; R.D.B. CL/378/591.

53. R.D.B. BR/168/270.

54. R.D.B. BX/266/40.

55. R.D.B. CB/86/27.

56. B.A. Holderness commented upon the part played by attorneys as money lenders in rural society in the 18th century. 'As a rule lawyers concentrated most heavily on mortgage lending ... [which] had special attractions, since [they] often ended up in full possession of the land ...', B.A. Holderness, 'Credit in a rural community, 1660-1800 ...' Midland history 3 (1975) pp.109-10.

57. R.D.B. BS/20/30.

58. QDE 1.

allotted from a Patrington (144) yeoman in 1794.<sup>59</sup> The court book stated that it was a common right 'belonging to an ancient cottage now washed away'; Withernsea is on the coast of Holderness which is subject to severe erosion. The small estate of an absentee owner, Thomas Waterhouse of Nottinghamshire, was sold 1796-7 to two people,<sup>60</sup> though in the Land Tax returns the property continued to be recorded as belonging to the heirs of Mr. Waterhouse. There were two mortgages of land in Withernsea. The first concerned John Osmond, a Waxholme (157) yeoman, who mortgaged 53 acres, part old-enclosed, part open-field land, in 1790 for £100;<sup>61</sup> in 1799 the mortgage had still not been paid and it was transferred to a Thorngumbald (148) yeoman.<sup>62</sup> The other mortgage was taken out by the largest allottee, William Dolman Taylor of Patrington (144): the court books record a conditional surrender of his land to Mrs. Lydia Ayre for £150.<sup>63</sup> The majority of owners of newly enclosed land in Withernsea made no transactions and the Land Tax returns record them as paying tax throughout the enclosure decade, but the sums changed. It appears that Withernsea was one of those few townships where a reassessment was made during the enclosure process.<sup>64</sup>

Group B. Townships where one owner was engrossing land

There are nine townships from the case study group of 34 in this category. They are South Dalton, Fimber, Coniston, Etton, Ryhill, Thixendale, Sewerby and Marton, and Wetwang. The median figure for the number of owners

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59. DDCC 105/7.

60. DDCC 104/20 and 105/7-8.

61. DDCC 106/15.

62. Ibid.

63. Ibid.

64. It is also one where a column in the Land Tax returns gives the rental value of property: in 1790 the rental values added up to £442 15s whereas in 1799 the total was £575 15s. The Land Tax assessment for the township remained the same throughout the period but individual assessments changed, QDE 1. See Chapter 7 for further discussion on reassessments, pp. 407-9.

per township in this group is six and the mean is 10.6.<sup>65</sup> Of the 153 owners named in the Land Tax returns at the beginning of the enclosure decade only 83, that is 54.2 per cent, were still there at the end (Table 8.4). Of the 95 owners receiving land in the awards 50, that is 52.6 per cent, had transactions, not a particularly high figure but, as will be shown, some of these had very many, most of them purchases.

As Table 8.4 shows the most extreme example of consolidation of property occurred at South Dalton. At the beginning of the enclosure decade 27 people paid Land Tax in the township; within a year or two of the enclosure act only five remained. Fortunately the process whereby Lord Hotham, the lord of the manor, acquired the property is well-documented, and the crucial role played by John Hall, Hotham's agent as well as the commissioner for the enclosure, has already been described in Chapter 6. From the correspondence between Hall and Hotham one receives the impression that Hall played the principal part in acquiring the land; indeed it seems to have been at his suggestion that most of the purchases were made. However, a statement by Hotham dated 1855 and called 'Memorandum For my Successor' puts the matter differently. Some 30 years after the event Hotham clearly saw himself as having been the prime mover in the accumulation of property in South Dalton, and since his letters to Hall at the time are not available there is no way of checking if this were so. Hotham's account is worth quoting at length. He wrote:

When I came into possession of the Family Estate, I found it consisting of a number of detached properties, in different directions, and without any regard to contiguity - the Parish in which there was the least property [South Dalton] was the very Parish in which the House stands; and in the adjoining Parish of Etton, which comes up to the Woods during the whole of its length on the South side - little or nothing. It has been the business of my Life to endeavour to correct this anomaly and to create an Estate on which a family might with comfort reside. With this view I

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65. Calculated from enclosure awards.



encouraged the Enclosure of Etton and Dalton, which afforded me opportunity of making numerous purchases in those two Parishes; and having taken advantage of every other occasion when purchases could be made, I have now acquired, with the exception of one small property, the whole of Dalton - the major part of Holme, on its North side, and 5/8th of Etton, on its South and West sides, besides many purchases in Lockington, and Scorbrough, and the whole of Beswick. These several purchases have amounted in number to about 83, and have cost upwards of £187,700 ... There are other properties of great local convenience, and which it will be desirable to acquire hereafter, should they ever come into the Market ...<sup>66</sup>

The passage is interesting for the comments the writer makes upon the enclosure of South Dalton and Etton. He seems to consider that the enclosure provided him with an improved opportunity to buy land, which suggests that in those townships at least owners were more vulnerable to offers from people like Hotham, at a time when they were being asked to pay their part of the expenses of the enclosure. Approximately half of the owners who sold land to Hotham in 1820-3 were owner-occupiers, and they were retained as his tenants. It is clear from numerous comments in Hall's letters to Hotham that the desire to be retained as tenants of their former property was uppermost in the minds of many of these people. Of Thomas Stephenson who sold a cottage, some lands and a common right to Hotham (Table 8.8), Hall wrote 'He will be glad to sell to us to have an opportunity of farming it to you'.<sup>67</sup>

Many of the cottagers who sold to Hotham wished him to retain their money, presumably paying them the interest,<sup>68</sup> but Hall told them that Hotham did not wish to do this. The sums involved were quite large (Table 8.8) and one wonders what the cottagers did with the money. The table shows all Hotham's purchases over the enclosure period (and for a

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66. HUL DDHO 8/63.

67. HUL DDHO 8/3.

68. In the case of James Craggs this did occur, Hotham retaining the £1,010 and paying Craggs four per cent interest per annum, HUL DDHO 8/3.

year or two before and after it). Generally it would seem that Hall did not have to exercise much persuasion to buy property (although there were often extended negotiations over the price), but when it was necessary he had no scruples in using every form of pressure at his command. As shown in Chapter 6 he was in a most privileged position - being Hotham's agent and the enclosure commissioner<sup>69</sup> - and knew what each property was worth, and how much land there would be for every holding when it was enclosed. He used this information in the interests of his employer, and in a number of cases he paid less for the property than it was worth (Table 8.8). As he wrote in December 1822 'the common rights are worth more than they expect'.<sup>70</sup> When an owner proved particularly obdurate Hall had ways of persuading him to co-operate: John Hart and Francis Leake kept greyhounds and they coursed them regularly over Hotham's land. Hall wrote in January 1822 that the two men were making difficulties over the choice of commissioners and he thought he might 'begin hostilities ... by giving them notice not to go over [Hotham's estate]'.<sup>71</sup> John Turner, who was the local blacksmith, was refusing to give up some old-enclosed land to the rector, and Hall wrote that he felt inclined to take Hotham's work from Turner and instruct all the tenants to do the same.<sup>72</sup> However Turner was 'very obstinate' and would not sell his common right or agree to the exchange.<sup>73</sup>

By January 1823 Hall had obtained all the land in South Dalton except for that of Francis Leake, Robert Leng, a cordwainer, and John Turner, the blacksmith. Leng's land was eventually sold in 1830; the deed names his

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69. There was another enclosure commissioner but he was very inexperienced - 'a child in arms' wrote Hotham, HUL DDHO 8/3.

70. HUL DDHO 8/3.

71. Ibid.

72. Ibid.

73. Ibid.

Table 8.8. Lord Hotham's purchases in South Dalton, 1812-30

<u>Original owner</u>	<u>Property</u>	<u>Year of Sale</u>	<u>Price</u>	<u>Allotment</u>	<u>Other information</u>	<u>Source</u>
Sir George Graham	Garth, 5 oxgangs, a cow gate	1812	£860	70.0.29		HUL DDHO 48/51
John Sherwood, yeoman of South Dalton	9 oxgangs	1815				
Godfrey Park	5 oxgangs	1818	£1,450	66.1.1		HUL DDHO 48/199
John Scott, yeoman of South Dalton	Messuage, cottage, a cow garth	1820	£330	7.0.4	Hall wrote that Mrs. Scott was 'a little superannuated. She has two houses ... and common rights and after her death her son will get them'. Hall bought her property for £330 and a £20 annuity to Mrs. Scott 'as she has little or nothing'. She went to live in Derbyshire with her son. Hall had 'some difficulty in persuading her to leave her house'.	HUL DDHO 48/35, 43; 8/3
John Oxtoby, yeoman of South Dalton	House and common right	1820	£210	7.2.31		HUL DDHO 8/3
Thomas Fisher, yeoman of South Dalton	3 oxgangs, 2 cottages and common rights	1820	£1,680	81.2.11	Hall thought the sum he paid 'a fair price'.	HUL DDHO 8/3
William Ellah, yeoman of South Dalton	House, garth and common right	1820	£220	9.0.4	Hall wrote of the price: 'very well.'	HUL DDHO 8/3

<u>Original owner</u>	<u>Property</u>	<u>Year of Sale</u>	<u>Price</u>	<u>Allotment</u>	<u>Other information</u>	<u>Source</u>
Robert Elliot, gentlemen of Drypool	Message, close of 0.3.38, cottage, 3 oxgangs	1820	£4,200	123.2.4	Hall wrote 'not so cheap, but some circumstances have happened to make me desirous to have them'.	HUL DDHO 48/80
Leonard Belt	8 oxgangs and a common right	1820	£3,150	215.2.15	'by great perseverance' Hall bought Belt's property 'very cheap'.	HUL DDHO 48/99-105
Philip Fisher, yeoman of South Dalton	A common right	1821	£160	?	Hall thought it 'very cheap'.	HUL DDHO 8/3
Adrian Sanvidge, yeoman of Beverley	An odd land and a common right	1821	?	?		HUL DDHO 8/3
Hannah Malton, single-woman of Lockington	A common right	1820-1	?	?		R.D.B. Dq/107/4
John Heward, yeoman of South Dalton	Message, croft, an odd land and a common right	1821	£440	5.3.30		HUL DDHO 48/71
Sarah Plaxton Smith, spinster of Sculcoates	Close and a common right	1822	£630	5.3.35 5.1.30	Miss Smith of Hull had a 'very small close' which her guardians did not want her to sell at present but would exchange for land in Hutton Cranswick (11 Dec. 1821). They then asked for £735 which negotiations brought down to £670. Hall thought this £100 too dear. He bought it for £630.	HUL DDHO 48/64; 8/3

<u>Original owner</u>	<u>Property</u>	<u>Year of Sale</u>	<u>Price</u>	<u>Allotment</u>	<u>Other information</u>	<u>Source</u>
John Brown, servant in husbandry of North Dalton	Cottage and blacksmith's shop	1822	£295	4.2.30		HUL DDHO 48/69
James Craggs, yeoman of South Dalton	Cottage, orchard and $\frac{1}{2}$ oxgang	1822-3	£1,010	13.2.13	Craggs 'has a good House, a very good garth ... and a common right equally as good, with about 6 $\frac{1}{2}$ acres of field land'. Asked £1,100 for the land and wanted to rent a small field near him 'Wants a little grassland and is a very industrious Man and would keep a stallion horse'. Hall offered £980 which Craggs refused. Hall offered .£910, Craggs asked £1,030 but finally accepted £1,010.	HUL DDHO 48/33
Robert Wilson, yeoman of South Dalton	Cottage, 24 perches and a common right	1822	£500	4.0.28 0.0.9	Wilson asked £500. 'His house and garth not so good as Sherwood's but better than any other we have bought'. Hall offered £450 but Wilson 'would not alter a shilling'. Hall bought it and 'thought it very cheap'.	HUL DDHO 48/66
Henry Whitehead	Cottage and common right	1822?				
Isaac Ward, gentleman of Bridlington	2 common rights	1822	£1,175	8.3.12 0.2.0 1.1.18	Hall went to Bridlington to negotiate sale in 1821. The 'old gentleman' was not there. Hall went again in 1822, and Ward asked £1,500 but dropped it to £1,250. Accepted £1,175 in July 1822. Hall wrote 'a very good purchase'.	HUL DDHO 48/210

<u>Original owner</u>	<u>Property</u>	<u>Year of Sale</u>	<u>Price</u>	<u>Allotment</u>	<u>Other information</u>	<u>Source</u>
John Sherwood, yeoman of South Dalton	House and common right	1822	£600	5.0.30 0.0.7	Sherwood asked £630. He said he could divide the house into three cottages. Hall offered £500 (Nov. 1822). He wrote 'Sherwood is selling his house and common right as he now occupies 9 oxgangs [which he sold to Hotham in 1815] and would expect a suitable farm and is a proper man'. Sherwood refused the £550 Hall offered. Hall wrote that 'it will be worth more allotted than Sherwood thinks.' He accepted £600 in December 1822.	HUL DDHO 48/157
Daniel Hardbatttle, carrier of South Dalton	Cottage and allotment	1823	£420	5.1.0	'Hardbatttle's cottage and allotment appeared in our way and as such I have moved every effort to obtain it and have at last got it for £420. It is I fear too dear but was an object'.	HUL DDHO 48/63
John Hart, gentleman of South Dalton	Message, garth, cottage, close and allotments	1823	£15,250	222.1.6 0.1.39 21.1.5 75.3.11	In 1820 Hart 'needs courting, but must soon sell'; property was mortgaged to Hall's brother. In 1821 Hart asked £8,000 from Alderman Fox of Beverley but wanted £10,000 from Hall. In 1823 Hall bought the land (including some in Holme on the Wolds) for £15,250 and wrote that 'it cost far too much'. He told Hart that Hotham would let him have 'a proper sized farm at a fair rent'; he will be a good tenant'.	HUL DDHO 48/143; 8/3
Thomas Stephenson, carpenter of South Dalton	Cottage, garden, lands and common right	1823	£450	4.3.28		HUL DDHO 48/48

<u>Original owner</u>	<u>Property</u>	<u>Year of Sale</u>	<u>Price</u>	<u>Allotment</u>	<u>Other information</u>	<u>Source</u>
Robert Leng	Cottage and 4.3.21	1830	£550	4.3.21	In 1823 Hall offered Leng £420 'which is too much as he has no old inclosure to his Cottage, but he asks £500, therefore I think he may see it set out'. In 1828 Hall wrote that Leng had advertised his property for £850. 'If we could get it at anything like its value I should like to have it ... I should not believe he will get much above £600 ... it would be a pity to have a new freeholder at Dalton'.	HUL DDHO 48/98

son as the vendor so it appears that Leng himself had died. By holding out for so long he probably ensured that the land went for a good price, but unlike those villagers who sold before the land was allotted Leng would have had to pay the enclosure expenses. Hall wrote to his employer in 1823 that he was now 'Cock of the Field' in South Dalton.<sup>74</sup> When Hotham wrote his 'Memorandum ...' in 1855 only one other proprietor owned land in South Dalton.

Hotham and Hall carried out a similar process of accumulation of property in Etton, enclosed 1818-20. The correspondence between the two men does not cover the period of the enclosure, but the award records that much of the 916 acres awarded to Hotham had been purchased between 1819 and 1820.<sup>75</sup> Table 8.9 shows Hotham's purchases at Etton.

Table 8.9. Lord Hotham's purchases in Etton, 1819-20

<u>Original owner</u>	<u>Property</u>	<u>Year of Sale</u>	<u>Price</u>	<u>Allotment</u>	<u>Source</u>
Thomas Roantree	8 lands, 2 common rights	1819	£1,000	27.1.19	HUL DDHO 30/22
Thomas Clarke of Newcastle	5 oxgangs, a common right	1819	£2,800	112.2.27	HUL DDHO 30/43
Thomas Hodgson	A land, a common right	1819	£365	2.3.0	HUL DDHO 30/69
Rev. John Fox	Old-enclosed land, a com- mon right	1819	£361 10s	17.2.7	HUL DDHO 30/66
John Gilbey	? oxgangs	1820	£8,700	199.3.21	HUL DDHO 30/98
Messrs. Walkden and Frith	8 oxgangs, 2 common rights	1820	£4,000	161.3.3	HUL DDHO 30/59
John Vickers	6 oxgangs, a common right	1820	£3,000	99.1.30	HUL DDHO 30/114

74. Ibid.

75. R.D.B. DA/266/58.



Table 8.10. Sir Christopher Sykes's purchases at Thixendale, 1786-93

<u>Original owner</u>	<u>Property</u>	<u>Year of Sale</u>	<u>Price</u>	<u>Source</u>
Robert Beadle, corn factor of York	Sheep walk of 157.2.30	1786-7	?	HUL DDSY 66/48, 51; R.D.B. BJ/450/712
John Lee, gentleman of Leconfield	Messuage, cottage, 6 oxgangs etc.	1786	£700	HUL DDSY 66/80
William Tuffnell Jolliff, esquire of Nun Monkton, N.R.	Messuage, 8 oxgangs, 200 sheep gates on the fallow field, 44 sheep gates on the low Wold, 10 beast gates	1786	?	HUL DDSY 66/105; R.D.B. BJ/605/941
Richard Sharp of Burythorpe and William Hudson (mortgagee)	10 oxgangs, a cottage	1786	£1,050	HUL DDSY 66/136-7
Robert Kirby, yeoman of Bulmer and William Roantree (mortgagee)	Messuage, site of 2 cottages, 4 oxgangs	1786	£760	HUL DDSY 66/117
Thomas Mook, butcher of Rillington	Messuage, tenement, 8 oxgangs, 60 sheep gates and 5 beast gates	1786	£820	HUL DDSY 66/151-2, 158
William Brighton, gentleman of Market Weighton and others	Messuage, 9 oxgangs	1792	£1,100	HUL DDSY 66/212-18
John Singleton, gentleman of Great Givendale	Mansion house, 14 oxgangs, 2 acres of land	1792	£1,650	HUL DDSY 66/245-8
William Powlett of Southampton	Manor, 26 oxgangs etc.	1792	£5,250	HUL DDSY 66/268-71
Robert Brigham, blacksmith of Fridaythorpe	Messuage with blacksmith's shop, 4 oxgangs	1792	£517 13s	HUL DDSY 66/227-8
William Marshall of Wharram, John Marshall of Thixendale and John Marshall junior of Hanging Grimston	2 common rights	1793	£100	HUL DDSY 66/3

<u>Original owner</u>	<u>Property</u>	<u>Year of Sale</u>	<u>Price</u>	<u>Source</u>
George Lee of Thornton	Message, garth, 2 beast gates, 20 sheep gates	1793	£130	HUL DDSY 66/249
William Brigham of Thixendale	Cottage, garth, 2 beast gates, 30 sheep gates	1793	£155	HUL DDSY 66/282-4
Matthew Robson of Thixendale	Cottage	1793	£350	HUL DDSY 66/335-40

Note: Many of these properties

At Thixendale, enclosed 1795-6, a similar process of accumulation of property was taking place: from 1786 until 1793 Sir Christopher Sykes was buying property in the township. Table 8.10 shows his acquisitions during these years; by the time of the enclosure award there were only two proprietors left to be allotted land. Like Hotham's, Sykes's purchases varied from small property - a cottage, or a few sheep gates - to very substantial estates. Most of the vendors were landlords, but Robert Brigham and William Brigham were both owner-occupiers.<sup>76</sup> Some of the properties had mortgages outstanding when Sykes bought them. Thixendale was quite close to the Sykes's principal estate at Sledmere and Sir Christopher Sykes set out to build up a substantial holding in the township. At enclosure, which was carried out by agreement, 1794-6, Sykes was allotted 2,374 acres; the only other allottee, Thomas Harrison, received 63 acres.<sup>77</sup> Another similarity to the case of South Dalton was the fact that Robert Dunn, Sykes's agent, was one of the commissioners. The Land Tax returns show the build-up of Sykes's property in Thixendale very well: in 1787 he paid £9 15s, and in 1795 he paid £37 6s, with the biggest jump between 1792 (£11 14s) and 1793 (£22 8s).<sup>78</sup>

The other cases of engrossment by large landowners are on a less dramatic scale than those of South Dalton and Thixendale. Sir Christopher Sykes, and his successor Sir Mark Masterman Sykes, made a number of purchases at Fimber and Wetwang, enclosed 1803-6. At Fimber Sir Christopher bought the manor and a large estate between 1799 and 1801, and 110 acres from a local owner-occupier, 8 acres from a joiner, and 98 acres from the heirs of a widow.<sup>79</sup> Sykes had already purchased some holdings 1788-92, and at enclosure his son was allotted 1,066 acres.<sup>80</sup> At the enclosure of Wetwang, Sykes was allotted 936 acres,<sup>81</sup>

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76. QDE 1.

77. R.D.B. BG/426/67.

78. QDE 1.

79. HUL DDSY 18.

80. R.D.B. CI/141/9.

81. Ibid.

some of which had been bought in the years just before enclosure.<sup>82</sup> John Greame, the largest landowner in Marton and Sewerby (239), bought property from three people during the enclosure decade,<sup>83</sup> and after the enclosure had taken place considerable changes in the village and in the course of the roads were effected by Greame and the other principal landowner Ralph Creyke.<sup>84</sup> At Reighton, enclosed 1811-20, Henry Strickland bought up several properties during the enclosure period from four absentee owners.<sup>85</sup> Table 8.4 shows that the number of people paying tax in the township went down from 13 to nine between 1813 and 1814. Robert Carlisle Broadley was accumulating some property in Ryhill,<sup>86</sup> enclosed 1805-10, and another substantial landowner, Edward Ombler, also bought some properties in the years between act and award.<sup>87</sup> Ombler's Land Tax payment almost doubled, from £10 5s 4d in 1805 to £20 3s 1d in 1806.<sup>88</sup> The number of owners paying Land Tax in Ryhill dropped from 27 to 23 over the enclosure decade (Table 8.4). In Coniston, enclosed 1789-90, William Wilberforce bought land from two people<sup>89</sup> so that whilst there were six owners listed in the Land Tax returns at the beginning of the enclosure decade there were only four at the end (Table 8.4).

In all the townships in group B the engrossing owners were buying from all classes of owners, from very small to very large. There is no indication that the purchase of such property was made with the intention of buying out opposition; John Hall certainly does not mention this as a factor and the prime motive in most, if not all, of the cases must have been the desire to

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82. HUL DDSY 72.

83. R.D.B. CD/129/189; CF/369/578; CG/216/341; CR/358/469.

84. V.C.H. Yorks. E.R. 2, p.94.

85. R.D.B. CS/592/803; CT/482/685; CW/93/141; CX/226/285.

86. R.D.B. CM/127/209; CM/128/210; CN/269/409.

87. R.D.B. CH/552/859; CL/85/149; CM/47/73.

88. QDE 1.

89. R.D.B. BO/422/650; BO/543/842; BP/57/88.

build up a compact estate. The enclosure period probably made some owners, absentee owners especially, consider the possibility of selling up rather than pay heavy enclosure expenses. A study of the land market highlights the considerable amount of property which was already mortgaged, and for owners of such land a demand for money for enclosure expenses may have been beyond the limit of their already stretched resources. If they happened to have their land in a township where there was a large landowner anxious to increase his estate they were fortunate, and could probably demand a good price.

The case of South Dalton is puzzling in some ways: the sheer scale of the transfer of property from so many individuals into the hands of one man is surprising. Only two people held out against Hall's pressure and, from being a township in multiple ownership, South Dalton almost overnight became an estate village. Perhaps the crucial factor is the date of the enclosure. After the Napoleonic wars, which had brought prosperity to the owner and the farmer, a period of agricultural depression set in and prices tumbled. Most of those owner-occupiers who sold their land to Hotham in the early 1820s and became his tenants perhaps did so most willingly, happy to have someone else take over the financial responsibility in difficult times. Hotham proved to be a reasonable landlord. When conditions worsened in 1829 he was asked by Hall to reduce rents, which he readily agreed to do;<sup>90</sup> in 1830 Hall wrote again to tell Hotham that if he wished to keep his tenants he must reduce their rents still further: 'if we part with good Tenants we shall assuredly regret it, and I do really believe many farms must be without occupiers'.<sup>91</sup> Hotham again agreed to reduce the rents, but even so he found himself with some farms without tenants. Hotham in his Memorandum of 1855 wrote that his land was occupied by:

a most respectable Tenantry, whose favour I have never gone out of my way to court, but who have

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90. HUL DDHO 8/3.

91. Ibid.

lately volunteered giving the most flattering (and the more so because totally unexpected) proof of their good feeling and good will towards their Landlord.<sup>92</sup>

It would appear that the tenants had either forgotten, or else never knew, that their land had been transferred to the Hothams in somewhat dubious circumstances.

Group C. Large 'open' townships in multiple ownership

There are five townships out of the 34 case study townships in this group: Roos, Keyingham, North Frodingham, Hunmanby, and Hornsea. The median number of owners at enclosure in this group was 42 and the mean was 47.<sup>93</sup> Of the 254 owners named in the Land Tax returns at the beginning of the enclosure decade, 188, or 74 per cent, remained (Table 8.4). Of the 230 owners allotted land in the award 146, or 63.5 per cent, had transactions (Table 8.6). It is difficult to follow the complexities of the land market in such townships because so many transactions were taking place: land was passing from small to larger owners and, just as often, from large to smaller owners; many owners were mortgaging their property, and there seems to have been no clearly discernible movement of property in any one direction. However each of the townships had certain features unique to itself, and so the discussion will concentrate upon those features.

North Frodingham, enclosed 1801-8, is a township in the Hull valley. A total of 49 people were allotted land at enclosure and 35 had transactions (Table 8.6). There were 135 transactions recorded for people allotted land in the enclosure award, of which 38 were sales, 24 were unidentified transactions, probably mortgages, two were mortgages, and 71 were purchases.<sup>94</sup> The majority, 14 out of the 18 common-right owners, engaged in some transactions, and there was a very busy market in common rights in the years just

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92. HUL DDHO 8/63.

93. Calculated from the enclosure awards.

94. HUL DDCV 121/6-7.

before and just after the award. Most of these small properties went from one humble villager to another. An exception to this general trend was found in the activities, already mentioned, of Thomas Duesbery and Thomas Hinderwell in their purchase and resale of numerous small properties. They made a total of 25 purchases and 22 sales in the enclosure years. No other owner bought or sold on anything like the same scale.

There are many examples in North Frodingham of owners selling open-field land but retaining land allotted for common rights. Alice Blenkin and her son James, a yeoman, sold one oxgang in 1802 to Duesbery and Hinderwell, but at enclosure they still had an allotment for a common right.<sup>95</sup> Bessy and Frances Mosey of Bridlington sold 6½ oxgangs, 2 pasture rights and a fodder of turbarry to Duesbery and Hinderwell in 1802 and were allotted three acres at enclosure.<sup>96</sup> **William Footy, a North Frodingham owner-occupier,** sold an oxgang to the two men in 1804 and received four acres for a common right at enclosure.<sup>97</sup> Such examples could be multiplied and suggest that in a populous village like North Frodingham proprietors preferred to retain the common-right allotments (which the commissioners generally placed in a good position near the village centre) since they were the most valuable to small owners, either as small pasture closes, gardens or for building land.

The enclosure of Hornsea occurred in 1801-9 and 62 owners were allotted land in the award, 41 of them having transactions in the enclosure decade (Table 8.6). There were 106 transactions relating to property associated with the owners named in the award; 33 were sales, 17 were mortgages and 56 were purchases.<sup>98</sup> Of the 23 people allotted less than five acres, 16 had some transactions during the enclosure decade, and the mortgaging of land was quite common. Sometimes people bought property and then mortgaged it

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95. HUL DDCV 121/6-7; R.D.B. CI/276/20.

96. Ibid.

97. Ibid.

98. HUL DDCV 82/5. ↵

soon afterwards: Christopher Jackson junior, a Hornsea yeoman, bought 16 acres, a new allotment, from the Reverend Ogle in 1806 and immediately took out a mortgage for £250.<sup>99</sup> Some people sold part of their new enclosure whilst retaining the rest, as in North Frodingham. In 1802 Thomas Acklom, a Hornsea cordwainer, sold three and a half acres which he had just been allotted (that is the land had been staked out although the award was not signed until 1809) to a husbandman, but still had one acre when the award was made; Bryan Bedell, a Hornsea farmer, sold four acres in 1803 to another husbandman and was allotted three and a half acres by the commissioners.<sup>1</sup> This type of transaction involving the splitting up of holdings, helps to account for the growth in the number of owners recorded in the Land Tax returns (Table 8.4). As stated earlier, Hornsea was a growing town in 1801 so that small plots, especially if they were near the village centre, were probably in demand. Many very small allotments were made around the mereside and many of these were sold by the cottagers and were purchased by one man, Thomas Anderson of Sculcoates. From 1804 to 1806 the Hornsea court books record a total of 12 transfers of allotments of new enclosure on the mereside from people, usually local villagers, yeomen or tradesmen, to Anderson.<sup>2</sup> Whether Anderson had intended to retain them for himself cannot be determined, since he died in 1807 and his heir Thomas proceeded to sell some of the plots. In the enclosure award of 1809 Anderson was allotted almost two acres, which may have represented about ten or more of these tiny plots, which were usually only about half a rood in size.<sup>3</sup> Other people were also ready to buy small plots: Stephen Linskin of Hornsea, a butcher, bought two mereside allotments in 1807 and another in

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99. Ibid.

1. R.D.B. CI/345/7; HUL DDCV 82/5.

2. HUL DDCV 82/5.

3. R.D.B. CI/345/7.



1809.<sup>4</sup> On a larger scale John Kirkus, a gentleman of Beverley, bought land from several individuals between 1803 and 1808 and was awarded 109 acres in the award;<sup>5</sup> Marmaduke Constable, who was the lord of the manor of Wassand (205) which adjoins Hornsea, bought small plots ranging from two roods to 12½ acres between 1802 and 1808.<sup>6</sup> He already had a considerable estate in Hornsea, and it appears that he was something of an opportunist, prepared to buy whatever was available. The two largest landowners however, Charlotta Bethell, allotted 254 acres, and Philip Blundell, allotted 355 acres,<sup>7</sup> neither bought nor sold in the period, although both took out mortgages on their property and both the mortgages named the commissioners as parties, so the money was clearly intended to be used to finance the enclosure.<sup>8</sup>

Hunmanby with Fordon, was enclosed at the same time as North Frodingham and Hornsea. There were 35 owners allotted land at Hunmanby and 27 of them had some transactions (Table 8.6). There were 54 transactions relating to the owners named in the award, of which 12 were sales, three were unidentified transactions, probably mortgages, seven were mortgages and 32 were purchases.<sup>9</sup> A number of small landowners was accumulating small properties: William Smith, a Hunmanby shepherd had bought common rights from three people before the award, as well as an acre from a North Riding farmer, and six and a half acres from another owner;<sup>10</sup> William Crosier, a Hunmanby yeoman, bought land from four people 1798-1806, and was allotted 13 acres in the award.<sup>11</sup> John

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4. HUL DDCV 82/5.
  5. Ibid.; R.D.B. CI/345/7.
  6. HUL DDCV 82/5.
  7. R.D.B. CI/345/7.
  8. R.D.B. CE/184/284; CG/165/270.
  9. Registry of Deeds, Beverley.
  10. R.D.B. CQ/8/1; BY/464/735; CH/420/682.
  11. R.D.B. BZ/279/446; CH/421/683; CH/419/681; CL/207/338.

Hall of Scarborough (the commissioner and agent to the Hothams) and William Drinkrow of Drifffield, who were allotted 605 acres at enclosure, had built up their estate by a number of purchases made between 1801 and 1803.<sup>12</sup> It appears from the Land Tax returns that they had no property before 1801,<sup>13</sup> and it seems likely that they chose to establish an estate, probably as an investment, in a township where an enclosure was taking place and where land would be relatively easy to obtain. The Hall family held this estate until 1856 when it was sold to the lord of the manor of Hunmanby.<sup>14</sup> At enclosure in 1809 the then lord of the manor, Humphrey Osbaldeston, was allotted 4,471 acres, and he bought one or two small properties,<sup>15</sup> but his main transaction was a mortgage which he took out on his allotment in 1804 for £16,000.<sup>16</sup>

At Roos, enclosed 1783-6 and at Keyingham, enclosed 1802-6, rather fewer of the allottees bought, sold or mortgaged than was the case with either Hornsea or Hunmanby. There were 42 people allotted land at Roos and 22 of them had transactions (Table 8.6). There were 35 transactions, comprising eight sales, nine mortgages, and 21 purchases.<sup>17</sup> The usual traffic in small plots took place in Roos but half of the 12 common-right owners engaged in no transactions at all. Most of the small owners were local, either described as yeomen or as local craftsmen in the award. Some of these people were buying small plots during the enclosure period: John Thompson, a Roos cordwainer, bought a house, garth, and new enclosure near the

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12. R.D.B. CQ/8/1; CC/460/687; CC/461/688; CD/154/227; CD/351/539; CE/560/851; CM/434/677.

13. QDE 1.

14. V.C.H. Yorks. E.R. 2, p.232.

15. R.D.B. CD/570/853; CD/572/856; CF/217/343.

16. R.D.B. CH/60/112; DDHU 9/296.

17. HUL DDCV 134/9.

garth from another yeoman and immediately mortgaged it for £30 to another allottee;<sup>18</sup> Robert Gossip, a Roos yeoman bought one and a half roods of newly enclosed land from one man and half an acre from another, and was allotted one acre;<sup>19</sup> John Grindall, also a Roos yeoman, in 1785 bought two tofts for which almost two acres had been allotted and received this land in the award.<sup>20</sup> Mary Harrison, a widow, mortgaged her allotment of four acres in 1784, possibly to pay her enclosure expenses, but sold it in 1788.<sup>21</sup> Mortgages were relatively common; some people took out several. John Thruston, a Roos yeoman, mortgaged a cottage, garth and one and three-quarter oxgangs for £80 in 1782 to Rev. Mark Sykes; in 1789 he mortgaged 33 acres for £200 to a Hull brazier; in 1790 he renewed this mortgage and increased it to £600.<sup>22</sup> The Hull brazier, Joseph Cam, also lent money on mortgage to another proprietor, a Hull gentleman.<sup>23</sup> The identity of these mortgagees is a study in itself. They varied from other small proprietors in Roos, tradesmen of the locality and local attorneys to very well established gentry owners and bankers. Quite clearly there was a most flourishing market in mortgages both large and small, and the financing of enclosure could not have been carried out without it.

Keyingham was enclosed 1802-05, and 42 proprietors were allotted land, of which 21 had transactions (Table 8.6). There were 43 transactions involving proprietors allotted land in the award, of which 11 were sales, 14 were mortgages and 18 were purchases.<sup>24</sup> Only nine out of the 23 common-right owners had transactions. Of those who did, a number took out

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18. Ibid.

19. Ibid.; R.D.B. BG/103/9.

20. R.D.B. BG/103/9.

21. Ibid.

22. Ibid.

23. Ibid.

24. DDCC 15/52-7, 266-78.

mortgages: John Coleman, a Keyingham yeoman allotted 24 perches, mortgaged his land for £21 in 1804; Abraham Kemp, a Withernsea yeoman allotted one rood five perches mortgaged it in 1804 for £60. Other people with a little more land also mortgaged it: Thomas Rennardson, a Keyingham blacksmith allotted 16 acres mortgaged it for £200. In the case of Keyingham we know each proprietors' enclosure expenses (excluding those for fencing). The differences between the sum the proprietors borrowed and their enclosure expenses was very wide: John Coleman borrowed £21 and had to pay £1 14s 7d to the commissioners; Thomas Rennardson borrowed £200 and had to pay £41 2s.<sup>25</sup> The difference between these sums may represent the fencing costs, but the discrepancy is rather large. Another possibility is that they wished to take advantage of their new position as owners of self-contained plots of land to raise some cash, possibly to spend on their new allotments, possibly for some other use.

Some people raised the cash for their enclosure expenses by selling part of their new allotments: at the beginning of the proceedings at the court held at Keyingham in 1806 there is a recital of that part of the parliamentary enclosure act which states that 'some persons might wish to raise money for affecting the purpose of the act by the sale of their allotments'. It goes on:

Mary Twigge of Beverley, widow, James Mander of Bakewell, Derbyshire, and William Carleill of Bakewell, being seized of an estate for their lives, wish to sell part of the allotment [1.2.27] to Job Elletson of Keyingham, cordwainer, for £92 ... which sum the said Job Elletson hath paid to the said commissioners for and towards the share ... of the expenses ...<sup>26</sup>

The award shows that James Mander, who was allotted 183 acres, was charged £341 1s 7d for the expenses of the enclosure, and in 1804 he mortgaged the freehold part of the allotment,<sup>27</sup> and William Carleill mortgaged the

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25. R.D.B. CI/90/5; DDCC 15/52-7.

26. DDCC 15/53.

27. R.D.B. CG/390/643.

copyhold part for £2,500,<sup>28</sup> again a sum which seems to bear little relation to the enclosure cost. The terse statements in the manorial court books make it difficult to ascertain William Carleill's and Mary Twigge's relationship to the land; in the enclosure award and the Land Tax returns James Mander appears as its sole owner.<sup>29</sup>

Table 8.11. Transactions recorded in Keyingham  
manorial court books, 1789-1818

<u>Date</u>	<u>Sales</u>	<u>Mort-</u> <u>gages</u>	<u>Date</u>	<u>Sales</u>	<u>Mort-</u> <u>gages</u>	<u>Date</u>	<u>Sales</u>	<u>Mort-</u> <u>gages</u>
1789	2	2	1799	2	0	1809	2	3
1790	1	1	1800	1	1	1810	6	4
1791	5	2	1801	1	1	1811	6	3
1792	2	1	1802	5	0	1812	4	4
1793	0	1	1803	6	3	1813	2	2
1794	1	0	1804	4	2	1814	1	4
1795	3	0	1805	5	3	1815	1	1
1796	3	0	1806	2	2	1816	4	4
1797	0	1	1807	3	2	1817	1	5
1798	1	2	1808	6	5	1818	2	1
Total	18	10		35	19		29	31

Source: Keyingham court books, DDCC 15/52-7.

*N.B. Sales and mortgages of copyhold property are more correctly absolute and conditional surrenders.*

Keyingham is a particularly suitable township to use for a study of mortgages and enclosure, because much of the property being copyhold it had to pass through the manorial court. The records give not only a description of the property and whether it was being sold or conditionally transferred, but also at some periods the sum of money involved. Moreover, Keyingham is one of the few townships in eastern Yorkshire for which each proprietor's enclosure assessments have survived. In every case the amount of money raised on mortgage is much larger, often five times or more larger than the

28. DDCC 15/52-7.

29. R.D.B. CI/90/5; QDE 1.

sum assessed for enclosure expenses. In order to assess whether mortgages were taken out more freely in the enclosure decade a table has been constructed breaking down the different kinds of transactions made in Keyingham over a 30-year period (Table 8.11.).<sup>30</sup>

As the table shows, in the decade 1789-98 there were ten mortgages, in the decade 1799 to 1808 there were almost twice that number, but in the decade after that there were no less than 31. In the final decade sales were down compared to the enclosure decade, although they were still much higher than in the first decade of the 30-year period. Without investigating more deeply the nature of the mortgages taken out 1789 to 1798, and 1809 to 1818 it is impossible to account for the fluctuations. Possibly owners were going through difficult times in the 1810s; we know that a period of agricultural depression set in after the Napoleonic wars, but the mortgages are consistently high in numbers from 1809 and there is no significant rise from 1815. The most plausible explanation seems to relate to a stimulation of the property market by the process of enclosure. In the first decade there were 28 transactions (excluding simple transfers and wills); in the enclosure decade there were almost twice as many - 54 transactions; and in the last decade there were 60 transactions. Earlier reference was made to other townships where there was a rise in transactions over the whole 30-year period; the townships where this pattern occurred tended to be those with numerous proprietors coinciding with relatively high population densities. They were being enclosed at a time when increasing population pressure may have meant a quick response to the opportunities offered by a release from the restrictions of the open-field system.

Group D. The remaining townships

Thus far the townships analysed have seemed to fit into fairly well-defined groups; the remaining ten townships show no such clear characteristics.

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30. This table relates only to copyhold land; the information on freehold land could not be included because the information recorded in the Registry of Deeds does not always show whether specific transactions were sales or mortgages.

Five of them - Witherwick, Elstronwick, Owthorne, Holmpton and Hollym are in the lowlands; the other five - Fridaythorpe, Middleton, Tibthorpe, Lund and Flixton are in the uplands. The ten townships had a mean number of 20 owners allotted land in the award and the median number was 20.5 per township. Judged by the number of original landowners remaining in the Land Tax returns at the end of the enclosure decade (Table 8.4), and by the proportion of allottees engaging in some transactions (Table 8.6), Witherwick, Elstronwick and Owthorne were the townships with the most active land markets, while Lund, Flixton and Hollym were those with the least.

At Witherwick, enclosed 1802-14, there was a considerable increase in transactions in the enclosure period (Table 8.4), and of the 23 allottees, 16 had transactions in the period studied.<sup>31</sup> Many of these people made several transactions each; the average per owner, 3.7, was considerably higher than in many other townships.<sup>32</sup> Richard Jackson, a Witherwick husbandman, was only allotted just under one acre in the award,<sup>33</sup> but the Land Tax returns of 1799 show that at that date Jackson was a substantial owner-occupier paying £4 1s tax.<sup>34</sup> In 1803, the year after the act, he and his brothers John, Hugh and William sold a messuage and two oxgangs to Charlotta Bethell,<sup>35</sup> in 1809 he sold some more land to two Eske farmers,<sup>36</sup> and in 1810 a close of one acre to a Witherwick farmer.<sup>37</sup> The dealings of another owner, Matthew

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31. Because of the length of time between the act and the award the period of study was extended.

32. Registry of Deeds, Beverley. There were 59 transactions recorded for 16 transacting allottees.

33. R.D.B. CQ/245/16.

34. QDE 1. His tax went down to £3 2s 3<sup>1</sup>/<sub>2</sub>d 1800-1, and then dropped to 16s 7<sup>1</sup>/<sub>2</sub>d in 1802.

35. R.D.B. CG/6/9.

36. R.D.B. CO/253/410.

37. R.D.B. CP/506/776.

Barnes, yeoman of Lelley (162), illustrate very well the market in small plots of land in Witherwick. Barnes seems to have been the owner of a cottage which he let.<sup>38</sup> In 1805 he sold a beast gate and the allotment to be made for it to a Witherwick tailor<sup>39</sup> who in his turn (in the same year) sold it to a Sigglesthorne labourer.<sup>40</sup> In 1806 the labourer sold it (or mortgaged it?) to a Witherwick farmer, Mark Rogers.<sup>41</sup>

Close study of the Witherwick award which was registered in 1814, some 12 years after the act, reveals some very puzzling discrepancies. William Barnes had clearly sold his small plot in 1805, and yet he appeared as its owner in the award of 1814.<sup>42</sup> Similarly Peter Robson, a Witherwick yeoman, sold an allotment of three-quarters of an acre in 1810 to John Brown, another Witherwick yeoman, who was its occupier.<sup>43</sup> In 1812 John Brown seems to have mortgaged it to a Beverley widow,<sup>44</sup> and in 1814 either the mortgage was transferred or else the plot was sold.<sup>45</sup> Despite this clear evidence that Brown was the owner from 1810 the plot was allotted to Peter Robson in the award of 1812.<sup>46</sup> It looks as though the commissioners drew up the award at some time well before the date it was signed and executed, and although it was delayed in its execution the information was not updated to show the picture of ownership in 1814. This is a rather uncommon case however; even when awards were long delayed they usually seem to show the landholding as it was when the award was signed.

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38. QDE 1. He paid 4s Land Tax in 1799 and his tenant was Robert Palmer.

39. R.D.B. CK/53/94.

40. R.D.B. CK/211/363.

41. R.D.B. CK/600/970.

42. R.D.B. CQ/245/16.

43. R.D.B. CR/208/262.

44. R.D.B. CT/151/250.

45. R.D.B. CW/348/501.

46. R.D.B. CQ/245/16.



A number of people in Witherwick mortgaged their land during the period of the study. As in many other townships it was quite common for both small and large owners to mortgage their allotments, often within a few years of the act, when other sources show that the expenses were being requested by the commissioners. The vicar of Watton (79), allotted an area of 20 acres, mortgaged it in 1806;<sup>47</sup> Charlotta Bethell mortgaged her allotments totalling 226 acres in the same year.<sup>48</sup> The largest landowner, George Alder, a merchant of Myton near Hull, was allotted 572 acres.<sup>49</sup> He had no land in Witherwick before 1803,<sup>50</sup> but from that date until 1809 he made three large purchases, as well as selling small plots to several farmers and yeomen.<sup>51</sup>

Table 8.3 shows that at Elstronwick, enclosed 1806-13, there was considerably increased activity as regards land transactions in the enclosure period, and the year after the act was particularly busy. There were 18 allottees and 11 had transactions (Table 8.6). The number of mortgages was particularly high: ten out of the 25 transactions were mortgages, eight were sales and seven were purchases.<sup>52</sup> Although, as with Witherwick, the period between the act and the award was very prolonged, the commissioners' minutes show that the allotments were set out on 1 January 1807.<sup>53</sup> This was the year with the most transactions: in 1807 John Ford, a Burton Pidsea (160) yeoman, bought nine acres of newly enclosed land from a Roos gentleman who

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47. R.D.B. CL/31/59.

48. R.D.B. CK/403/662. The mortgage was made to John Bainton, gentleman of Bewholme (208).

49. R.D.B. CQ/245/16.

50. QDE 1.

51. R.D.B. CK/53/93; CH/363/588; CF/519/822; CK/392/651; CL/472/744; CM/361/560; CO/187/299.

52. DDCC 15/54; Registry of Deeds, Beverley.

53. Elstronwick enclosure minutes, Hull City Library.

had a large estate in Elstronwick;<sup>54</sup> John Sumpner, a Lelley (162) miller allotted 20 acres, mortgaged the land for £150 and bought nine acres from another landowner;<sup>55</sup> Jonah Wrigglesworth, an Elstronwick yeoman allotted 26 acres mortgaged them for £400;<sup>56</sup> an estate of 99 acres owned by Susanna Houblon, a London widow, was also mortgaged;<sup>57</sup> the devisees of John Bell, allotted 145 acres, sold 3 acres to a Burton Pidsea yeoman;<sup>58</sup> Robert Bell, allotted 177 acres sold nine acres to another yeoman.<sup>59</sup> These last two transactions suggest that some of the more substantial owners rather than mortgaging their land, preferred to sell off small parts of it to finance enclosure.

Owthorne was enclosed 1806-15, and 20 people, 12 with transactions (Table 8.6), were allotted land. The records show quite a brisk trade in small plots of land during this enclosure.<sup>60</sup> In 1809 a weaver, Robert Briglin, bought the site of a cottage and two acres 'lately set out' from a yeoman,<sup>61</sup> and in 1815 he bought two more acres from another small owner.<sup>62</sup> There were five mortgages in the enclosure period, but most of them do not seem to have been related to the enclosure expenses which were requested in 1806:<sup>63</sup> for example William Harrison, a Waxholme (157) yeoman who was allotted seven acres and had 58 acres of old-enclosed land,<sup>64</sup> mortgaged some open-field land in 1805 (the year before the act) and took out another mortgage

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54. DDCC 15/54. The vendor was Robert Bell, allotted 177 acres at enclosure, R.D.B. CQ/218/15.
55. R.D.B. CQ/218/15; DDCC 15/54.
56. Ibid.
57. R.D.B. CL/570/897.
58. R.D.B. CQ/218/15; DDCC 15/54.
59. Ibid.
60. DDCC 105/8; Registry of Deeds, Beverley.
61. DDCC 105/8. The yeoman James Drew, called blacksmith in the award, seems to have retained some land, as he was allotted five perches in 1805, R.D.B. CQ/401/23.
62. DDCC 105/8.
63. DDIV 39/1.
64. R.D.B. CQ/401/23; DDIV 39/1.

in 1817;<sup>65</sup> Samuel Mann, allotted 149 acres,<sup>66</sup> mortgaged it to Pease bankers in 1815.<sup>67</sup> The only mortgage which seems to be associated with the demand for money from the commissioners is that made by Marmaduke Prickett of Bridlington in 1807 upon some old-enclosed land and allotments 'already staked out'.<sup>68</sup> There seems to have been much transferring of property in Owthorne in the years before enclosure: in 1802 a document was drawn up concerning the tithes, and it states that within the time of Mr. David Smailes, 'a respectable Farmer and one of the oldest inhabitants ... three-quarters of the Parish has been bought or sold'.<sup>69</sup> Owthorne enclosure is well documented and some evidence given to the commissioners in 1806 adds a little entertaining detail to the usually somewhat dry information from awards and Land Tax returns. The document records a conversation between two villagers, John Bilton and John Coleman. Bilton was a substantial farmer in Owthorne, but does not seem to have owned any land;<sup>70</sup> Coleman was a cottager and evidently worked for Bilton. There was some dispute as to whether the cottagers had a right to an area of land in one of the open fields. The document reads:

Sir, Old John Bilton says that they [the cottagers] have two whin lands in Great Enholmes Field .... Old John Cowlman of Owthorne he was working at John Biltons and John Cowlman said he hard Old John Bilton say that he had two Whin lands went through Great Enholme Field - Poor people's common whin lands. John Cowlman answer was to Bilton I was in Town and wrought in it and helped to flit Cappleman away from your farmhouse before you came to Owthorne or any of your Foreelders, neither Cappleman nor you John Bilton never had any land there amongst that common whin land; then Bilton answer was to John Cowleman will you sell your common right John you need not go to Hedon John you will get a common right John without going to Hedon John you need not go John.<sup>71</sup>

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65. DDCC 105/8.

66. R.D.B. CQ/401/23.

67. R.D.B. CZ/109/169.

68. R.D.B. CM/273/422.

69. DDIV 13/7.

70. QDE 1. He was the occupier of land taxed at £9 19s.

71. HUL DDKG 80.

This reference to Hedon relates to the commissioners' meeting place for receiving claims: at Hedon on 6 August 1806 the commissioners received claims from all the cottagers for rights of common in the Great Enholme Field.<sup>72</sup> The enclosure award shows that John Coleman, husbandman of Owthorne did receive an allotment of two acres for his common right,<sup>73</sup> and he appeared in the Land Tax returns as a landowner for the first time in 1808.<sup>74</sup> Throughout the period of the study he did not after all sell his common right.

The three townships in group D with the lowest proportion of transacting owners were Lund, Flixton and Hollym. The enclosure of Lund took place 1794-6, and 19 owners were allotted land, only five being recorded as having transactions (Table 8.6). However four of those five made several transactions: William Stoakes, a Beverley yeoman, bought two small holdings early in the enclosure decade, one and a half acres 'recently set out' from a labourer,<sup>75</sup> and two acres from a yeoman.<sup>76</sup> Both these vendors may have been selling because of the enclosure. Stoakes was allotted seven acres in the award<sup>77</sup> but he sold it in 1800 to another small owner, Christopher Railton, a Middleton yeoman, who had been allotted three acres.<sup>78</sup> Railton was a small landlord, and had bought some property in 1791 from a Bishop Burton (96) yeoman and in the same year a close from a Lund yeoman.<sup>79</sup> The other people with transactions were the Rev. William Mosey, the vicar of Lund, who bought

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72. DDIV 39/1.

73. R.D.B. CQ/401/23.

74. QDE 1. As an owner-occupier paying 2s 9d.

75. R.D.B. BU/520/787.

76. R.D.B. BX/122/201.

77. R.D.B. BT/244/31.

78. R.D.B. CB/274/444.

79. R.D.B. BP/361/596; BQ/141/193.

some property from a Lund tailor,<sup>80</sup> William Wilkinson, a Lund yeoman who mortgaged his allotment of 90 acres to a Beverley 'doctor of physic' in 1795,<sup>81</sup> and Thomas and William Binnington, yeomen of North Dalton (58), who bought land in 1790, 1793 and 1795.<sup>82</sup>

During the enclosure of Flixton, 1802-7, only nine of the 20 owners had transactions (Table 8.6). There was a number of mortgages which may have been connected with enclosure. Flixton was another township where R.C. Broadley was buying land. Having purchased the manor and 62 bovates (ox-gangs) in 1802,<sup>83</sup> he bought a house, one and a half beast gates and three sheep gates from Robert Chapman, described as a servant in husbandry, in 1804.<sup>84</sup> Broadley also sold several small properties: in 1807 he sold two cottages to two people, reserving the land in lieu of common right for himself,<sup>85</sup> and in the same year he also mortgaged his property to a Hull banker and a Hull solicitor, probably to pay his enclosure expenses.<sup>86</sup>

Most of the people allotted small pieces of land at Hollym enclosure, 1793-7, retained them throughout the period of study and bought and sold nothing. Some however sold up in the year or two after the award: John Wreghitt, a Patrington victualler allotted one acre sold it in 1798 to a Hollym labourer who immediately mortgaged it and his own allotment to a Patrington (144) grocer;<sup>87</sup> Joseph Fallowfield sold one acre in 1794 to a

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80. R.D.B. BQ/182/263.

81. R.D.B. BU/294/454; BU/403/610.

82. R.D.B. BO/454/697; BR/415/671; BU/404/611. The Binningtons let the land; their Land Tax assessment rose from £5 8s 4d in 1790 to £7 9s 7½d in 1795. They bought from owner-occupiers.

83. R.D.B. CD/453/706. See also V.C.H. Yorks. E.R. 2, p.169.

84. R.D.B. CE/577/878.

85. R.D.B. CM/138/224; CM/312/476.

86. R.D.B. CM/333/510.

87. R.D.B. BT/364/50; BY/474/754; BY/455/755.

Hollym labourer,<sup>88</sup> but appeared in the enclosure award as the owner in 1797;<sup>89</sup> Joseph Goforth, gentleman of Hollym, sold his allotment of five acres to Sir Henry Etherington in 1800.<sup>90</sup> None of these vendors of small allotments were owner-occupiers; in the cases of Wreghitt and Fallowfield the small plots allotted in lieu of common rights had gone to local labourers who farmed them themselves,<sup>91</sup> and only in the case of Goforth's land did the allotment go to a larger proprietor.

The transactions during the enclosures of the townships of Middleton on the Wolds, Fridaythorpe, Holmpton and Tibthorpe remain to be considered. The principal interest of the land market in Middleton on the Wolds, enclosed 1803-5, is the high number of mortgages: of the 20 transactions in the enclosure decade no less than 12 were mortgages. In 1804, the year after the act, when the allotments were probably being set out and the commissioners were asking owners for their share of enclosure expenses, there were four mortgages: the rector of Middleton mortgaged land (both his own and the church land) to John Lockwood, a Beverley attorney;<sup>92</sup> a Middleton widow mortgaged 'all that her right of stocking the open fields, commons, pastures and waste grounds';<sup>93</sup> John Railton, a Middleton yeoman allotted 15 acres mortgaged a cottage to Christopher Railton another allottee;<sup>94</sup> another yeoman mortgaged a cottage, toft, half an acre of open-field land and a common right to the same Christopher Railton.<sup>95</sup> All these people were

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88. R.D.B. BS/492/700. Fallowfield was described in the deed as now of North Cave, gentleman, formerly of Patrington, miller.

89. R.D.B. BT/364/50. c.f. Withernwick above.

90. R.D.B. CB/94/140.

91. QDE 1.

92. R.D.B. CF/517/819.

93. R.D.B. CF/447/707. The mortgagee was a Middleton yeoman.

94. R.D.B. CF/592/951.

95. R.D.B. CF/565/904.

owner-occupiers.<sup>96</sup> In 1806 Richard Consitt, allotted 253 acres, mortgaged his property,<sup>97</sup> and this transaction was indubitably an enclosure mortgage since it named the commissioners, but the others cited were very likely to have been associated with the enclosure. Out of the 13 allottees with transactions only two did not take out mortgages, and out of 25 owners paying tax at the beginning of the enclosure decade 19 remained after ten years. Those who had sold in the enclosure decade were almost all absentee owners of cottages, and they sold them to Richard Consitt.<sup>98</sup>

During the enclosure decade in Fridaythorpe, enclosed 1810-17, there were several mortgages: in 1813 Joseph Robson, a yeoman of Kilwick (80), mortgaged a cottage and garth for £100 to a Beverley solicitor and an enclosure commissioner<sup>99</sup> and in 1816 he mortgaged the property and the allotment of one acre in lieu of a common right for another £170; a widow allotted 160 acres mortgaged it in 1814;<sup>1</sup> the largest proprietor mortgaged land in 1813 to a Gomersall (W.R.) merchant.<sup>2</sup> Part of the estate allotted to the vicar of Millington was sold, as the enclosure expressly stated it could be, to pay for his enclosure expenses.<sup>3</sup>

When Holmpton was enclosed, 1800-7, some owners of very small plots mortgaged them: Thomas Pearson, a labourer of Holmpton, who had stocked the

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96. QDE 1.

97. R.D.B. CL/122/211.

98. QDE 1.

99. DDPY 9/1.

1. R.D.B. CX/26/17. This mortgage named the commissioners as parties.

2. R.D.B. CU/541/663.

3. 50 Geo. III, c.47; 62 acres were sold for £1,035 and 18 acres for £215. The vicar's expenses were given as £670 6s 4d so the excess was probably for fencing etc. The commissioners' accounts include an estimate for £80 10s 2d for repairing a house in Fridaythorpe belonging to the vicar of Millington, and a letter requesting that they should use the money they had in hand for the repair. HUL PRL; DX 33.

open fields with sheep before the enclosure,<sup>4</sup> was allotted just under half an acre for his common right<sup>5</sup> and he seems to have mortgaged it in 1807 to a local yeoman;<sup>6</sup> John Brown, who before the enclosure had stocked the open fields with four to six sheep,<sup>7</sup> was also allotted almost half an acre, and seems to have mortgaged it (or perhaps just his cottage) in 1808 to a labourer.<sup>8</sup> Both Pearson and Brown appeared in the Land Tax returns for the first time in 1803, paying 11½d,<sup>9</sup> indicating that in Hollym they were not following the ruling of 1798 that owners of property worth less than one pound per annum should be excused the Land Tax.<sup>10</sup> The two men paid tax until the end of the period of study.

Tibthorpe was enclosed 1794-6, and 16 people were allotted land. None of the owners of very small plots had transactions: they appeared in the Land Tax returns in 1796 and remained throughout the enclosure decade. A number of mortgages were taken out, but there was no selling on any large scale and all but two of the ten owners remained in the Land Tax returns throughout the decade. Eleven of the 16 allottees had transactions (Table 8.6).

#### Owner-occupiers in the case study townships

Considerable interest has been shown in the fate of the owner-occupier over the enclosure period.<sup>11</sup> Table 8.12 shows the numbers of owner-occupiers

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4. DDCC 49/2.
  5. R.D.B. CI/202/15. He was asked to pay enclosure expenses of 6d.
  6. R.D.B. CM/145/236.
  7. DDCC 49/2.
  8. R.D.B. CI/202/15; DDCC 49/2.
  9. QDE 1.
  10. See Chapter 7, p. 419.
  11. See discussion in Chapter 7, pp. 424-42.



Table 8.12. Owner-occupancy in the case study townships  
before and after enclosure

<u>Enclosure</u> <u>date</u>	<u>Township</u>	<u>Year 1<sup>1</sup></u>		<u>Year 10<sup>2</sup></u>	
		<u>No. of</u> <u>owner-</u> <u>occupiers</u>	<u>% of</u> <u>total</u> <u>tax</u>	<u>No. of</u> <u>owner-</u> <u>occupiers</u>	<u>% of</u> <u>total</u> <u>tax</u>
1783-6	Roos	13	11.2	20	18.7
1789-90	Conigston	1	0.9	1	0.6
1793-7	Southburn	4	23.1	6	28.5
1793-7	Withernsea	11	39.1	11	56.8
1793-7	Hollym	5	3.6	10	12.1
1793-5	Skidby	16	23.8	16	19.1
1794-6	Tibthorpe	4	29.6	9	30.8
1794-6	Lund	13	12.1	8	7.3
1795-8	Holme on the Wolds	6	18.3	6	9.3
1800-7	Holmpton	5	27.5	8	27.3
1800-9	Hunmanby	38	13.2	42	30.4
1801-3	Helperthorpe	None		None	
1801-3	Weaverthorpe	3	7.5	3	7.5
1801-3	Staxton	None		None	
1801-4	East and West Lutton	7	14.8	5	1.6
1801-9	Hornsea	46	21.8	39	18.7
1801-8	North Frodingham	42	41.0	46	60.9
1802-11	Marton/Sewerby	None		8	4.7
1802-7	Flixton	13	17.0	12	18.6
1802-14	Withernwick	18	27.8	21	14.4
1802-6	Keyingham	14	4.9	17	7.4
1803-6	Fimber	2	3.7	3	4.2
1803-6	Wetwang	6	11.9	4	20.8
1803-5	Middleton on the Wolds	18	8.3	20	33.7
1805-10	Ryhill	9	17.4	10	34.9
1806-13	Elstronwick	8	35.6	10	65.6
1806-15	Owthorne	5	13.2	12	22.8
1810-17	Fridaythorpe	4	3.4	4	14.6
1811-20	Reighton	4	10.2	3	10.5
1818-20	Etton	5	2.1	7	1.5
1822-7	South Dalton	19	38.2	4	21.1

Source: Land Tax returns, QDE 1.

1. Year 1 - as in Table 8.4, generally a year or two before the act.
2. Year 10 - as in Table 8.4, generally a year or two after the award.

and proportion of tax paid in 31<sup>12</sup> of the 34 townships in the case study in the year at the beginning of the enclosure decade and the year at the end of the decade. As the table shows, in most of the townships owner-occupiers as a class did not decline over the enclosure years, either in numbers or in proportion of the tax paid. In 16 townships they increased in numbers, in seven they declined, in six they remained the same, whilst in two there were no owner-occupiers. In terms of the tax paid in 18 townships the proportion increased, in ten there was a decrease, and in one the proportion was the same. In some townships owner-occupiers strengthened quite markedly: in Roos they rose from 13 to 20 and their share of the tax went up from 11.2 to 18.7 per cent; in Owthorne they rose from five to 12 and their share rose from 13.2 to 22.8 per cent; in Hollym they doubled in numbers and their share of the tax rose three-fold; in Elstronwick they rose from eight to ten and their share of the tax went up from 35.6 to 65.6 per cent. A rise in the proportion of tax paid in excess of the rise in numbers may indicate that more land was being taken in hand: at Withernsea there was no rise in numbers of owner-occupiers, but a considerable rise in the proportion of tax paid and as Table 8.4 shows there was no marked turnover of property in that township; Hunmanby, North Frodingham, Middleton on the Wolds, Ryhill and Fridaythorpe also show this pattern. Of the townships where there was a decline in owner-occupancy only in Lund, East and West Lutton, Hornsea and South Dalton was it both in numbers and proportion of tax paid. In South Dalton the decline was the result of many owner-occupiers selling to Lord Hotham and becoming his tenants; in the other three no easy explanation is available. The numbers of owners in these townships did not decline; indeed in Hornsea they increased (Table 8.4).

Although Table 8.12 shows that in the majority of the 31 townships the owner-occupiers as a class increased over the enclosure period this may not be typical of other townships undergoing enclosure. The study only includes

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12. Thixendale, Riplingham and Little Weighton had to be excluded because the Land Tax returns were incomplete.

those townships enclosed in the period 1783 to 1827, and most of the enclosures took place during the Napoleonic wars, a period of prosperity for the farmer, when it might be expected that more land would be farmed by owners rather than leased to others. Indeed the study of owner-occupancy in Chapter 7 showed that it increased in most types of township during this period, so a rise in the case study townships may not be an effect of enclosure. Nevertheless the rise, over a relatively short period - ten years only - is quite sharp in some places. It may be that more convenient and compact holdings encouraged owner-occupiers in prosperous times to take on more land. Moreover it appears that whilst relatively few owners sold land over the enclosure period those who did in fact do so were more often absentee owners than owner-occupiers.<sup>13</sup> Martin found that this was the case in Warwickshire when he studied the small landowner and parliamentary enclosure using some of the same sources as have been used for eastern Yorkshire townships.<sup>14</sup>

#### Some conclusions

Conclusions are difficult when a close study of individual townships seems to bring out the variability of their enclosure histories rather than revealing their similarities. Moreover the discussion has naturally centred upon those owners who did buy, sell or mortgage rather than upon the many who did not. Nevertheless the overall impression left after as close a study of enclosure and landownership as the sources will allow reveals considerable stability of ownership in many of the case study townships.

Enclosure does, however, seem to have had a stimulating effect on the land market in eastern Yorkshire as Table 8.3 showed. It must have been a period of considerable upheaval in any township's history and the surprise is

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13. Even taking into account the fact that absentee owners were much more common than owner-occupiers in eastern Yorkshire.

14. Martin (1979), op. cit. p.329.

that in most places the long-term effect appears to have been so limited, with the majority of owners surviving the period with their property relatively intact (Table 8.4). One possibly significant finding from this study which may help to explain this is the prevalence of mortgages amongst the transactions recorded.

The subject of mortgages and enclosure costs is a somewhat neglected issue, although Turner did consider the matter in his study. He stated that:

after exhaustive search of all Buckinghamshire estate records it is evident that mortgaging was not a very widespread method [of financing enclosure]...<sup>15</sup>

and he went on to state that where it was employed it was used by only the largest landowners. However Turner based these conclusions upon the assumption that proprietors needing to raise money to pay their enclosure expenses were restricted by a clause inserted in the acts, which stated that the commissioners had to give their permission and that no more than a specified sum per acre could be raised. Close examination of the relevant clauses in eastern Yorkshire acts shows that this clause specifically identifies only those owners and proprietors who for various reasons were unable to obtain mortgages in the normal course of events. Far from being a clause which laid restrictions upon owners wishing to mortgage newly enclosed land it seems to have been an enabling clause which permitted mortgages on property which was entailed or otherwise encumbered, or which belonged to the insane, 'those beyond the seas', or minors whose guardians and trustees did not without such provision have the legal authority to

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15. Turner (1973), op. cit. p.382, but note that a search of estate records would only reveal mortgages taken out on property eventually accumulated by the larger landowners; those by smaller proprietors would remain unknown. When Turner looked at copyhold transfers he did find evidence of mortgaging by smaller landowners, *Ibid.* p.571 and Turner (1981), op. cit. p.244.

mortgage. A similar clause appears in the 1801 General Inclosure Act,<sup>16</sup> which was a 'model clauses' act based upon the experiences of the drafters of acts throughout the country. This suggests that the mortgage clause in eastern Yorkshire acts was not atypical and that if acts for other parts of the country are examined they will be found to contain similar clauses.

There is nothing to suggest that the restrictions inserted in the clause applied to owners whose property was not encumbered, and it would seem from this new evidence that any mortgage taken out in the enclosure period could have been for the purposes of financing enclosure. The fact that in eastern Yorkshire there were many mortgages in the period studied, and that they were often of land either 'to be allotted' or 'newly enclosed' suggests that mortgaging could have played a more important role in financing enclosure than has hitherto been recognised.

All classes of owners mortgaged during the enclosure decade, from the cottager allotted a small plot of land in lieu of a common right, to the lord of the manor. The evidence from the Registry of Deeds and manorial court books shows that mortgaging was a very widespread method of raising money in eastern Yorkshire well before the enclosure period,<sup>17</sup> and it would therefore be expected that people needing extra cash to pay their enclosure expenses would consider mortgaging their new allotments as an alternative to selling. Moreover enclosure had the effect of placing several acres of land in the hands of small cottagers who previously had owned only a cottage and garden. They were thus enabled, possibly for the first time,

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16. 41 Geo. III, c.109, clause XXX.

17. As it was elsewhere. See for example the work of B.A. Holderness in the neighbouring county of Lincolnshire, B.A. Holderness, 'The English land market in the 18th century: the case of Lincolnshire', Ec.H.R. second series, 27 (1974) pp.557-76; 'Credit in a rural community, 1660-1800: some neglected aspects of probate inventories', Midland history 3 (1975) pp.94-115; 'Credit in English rural society before the 19th century with special reference to the period 1650-1720', Ag.H.R. 24 (1976) pp.97-109.

to raise what to them must have been quite large sums of money. It seems possible that the mortgaging of property made a substantial contribution to the stability of ownership which this study has revealed. Sometimes a mortgage was followed quite quickly by a sale, but more often it seems to have had the intended effect of providing money when needed so that an owner could hold on to his property at a critical time. All kinds of people lent money on mortgage, but in general it was a case of like to like: yeomen borrowed from other yeomen or from local widows or small tradesmen; the gentry occasionally borrowed from each other or, much more frequently, from attorneys and, as more of them were established, from country banks.

So far as sales and purchases were concerned the case studies reveal that in certain townships there was quite a considerable degree of buying and selling of allotments in the enclosure period, and this occurred generally in the more populous 'open' townships like Hornsea and North Frodingham. Enclosure had the effect of releasing land from the restrictions of the open-field system and many small allotments, being placed quite close to the village settlement, were desirable properties which had an easy sale if an owner wished to sell. Attorneys seem to have played a central role in property transactions in a number of 'open' townships, either as mortgagees (and sometimes the subsequent owners of the land mortgaged), or as in the case of Duesbery and Hinderwell at North Frodingham as purchasers of small holdings with the intention of selling them again at a profit. Martin found that it was in the 'open' township in Warwickshire that the owner-occupiers as a class declined, and cited the cases of Napton, award dated 1779, and Harbury, award dated 1780, as examples.<sup>18</sup> Similar townships in eastern Yorkshire show no signs of such a decline (Table 8.12); rather enclosure seems to have had the effect of increasing the numbers of owners and of owner-occupiers. However the case study group only includes

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18. Martin (1979), op. cit. p.341.

townships enclosed after 1783, whereas Martin's two examples come from a slightly earlier period.

In a number of townships substantial gentry owners were able to increase the size of their estates during the enclosure years, usually by fair means but sometimes by foul. In Warwickshire too there was a transfer of ownership from small to larger owners<sup>19</sup> though not perhaps on the same scale as that found in South Dalton. Nevertheless the close study of 34 eastern Yorkshire townships undergoing enclosure reveals a pattern of continuity of ownership in many of them. For townships in groups A and D, 20 out of the 34 studied, the Land Tax returns record 323 original owners at the beginning of the enclosure decade, of which 249, or 77.1 per cent still retained land at the end. Perhaps the fact that in many of the townships much of the land was already in large estates may have contributed to this stability of ownership. In Buckinghamshire where Turner found a much higher turnover of property, the later enclosed townships had more fragmented ownership.<sup>20</sup> Nevertheless there were many people with small, or very small, holdings who may have been under pressure to sell, and some of them undoubtedly did so. Not all of these will have been forced sales; land was fetching a good price in the war years and the stake of absentee owners in their land did not perhaps go very deep. Owner-occupiers had more to lose and they probably made every effort to avoid selling their plots. When Lord Hotham was accumulating land in Etton and South Dalton, 1818-23, times were not so good for farmers, and this may have contributed to the apparent ease with which Hotham purchased the properties, many of which were owner-occupied and had been in the hands of the families concerned since at least 1782 when the earliest Land Tax return for South Dalton is extant.<sup>21</sup>

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19. Ibid. p.340.

20. Turner (1980) pp.155-6.

21. QDE 1.

### CONCLUSION

Between c.1760 and c.1820 the landscape of eastern Yorkshire was transformed, mainly as a result of the activities of the enclosure commissioners. In some places, particularly the Wolds, they reshaped the landscape almost completely, since before they began their work there was very little enclosed land in many townships. In the lowlands however, especially in district 8, Middle Holderness, there were some areas which were hardly touched by parliamentary enclosure. Figure 5,<sup>1</sup> a map of the density of parliamentary enclosure, demonstrates the proportion of the total acreage in individual townships which was allotted by award. It shows that in the high Wolds there were many townships where over 90 per cent of the acreage was allotted, and in many other upland districts there was a high proportion of townships with 70 to 89 per cent of the land enclosed by act. The pattern in the Hull valley and in the three Holderness districts was more patchy: many townships were unaffected by parliamentary enclosure, and even those that were affected were usually at least partially enclosed already. As a result the lowland landscape is quite varied, whilst the upland landscape displays a marked conformity.

The fields set out by parliamentary enclosure commissioners were usually very regular in their pattern: from the air they are immediately recognisable. The field pattern as it exists today is not of course precisely that laid down in the enclosure plans of 200 years ago: the commissioners drew the broad outlines, but the new owners later subdivided their holdings as it suited them. Even when subdivided Wolds fields are still very extensive, often they cover 40 or 50 acres; the lowland fields are usually somewhat smaller.

Hawthorn hedges were the usual means of division.<sup>2</sup> The pages of local newspapers in the 18th and 19th centuries include many advertisements for young

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1. Figure 5, p.39.

2. Though elders or other species were sometimes used, Allison (1976), p.152.



quick sets;<sup>3</sup> nurserymen prospered whilst enclosure was taking place. The Tindall nurseries of Beverley were especially renowned.<sup>4</sup> New owners of allottments also needed to erect posts and rails around the hedges for protection whilst they were growing, and most enclosure acts included clauses forbidding the keeping of sheep in the new fields for a certain period (often as much as seven to ten years) after the enclosure.

The commissioners' roads, especially on the Wolds, remain as perhaps the most obvious and indeed the most permanent reminder of the parliamentary enclosures. Before enclosure the roads of a township were not usually precisely defined; the commissioners in setting precise boundaries for new properties also permanently established the course of roads. Travellers were used to wide trackways; they were essential at a time when road surfaces were poor. The commissioners were exceedingly generous with land when setting out the roads; many were 60 feet in width, though in the later 18th and early 19th century enclosures 40 feet was more common. Only the central 20 feet was made up; the grass verges on either side provided valuable grazing land and they were usually let out for this purpose. The Owthorne (156) enclosure act stated that:

the ways and lanes shall annually be Let by surveyors of the highways for the purposes of mowing and not grazing or pasturing for 12 years from the passage of the Act, and after for mowing or grazing by cattle, and the rents applied to the repairing of highways.<sup>5</sup>

In the early 20th century the lanes were still being let to villagers in Hutton Cranswick (77). A cow 'gate' cost 3s and a cow 'tenter' was employed to look after the cows, which usually numbered about 40.<sup>6</sup> Arthur Young

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3. An advertisement of 1778 is typical: 'For inclosing. Transplanted Quick and good two years old in the seed bed ... Sam Sigston, Nurseryman, Beverley', Y.C. (Oct. 1778).
  4. George Oliver wrote in 1829 that they were 'perhaps not exceeded by any in the Kingdom', G. Oliver, The history and antiquities of the town and minster of Beverley ... (Beverley, 1829) p.296.
  5. DDIV 39/1.
  6. H. Johnson, A tale of two villages (Hutton, 1980) p.109.

considered that the enclosure commissioners in the East Riding had been very wasteful with land, and made the minor roads far too wide,<sup>7</sup> but it may well be that the width was of considerable benefit to some villagers who having lost their access to the commons were at least able at a small price to graze a cow in the lanes.

One very visible by-product of parliamentary enclosure was the relocation of farmhouses. Eastern Yorkshire villages before enclosure were nucleated, the houses clustered together generally near the centre of the township, since there was no advantage under the open-field system in locating farmhouses on the outskirts. The commissioners generally created relatively compact holdings and soon after enclosure the brick-built Georgian farmhouses which are now so characteristic of the East Riding landscape began to appear in the midst of the newly enclosed fields.<sup>8</sup> They were often surrounded by shelter belts of trees, something of a necessity, especially on the wind-swept Wolds. On the Wolds too the gentry owners established large plantations both for profit and for pleasure. According to Strickland the Sykes family was responsible for planting 2,000 acres on the Wolds,<sup>9</sup> and other large proprietors also played their part. In the lowlands few plantations were established, though Strickland mentioned one in the reclaimed carrs of the Hull valley and another at Winestead in South Holderness.<sup>10</sup>

The new farmhouses were very substantial buildings, brick-built and roofed with pantiles or slates. They must have contrasted markedly with the older village houses which had been constructed from very inferior materials. Strickland described those on the Wolds as being composed in general:

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7. Young (1770) 1, p.173.
  8. M.B. Gleave, 'Dispersed and nucleated settlements in the Yorkshire Wolds', Transactions of the Institute of British Geographers 30 (1962) pp.105-18.
  9. Strickland (1812) p.178.
  10. Ibid. p.189.

of chalkstone, with mud instead of lime-mortar, and covered with thatch, all which materials are subject to rapid decay.<sup>11</sup>

In the 18th and 19th centuries they were gradually replaced by houses and cottages of brick, the substantial gentry owners playing an important role in this rebuilding of the villages. In 1794 Leatham commented that some owners were 'laudably attentive' to the matter of providing their tenants with good houses, though there remained many 'uncomfortable and unwholesome dwellings'.<sup>12</sup>

The marked stratification of landownership in some townships in eastern Yorkshire allowed the larger proprietors to restrict the number of cottages in certain villages, and thus ease their share of the poor rates. 'Close' villages, that is those dominated by one or two landowners, were very common in eastern Yorkshire; on the Wolds they have been estimated to comprise 40 per cent of the total.<sup>13</sup> Many Wolds townships had some deficit in labour as a result, and drew men from villages four or more miles away. The improved cultivation of the Wolds demanded more labour at a time when concern about poor rates was at its height.<sup>14</sup> The additional labour for the underpopulated 'close' Wolds townships was drawn from neighbouring 'open' villages and market towns, where a diffuse pattern of landownership resulted in an active land market and much building of cottages, although many cottages remained of inferior quality: the vicar of Market Weighton told a Parliamentary Commission in 1867:

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11. Ibid. p.40.

12. Leatham (1794) p.29.

13. B.A. Holderness, 'Open' and 'close' parishes in England in the 18th and 19th centuries', Ag.H.R. 20 (1972) p.135. See also H.A. Fuller, 'Land-ownership and the Lindsey landscape', Annals of the Association of American Geographers 66 (1976) p.22.

14. J.A. Sheppard, 'East Yorkshire's agricultural labour force in the mid-19th century', Ag.H.R. 9 (1961) pp.43-52.

The cottages [in Market Weighton] are mostly unfit for their purpose through the old law of settlement; we want fewer cottages here, but better ones, and more in neighbouring parishes.<sup>15</sup>

When their labourers' home village was many miles away farmers often provided beds, but most men still preferred to go home at nights.<sup>16</sup>

In Holderness and the Hull valley too there was a number of 'close' villages, although they were less prevalent than they were in the uplands. Landownership in Holderness was generally more fragmented than on the Wolds,<sup>17</sup> and the villages were more populous. Rise (192), where the Bethells had their family seat, was a 'close' township and in 1867 it was stated:

Labour is occasionally obtained from two villages at a distance of two miles, the number of cottages in the village not being sufficient to supply at all times the requisite amount of labour.<sup>18</sup>

The Hull valley township of Leven (202) presents a good example of an open settlement, providing the closed settlements round about with labour. The rector reported that:

House accommodation is good, and would be amply sufficient for the wants of the parish if a number of men who dwell in the village did not take employment in the neighbouring parishes. The township ... contains much copyhold property, which facilitates speculation in building cottages, and these are chiefly held by retired petty tradesmen and others who have saved a little money. There is a much larger population than the township requires and yet labourers are scarce because so many are employed in neighbouring parishes. The adjoining parish of Routh ... has very little cottage accommodation, but is supplied with labourers chiefly from Leven ... That whole parish [Routh] is the property of one nobleman.<sup>19</sup>

Coincidentally with the enclosing and improving of estates (and probably financed from increased profits therefrom) much building, rebuilding

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15. First report of the commissioners on the employment of children, young persons and women in agriculture (1867) p.378.

16. Ibid. p.380.

17. Chapter 7, pp. 346-58.

18. Commission on the employment of children ..., op. cit. p.365.

19. Ibid. p.367.

and enlarging of the mansions and parks of eastern Yorkshire took place. Many of the attractive country houses of the region date from the late 18th and early 19th centuries. The buying up of property during the enclosure period by certain landowners<sup>20</sup> was often followed by a large-scale improvement of manor house and grounds. At Sewerby and Marton (239) the enclosure of the open fields was accompanied by the demolition and relocation of a number of cottages in order that the mansions and parks of the two principal landowners could be improved.<sup>21</sup> Settrington (11) was almost entirely rebuilt when it was enclosed between 1797 and 1799.<sup>22</sup> The new houses were built of Jurassic limestone and the village is still today an excellent example of a planned estate village 'one of the best of its kind in the riding'.<sup>23</sup> Sir Christopher Sykes already owned the whole of Sledmere (44) when he set in hand the enclosure of the open fields. He demolished the old village and<sup>24</sup> built it outside the park. Enclosure provided an excellent opportunity for such ambitious schemes.

The new farmhouses and cottages provide testimony that the larger proprietors had the necessary capital to improve their estates after enclosure; their tenants too were often men of substance, especially those who farmed the uplands. According to Strickland many tenants were 'intelligent and liberal-minded men',<sup>25</sup> and Wolds farmers were described in 1850-1 as 'probably the wealthiest men of their class in the county'.<sup>26</sup> Indeed they needed to be so, for their farms were very large, generally 300 to 1,300 acres or

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20. Chapter 8, pp. 498-512.

21. V.C.H. Yorks E.R. 2, pp. 94-5.

22. Allison (1976) pp. 187-90.

23. Ibid. p. 190.

24. Harris (1961) pp. 73-5.

25. Strickland (1812) p. 52.

26. J. Caird, English agriculture in 1850-51 (1852) p. 310.

more.<sup>27</sup> Not all farmers of course were innovative and rich: Strickland described some as still 'somewhat bigoted to the old customs', but he said that East Riding farmers:

taken collectively ... will certainly bear a comparison with those of any other district, for respectability of character and conduct, and an openness to conviction, which is rapidly leading them forward in agricultural improvement.<sup>28</sup>

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The enclosure of the open fields and commons of the eastern Yorkshire uplands went hand in hand with the introduction of major changes in crop rotations and new systems of livestock husbandry.<sup>29</sup> In many upland townships agricultural methods were comparatively backward at the beginning of the parliamentary enclosure period, but as the movement progressed new crops such as sainfoin, clover and turnips began to spread rapidly. The gentry owners of the Wolds did much to encourage their tenants to adopt new crops. In the 1740's John Shaw, an owner of land in Bainton (68) in the lower Wolds, wrote to a landowner in Hatfield in the West Riding requesting information on the use of clover. He received in reply a parcel of clover seed and detailed instructions on its sowing.<sup>30</sup> The Osbaldestons, lords of the manor of Hunmanby (258) in the high Wolds, were said to have been the first in the East Riding to introduce sainfoin.<sup>31</sup>

The relationship between enclosure and other aspects of agrarian change varied from one township to another. In some places new crops and rotations were employed well before enclosure took place, but in most places

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27. Ibid.

28. Strickland (1812) p.52.

29. Chapter 2.

30. DDWR 1/54.

31. According to Strickland in 1812 the crop was first grown in the riding 'about seventy or eighty years ago', Strickland (1812) p.145.

it was not long before an act of Parliament was applied for, so that farmers could make the fullest use of the 'new' agriculture. In a number of townships on the high Wolds enclosed during the first phase of parliamentary activity, the enclosure of the open fields did not result in a full-scale alteration of the agricultural system: sheep continued to be depastured on common pastures after the enclosure,<sup>32</sup> and only boundary fences were erected around the new arable holdings, internal fences not being put up for many years.<sup>33</sup> The crucial period for the final transformation of Wolds agriculture was during the Napoleonic war years. It was only then that the high prices of corn encouraged the conversion of thousands of acres of sheep pastures and rabbit warrens into productive arable land. The local newspapers of the period are full of advertisements for pasture land suitable for conversion, since in enclosed townships and open-field townships alike there were still many areas of grassland which might with great profit be ploughed up. In 1801 an estate of 137 acres in Cottingham (116) was offered for sale: three quarters of it was 'in grassing ... [which] might from the present high price of corn, be converted into tillage to considerable advantage'.<sup>34</sup> An enclosed estate at Drewton (108) in South Cave (118) was described as 'mostly warren. The warren is intended to be destroyed and converted to tillage.'<sup>35</sup> In December 1801 it was reported that William Stickney, a well-known local farmer, had received a piece of plate valued at ten guineas for an essay on the best method of converting grass land into tillage and back again 'without injury to the land'.<sup>36</sup> By 1815 most of the rough sheep pastures had been ploughed up, and turnips and seeds were a well-accepted part of Wolds farmers'

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32. e.g. at Thwing (251) and Wold Newton (259), see Chapter 2.

33. e.g. at Kilham (245), Harris (1961) p.68.

34. Hull Advertiser (Jan. 1801).

35. Ibid.

36. Ibid. (Dec. 1801).

rotations. Of course sheep still continued to play a crucial role in the farming system; they were folded on the land and they remained an essential element in upland agriculture. As Harris summarised Wold farming in the mid-19th century:

Corn and sheep remained the basis of the agriculture of the district. What did change, however, were the methods by which these were obtained. The corn and the sheep, the roots and the seeds became part of an integrated farming system.<sup>37</sup>

The enclosing of the open fields and common pastures permitted the greater flexibility which was an essential part of Wolds agriculture in the 19th century. Permanent pastures almost disappeared; the Norfolk four-course rotation or its variants were adopted almost universally.

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Approximately two thirds of the Hull valley and Middle and South Holderness had already been enclosed when the parliamentary enclosure movement began; about half of North Holderness was already enclosed. Consequently there was less obvious change in the landscape of the lowlands as a result of parliamentary enclosure, and the heavy nature of much of the soil also restricted the farmers from introducing new crops and rotations to any great extent. In open-field townships land was usually farmed on a two-yearly rotation, one crop to a fallow. After enclosure frequent fallowing was still a necessity, but contemporary accounts suggest that a three-yearly rather than a two-yearly fallow was the rule in enclosed townships.<sup>38</sup> The earliest parliamentary enclosures may have been motivated by a desire to extend the pastures in lowland districts, but all the evidence points to a reversal of this trend by the later 1760s, and as the century progressed more and more land was put down to arable. The large-scale drainage schemes affected the Hull valley most markedly, and were an essential prerequisite to any really

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37. Harris (1961) p.106.

38. Chapter 3.



effective improvements in farming methods. In parts of Holderness too, drainage went hand in hand with enclosure. A few lowland farmers were fortunate enough to cultivate relatively light land, and they were able to employ a four- or five-course rotation incorporating turnips and seeds, but in general the lowland farmers performance lagged behind their neighbours in the uplands. Where estates were relatively untouched by the enclosure movement it has been suggested that lowland farmers, unaffected by the 'spirit of improvement' sweeping eastern Yorkshire, were more backward than they needed to be.<sup>39</sup> At the opening of the parliamentary enclosure period it was the upland farmers of eastern Yorkshire who were the laggards; in the lowlands the farmers by comparison were relatively progressive. By the end of the parliamentary enclosure period however upland farmers were catching up and overtaking those of the lowlands. The large-scale enclosure of the uplands districts forced even the most conservative cultivators to make some changes; farmers of already enclosed lowland estates had no such stimulus to improve. Moreover many of them probably lacked the capital to do so; upland farms were generally larger and were in the hands of tenants with the means to finance innovations such as new fertilisers and new varieties of crops. In 1848 George Legard was questioned on standards of farming in the East Riding. He described the farming on the Wolds as 'generally good and of high character', but was far from complimentary about that in the lowlands.<sup>40</sup> Nevertheless it would be misleading to suggest that all the improvements which occurred in the later 18th and early 19th centuries took place on the Wolds. This would be to perpetuate the inaccurate, but unfortunately still current, picture of the Wolds before enclosure as a wild region of sheep pastures and rabbit warrens, transformed virtually overnight, by the Sykes family more or less single-handed, into the enclosed arable landscape we see today. Enclosure and

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39. Harris (1961) p.125.

40. Report from the Select Committee on agricultural customs (1847-8) p.417.

associated improvements undoubtedly affected eastern Yorkshire, both uplands and lowlands, as much as any region of England in the later 18th and early 19th centuries; indeed the region may be said to have been affected to a greater extent than most. The relative backwardness of the farming practices in much of the region in the early 18th century, combined with the very high proportion of the land still farmed under the open-field system, and the fact that much of the land was in the hands of substantial gentry owners, who had the capital and the interest to improve, made it a region where the agricultural revolution, albeit late in its arrival, was most impressive in its effects.

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Eastern Yorkshire was one of the regions in England with two well-defined peaks of enclosure activity: the first, and most intensive, took place between 1760 and 1780; the second occurred coincidentally with the French wars, 1793-1815.<sup>41</sup> When the enclosure histories of each of the nine districts are examined separately it is apparent that for the lowland districts most of the enclosure acts were passed during the first peak, a finding very much in line with the pattern of enclosure chronology in the claylands of the midland counties.<sup>42</sup> Parliamentary enclosure activity in the eastern Yorkshire uplands showed a more even profile: the two peaks were relatively equal in intensity. Many upland owners and farmers apparently thought it worthwhile to enclose their land in the 1760s and 1770s, well before the high prices of the Napoleonic war years guaranteed high profits. A number of townships on the high Wolds which were eventually enclosed in the early 1800s had been the focus of earlier attempts some decades earlier. There is of course no doubt that the prices inflation of the war years played a vital part in reviving

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41. Chapter 4.

42. See E.K. Gonner, Common land and inclosure, 2nd ed., with a new introd. by G.E. Mingay (1966); M.E. Turner, English parliamentary enclosure: its historical geography and economic history (Folkestone, 1980).

interest in enclosure, and if a township still remained open in 1800 the likelihood of its being enclosed by 1810 was high.

The significance of interest rates as a factor in the timing of enclosure must remain an open question until we have firm evidence from landowners' papers. There may well have been a connection: many eastern Yorkshire owners, both large and small had recourse to mortgages during the enclosure period,<sup>43</sup> and this suggests that changing rates of interest could indeed have affected the decision to enclose.

There was no evidence that later enclosures in eastern Yorkshire had been delayed by the presence of a substantial body of smaller owners such as may have occurred in other regions. Indeed the reverse seems to have been true: those townships where the land was in the hands of numerous proprietors were more likely to have been enclosed in the first period of parliamentary activity than in the second. Perhaps this was because the restrictions of the open-field system were felt most adversely where ownership was fragmented. In townships where the owners were few it would perhaps have been relatively easy for them to come to some amicable agreement, either to exchange a parcel here or there or to introduce new crops and rotations, and thus to defer enclosure until a later date.

Every open-field township was different in its soil, its elevation, its proximity to markets, the proportion of old-enclosed land, the number of owners, the number of occupiers, the size of holdings, and a host of other variables. In one township a high proportion of the land might be in the hands of an absentee owner who took no interest in it so long as he continued to receive an adequate income; in another the principal owner might be an enthusiastic improver who wished to consolidate farms and encourage his tenants to introduce new crops. The role of the individual large landowner - and they were numerous in the region - was perhaps the key to the timing of

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43. Chapter 8.

an application to enclose. There are many townships in the region where early, unsuccessful attempts were made to obtain an act of Parliament; frequently it was one obstinate individual, often a tithe owner, who was holding up the proceedings.

In eastern Yorkshire enclosure often coincided with the turnpiking of major roads, the drainage of the low grounds, and the construction of canals. As with the introduction of new crops and rotations the relationship of these undertakings to enclosing activity varied from place to place, but the connection was clearly a close one. It is relatively easy to generalise about the timing of enclosure when the evidence of activity is expressed in general terms: numbers of acts passed; ebbs and flows of interest rates and prices; soil types; numbers of owners; turnpike and drainage acts. Detailed analysis however reveals a far more complex picture and generalisations begin to fall down, because the decision to enclose was made at the local level, by people in possession of more information than we have access to.

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The pages of local newspapers provide an invaluable source of information for the early negotiations to enclose.<sup>44</sup> Frequently these negotiations did not end in an immediate application for an act. Enclosing activity is too often measured by counting successful acts, or at the least by noting applications to Parliament; the use of other sources, especially local newspapers provides a very different picture. On occasion a few owners might meet to discuss the possibility of an enclosure, only to find that there was insufficient support, and a suggestion might be made for a partial enclosure as an

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44. See Chapter 5.

alternative.<sup>45</sup> In a number of other cases the period between the first meeting of interested parties and the approach to Parliament was a long one owing to the need to contact absentee owners. The attorneys or solicitors played a central role in the early negotiations as shown by those of their papers which have survived. Their relationship to the principal proprietors was often a close one.

Opposition to enclosure at the parliamentary stage of the proceedings was at a very low level in eastern Yorkshire: out of a total of 139 acts over half went through the House of Commons with no recorded dissents, and even where some dissents were recorded they frequently came from only one or two individuals. Moreover these people were often opposing the act, not for reasons concerned with the desirability of the enclosure as such, but rather with its terms. Even when those described as neutral are added to those who dissented the level of opposition still appears to be very weak. The enclosure of Wallingfen (105), an area of rough common land in the west of the region, and that of Walkington (102), were examined in detail, because of the unusually high level of opposition shown. In both cases the dispute centred upon common rights and it seems that one of the reasons for the generally low level of protest about enclosure was because extensive common pastures or woodlands with numerous commoners were very scarce in eastern Yorkshire.

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The commissioners' role in the conduct of an enclosure was crucial.<sup>46</sup> In eastern Yorkshire proprietors made their choice from a body of local men, who, as the enclosure period progressed became increasingly experienced. In general they seem to have carried out their work efficiently, but their very

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45. See Chapter 5.

46. Chapter 6.

close professional relationship with the gentry owners, as estate stewards, attorneys, surveyors, suggests that their principal loyalty may have been to the more substantial proprietors. In the case of John Hall, the 'villain of the piece', we know this to have been the case. Other commissioners too may well have acted in a manner which could not be considered impartial.

The surveyors, the attorneys, the clerks and the bankers were also associated with the larger owners in other professional capacities. It is difficult to judge how far such association affected their conduct of the business of an enclosure; if there was a conflict of interests it seems at least likely that they might favour the gentry, if only to protect their future prospects of employment. It was not of course inevitable that the interests of the smaller owners should be opposed to those of the larger. The owners of small estates usually wanted them to be placed close to the village, and enclosure plans show that this was usually done. The gentry owners of large allotments often intended to erect *new farmhouses in the midst of their newly enclosed estates*, and it was therefore no hardship to them to have the land allotted on the outskirts of a township.

The availability of commissioners' minutes for a number of enclosures has enabled a detailed investigation to be made of the timing of the setting out of allotments. Even when enclosures were apparently very protracted it was quite clear that in by far the majority of cases the principal business of the enclosure was concluded within a year or two of the act. This is a matter which is rarely alluded to by other researchers, who seem to suggest that protracted enclosures meant that owners were kept guessing for several years about where their new holdings were to be situated. In eastern Yorkshire at least this was not the case: the commissioners began work shortly after the act was passed, and they usually set out the allotments within a few months. The new owners and occupiers took them over, fenced and cultivated them, and indeed sometimes sold them, well before the award was signed and registered. It seems therefore that even in apparently very protracted

enclosures the period of uncertainty was relatively brief; the making of the award was only the final chapter in the enclosure. It must be assumed that the new owners had some means whereby they were informed of the whereabouts of their new allotments and what fencing they were responsible for. Perhaps some rough draft of the enclosure award and plan was lodged in the village inn, although none such seem to have survived.

It is unfortunate that so few commissioners' accounts have survived for the enclosures of eastern Yorkshire. When those few which are available are compared to those from other regions it seems that in eastern Yorkshire as elsewhere enclosure became progressively more expensive as time went by, despite the fact that later enclosures in the region tended to involve fewer owners than did those undertaken in an earlier period.

A detailed investigation of the distribution of estates in newly enclosed townships<sup>47</sup> reveals that a very high proportion of the land in eastern Yorkshire was in the hands of very large proprietors. In most upland districts this was especially striking, although in one upland district, the Wold scarp/Jurassic ridge district, the medium to small owner was in possession of a substantial proportion of newly enclosed land. In the lowland districts, where the area being enclosed was generally somewhat smaller than was the case in the uplands, the very large estates (over 500 acres) were less prevalent, but nevertheless in many townships the bulk of the land was in the hands of larger owners.

The enclosure awards for the region often include details of the occupational or social status of the allottees, and an analysis of this information reveals the overwhelming strength of the 'gentry', and the very limited proportion of the land which was in the hands of the 'yeomen'. The descriptions in the awards need to be treated with caution, but correlated with information on owner-occupancy derived from the Land Tax returns, the

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47. Chapter 7.

material suggests that by the parliamentary enclosure period the 'peasant' proprietor was largely extinct in many parts of eastern Yorkshire. In most parts of the uplands the land was predominantly owned by large landlords: the enclosure awards and the Land Tax returns show the same picture. In the lowlands the ownership structure was more diffuse: the awards show that owners of estates of less than 200 acres received over 60 per cent of the land in Middle and South Holderness, which might at first suggest that the land was in the hands of a relatively substantial peasantry. However estate size is not a sufficient indication on its own of peasant status, and the Land Tax returns show that less than 20 per cent of the land was owner-occupied in Middle and South Holderness.

A detailed investigation of enclosure and the land market in eastern Yorkshire is possible because of the availability of a Registry of Deeds, where all transactions involving freehold properties were recorded. In conjunction with manorial court books for copyhold land the fullest possible picture of the sales, purchases and mortgages in any township in eastern Yorkshire can be obtained. The Land Tax returns provide a useful cross-check in those cases where the information is a little unclear.<sup>48</sup>

Apparently enclosure in most of the 34 townships studied in this way did not result in any large-scale selling of holdings, or at least it did not do so during the ten-year period studied. Those owners who did decide to sell were often absentees who perhaps wished to realise capital whilst prices were high; if they were owner-occupiers they may have wished to establish themselves as tenant farmers of larger holdings.<sup>49</sup>

Even the people who received very small plots of land, the former common-right owners, generally retained the land they were allotted throughout the period of the study. There may of course have been much selling of

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48. Chapter 8.

49. As seems to have been the case at South Dalton. See Chapter 8.



these small holdings subsequently: an old couple interviewed in Nafferton in the Hull valley, reminisced about the disposition of common-right allotments in that village:

T'lahtle [little] fields were yance [once] 'common reets', an' they enclosed 'em, an' then left 'em ti them as had a gate, an' they've been selled ower an' ower ageean.<sup>50</sup>

However enclosure had occurred about a century before this conversation took place, so it was only to be expected that these small plots should have been in demand throughout that length of time.

Close investigation of the land market and enclosure reveals a wide variety of experience in the 34 townships examined. They divide into four broad groups: those where one substantial owner was taking advantage of the enclosure process to enlarge his estate (the case of South Dalton provides the most extreme example of this pattern); those townships which were in the hands of numerous owners, and where there was a very active property market involving large and small holdings; those townships where enclosure seems to have engendered very little movement of property indeed; and those townships where there was some buying and selling, but not on a much larger scale than occurred in the decade before or that after the enclosure decade.

Perhaps the most interesting finding from a study of the property market at enclosure is the prevalence of mortgaging by the owners of newly allotted or soon to be allotted holdings. It may well be that the relative stability of ownership which the study revealed in so many townships was directly related to this practice. Until similar studies of other regions can be made the matter must remain an open question.

A study of the property market can only reveal the transactions of those people who had land allotted to them by the commissioners. Many villagers did not own their own cottages, and they can hardly have benefited from enclosure, except insofar as it increased the demand for labour. The land

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50. M.C.F. Morris, Yorkshire reminiscences (1922) p.12.

allotted in lieu of a common-right went to the owner of the cottage, and if the occupier wished to keep a cow or a few geese after enclosure he would have been obliged to rent land in the lanes or in small closes. No case has come to light of the commissioners allotting land to occupiers to compensate them for their loss of access to the common as grazing land. These cottagers also lost their access to the commons for fuel, and this is a loss which is difficult to quantify. We know that villagers were in the habit of digging turves and gathering firewood from the commons, because many enclosure acts include a clause explicitly banning all villagers from such practices whilst the commissioners were at work, presumably to prevent their excessive exploitation. On the Wolds especially there was a shortage of material for fuel. At Fimber in the early 19th century the inhabitants burnt dried cow dung, and this was probably a common practice in other Wolds townships.<sup>51</sup> In 1793 three 'poor inhabitants of Pocklington', a labourer's wife, a carpenter's wife and a labourer who was also the assistant town crier, were indicted with conspiring that unless the poor of Pocklington were allowed some fire elding (fuel), they would break up the hedges.<sup>52</sup> The enclosure of Pocklington had taken place in 1757-9, so there is obviously no direct connection with enclosure, but the case does suggest that fuel was in short supply when the commons were no longer available.

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A regional analysis of enclosure in eastern Yorkshire reveals the marked differences in the distribution, density and timing of parliamentary enclosure between the geographical districts, and an investigation of the ownership of the land also shows varying patterns. Quite clearly enclosure

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51. J.D. Hicks, ed. A Victorian boyhood on the Wolds: the recollections of J.R. Mortimer (Beverley, 1978). - (E.Y. local history series, no.34) p.5.

52. East Riding Quarter Sessions Files, 1793.

affected each district differently, and this variation between the experiences of the nine districts is one of the principal themes of this study.

The subject of landownership change and parliamentary enclosure has been one of the most important issues in the debate on enclosure in recent years, and the detailed investigation of the land market in eastern Yorkshire should add something to the debate. The main conclusion from studies of the turnover of property in Buckinghamshire, Warwickshire and Northamptonshire, was that enclosure was accompanied by a relatively high degree of buying and selling.<sup>53</sup> In eastern Yorkshire a similar study reveals a marked continuity of ownership. The uniquely detailed investigation of the land market in the region had to be confined to a period between 1785 and 1825, because the Land Tax returns were an essential element in the study; it may be of course that during enclosures taking place before 1785 there was a higher degree of property turnover.

The number of regions where a similar study of the land market and enclosure is possible is unfortunately very limited. There seems to be some scope however for a much closer look at the question of mortgaging to finance enclosure, a method which seems to have been looked at only cursorily in the past. In some places with much copyhold land manorial court books could provide a useful source of information on this matter.

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It is impossible in a few words to do justice to the enclosure process as it affected eastern Yorkshire, and this summary has only touched upon one or two of the principal themes of the eight chapters. In general it would seem that parliamentary enclosure was accomplished with remarkably little social upheaval and a minimum of distress to the inhabitants. The researcher

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53. See Chapter 8.

into the subject is hampered by the source material available - no records contain information of what the humbler allottees thought of enclosure.<sup>54</sup> Certainly local newspapers contain no references to opposition to enclosure in the region; if there were any cases they must have been on a very small scale. The comparison between eastern Yorkshire and other regions where the turnover of property at enclosure has been assessed points up the marked stability of ownership in most eastern Yorkshire townships. Indeed, all the available evidence points to the same conclusion: enclosure was carried out with the consent of most of the property owners of the region.

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54. An appeal through local newspapers for family papers which might contain such information met with no response.

A P P E N D I C E S

Appendix I. Sources for enclosure data

The table gives dates and sources for enclosures taking place in the parliamentary enclosure period. In the case of townships enclosed by act no systematic search has been made for information on earlier enclosures. For townships which were enclosed before 1730 the information in the table is taken from printed sources; some of the townships listed are covered by the Victoria County History volumes and more detail on their enclosure histories may be found there.

Map No.	Township	District	Date of enclosure		Post-1730(2)*	Post-1730(1)*	Source		Award
			Pre-1730	Post-1730			Agreement	Act	
1.	Skirpenbeck	1		1758			DDDA/4/34		
2.	Scrayingham	1			1825-30			6 Geo. IV, c.68	DQ/223/9
3.	Leppington	1	Not known						
4.	Howsham	1	17th century					Allison (1976) p.130; Harris (1961) p.58	
5.	Kirkham	1	Not known						
6.	Firby	1	by 1685					Beresford (1948-51) p.354	
7.	Westow	1	by 1685					Beresford (1948-51) p.354	
8.	Eddlethorpe	1	Not known						
9.	Menethorpe	1	Not known						
10.	Norton	1			1769-72			8 & 9 Geo. III sess.2, c.52	AN/379/25
11.	Settrington	1	1669 (common)		1797-9		DDX 16/52	37 Geo III, c.124	CA/102/9
12.	Scagglethorpe	3			1725-6			12 Geo. I, c.5	DDX 15/1
13.	Rillington	3		1778-80			BB/226/26		BB/231/27
14.	Scampston	3		1750s?			Loughbrough p.23		
15.	Knapton	3	Not known						
16.	West Heslerton	3			1770-4			10 Geo. III, c.32	AT/60/7
17.	Yeddingham	3	small area enclosed with West Heslerton 1770-4					10 Geo. III, c.32	AT/60/7
18.	East Heslerton	3			1770-2			10 Geo. III, c.93	AQ/156/14
19.	Sherburn	3		1755-6					Y/331/41
20.	Weaverthorpe	2			1801-4			41 Geo. III, c.80	CA/329/44
21.	Helperthorpe	2			1801-4			41 Geo. III, c.80	CA/329/44
22.	East and West Lutton	2			1801-4			41 Geo. III, c.80	CA/356/45
23.	Thirkleby	2	1517?					Beresford (1951) p.65	
24.	Kirby Grindalythe/ Mowthorpe	2					HUL D05Y/38/51		
25.	Wintringham	2	Not known		1755				AH/40/2
26.	Thorpe Bassett	2	1718					Loughbrough p.36	
27.	Duggleby	2		1765					
28.	Wharraw le Street	2		1766-8					AK/181, 10
29.	North Grimston	2			1792-4			32 Geo. III, c.17	FC 403 61

\* By agreement      \*\* By act

Map No.	Township	District	Pre-1730	Date of enclosure. Post-1730(1)*	Post-1730(p)**	Agreement	Source	Act	Award
30	Langton	1	1650, 1696			DDHV 75/40;22/10			
31	Birdsall	1	late 17th century			Beresford (1951-2) p.58			
32	Kennythorpe	1	c.1725						1/232/530
33	Burythorpe	1	17th century			HUL DDSY 66/119			
34	Leavening	1	Low ground 17th century		1804				44 Geo. III, c.33 CA/403/48
35	Acklam	1			1769-76, 1852				
36	Bugthorpe	1			1777-9				8 & 9 Geo. III AT/308/33 Sess.2, c.103. IA(FI) 1845 Gen. Act
37	Youlthorpe/ Gowthorpe	4			1769-77(Y) 1810-14 (G)				17 Geo. III, c.44 BB/165/19 8 & 9 Geo. III, BB/60/11 sess.2, c.68 G 50 Geo. III, c.70
38	Bishop Wilton	4	1726		1769-72	HUL DDSY 4/151			8 & 9 Geo. III AN/334/24 sess.2, c.89
39	Kirby Underdale	1	by 1665	1794-5		Beresford (1948-51) p.354			
40	Thixendale	2				BG/426/617			BG/433/67
41	Raisthorpe/Burdale	2	16th century?			Beresford (1951-2) p.67			
42	Wharram Percy	2	16th century?			Allison (1976) pp.104-5 Beresford (1951-2) p.70			
43	Towthorpe	2	Not known						
44	Sledmere/Croom	2			1775(C) 1776(S)				15 Geo. III, c.67 16 Geo. III, c.62
45	Cowlam	2	Not known						
46	Wetwang	2			1803-6				43 Geo. III, c.90 CI/141/9
47	Fimber	2			1803-6				43 Geo. III, c.90 CI/141/9
48	Fridaythorpe	2			1810-17				50 Geo. III, c.47 DA/2/1
49	Huggate	2			1767-73				7 Geo. III, c.51 AQ/256/24
50	Millington	4			1768-70				8 Geo. III, c.16 AK/297/22
51	Great Givendale	4			1833-45				3 & 4 Wm. IV, FG/386/4 c.14
52	Yapham/Meltonby	4		1731-3					DDHD/56/1(C)
53	Pocklington	4		1756	1757-9				30 Geo. II, c.38 Y/230/39
54	Kilnwick Percy	4		By 1733?		Beresford (1948-51) p.357			
55	Nunburnholme	4			1754-5				28 Geo. II, c.27 Y/28/12
56	Burnby	4		1731					DDAN
57	Warter	4		1745-7					34 Geo. III, c.3 BT/32/5
58	North Dalton	2			1778-9	DDWA 10/51			18 Geo. III, c.13 BB/184 22
59	Tibthorpe	5			1794-6				34 Geo. III, c.51 BT/39 9
60	Kirkburn/Battleburn	5			1800-51				8 & 9 Vic. Enrolment Bk.1 p. 4 c.118

\* By agreement      \*\* By act

Map No.	Township	District	Pre-1730	Date of enclosure Post-1730(1)*	Post-1730(2)**	Agreement	Source	Act	Award
61	Eastburn	5			By 1850?	Harris (1958) p.98			
62	Elmswell/ Kelleythorpe	5		1770-1					IA
63	Great and Little Driffield	5		1740	1741-2			14 Geo. II, c.11	B/153/42
64	Skerne	6	c.1596			Harris (1961) p.44; Allison (1976) p.130			
65	Sunderlandwick	6	Not known						
66	Southburn	5			1793-7			33 Geo. III, c.98	BT/277/37
67	Neswick	5			1774-6			14 Geo. III, c.69	AT/334/34
68	Bainton	5			1774-6			14 Geo. III, c.69	AT/334/34
69	Middleton on the Wolds	5			1803-5			43 Geo. III, c.129	CI/47/3
70	Londesborough	4			1816-21			56 Geo. III, c.22	H
71	Shiptonthorpe	4			1773-6			13 Geo. III, c.18	AX/2/2
72	Market Weighton	4			1773-6			13 Geo. III, c.18	AX/2/2
73	Goodmanham	4			1775-7			15 Geo. III, c.12	BB/40/9
74	Lund	5			1794-6			34 Geo. III, c.112	BT/244/31
75	Holme on the Wolds	5			1795-8			35 Geo. III, c.36	BT/432/56
76	Bracken	5	Not known					8 & 9 Geo. III, sess. 2, c.71	AK/333/24
77	Hutton Cranswick	6			1769-71				
78	Rotsea	6	Not known						
79	Watton	6	By 1671?			DDRI 33/7			
80	Kilwick	6			1785-8			25 Geo. III, c.57	BG/202/16
81	Beswick	6			1806-14				CQ/323/19
82	Lockington	6			1770-2			11 Geo. III, c.6	AQ/176/18
83	Scorborough	6		By 1743		Borthwick Institute glebe terrier			
84	Aike	6			1770-2			11 Geo. III, c.6	AQ/176/18
85	Eske	6	Not known						
86	Leconfield	6	17th to 19th century			V.C.H. Yorks. E.R. 4, pp.127-8			
87	Etton	5			1818-20			58 Geo. III, c.20	DA/266/58
88	South Dalton	5			1822-7			3 Geo. IV, c.13	DQ/107/4
89	Sancton	4			1769-71			8 & 9 Geo. III, p.161	AN/2/2
90	Houghton	4	By early 18th century			V.C.H. Yorks. E.R. 4, p.161			
91	North Cliffe	4	1799-1801			DDIA 42/3			
92	South Cliffe	4	By late 18th century			V.C.H. Yorks. E.R. 4, pp.30-1			
93	North Newbald	4			1777-83			17 Geo. III, c.112	BG/4/3

\* By agreement      \*\* By act



Map No.	Township	District	Pre-1730	Date of enclosure		Post-1730(2)**	Agreement	Source	Act	Award
				Post-1730(1)*	Post-1730(2)**					
94	Gardham	5	By early 18th century				V.C.H. Yorks. E.R. 4, p.16			
95	Cherry Burton	5		1823-9				4 Geo. IV, c.6	DQ/163/6	
96	Bishop Burton	5		1767-72				7 Geo. III, c.33	AQ/1/1	
97	Molescroft	5		1801-3				41 Geo. III, c.99	CA/208/30	
98	Storkhill	6	Not known							
99	Tickton/Hull Bridge	6		1790-2				30 Geo. III, c.44	BG/329/47	
100	Weel	6		1785-6				25 Geo. III, c.48	BG/95/5	
101	Beverley	6	Common pastures still open							
102	Walkington	5		1794-5				34 Geo. III, c.53	BT/57/1	
103	South Newbald	4		1777-83				17 Geo. III, c.12	BG/4/3	
104	Hotham	4		1768-71				8 Geo. III, c.13	AN/83/7	
105	Wallingfen/ Newport	-		1771-81				17 Geo. III, c.42	BE/3/2	
106	North Cave	4		1764-5				4 Geo. III, c.16	AF/265/12	
107	Everthorpe	4		1773-4				13 Geo. III, c.39	AF/89/13	
108	Drewton	4								
109	Hunsley	5	18th century?				V.C.H. Yorks. E.R. 4, p.30			
110	Riplingham	5	By early 19th century	1801-3			V.C.H. Yorks. E.R. 4, p.142			
111	Little Weighton	5		1801-4				41 Geo. III, c.116	CA/180/28	
112	Risby	5	Before 1702					41 Geo. III, c.116	CA/283/39	
113	Bentley	5	By 1743				V.C.H. Yorks. E.R. 4, p.150			
114	Woodmansey/ Beverley Parks	6		1785-8			V.C.H. Yorks. E.R. 4, pp.149-50			
115	Thearne	6		1785-8				25 Geo. III, c.48 and c.92	BG/216/20	
116	Cottingham	6		1785-8				25 Geo. III, c.48 and c.92	BG/216/20	
117	Skidby	5		1766-71				6 Geo. III, c.78	AN/203/14	
118	South Cave	4		1791-3				31 Geo. III, c.20	BG/371/58	
119	Ellerker	4		1785-8				33 Geo. III, c.102	BT/2/3	
120	Brantingham	4		1793-5				25 Geo. III, c.48	BG/216/20	
121	Wauldby	5		1785-7				25 Geo. III, c.5	BG/139/12	
122	Kirk Ella	5		1765-6				5 Geo. III, c.31	AH/71/3	
123	Willerby	5		1765-6				5 Geo. III, c.32	AF/361/16	
124	Anlaby	5		1794-6				34 Geo. III, c.69	BT/306/41	
125	West Ella	5		1824-37				5 Geo. IV, c.13	FG/87/2	
126	Svanland	5		1796-9				36 Geo. III, c.68	CA/6/3	
				1824-37				5 Geo. IV, c.13	FG/87/2	
				1792-6				32 Geo. III, c.109	BT/93/16	
				1796-9				36 Geo. III, c.68	CA/6/3	
				1824-37				5 Geo. IV, c.13	FG/87/2	

\* By agreement      \*\* By act

Map No.	Township	District	Pre-1730	Date of enclosure Post-1730(1)*	Post-1730(?)**	Agreement	Act	Source	Award
127	Welton	4		1750	1751-2 1770-5			24 Geo. II, c.22 12 Geo. III, c.61	B/303/53 AT/257/29
128	Elloughton/Brought	4			1704-6			34 Geo. III, c.69	BI/306/41
129	Melton	4			1771-3			11 Geo. III, c.52	AQ/240/22
130	North Ferryby	5			1824-37			5 Geo. IV, c.13	FG/87/2
131	Hessle	5			1792-6			32 Geo. III, c.109	BT/93/116
132	Sculcoates	6	By 1691					<u>V.C.H. Yorks. E.R. 1 p.469</u>	
133	Holy Trinity, Hull	6			1771-3 (Myton Carr)			11 Geo. III, c.38	AT/45/5
134	Drypool	6		1746	1748-9 (Summergangs) 1764 (Southcoates)	AC/358/17		21 Geo. II, c.26	B/250/47
135	Marfleet	6			1763-4			3 Geo. III, c.30	AF/122/8
136	Pauli	6			1811-2?			51 Geo. III, c.51	DQ/3/1
137	Sunk Island	9	Never in open field						
138	Wejwick/Weeton	9			1768-71			8 Geo. III, c.39	AN/34/5
139	Skeffling	9			1764-5			4 Geo. III, c.18	AF/126/4
140	Easington	9			1770-1			10 Geo. III, c.92	AQ/297/27
141	Kilnsea/Spurn	9			1838-43			6 & 7 Wm. IV, c.115	BK.H, p.40
142	Out Newton	9		1756-7		Y 117/25			Y/99/24
143	Holmpton	9			1800-7			39 & 40 Geo. III, c.43	CI/202/15
144	Patrington	9			1766-8			6 Geo. III, c.53	AK/98/8
145	Winstead	9	15th to 19th century					<u>V.C.H. Yorks. E.R. 5 (forthcoming)</u>	
146	Ottringham	9		1758	1758-60	AC/1/1			AC/45/2
147	Keyingham	9			1802-5			42 Geo. III, c.102	CI/90/5
148	Thorngumbald	9		1757					Y 142/27
149	Ryhill/Camerton	9			1805-10			45 Geo. III, c.69	CQ/68/2
150	Burstwick	9			1773-7			13 Geo. III, c.57	AX/433/12
151	Halsham	9	By 18th century					<u>V.C.H. Yorks. E.R. 5 (forthcoming)</u>	
152	South Prodingham	9	Pasture of 34a still open in 1843					<u>V.C.H. Yorks. E.R. 5 (forthcoming)</u>	
153	Hollym	9			1793-7			33 Geo. III, c.103	BT/364/50
154	Withernsea	9			1793-9			33 Geo. III, c.103	BT/364/50
155	Rimswell	9		1818-22		EU/355/370			EU/359/371
156	Owthorne	9			1806-15			46 Geo. III, c.10	CQ/401/23
157	Waxthelm	9	Small area enclosed in 1962			<u>Yorkshire Post</u>			
158	Tunstall	9			1777-9			17 Geo. III, c.30	BT 134 17
159	Roos	9			1783-4			23 Geo. III, c.17	EG 103 9

\* By agreement      \*\* 1, 2, 3

Map No.	Township	District	Pre-1730	Date of enclosure		Post-1730(?)**	Appreciation	Source	Act	Award
				Pre-1730	Post-1730(?)*					
160	Burton Vidsee	8		1760	1761-2			1 Geo. III, c.37	AF/34/7	
161	Elstronwick	8			1806-13			46 Geo. III, c.9	CQ/218/15	
162	Lelley	8			1769-70			8 & 9 Geo. III, sess.2, c.47	AK/213/19	
163	Hedon	8	Not known							
164	Preston	8			1773-7			13 Geo. III, c.86	AX/92/4	
165	Sprootley	8			1762-3			2 Geo. III, c.44	AC/221/10	
166	Wyton	8		1763					AC/255/11	
167	Bilton	8	Not known							
168	Ganstead	8	Not known							
169	Sutton	6			1763-8			3 Geo. III, c.15	AK/228/20	
170	Wawne	6		1751					HUL DDKG 131	
171	Swine	8	Not known							
172	Coniston	8			1789-90			29 Geo. III, c.41	BG/291/39	
173	Thirtleby	8	Not known							
174	West Newton/ Burton Constable	8	Not known							
175	Flinton	8		1751-2						
176	Humbleton	8	Not known						DDCC 142/4	
177	Danthorpe	8		1735					N/436/907	
178	Owstwick	8	c.1649					DDCC 69/1; DDX 7/2; DDGR 42/1		
179	Fitting	8	1640					DDCC 39/3-4		
180	Hilston	8	Not known							
181	Garton	8	Late 17th, early 18th century					DDCC/42/2		
182	East Newton	8			1770-2			10 Geo. III, c.71	AQ/46/6	
183	Aldborough	8			1764-6			4 Geo. III, c.39	AH/1/1	
184	Marton	8	Before 1616					DDCC 64		
185	Ellerby	8	Before 1750					Harris (1961) p.45, fig.14		
186	South Skirlaugh	8	Not known							
187	Benningholme	8	Not known but part open mid-18th century							
188	North Skirlaugh/ Arnold	8			1771-8			11 Geo. III, c.92	BB/73/113	
189	Meaux	6	Not known							
190	Routh	6	Before 1716					Borthwick Institute	glebe terrier	
191	Long Riston	7			1771-8			11 Geo. III, c.92	EB/73/13	
192	Rise	7	c.1664					DDRI 26 10, 45		
193	Withernwick	7			1802-14			47 Geo. III, c.86	CQ 245/16	
194	Great and Little Cowden	7			1770-?			10 Geo. III, c.90	AQ 61/8	
195	Mappleton	7			1846-?			8 & 9 Vic., c.118	IA	

\* By agreement \*\* By act

Map No.	Township	District	Pre-1730	Date of enclosure		Post-1730(2)**	Agreement	Source	Award
				Post-1730(1)*	Post-1730(2)**				
196	Rowlston	7			1858-60			8 & 9 Vic., c.118	Enrolment Bk. I, p.109
197	Great Hatfield	7	Not known						
198	Little Hatfield	7	c.1717				DDLG 22/19-22		
199	Goxhill	7	before 1685				Beresford (1948-51) p.354		
200	Sigglesthorpe	7			1772-81			12 Geo. III, c.63	BB/264/32
201	Catwick	7		1730	1731-2			4 Geo. III, c.16	B/57/24
202	Leven	6			1791-6			31 Geo. III, c.56	BT/182/24
203	Brandesburton	6			1844-7			7 & 8 Vic., c.4	GI/1/1
204	Catfoss	7		c.1730				N. Wright <u>History of Sigglesthorpe</u> (1966) p.69	
205	Seaton/Wassand	7	1657?						
206	Hornsea	7			1801-9			41 Geo. III, c.110	CI/345/7
207	Atwick	7			1769-72			8 & 9 Geo. III, sess.2, c.33	AQ/221/20
208	Bewholme	7		1738/9	1740			13 Geo. II, c.16	B/131/41
209	Moortown	6	Not known						
210	Hempholme	6	Before 1750?					Harris (1961) p.45, fig.14	
211	North Frodingham	6			1801-8			41 Geo. III, c.87	CI/276/20
212	Beeford	7			1766-8			6 Geo. III, c.28	AK/57/6
213	Dunnington	7	Not known						
214	Bonwick	7	Not known						
215	Skipsea	7			1764-5			4 Geo. III, c.17	AF/180/9
216	Dringhoe/Upton/Skipsea Brough	7			1762-3			2 Geo. III, c.45	AC/178/9
217	Ulrome	7			1765-7			5 Geo. III, c.9	AH/331/9
218	Lisset	7			1771-2			11 Geo. III, c.41	AN/391/27
219	Barmston	7		1757-8	1819-20			59 Geo. III, c.29	DDWB 2/33; DA/318/59
220	Fraisthorpe	7	By 1716					<u>V.C.H. Yorks. E.R. 2, p.206</u>	
221	Auburn	7	By 1716					<u>V.C.H. Yorks. E.R. 2, p.206</u>	
222	Hilderthorpe/Wilsthorpe	7	Part still open late 19th century					<u>V.C.H. Yorks. E.R. 2, p.92</u>	
223	Gransmoor	7	c.1702					<u>V.C.H. Yorks. E.R. 2, p.113</u> <u>HUL DDSQ 3/1</u>	
224	Gembling	7	Early enclosure, but green still used as a common in 20th century					<u>V.C.H. Yorks. E.R. 2, p.185</u>	
225	Foston on the Wolds	6			1776-80			16 Geo. III, c.107	BB/212/25
226	Brigham	6			1766-7			6 Geo. III, c.54	AK/164/9
227	Wansford	6			1769-72			8 & 9 Geo. III, sess.2, c.31	AQ/97/13
228	Mafferton	5			1769-72			8 & 9 Geo. III, sess.2, c.31	AQ/97/13

\* By agreement      \*\* By act

Map No.	Township	District	Date of enclosure		Post-1730(1)*	Post-1730(2)**	Agreement	Source	Award
			Pre-1730	Post-1730(1)*					
229	Lowthorpe	5	By early 18th century		1847-9		V.C.H. Yorks. E.R. 2, p.275		
230	Great Kelk	7					8 & 9 Vic.,c.118	DDIG 15/20	
231	Little Kelk	7	Early enclosed				V.C.H. Yorks. E.R. 2, p.246		
232	Harpham	5			1773-6		13 Geo.III,c.69	AT/296/31	
233	Burton Agnes	5	18th and 19th centuries				V.C.H. Yorks. E.R. 2, p.113		
234	Thornholme	5	18th and 19th centuries				V.C.H. Yorks. E.R. 2, p.113		
235	Haisthorpe	5	18th and 19th centuries				V.C.H. Yorks. E.R. 2, p.113		
236	Carnaby	5	Early 18th century				V.C.H. Yorks. E.R. 2, p.128		
237	Bessingby	5			1766-8		6 Geo.III,c.26	AK/35/4	
238	Bridlington	5			1768-71		8 Geo.III, c.17	AN/121/11	
239	Sewerby/Marton	5			1802-11		42 Geo.III,c.106	CQ/113/4	
240	Flamborough	5			1765-7		5 Geo.III, c.23	AH/295/6	
241	Bempton/Newsham	5			1765-7 1840-3		5 Geo.III,c.30 6 & 7 Wm.IV,c.115	AK/2/2 FG/430/15	
242	Easton	5	Not known		1840-3		6 & 7 Wm.IV,c.115	FG/430/15	
243	Boynton	5			1777 83		17 Geo.III,c.32	BB/397/52	
244	Rudston	2			1774-7		14 Geo.III,c.79	BB/18/7	
245	Kilham	2			1771-3		11 Geo.III,c.44	AQ/351/29	
246	Ruston Parva	5			1801-5		41 Geo.III,c.92	CI/2/1	
247	Cottam	2			1845-51		8 & 9 Vic.,c.118	IA(N)	
248	Garton on the Wolds	5			1774-5		14 Geo.III,c.71	AT/243/27	
249	Langtoft	2			1801-5		41 Geo.III,c.93	CI/14/2	
250	Swaythorpe	2	By early 18th century				V.C.H. Yorks. E.R. 2, p.256		
251	Thwing	2			1769-70		8 & 9 Geo.III, sess.2, c.32	AK/376/29	
252	Burton Fleming	2			1768-9		8 Geo.III,c.49	AN/312/16	
253	Argam	2	By early 18th century				V.C.H. Yorks. E.R. 2, p.7		
254	Grindale	5			1843-4		6 & 7 Wm.IV,c.115	Enrolment BK.H, p.167	
255	Buckton	5	18th and 19th centuries				V.C.H. Yorks. E.R. 2, p.85	BK.H, p.167	
256	Speeton	5			1793-4		33 Geo.III,c.97	BG/415/65	
257	Reighton	5			1811-20		51 Geo.III,c.21	H	
258	Hummanby	2			1800-9		39 & 40 Geo.III, c.81	CQ/8/1	
259	Wold Newton	2			1772-6		12 Geo.III,c.98	AT/354/37	
260	Octon	2			1769-70		8 & 9 Geo.III, sess.2,c.32	AK/376/29	
261	Foxholes	2			1837-40		6 & 7 Wm.IV,c.115	Enrolment BK.H, p.11	
262	Boythorpe	2	By early 19th century				V.C.H. Yorks. E.R. 2, p.195		
263	Butterwick	2			1771-4		11 Geo.III,c.95	AT/79/10	

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Map No.	Township	District	Date of enclosure		Agreement	Source	Award
			Pre-1730	Post-1730(2)**			
264	Fordon	2		1800-9		39 & 40 Geo.III, sess.2, c.32	CQ/8/1
265	Canton/Brompton	3		1803-4		43 Geo.III, c.89	CA/320/43
266	Binnington	3		1803-4		43 Geo.III, c.89	CA/320/43
267	Willerby	3	18th century?			<u>V.C.H. Yorks. E.R. 2, p.337</u>	
268	Staxton	3		1801-3		41 Geo.III, c.115	CA/235/32
269	Flixton	3		1802-6		42 Geo.III, c.107	CI/69/4
270	Folkton	3		1802-7		42 Geo.III, c.111	CI/256/19
271	Flotmanby	3	Early enclosure			<u>V.C.H. Yorks. E.R. 2, pp.172-3</u>	
272	Muston	3	Carrs open until after 1820			<u>V.C.H. Yorks. E.R. 2, p.280</u>	
273	Filey	3		1788-91		28 Geo.III, c.13	BG/310/43

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M.W. Beresford, 'Glebe terriers and open field Yorkshire', Y.A.J. 17 (1948-51) pp.325-68.

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A. Harris, The rural landscape of the East Riding of Yorkshire, 1700-1850 (1961).

A. Harris, 'The lost village and the landscape of the Yorkshire Wolds', Ag.H.R. 6 (1958) pp.97-100.

B. Loughbrough, Some geographical aspects of the enclosure of the Vale of Pickering in the 18th and 19th centuries (University of Hull unpublished M.A. thesis, 1960).

V. Neave, Handlist of East Riding enclosure awards (Beverley, 1971).

Victoria County History. East Riding volumes.

N. Wright, History of Sigglesthorne (1966).

All enclosure acts are private, with the exception of Cottingham, 1791, 31 Geo.III, c.20, Hessle, Anlaby and Tranby, 1792, 32 Geo.III, c.109.

Appendix II. Enclosure legislation

This appendix lists in chronological order the main changes in legislation and parliamentary procedure relating to enclosure and the open-field system which took place during the period studied. For a fuller discussion of legislation related to enclosure see S. Lambert, Bills and acts: legislative procedure in 18th-century England (Cambridge, 1971) and W.E. Tate, A domesday of English enclosure acts and awards; edited ... by M.E. Turner (Reading, 1978).

1. 1773. 13 Geo. III, c.81: an act to introduce improvements into the open fields with the consent of three-quarters of the owners in value.
2. 1774: the first standing orders of the House of Commons concerning enclosure bills. It was resolved that a printed notice of the intended application to Parliament should be placed on the church door of the parish where the enclosure was to take place, for three successive Sundays in the September preceding the application, and that a proclamation stating that this had been done should be made at the next Quarter Sessions. The names of the commissioners and the compensation to be made to the lords of the manor and the tithe owners were to be inserted in the bill. A clause was to be added to all bills of enclosure compelling the commissioners to account for all the money laid out in the course of the enclosure (H.C.J. 34 (1772-4) pp.608-9). The standing orders were revised in 1775, 1781, 1799, 1800 and 1801. The standing orders of 1801 stated that previous standing orders should remain in force and new ones were laid down, including strict provisions on the payment of commissioners, the distances they might travel and a veto upon the appointment of any commissioner, surveyor or valuer 'who shall be interested in the Inclosure ... or the Agent ordinarily interested with the Care, Superintendence or Management of the Estate of any Person so interested' (H.C.J. 56 (1801) pp. 659-63).

3. General Act of 1801. 41 Geo. III, c.109. Attempts were made in 1795, 1796, 1797 and 1800 to pass a general enclosure act but without success because of clerical opposition to the proposals on tithes which the bill contained. The act which passed in 1801 was a 'model clauses' act which included all those clauses which had been found by experience were needed for most enclosures.<sup>1</sup> It simplified the passage of enclosure acts, although it did not replace the private act which was still necessary for each enclosure.
4. The General Act of 1836. 6 & 7 Wm. IV, c.115. This enabled owners to carry out an enclosure if two thirds of them in number and value agreed. Commissioners could be appointed to carry out the enclosure in the same way as under private acts. If seven-eighths of the owners agreed to the enclosure no commissioners were necessary. This act was intended to deal with the enclosure of open-field arable only. A second act, of 1840 (3 & 4 Vic. c.31) extended the provisions of the 1836 act to open lands other than arable.<sup>2</sup> There was to be a formal award which had to be enrolled and deposited with the clerk of the peace (East Riding enclosures under the acts were enrolled in the Registry of Deeds). 6 eastern Yorkshire enclosures were carried out under these two acts.<sup>3</sup>
5. The General Act of 1845. 8 & 9 Vic. c.118. It appears that some smaller owners had been injured as a result of enclosures carried out under the 1836 and 1840 General Acts. The 1845 Act was an attempt to provide better safeguards against injustice by the appointment of

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1. W.E.Tate, A domesday of English enclosure acts and awards; edited by ... M.E. Turner (Reading, 1978) p.30, p.328.

2. Ibid. p.31, p.329.

3. Foxholes (1836-40); Grindale (1836-44); Kilnsea (1838-43); Newsham (1840-3); Rowlston (1858-60); Kirkburn (1849-51).



assistant commissioners and surveyors who enquired into the proposed enclosure before it could go through, and who were responsible for carrying it out if the House of Commons agreed.<sup>4</sup> Three eastern Yorkshire enclosure acts were carried out under this act or its successors.<sup>5</sup>

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4. Tate, *op. cit.* pp.31-2, p.329.

5. Cottam (1845-51); Mappleton (1846-9); Acklam (1852).

Appendix III. The parliamentary progress of eastern Yorkshire enclosure acts

The table records the progress through Parliament of all eastern Yorkshire private enclosure acts, together with previous attempts and earlier negotiations where these are known. The principal sources are the House of Commons Journals and the advertisements of meetings placed in the York Courant.

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
Scagglethorpe	1726						100
Catwick	1731						100
Bewholme	1740						100
Driffield	1741			5 messua- ges 15 cott- ages 21½ ox- gangs 3½ acres	11 cottages 2/3 oxgangs 4 acres	'those who have not signed are not a hundre- dth part'	over 90
Summergang	1748			7 people owing 3 free commons and one stinted		9 free commons & 65½ dem- esne & stinted commons	over 90
Welton	1751				Owners of 17½ a. + 4½ cow gates	350a. + 174 cow gates	over 90
Nunburnholme	1755		1 counter petition				100
Pocklington	1757						100
Ottringham	1758			2 people ref- used to sign; 1 was 'incapable'			?

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
Burton Pidsea	1761		1 counter petition, 41 M.P.s added to committee	Owners of 120 $\frac{1}{4}$ a + 12 $\frac{1}{4}$ beast gates		1,863a + 239 beast gates	over 90
Sproatley	1762			Parish clerk because his allotment not big enough	Owner of 1 cottage		100
Dringhoe, Upton & Skipsea Brough	1762						?
Marfleet	1763				Owner of 9a of old encl. Less-ees of St. John's College (= 1 $\frac{1}{2}$ oxgangs)		?
Sutton on Hull	1763			Property worth £45 3s 9d.		Property worth £1,715 7s 6d.	over 90
Sudcoates	1764						100
Skipsea	1764						100
Aldbrough	1764	1963 petition		'Persons who were incapable ... from their being under age, and whose property did not consist of one fifth of the whole'			?
North Cave	1764		Members added on two occasions	Owners of 7a			Over 90
Skeffling	1764			Quaker who owned 0 3 0			Over 90

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
Ulrome	1765			Owners of 6½ oxgangs + 5 common right houses		75 oxgangs + 52 common right houses	100
Ellerker	1765						over 90
Brantingham	1765				Owners of 9 oxgangs (175a)		80-9
Bempton	1765		2 members added		Owners of 2 oxgangs + owner of ¼a.		?
Flamborough	1765			Owner of 117a because he said the lord of the manor had too large an allotment			Over 90
Beeford	1766			Owner of 15a			Over 90
Cottingham	1766		All to have voices	Owners of 486 cattle gates		3,364 cattle gates	80-9
Bessingby	1766			Owner of 120a 'because he might not like the Allotment made to him and did not chuse to have himself to blame'.			80-9
Brigham	1766						100

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
Patrington	1766			Owners of 19½ oxgangs		120 oxgangs	80-9
Bishop Burton	1767			Vicar who owned 2¼a + 1 common right + some tithes			over 90
Huggate	1767						100
Millington	1768						100
Bridlington	1768			Owners of 4 oxgangs + ¼a			Over 90
Welwick/Weeton	1768			Owners of 97 2 0	Owners of 26 2 0		Over 90
Burton Fleming	1768			Owners of 14 oxgangs + half the tithes of 122 oxgangs (392a).			80-9
Hotham	1768						100
Nafferton/Wansford	1769			Owners of land worth £80 per annum		Land worth £1,600 per annum	Over 90
Acklam	1769			Vicar who was entitled to 1 cottage, 3 beast gates, 10 sheep gates, Archbishop of York			?
Hutton Cranswick	1769				Owners of 4 common-right houses	412 common right houses	Over 90

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
Thwing/Octon	1769						100
Atwick	1769						100
Lelley	1769						100
Sancton	1769		1 counter petition	Owner of 2 common right houses + 1a, leaseholders of land worth £2 7s 2d per annum			?
Sutton in Norton	1769						100
Youlthorpe	1769						100
Bishop Wilton	1769		Member added	Owners of land worth £83 5s		Land worth £1,072	Over 90
East Newton	1770						100
Great Cowden	1770				Owners of 6½ oxgangs 'who were wrote to but returned no answer'	54½ oxgangs	80-9
Easington	1770			Owners of 47½a + 4 cottages		1310a + 92 cottages	over 90
Lockington/Aike	1770			Owner of 6½ oxgangs		112 oxgangs	over 90
West Heslerton	1770						100
East Heslerton	1770			Owner of 1 cottage 'who could not be found'			over 90

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/ Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
Myton	1771	1762 meeting. 1767 meeting					100
Kilham	1771	Plans for a partial enclosure with flaying before act		Vicar, who wanted double the amount for his tithes. Owners of 2 cottages	Owner of 216a + 1 cottage. Owners of 3 cottages who lived far away	7,000 + 120 common rights	over 90
Long Riston/ Arnold	1771	1770 petition		Owners of 2 oxgangs, 2 common rights + 48a			over 90
Butterwick	1771						100
Lisset	1771						100
Melton	1771	1770 petition					100
Welton	1772			Owners of 4 messuages			over 90
Wold Newton	1772			Vicar because the owners would not subdivide his allotment			over 90
Siggleshorne	1772						100
Everthorpe	1773				Owner of 1 cottage 'who is out of the Kingdom'.		over 90
Preston	1773	1766 Petition and counter petition 1769 Petition		Owners of 5¼ oxgangs		129½ oxgangs	over 90

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
Market Weighton/ Shiptonthorpe	1773			Owners of 2 cottage rights			over 90
Burstwick/Skeckling	1773			Owners of 37 oxgangs + 8 common rights		216 oxgangs + 50 common rights	100
Harpham	1773						100
Rudston	1774						80-9
Bainton/Neswick	1774						100
Garton on Wolds	1774		Counter petition				100
Goodmanham	1775						100
Croom in Sledmere	1775						100
Foston on Wolds	1776				Owner of 3 oxgangs 'whose estate in dispute'	39 oxgangs	over 90
Sledmere	1776		Counter petition				100
Wallingfen	1777	1774 Peti- ition 1775 Meeting	2 counter petitions	Owners of 93 common rights	Owners of 11 common rights	858 common rights	80-9
Tunstall	1777	1768 Meeting 1773 Meeting		Owners of 35a	Owners of 38a	1,014a	over 90
North & South Newbald	1777			Owners of 4 oxgangs + 7 houses		260 oxgangs + 125 houses	over 90
Bugthorpe	1777			Owners of 28a			over 90
Boynton	1777	1775 Petition					100



<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
North Dalton	1778				Owner of $\frac{1}{2}$ ox-gang + $5\frac{1}{2}$ cottages 'who could not be met with'	1520a	over 90
Roos	1783	1782 Petition but negotiations for number of years		Owners of 66a			over 90
South Cave	1785	1766 Meeting 1776-8 Meetings					100
Weel	1785						100
Woodmansey /	1785						100
Thearne/Skidby							100
Kilnwick	1785		All to have voices				100
Filey	1788						100
Coniston	1789		Member added	Owners of $3\frac{1}{2}$ oxgangs		32 oxgangs	80-9
Tickton	1790			Owners of Land rated at Land Tax to £4 12s 8d		£29 13s 8d Land Tax	80-9
Leven	1791						100
Cottingham	1791			Owners of $3\frac{1}{2}$ oxgangs + 172a of old enclosure		2195a + 140 oxgangs	80-9
Hessle/Anlaby/Tranby/Wolfreton	1792	1770 Proposal for 'flattening' 1774-7 Meetings 1786 Meetings		Owners of 347a + 177a of old enclosure, 110a of meadows + 15 common rights		1,900a + 691a of old enclosure, 920a of meadows + 133 common rights	80-9

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
North Grimston	1792						100
Hollym/Withernsea	1793	1763 Meeting	2 counter petitions	Owners of 40a	Owners of 353a	3,207a - (gross over-estimate, see text)	70-9 or 80-9
Southburn	1793						100
Skidby	1793						100
Speeton	1793						100
Walkington	1794	1759 Meeting 1763 Petition 1765 Meeting 1775 Meeting 1788 Petition 1789 Petition 1790 Petition 1797 Petition to amend act					100
Lund	1794	1764 Meetings					100
Tibthorpe	1794						100
Elloughton/ Brough/Wauldby	1794	1788 Correspon- ence 1791 Petition					100
Holme on the Wolds	1795						100
West Ella/Kirk Ella/Willerby	1796						100
Settrington	1797						100
Hunmanby	1800	1770s new rota- tions in open fields		Owners of 14a	Owners of 70a	1311a + 138 common rights	over 90

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/ Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
Holmpton	1800			Owners of 14a + 10½a old enclosure		884a + 386a old enclosure	over 90
North Frodingham	1801	1800 Petition		Owners of 1½ oxgangs, 1 common right ¾a old enclosure	Owners of 3 oxgangs, 9 common rights 8a old enclosure	94 oxgangs 70 common rights, 66½a old enclosure	90
Hornsea	1801	1767 Meeting 1773 Advert. stated enclosure imminent		Owners of 4½ oxgangs + 3a old enclosure	Owners of 3½ oxgangs	98 oxgangs + 379a old enclosure	over 90
Ruston Parva	1801						100
Little Weighton/ Riplingham	1801	1772-5 Meetings 1793-4 Meetings 1795 Petition 1799 Meetings 1800 Petition		Owners of 7½ oxgangs, 2 common rights + 6a old enclosure		177 oxgangs, 36 common rights, 588a old enclosure	over 90
Staxton	1801	1773 Meeting 1794 Meeting					100
Molescroft	1801						100
Luttons Ambo	1801	1769 Meeting 1775 Meeting 1790 Meeting 1800 Petition					100
Helperthorpe	1801	1775 Meeting					100
Weaverthorpe	1801	1775 Meeting					100

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
Langtoft	1801	1774 Meeting 1776 Meeting 1783 Meeting		Owner of land assessed to Land Tax at 4/- per annum	Owners of Land assessed to Land Tax at £5 14s 6d per annum	Land Tax of £263 10s 10d per annum	over 90
Keyingham	1802	1774 Meeting 1774 Petition 1775 Petition					100
Withernwick	1802		Counter petition All to have voices				100
Flixton	1802		Counter petition All to have voices				100
Folkton/East & West Flotmanby	1802						100
Marton/Sewerby	1802		Counter petition All to have voices	Owners of 30 oxgangs + 8 common rights	Owners of 4 common rights	134 oxgangs + 68 common rights	70-9
Wetwang/Fimber	1803			Owners of 34 oxgangs + 5 common rights		244 oxgangs + 93 common rights	80-9
Middleton on the Wolds	1803	1795 Meetings					100
Binnington/Potter Brompton/Ganton	1803						100
Leavening	1804			Owners of 49 sheep gates + 107a old enclosure		550 sheep gates + 1,061a old enclosure	90
Fyhill/Camerton	1805						100

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/ Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
Owthorne	1806	1805 Petition		Owners of 2½ oxgangs + 5a		32 oxgangs + 45a	100
Elstronwick	1806	1802 Petition 1805 Petition					90
Wilfholme	1806	1790 Meeting 1809 Petition		Owners of land assessed to Land Tax at £1 5s	Owners of land assessed to Land Tax at 4s		100
Fridaythorpe	1810	1805 Petition 1806 Petition		Owners of land assessed to Land Tax at £2 19s 6d			70
Gowthorpe	1810	1810 Petition	Counter petition All to have voices	Owners of land assessed to Land Tax at £3 13s 5d			80-9
Reighton	1811						
Paull	1811						100
Londesborough	1816		Counter petition				100
Etton	1818						100
Barmston/Winkton	1819		Counter petition All to have voices				100
South Dalton	1822						100
Cherry Burton	1823	1812 Petition 1813 Bill with 2 counter petitions 1815 Bill with 2 counter petitions	Counter petition All to have voices	Owners of 37½ oxgangs + 10 common rights	Owners of 5 oxgangs + 1 common right	227½ oxgangs + 48 common rights	80-9

<u>Township</u>	<u>Date of act</u>	<u>Previous attempts</u>	<u>Members added/ Counter petition</u>	<u>Dissents</u>	<u>Neutrals</u>	<u>Total interest</u>	<u>% agreement</u>
North Ferriby/ Swanland	1824	1772 Meeting 1774 Meeting 1795 Petition	Counter petition All to have voices				100
Scrayingham	1825						100
Great Givendale	1833		Counter petition				100
Brandesburton	1844						100

Appendix IV. Work of commissioners and surveyors

Key - Commissioners and surveyors

A - John Outram	L - Charles Tate
B - John Dickinson	M - Miles Dawson
C - Joseph Dickinson	N - William Hall
D - Peter Nevill	O - John Graves
E - John Raines the younger	P - Robert Dunn
F - John Conyers	Q - William Dawson
G - Richard North	R - John Wood the younger
H - Samuel Milbourne	S - John Hall
J - John Cleaver	T - Samuel Dickinson
K - John Lund	U - Edward Cleaver
	X - any other commissioner or surveyor

Key - combinations

* = A + B + E	% = A + L
0 = A + B	= = C + S
X = A + D	\$ = C + S + T
i = A + B + D	+ = B + D

Enclosures by date of act

No.	Township	Date of enclosure	Commissioners	Surveyors	Combinations
1.	Scagglethorpe	1725-6	XXXXX		
2.	Catwick	1731-2	GFXXX	X	
3.	Bewholme	1738-41	GFXXX	X	
4.	Driffield	1740-2	GFX		
5.	Summergangs	1746-9	GEX		
6.	Welton	1750-2	GEX		
7.	Nunburnholme	1754-5	BFHXX		
8.	Pocklington	1756-9	BHX		
9.	Sudcoates	1756-7	GXX		

No.	Townships	Date of enclosure	Commissioners	Surveyors	Combinations
10.	Ottringham	1758-60	GBJ	KX	
11.	Burton Pidsea	1760-2	BKXXX	DL	+
12.	Dringhoe etc.	1762-3	ABE	D	* i
13.	Sproatley	1762-3	BDX	LX	+
14.	Sutton	1763-8	ABKXX	KX	0
15.	Marfleet	1763-4	ABX	DL	0 i
16.	Skipsea	1763-5	ABE	DK	* i
17.	North Cave	1764-5	AKX	LX	%
18.	Aldbrough	1764-5	ABE		*
19.	Skeffling	1764-5	ABX	LX	0 %
20.	Ellerker	1765-6	ABJ	LX	0 %
21.	Bempton	1765-7	ABK	D	i
22.	Ulrome	1765-7	ABE	L	* %
23.	Flamborough	1765-7	ABE	D	* i
24.	Brantingham	1765-6	AEX	LX	%
25.	Cottingham	1766-71	ABD	LX	i %
26.	Patrington	1766-8	EXX	D	
27.	Bessingby	1766-8	ABE	C	*
28.	Beeford	1766-8	ABE	D	* i
29.	Brigham	1766-7	ADEXX	D	X
30.	Huggate	1767-73	AKX		
31.	Bishop Burton	1767-72	ABX	DL	0 X
32.	Burton Fleming	1768-9	AEU	C	
33.	Millington	1768-70	AUX	M	
34.	Welwick & Weeton	1768-71	UX	L	
35.	Hotham	1768-71	ABX	D	i
36.	Bridlington	1768-71	ADU	CL	X
37.	Sancton	1769-71	ADE	X	X
38.	Hutton Cranswick	1769-71	AEX	D	X
39.	Nafferton	1769-72	ADE	DX	X
40.	Lelley	1769-70	ELXXX	LX	
41.	Atwick	1769-72	DE	D	
42.	Bishop Wilton	1769-72	AOX	MC	
43.	Youlthorpe	1769-77	OXX	X	
44.	Suttonin Norton	1769-72	AJU		
45.	Acklam	1769-76	AJO	C	
46.	Thwing	1769-70	AEX	D	X



No.	Township	Date of enclosure	Commissioners	Surveyors	Combinations
47.	East Newton	1770-2	DOX	L	
48.	East Heslerton	1770-2	AXX	D	X
49.	West Heslerton	1770-4	JXX	X	
50.	Lockington	1770-2	DNX	C	
51.	Great Cowden	1770-2	ADE	C	X
52.	Easington	1770-1	EOXXX	L	
53.	Butterwick	1771-4	AXX	X	
54.	Kilham	1771-3	EHX	DM	
55.	Melton	1771-3	AKP	L	
56.	Myton	1771-3	ADE	L	X
57.	Lisset.	1771-2	XXX	X	
58.	Long Riston	1771-8	AXX	C	
59.	Welton	1772-5	AKP	D	X
60.	Wold Newton	1772-6	AHX	X	
61.	Siggleshorpe	1772-81	ADX	C	X
62.	Market Weighton	1773-6	HNX		
63.	Burstwick	1773-7	AXX	D	X
64.	Everthorpe	1773-4	NXX	D	
65.	Harpsham	1773-6	AD		X
66.	Preston	1773-7	AEP	DL	X %
67.	Garton	1774-5	HUX	XX	
68.	Rudston	1774-7	ANP	CD	X
69.	Bainton	1774-6	AXX	D	X
70.	Croom	1775	OXX		
71.	Goodmanham	1775-7	AEX		
72.	Sledmere	1776	PXX		
73.	Foston	1776-80	DO	X	
74.	Bugthorpe	1777-9	AMX		
75.	North and South Newbald	1777-83	AMX	CQ	
76.	Boynnton	1777-83	ADX		X
77.	Tunstall	1777-9	ADP	D	X
78.	Wallingfen	1777-81	XXXXX	CX	
79.	North Dalton	1778-9	MPX	X	
80.	Roos	1783-6	DPX	X	
81.	South Cave	1785-7	DXX	C	
82.	Woodmansey	1785-8	CXX	C	

No.	Township	Date of enclosure	Commissioners	Surveyors	Combinations
83.	Weel	1785-6	CXX	C	
84.	Kilnwick	1785-8	CUX		
85.	Filey	1788-91	XXX	C	
86.	Coniston	1789-90	DEX	XX	
87.	Tickton	1790-2	CDX	X	
88.	Leven	1791-6	CRS	RX	=
89.	Cottingham	1791-3	CDPR	RX	
90.	Hessle	1792-6	DNR <sup>1</sup>	XX	
91.	North Grimston	1792-4	HQX	X	
92.	Southburn	1793-7	PNC <sup>2</sup>	X	
93.	Skidby	1793-5	DPX	R	
94.	Speeton	1793-4	CDR	R	
95.	Hollym & Withernsea	1793-7	DPX	X	
96.	Tibthorpe	1794-6	HNQ <sup>3</sup>	XX	
97.	Elloughton	1794-6	D	CX	
98.	Walkington	1794-5	DNXXX	CR	
99.	Lund	1794-6	CPQ	TX	
100.	Holme on the Wolds	1795-8	CQS	T	\$
101.	West Ella etc.	1796-9	DRS	XX	
102.	Settrington	1797-9	SX	TX	
103.	Hunmanby	1800-9	D	CT	
104.	Holmpton	1800-7	R	X	
105.	Ruston Parva	1801-5	CS	T	\$
106.	Staxton	1801-3	CSX	XX	=
107.	Riplingham	1801-3	DX	T	
108.	Hornsea	1801-9	CXX	TX	
109.	East and West Lutton	1801-4	CX	X	
110.	North Frodingham	1801-8	CXX	XX	
111.	Helperthorpe	1801-4	SXX	X	
112.	Molescroft	1801-3	SCX	TX	\$
113.	Weaverthorpe	1801-4	SXX	X	

1. N died, replaced by S.
2. As above.
3. As above.

No.	Township	Date of enclosure	Commissioners	Surveyors	Combinations
114.	Little Weighton	1801-4	CSX	T	\$
115.	Langtoft	1801-5	SX	X	
116.	Folkton	1802-7	CX	TX	
117.	Keyingham	1802-5	SXX	X	
118.	Withernwick	1802-14	CS	T	\$
119.	Flixton	1802-6	CSX	T	\$
120.	Marion & Sewerby	1802-11	CSX	T	\$
121.	Wetwang & Fimber	1803-6	CXX	X	
122.	Middleton	1803-5	CQX	T	
123.	Binnington	1803-4	C	X	
124.	Leavening	1804	X	X	
125.	Ryhill	1805-10	CSX	XX	=
126.	Owthorne	1806-15	SX	X	
127.	Elstronwick	1806-13	SXX	X	
128.	Wilfholme	1806-14	C	X	
129.	Fridaythorpe	1810-17	CXX	X	
130.	Gowthorpe	1810-14	S	X	
131.	Reighton	1811-20	X		
132.	Paull	1811-22	SXX	X	
133.	Londesborough	1816-21	X		
134.	Etton	1818-20	SXX	X	
135.	Barmston	1819-20	X	X	
136.	South Dalton	1822-7	SX	X	
137.	Cherry Burton	1823-9	SXX	XX	
138.	North Ferriby etc.	1824-37	SXX	XXX	
139.	Scrayingham	1825-30	X	X	
140.	Great Givendale	1833-45	XXX	X	
141.	Foxholes	1837-40	XXX	XX	
142.	Kilnsea	1836-43	X		
143.	Newsham	1840-3	X	X	
144.	Grindale	1843-4	XXX	XX	
145.	Brandesburton	1844-7	X	X	
146.	Mappleton	1846-9	X	X	
147.	Cottam	1846-51	X		
148.	Great Kelk	1847-9	XXX	X	
149.	Kirkburn	1849-51	XX		

No.	Township	Date of enclosure	Commissioners	Surveyors	Combinations
150.	Acklam	1852-4	X		
151.	Rowlston	1858-60	X		

Enclosures by agreement

152.	Burton Agnes	1718-19	XX		
153.	Haisthorpe	1723	XXX	X	
154.	Bishop Wilton	1726	XXX		
155.	Burnby	1731	B		
156.	Yapham & Meltonby	1731	XXXXXX	X	
157.	Danthorpe	1735	FXX	XX	
158.	Flinton	1751-2	EGX	HX	
159.	Kirby Grindalythe	1755	GX		
160.	Sherburn	1755-6	HXX		
161.	Out Newton	1756-7	GXX	DL	
162.	Barmston	1757-8	AX	X	
163.	Thorngumbald	1757	BXX	DL	+
164.	Burton Agnes	1759	AX		
165.	Wyton	1763	B	D	+
166.	Duggleby	1765	BFX	X	
167.	Wharram le Street	1766-8	AJX		
168.	Elmswell	1770-1	AN		
169.	Rillington	1778-80	HPX	X	
170.	Thixendale	1794-5	PS	X	
171.	North Cliffe	1799-1801	X		
172.	Rimswell	1818-22	X	X	

Appendix V a . The commissioners

A full list of sources for Appendices V(a)-(d) is given at the end of Appendix V(d). The numbers in brackets refer to the numbers used for enclosures in Appendix IV. To identify the enclosures on which each man worked refer to that table.

1. Michael Ake, gent., of Garton. 1 encl. in E.R. (57).
2. Thomas Armistead, gent., of Stavely, W.R. 2 encl. in E.R. (154, 156).
3. John Baxby, gent., of Hull. 1 encl. in E.R. (52).
4. John Bell of Portington. 2 encl. in E.R. (140 + 1 Vale of York), 1 in W.R. He was a farmer in Portington.  
Source: Baines (1823).
5. Robert Bell, gent., of Hedon. 5 encl. in E.R. (9, 10, 158, 161, 163). He died in 1758. His grand-daughter (?) Rebecca married James Iveson, q.v., in 1807.  
Sources: Craven (1972); Ottringham award R.D.B. AC/45/2.
6. Robert Bewlay the elder, gent., of York. 4 encl. in E.R. (76, 159 + 2 Vale of York), 6 in W.R., 3 in N.R. Landowner in York and E.R. Receiver to the Archbishop of York. Investor in the York-Kexby Bridge-Garrowby Hill Turnpike Trust. Also worked in Northamptonshire.  
Sources: Rodgers (1962); MacMahon (1964); HUL DDSY (3)8/39; Eden (1975).
7. Robert Bewlay the younger, gent., of York. 4 encl. in E.R. (31, 33, 35, 166), 1 in Nottinghamshire.
8. Thomas Birkwood, gent., of Owstwick. 2 encl. in E.R. (2, 157).
9. Anthony Bower, gent., of Rise. 1 encl. in E.R. (61), 1 in W.R. In 1801/2 he lived in Lincoln and acted six times in Lincolnshire. See also under surveyors.
10. John Bower of Smeathalls, W.R. 3 encl. in E.R. (122, 133, + 1 Vale of York), 5 in W.R. Also worked in Nottinghamshire.  
Source: Eden (1975).
11. James Bradley, gent., of East Heswick, W.R. 1 encl. in E.R. (24) but died in 1766 before completion.
12. Samuel Brailsford, gent., of Rowthorne, Derbyshire. 2 encl. in E.R. (62, 71), 3 in W.R., 2 in Lincolnshire, 1 in Nottinghamshire. Was nominated by the Duke of Devonshire. Asked to serve as commissioner at North Dalton but did not act.  
Source: HUL DDCV 118/1.
13. Ralph Brigham, gent., of Wyton. 1 encl. in E.R. (2).
14. John Brown, clerk of Humbleton. 1 encl. in E.R. (157). Instituted as vicar of Humbleton in 1726 and succeeded by his son in 1761.  
Source: Poulson (1840-1) 2, p.66.

15. Robert Buckels, gent., of Keyingham Marsh. 1 encl. in E.R. (11).
16. Joseph Butler, gent., of Bowthorpe. 5 encl. in E.R. (40, 48, 49, 53, 69), 4 in W.R. Worked as surveyor in Derbyshire and Wiltshire. See also under surveyors.  
Source: Eden (1975).
17. Joseph Butler of York. 3 encl. in E.R. (43, 52, 70), 1 in W.R. May be same man as above.
18. Robert Carlisle, gent., of Haltemprice. 1 encl. in E.R. (98).
19. John Carr, gent., of New Malton, N.R. 3 encl. in E.R. (1, 4, 156).
20. Thomas Carter of Roos. 2 encl. in E.R. (11, 34).
21. Richard Clark of Rothwell Haigh, W.R. 4 encl. in E.R. (112, 171 + 2 Vale of York), 25 in W.R., 3 in Lincolnshire. Moved to Escrick in 1799.  
Source: Eden (1975).
22. Edward Cleaver, gent., of Castle Howard, N.R. (?-1767); Ganthorpe, N.R. (1768-c.1773); Nunnington, N.R. (1774-?). 10 encl. in E.R. (U in Key - Appendix IV + 4 in Vale of York), 6 in W.R. In 1823 an Edward Cleaver was living at the Lodge, Nunnington.  
Source: Baines (1823).
23. John Cleaver, gent., of Castle Howard (?-1770); Carburton, Nottinghamshire (1770-?). 8 encl. in E.R. (J in Key - Appendix IV + 3 in Vale of York), 4 in W.R., 2 in Nottinghamshire. Brother of Edward?
24. Cornelius Collett of Beverley. 2 encl. in E.R. (137, 138). Was a lamp agent in Beverley.  
Source: Baines (1823).
25. John Conyers of Dunnington (?-1740); New Malton (1741-?). 6 encl. in E.R. (F in Key - Appendix IV). Was steward at Millington manorial court 1765-7.  
Source: DDPY 17/18.
26. William Cossins, gent., of Brompton, N.R. 1 encl. in E.R. (1).
27. Thomas Coulton, esq., of Bessingby. 1 encl. in E.R. (153).
28. Richard Cross, gent., of Pocklington. 6 encl. in E.R. (42, 43, 46, 64 + 2 in Vale of York), 2 in W.R. In 1780 Cross was one of only seven people who paid a tax on male servants in Pocklington. Source: Neave (1971).
29. John Danser of Howden. 1 encl. in E.R. (78).
30. Miles Dawson of Octon, W.R. 7 encl. in E.R. (M in Key.- Appendix IV + 4 in Vale of York), 18 in W.R. His daughter wrote:

My father was at this time, 1778, much employed as a commissioner under various Act of Parliament for enclosing and dividing common land attached to townships, while my uncle [William q.v.] took the surveying department. This took them much from home ... At this time the American revolutionary

war was at its height. My father felt strongly on the Whig side of that question, and he and my grandfather Hill [William Hill q.v.] agreed on the reprobation of taxing the colonies without their own consent ... [My father] happened to be personally acquainted with Sir George [Savile] ...

See also under surveyors.  
Source: Fletcher (1875).

31. William Dawson of Octon, W.R. 8 encl. in E.R. (Q in Key - Appendix IV), 34 in W.R., 1 in N.R. Brother of Miles Dawson, q.v. Died in 1816.  
Source: R.D.B. CQ/451/38.
32. John Dealtry, clerk of Skirpenbeck. 4 encl. in E.R. (7, 8, 26 + 1 in Vale of York). Was an investor in the York-Kexby Bridge-Garrowby Hill Turnpike Trust. Was rector of Skirpenbeck and vicar of Bishop Wilton and Bishopthorpe and Skirpenbeck. On the Pocklington enclosure probably represented the Dean of York. Clergyman.  
Sources: Macmahon (1964); Archbishop Herring's visitations (1928-31); Neave (1971).
33. John Dickinson (1701-78), 'yeoman' of Warter (c.1726 - c.1758); gent., of Beverley (c.1759-1775); gent., of Gildersome, West Riding (1775-1778). 26 encl. in E.R. (B in Key - Appendix IV), 3 in Lincolnshire. Was estate steward to the Penningtons of Warter (c.1726-c.1758) and from c.1759 worked for the Pennymans. Worked as a surveyor in the East Riding. Was a Quaker, uncle of Joseph Dickinson q.v. By his will, dated 1771, he left all his property after personal bequests to his brothers Samuel and William (Joseph's father). Died 1778.  
Sources: Eden (1975); HUL DDWA 6/22, 10/7; HUL DDEV 9/124-5, 59/30-4; Wills, Borthwick Institute, York; Extracts from the Leeds Intelligencer and the Leeds Mercury.
34. Joseph Dickinson (1746-1823), gent. of Beverley (1766-c.1785), of Beverley Parks (c.1785-1823). 30 encl. in E.R. (C in Key - Appendix IV + 3 in Vale of York) 3 in W.R., 5 in Lincolnshire, 1 in Wiltshire. Born in 1746, son of William Dickinson, nephew of John Dickinson q.v. Married Jane Stickney, who was a cousin of William Stickney q.v. in 1788, when he was a widower with seven children. Was a Quaker. Father of Samuel Dickinson the surveyor q.v. Joseph Dickinson worked as a surveyor, land valuer and land agent (for the East Riding estates of Lord Yarborough and for other landowners). He died in February, 1823 leaving bequests totalling £2,640 and estates in Beverley Parks, Beverley and Molescroft. See also under surveyors.  
Sources: Kay (1980); HUL DDEV; HUL DDSY 101/68; DDBV 56/18; HUL DRA; report of death in Annual monitor, 1824.
35. Edward Donkin of Birdsall. 1 encl. in E.R. (150).
36. Thomas Donkin of Westow. 1 encl. in E.R. (144).
37. James Dunn, gent., of Ploughland. 1 encl. in E.R. (52). Possibly same man as 38.
38. James Dunn, gent. of Ottringham Marsh. 1 encl. in E.R. (95). Nominated to succeed Robert Dunn q.v. who was probably his father. May have been same James Dunn esquire, of the Manor House, Patrington, 1804.  
Source: HUL DDMM 14/2.

39. Robert Dunn, gent. of Ottringham Marsh (1732-95). 15 encl. in E.R. (P in Key - Appendix IV). Agent to Sir Christopher Sykes (c.1772-1788), owner-occupier and tenant of Sykes and Henry Maister in Ottringham. Often nominee of Sykes as commissioner. His daughter Eleanor married William Iveson, q.v., his second daughter Elizabeth married Robert Bell, possibly son of commissioner of same name q.v., and their daughter married James Iveson.  
Sources: HUL DDSY 98/67; QDE 1 1787; Craven (1972).
40. Leonard Brookes Earnshaw of Hessle. 5 encl. in E.R. (138, 141, 143, 144, 148).
41. James Farthing, gent. of Foston. 1 encl. in E.R. (29).
42. Ralph Featherston, gent. of Beverley. 1 encl. in E.R. (7).
43. Samuel Finley, gent. of Hull. 1 encl. in E.R. (2).
44. John Flintoff of Thirsk. 1 encl. in E.R. (74), 4 enclosures in W.R. A Quaker. His daughter Elizabeth married John Leatham, a linen draper of Pontefract, who was probably related to Isaac Leatham q.v. In a letter, 1777, Samuel Brailsford wrote re. North Dalton enclosure 'Mr. Flintoff ... will be over-ruled by the older commissioners'.  
Sources: Rodgers (1962) p.415; Y.C. 1775; HUL DDCV 118/1.
45. John Foakes of Mitcham, Surrey. 1 encl. in E.R. (116). Worked in Essex, Herefordshire, Kent and Surrey.  
Source : Eden (1975).
46. John Foord, yeoman of East Ayton, N.R. 2 encl. in E.R. (85, 160), 3 in N.R.
47. Joseph Foord, gent. of Kirby Moorside, N.R. 1 encl. in E.R. (167).
48. William Fordon, gent. of Fylingdales, N.R. 1 encl. in E.R. (44).
49. Richard Foster of Southburn. 1 encl. in E.R. (149).
50. Robert Foster of Burton Constable. 3 encl. in E.R. (47, 58, 63).
51. Richard Fowler of Saltaugh Grange, Keyingham. 1 encl. in E.R. (142).
52. John Fox, gent. of Ottringham. 1 encl. in E.R. (162).
53. John Gotherlesse, yeomen of Bridlington. 1 encl. in E.R. (153).
54. Thomas Goulton of Bessingby. 1 encl. in E.R. (153).
55. John Graves, gent. of York. 8 encl. in E.R. (0 in Key - Appendix IV + 1 in Vale of York), 5 in W.R., 3 in N.R. He worked on estate business for John Grimston of Kilnwick. He was a York attorney who 'combined the profession of the law with the agency of estates, ... was a portly man whose habits had been to explore fields or chat with neighbours in the streets, rather than sit at his desk'.  
Sources: DDGR 42; Gray (1927) p.35.
56. Frances Haigh, gent. of Walkington. 1 encl. in E.R. (92). See also under surveyors.



57. John Hall, gent. of Scarborough. 34 encl. in E.R. (S in Key - Appendix IV). 2 in W.R. Was the son of William Hall q.v., and succeeded him as agent to Lord Hotham from 1794 to 1831. He married Margaret, daughter of William Middleton, the Beverley architect, in 1795. His brother Samuel q.v. (Appendix Vd), who was a Beverley attorney and partner in the firm of Hall and Campbell, married Margaret's sister Mary. John and Margaret Hall's son, James Middleton Hall, succeeded his father as agent to Lord Hotham at his death in 1831, and remained in the position until his own death in 1877. James was Master of the Holderness Hunt for 30 years, and a senior partner in the banking firm of Bower and Hall. He married the daughter of Richard Watt, lord of the manor of Bishop Burton, and their son succeeded to the Bishop Burton estate in 1886. John Hall's elder daughter Helen married Robert Bower esquire of Welham and his younger daughter Eugenia married Robert's brother the Rev. John Bower, rector of Barmston. John Hall was a landowner with estates in Filey, Hunmanby and Muston. He farmed Lord Hotham's Scarborough estate and when he died he left £90,000 plus considerable property. He acted as commissioner when Hotham's estates at Etton, South Dalton and Cherry Burton were enclosed, and was instrumental in building up his employer's estate.  
Sources: Macmahon (1953-5); Fairfax-Blakeborough (1949-50); Hudson (1921); V.C.H. Yorks, E.R. 2; English (1984?); QDE 1 1787; HUL DDHO 8/1-5. See also chapters 6 and 8.
58. William Hall, gent. of Scarborough. 13 encl. (Q in Key - Appendix IV). He was the son of William Hall, a wheelwright of Swanland. William the younger was a servant to the Hothams of South Dalton and was made their agent some time in 1770s. He farmed Hotham's estate at Scarborough. One of his sons, John Hall q.v., followed him as agent to the Hothams and as a commissioner. Another son, Samuel became an attorney and banker in Beverley. On his death William Hall left £7,000 and property in Ellerton to other children and the residue to his oldest son John.  
Sources: Hudson (1921); Fairfax-Blakeborough (1949-50); English (forthcoming).
59. George Hebden, gent., of Yastrop Park, N.R. 1 encl. in E.R. (160).
60. Samuel Hellard of Langtoft. 1 encl. in E.R. (3).
61. William Hill, gent., of Tadcaster. 4 encl. in E.R. (54, 69, 67, 78), 16 in W.R., 1 in N.R., 1 in Nottinghamshire. Father-in-law of Miles Dawson, q.v. 'As a boy he had a strong preference for figures. He studied geometry and mensuration under the Reverend Mr. Atkinson of Thorp Arch, and was at fifteen, apprenticed to Mr. Lund [q.v.], a land surveyor and land valuer at Dringhoes near York.  
Source: Fletcher (1875).
62. Edward Holgate, gent. of Roxby, Lincolnshire. 4 encl. in E.R. (14, 19, 24, 26).
63. George Holgate of Melton, Ross, Lincolnshire. 1 encl. in E.R. (78), 10 in Lincolnshire.
64. William Hudson gent., of Bridlington. 1 encl. in E.R. (153).
65. William Iveson, the elder, of Hedon (c.1730-1796). 4 encl. in E.R. (11, 14, 34, 48). Member of Iveson family of Hedon, several members of which were attornies. William Iveson arrived in Hedon in 1760 as a trained lawyer about 30 yrs old. He took over much of the work of the Hedon attorney Henry Waterland. He had ten children, including William and James q.v. He trained several clerks, including William

Gray of York, in the profession of attorney - Gray's wife wrote of Gray's apprenticeship with Iveson:

During the clerkship he had great fatigue riding from place to place in all weathers on horses which endangered his life by stumbling many times. He also had large bundles, maps etc. so that if he got off horseback he scarcely knew how to get back on again. Mr. Iveson was not capable of giving him instruction when at home, which was seldom the case, for he was generally at this time [1760s] engaged in draining, enclosures, and such like work ... [Hedon] was very dissipated and gay. His master was occasionally in habits of intoxication and his mistress was a Roman Catholic.

Sources: Gray (1927); Craven (1972); DDIV.

66. George Jackson, gent. of Richmond. 1 encl. in E.R. (38), 4 in W.R.
67. Peter Jackson, gent., of Leven. 4 encl. in E.R. (105, 110, 108, 134). He may have been a pupil of Peter Nevill q.v., who left Jackson the bulk of his property. He worked in Lincolnshire. Source: Eden (1975); ex. inf. D. Neave.
68. Edward Johnson, gent. of Hull. 2 encl. in E.R. (40, 63), 7 in Lincolnshire. Moved to Hessle at some point. See also under surveyors.
69. James Keighley, gent., of Cliffe. 1 encl. in E.R. (78).
70. Christopher Keld, gent. of Beverley. 1 encl. in E.R. (61). He was an attorney and acted as clerk to several enclosures. See also under attornies.
71. Isaac Leatham, gent., of Barton le Street. 7 encl. in E.R. (85, 102, 113, 106, 119, 120, 121), 8 in W.R., 3 in N.R., 5 in Lincolnshire. Was a surveyor, land agent of the Osbaldestons of Hunmanby, landowner, colonel of the Malton Militia, contested the 1807 election at Malton unsuccessfully. He wrote the General view of the agriculture of the East Riding (1794). A Quaker. Sources: Eden (1975); Baines (1823); DDHU.
72. John Lee of Leconfield Parks. 1 encl. in E.R. (137). See also under umpires.
73. John Lee of Enholmes, Patrington. 5 encl. in E.R. (108, 122, 125, 127, 132). 1 encl. in Lincs. He owned 45a in Ryhill and Camerton where he was a commissioner. He may have been same man as above (72).
74. John Levitt of South Cave. 2 encl. in E.R. (81, 98). He was Henry Boldero Barnard's steward at his estate in South Cave. Was a farmer in South Cave. Was nominated by Barnard to act as commissioner at South Cave and Walkington where Barnard had large estates (see Chapter 6). Sources: QDE 1 1787; Neave (1974); HUL DDBA 4/188, 21<sup>0</sup>, 326.
75. William Lister, gent., of New Malton. 2 encl. in E.R. (1,154).
76. John Lockwood, esq., of Beverley. 1 encl. in E.R. (127). Was a Beverley attorney and acted as clerk at several enclosures. He was clerk of the general meetings for the East Riding Militia and Deputy Clerk of the Peace. See also under attornies. Source: Baines (1823).

77. Edward Lorrimar, gent., of Tunstall. 1 encl. in E.R. (80). He bought 65a at this enclosure. Was a farmer in Roos and also a landlord. Sources: QDE 1 1787; Baines (1823).
78. John Lund the elder, gent. of York. 11 encl. in E.R. (K in Key - Appendix IV), 2 in W.R., 2 in Lincolnshire. A surveyor and land valuer, hard wood turner, also turning in brass, ivory and bone. Advert. of 1767 in York Courant read 'He makes Surveying Chains without heating the wire'. In a will dated 1806 (query his will or his son, also John Lund?) he left bequests totalling £13,600. See also under surveyors. Sources: Borthwick Institute, York; Y.C. 1767; DDBR 15/130.
79. John Young MacVicar of Barkworth House, Lincolnshire. 1 encl. in E.R. (148).
80. Calisthenes Marshall of Hunmanby. 1 encl. in E.R. (60).
81. Isaac Milbourne, gent. of Broom, near Rotherham, W.R. 4 encl. in E.R. (30, 49, 53, 91), 5 in W.R., 1 in N.R., 1 in Nottinghamshire. His brother Samuel q.v. and he worked together on enclosures on occasion. He was a Quaker.
82. Samuel Milbourne, gent., of Kirkby Grindalythe (?-1759), of Thirkleby (1759-?). 13 encl. in E.R. (H in Key - Appendix IV + 2 in Vale of York), 2 in W.R., 3 in N.R. He was a Quaker. He wrote in 1790, that he had 'for the last Twenty years ... been Employed as a Commissioner in More Inclosures of any Material Extent then (sic) any other Person that I Know of'. He went on to ask Earl Fitzwilliam if he would appoint him for the enclosure of Malton and that his brother Isaac should be made surveyor. He was the largest tenant of Lord Middleton at Thirkleby and a judge for the competitions of the Agricultural Society for the East Riding, 1777. Sources: F76a, Wentworth Woodhouse Collection, Sheffield City Libraries; QDE 1 1787; Y.C. 1777.
83. Thomas Milner of Gransmoor. 1 encl. in E.R. (57).
84. John Moiser the younger, gent. of Huntington, York. Was appointed to 2 encl. in E.R. (108, 110) but refused, 1 in W.R.
85. William Mosey of Brandesburton Barf. 1 encl. in E.R. (88), died in 1794 whilst still working on it.
86. Thomas Mould of Potter Grange, N.R. 1 encl. in E.R. (78), 5 in W.R.
87. Arthur Mowbray of Sherborn, County Durham. 1 encl. in E.R. (98), was the nominee of the Bishop of Durham.
88. Thomas Musgrave of Foggathorpe. 1 encl. in E.R. (136).
89. Samuel Neck of Bridlington Key. 1 encl. in E.R. (3).
90. Peter Nevill, gent. of Benningholme Grange (?-c.1765), of Skirlaugh (c.1765-73), of Long Riston (1773-1807). 33 encl. in E.R. (D in Key - Appendix IV + 4 in Vale of York), 1 in N.R., 4 in Lincolnshire. Son of Henry Nevill of Woodhouse, Riston. Born in 1736, began working as a surveyor in 1756 and as a commissioner in 1762, died in 1807 whilst working on enclosure of Hunmanby. He bought an estate of over 200 acres at Long Riston, just after the enclosure act had been passed. He farmed the land himself and built Riston Grange, planting his property with

'seven or eight clumps on the rising ground, which greatly add to the appearance of the village'. He never married. He worked as a land valuer as well as a surveyor 'frequently employed in the valuing of land for sale and was so employed by Sir William St. Quintin in his lifetime on several occasions'. He left bequests totally £10,650 to 29 legatees, and remaining property and estate to Peter Jackson, q.v. who may have been his pupil, although described in Nevill's will as a farmer. See also under surveyors.

Sources: R.D.B. BB/73/13; QDE 1 1787; Poulson (1840-1); HUL DDSQ (2) 6/13; ex. inf. D. Neave.

91. Richard North of Rise. 9 encl. in E.R. (G in Key - Appendix IV). He died between 1757 and 1764.
92. John Outram, gent., of Burton Agnes (1730-?1769), of Kilham (1770-1789). 55 encl. in E.R. (A in Key - Appendix IV), 10 in W.R., 4 in N.R., 1 in Lincolnshire. John Outram was born in 1730 at Burton Agnes, the son of Benjamin Outram, the estate steward of Sir Griffith Boynton. Benjamin Outram was said by Poulson to have introduced the culture of turnips and clover to Barmston, where Sir Griffith had part of his estate. Benjamin died in 1753 and John took over his position as estate steward. There were six Outram brothers: John was the eldest; Joseph (1734-1780) became a wine merchant in Hull; Benjamin (1738-?) was a West Riding wool merchant; William (1736-?) was the master of a cargo ship and in 1762 was trading with Virginia; Samuel (1740-1814) succeeded John as estate steward to the Boyntons c.1771; Thomas (1743-?) was also a Hull wine merchant. John Outram's first work as an enclosure commissioner was in 1757 when he enclosed Barmston open fields for his employer Sir Griffith Boynton, who was the sole proprietor except for the church. From 1762 when he undertook his first parliamentary enclosure, until c.1770 when he moved to Kilham, John Outram combined the duties of estate steward and commissioner. At this time too he was much in demand as an 'estate agent'. Many advertisements in the York Courant for property for sale or to rent direct those interested to Mr. John Outram. Between 1769-1771 when he was at the peak of his enclosure career (in 1771 he was working on a total of 23 enclosures) he began to buy land: in 1769 he bought an estate in Sherburn, in 1771 he bought over 200 acres in East Heselton where he was acting as enclosure commissioner, and in 1770-1 he bought considerable property in Kilham and moved there at about that time. In his will made in 1776 he itemised property in Kilham, Hornsea, Sherburn and East Heselton. He seems to have overstretched himself however, for he died in 1781 leaving debts of £11,400. With the legacies in his will of £1,521 there was £12,921 owing on his estate. His 'personal profits' were £4,450, by the sale of some land his trustees received £1,037 and a mortgage of £4,000 was taken out on his Kilham property. This reached a total of £9,487 which still left £3,434 in debts, so his land at Sherburn and East Heselton was sold to R.C. Broadley for £3,800. John Outram and his wife Elizabeth had four children, but a daughter Anne died in childhood and his eldest son, John, died in 1789 at the age of 20. Benjamin (born in 1770) became his father's heir. His daughter, Elizabeth (b. 1766) married Robert Knowsley of Cottam. John Outram may have been related to Joseph Outram of Alfreton, Derbyshire, land surveyor but no certain connection.  
Sources: Poulson (1840-1); HUL DDDU 11/8-9,77,79,95,138-9,175-184,212; DDHB 29/139-143; HUL DDSY 25/57,89-100,156-7; DDWB 13/10; HUL DP 150/10; PR 1847; Eden (1975).

93. Edward Page of Walkington. 3 encl. in E.R. (140, 144, 145), 1 in W.R. Was a land surveyor and architect working from Beverley; the firm of Pages was still in existence in 1867. He was a land agent with 15-16,000 acres under his control. See also under surveyors. Sources: Baines (1823); Select Committee on Agric. Customs (1847-8); English (forthcoming); I. and E. Hall (1973).
94. William Peirson, gent., of Hunmanby. 1 encl. in E.R. (3).
95. Roger Pocklington of Winthrop, Nottinghamshire. 1 encl. in E.R. (70).
96. Henry Raines of Turmar Hall, Swine. 2 encl. in E.R. (13,58). Born 1726, died 1791. Sone of John Raines the elder q.v. Source: Poulson (1840-1).
97. John Raines the elder of Burton Constable. 3 encl. in E.R. (5, 6, 158). A member of a long-established Holderness farming family John was born in 1690 and died in 1752. He was father of Henry Raines q.v. and uncle of John Raines the younger q.v. Source: Poulson (1840-1).
98. John Raines the younger of Burton Constable. 26 encl. in E.R. (E in Key - Appendix IV + 2 in Vale of York), 1 in W.R., 1 in Lincolnshire. The nephew of John Raines the elder q.v. He was born in 1738 and died in 1806. He was the steward to the Constables of Burton Constable for 50 years. Described as 'a person of considerable learning and information, which together with the chief management of the extensive property and affairs of the seignory [of Holderness] for half a century, gave him great influence in the country in which he lived. He was also a great promoter of the improvements in Holderness, and was called upon to take an active part in their progress, having been appointed chief commissioner under thirty acts of parliament for the enclosing and draining the district'. Raines was a competent draughtsman and made drawings of Burton Constable hall and for a projected greenhouse there. He gave bequests totalling £1,500 to charities by his will dated 1805. Source: Poulson (1840-1); Ferens Art Gallery (1970).
99. William Richardson of Hunmanby. 1 encl. in E.R. (141).
100. Henry Scott of Oulston, N.R. 1 encl. in E.R. (147). See also under surveyors.
101. Thomas Scott, gent. of York. Was appointed to serve in 1 encl. in E.R. (135) but resigned in favour of Thomas Scott, of Oulston (his son?).
102. Thomas Scott of Oulston, N.R., gent., 3 encl. in E.R. (135, 141 + 1 in Vale of York).
103. Robert Sherwood, gent., of Holme on the Wolds. 1 encl. in E.R. (50). He was a landowner in Holme and farmed the land himself. Source: QDE 1 1787.
104. William Shipton of Green Hammerton, W.R. 2 encl. in E.R. (103, 129), 11 in W.R. Also worked in Derbyshire. See also under surveyors. Source: Eden (1975).

105. James Shutt of Humbleton. 1 encl. in E.R. (40). He was a landowner in Humbleton (of almost half the township) and farmed it himself. Source: QDE 1 1787.
106. Thomas Simpson, gent., of Hedon. 1 encl. in E.R. (57).
107. John Singleton of Great Givendale (1770-1853). 2 encl. in E.R. (129, 132), 1 in W.R. Born in 1770, son of John Singleton (1715-93) who began life as a herdsman and became the first professional jockey in England. John senior bought land at Great Givendale and John junior went as a scholar to St. John's College, Cambridge. By 1806 he was working as a land agent and acted as steward and receiver for Emmanuel Hospital's estate at Brandesburton. From 1809 he acted as agent for St. John's College, Cambridge; the college owned considerable property in the East Riding. He was also agent to the Dean of York. In 1856 John Singleton was lord of the manor, principal owner and lessee of the great tithes of Great Givendale. Source: English (forthcoming); Fairfax-Blakeborough (1951).
108. Robert Smith of Acaster Malbis, W.R. 1 encl. in E.R. (140).
109. Robert Spofforth of Howden. 1 encl. in E.R. (110). He was an attorney, and worked as clerk on several enclosures. See under attornies.
110. Robert Stickney, gent., of Ryhill. 2 encl. in E.R. (104, 117). He married Rebecca, a daughter of Robert Bell of Welwick. He was born 1772, died 1813. Was a member of an old-established Holderness farming family of Quakers. They were tenants of the Constables. Robert Stickney was primarily a surveyor and took in his cousin Isaac to learn the craft. He had scientific interests, being interested in making 'electrifying machines and barometers'. See also under surveyors. Sources: Poulson (1840-1); Kay (1980).
111. William Stickney of Ridgemont, Burstwick. 1 encl. in E.R. (138). Cousin of Robert Stickney q.v. Born 1764, died 1848. Was a Quaker. He took over the estate at Ridgemont, which had been farmed by his father and grandfather before him. He was 'an excellent practical agriculturalist, and has written a treatise which obtained him a silver medal from the Agricultural Society. He was the sole commissioner of the Holderness drainage, president of the Hedon Agricultural Society, a man of excellent taste as an ornamental farmer, and universally known and respected'. Sources: Kay (1980); Poulson (1840-1).
112. Charles Tate, gent. of Hull. 3 encl. in E.R. (40, 47, 56). Was a professional surveyor. See also under surveyors.
113. Robert Taylor the elder, of Ploughland, Welwick. 1 encl. in E.R. (95) but died whilst working on it and his son of the same name was appointed q.v.
114. Robert Taylor, the younger, of Ploughland, Welwick. 1 encl. in E.R. (95). Was appointed in the place of his father, q.v.
115. Jonathan Teal, gent., of Leeds, W.R., 2 encl. in E.R. (82, 95), 23 in W.R., 2 in Lincolnshire, 6 in Nottinghamshire. He worked as a surveyor in Kent, Warwickshire and the North Riding as well as in above counties. He was employed by Trinity College, Cambridge. He was born 1756/7 and died in 1813 'on Tuesday morning, after a short illness, Mr. Jonathan Teal ... land surveyor, aged 56 - he was a man of the first eminence

in his profession and was not more celebrated for his skill than his integrity'.

Sources: Eden (1975); Rodgers (1962).

116. Joseph Thompson of Hull. 8 encl. in E.R. (5, 6, 9, 15, 17, 158, 163, 161).
117. John Tuke, gent., of Lincroft, near York. 3 encl. in E.R. (103, 131 + 1 in Vale of York), 4 in W.R. He was a member of an eminent York family of Quakers. He was born in 1758/9, the son of William Tuke, a tea merchant who founded Ackworth School and the Retreat, York. John trained as a surveyor with Fairbanks of Sheffield, and worked in Derbyshire, Nottinghamshire and the three Ridings of Yorkshire. His son Daniel (1784-1832) worked in his father's surveying business. John Tuke died in 1841 aged 82.  
Sources: Eden (1975); Rodgers (1962).
118. Samuel Vessey, gent., of Halton Holgate, Lincolnshire. 2 encl. in E.R. (145, 148), 9 in Lincolnshire.
119. Thomas Walker, gent. of Beverley. 1 encl. in E.R. (29).
120. William Ware of Skirpenbeck. 3 encl. in E.R. (134, 139, 140). He was the agent of Robert Belt who had property at Etton where Ware was named as a commissioner. He was also steward to H. Darley and was a maker (in 1823) of winnowing machines. He farmed land at Skirpenbeck, mostly as a tenant.  
Sources: R.D.B. DA/266/58; QDE 1 1787; Baines (1823).
121. Timothy Wastling, gent., of Settrington. 1 encl. in E.R. (1).
122. Edward Watterson of Skelton. 3 encl. in E.R. (75, 76 + 1 in Vale of York).
123. John George Weddall of North Hall, South Cave. 3 encl. in E.R. (146 + 2 in Vale of York). See also under surveyors.
124. William Whitelock of Brotherton, W.R. 7 encl. in E.R. (107, 114, 109, 111, 113, 121, 124), 29 in W.R., 9 in Lincolnshire. He died c.1810, and left his 'Surveys, Survey Books, Maps, Plans, Drafts, Drawings and other Things of the same description' to his friend John Crowder esquire. He also left farming stock and an estate. Also worked in Derbyshire, Nottinghamshire.  
Source: Wills, Borthwick Institute; Eden (1975).
125. William Wilkinson, Junior, of Cockell, Watton. 1 encl. in E.R. (84). He was a large tenant farmer at Watton. Source: QDE 1 1787.
126. Thomas Wilson of Haverfield House, Holderness. 2 encl. in E.R. (117, 126).
127. Robert Wise of Auburn Hill, Malton. 1 encl. in E.R. (151).
128. John Wood the elder, of North Cave. 9 encl. in E.R. (64, 75, 81, 82, 85, 86, 87, 88, 89). He died in 1791 and was followed in his work by his son John Wood the younger, q.v. In his will he left property in Elloughton, Brantingham, South Cave, Saltmarsh, Eastington, North Cave and Wallingfen. He farmed part of his own property at North Cave and had several tenants.  
Source: Wills, Borthwick Institute, York.

129. John Wood, the younger, of North Cave. 7 encl. in E.R., 1 in Lincolnshire (R in Key - Appendix IV). He died in 1807. In his will he left many bequests and annuities plus property as above. See also under surveyors. Described in 1797 as 'an eminent land valuer'. Source: DDBD 52/95; Wills, Borthwick Institute, York.
130. Francis Wright gent. of Westow. 3 encl. in E.R. (1, 154 + 1 in Vale of York).



Appendix Vb. The surveyors

1. Robert Atkinson of Leven. 8 encl. in E.R. (57, 86, 88, 92, 96, 108, 110, 118). Moved to Catwick in 1789?
2. Thomas Barrow, yeoman of Welton. 8 encl. in E.R. (90, 95, 97, 101, 106, 117, 119, 125). He died in 1813. He left £1,100 in bequests, and land in Welton.  
Source: DDHB 52/331.
3. Anthony Bower, gent. of Rise. 1 encl. in E.R. (96), 9 encl. in Lincolnshire as surveyor. See also under commissioners.
4. William Brown, yeoman of Beverley. 1 encl. in E.R. (157). Appointed as surveyor to another (2) but refused.
5. James Bulmer of York. 3 encl. in E.R. (137, 138, 139), 1 in W.R.
6. Ralph Burton of Salton, N.R. 3 encl. in E.R. (106, 109, 116).
7. Joseph Butler of Bowthorpe. 1 encl. in E.R. (Vale of York). See also under commissioners.
8. Joseph Colbeck, yeoman, of Marr, W.R. 2 encl. in E.R. (2, 3).
9. Joseph Colebeck, gent. of Balby. 1 encl. in E.R. (89), 2 in W.R. Same as above?
10. John Dalton of Hessle. 8 encl. in E.R. (101, 111, 113, 112, 121, 123, 124, 127) commissioner once in W.R., 6 in Lincolnshire.
11. Miles Dawson of Octon. 4 encl. in E.R. (M in Key). See also under commissioners.
12. William Dawson of Octon. 2 encl. in E.R. (Q in Key). See also under commissioners.
13. Joseph Dickinson of Beverley. 15 encl. in E.R. (C in Key - Appendix IV). See also under commissioners.
14. Samuel Dickinson, gent. of Beverley Parks (?-1801), Walkington Lodge (1801-?). 13 enclosures in E.R. (T in Key - Appendix IV) 1 in Lincolnshire. A Quaker, son of Joseph Dickinson q.v. He worked with his father on several enclosures.
15. Francis Haigh, gent. of Walkington. 1 encl. in E.R. (110). See also under commissioners.
16. William Hildyard of Hull. 2 encl. in E.R. (79, 80), was named as surveyor for South Cave but did not act.
17. Robert Iveson of Paull Holme (1791-1838) 1 encl. in E.R. (138). Second son of William Iveson the younger q.v. Appendix Vd 14.  
Source: Craven (1972).
18. Joseph Jewett of York. 1 encl. in E.R. (78).

19. Edward Johnson, gent., of Hull. 4 encl. in E.R. (20, 24, 25, 40). 11 in Lincolnshire (as surveyor). See also under commissioners.
20. John Kendall of Nunnington. 1 encl. in E.R. (73).
21. Richard Lazenby, gent., of Burton Agnes. 1 encl. in E.R. (153).
22. Thomas Lazenby, gent., of Burton Agnes. 5 encl. in E.R. (10, 12, 13, 19, 162).
23. John Lund, gent. of York. 2 encl. in E.R. (10, 14). See also under commissioners.
24. Isaac Milbourne, gent. of Broom, near Rotherham, W.R. 5 encl. in E.R. (17, 39, 49, 53, 166). See also under commissioners.
25. Samuel Milbourne, gent. of Kirby Grindalyth (?-1759), Thirkleby (1759-?). 1 encl. in E.R. (H in Key - Appendix IV).
26. Peter Nevill of Benningholme Grange (?-c.1769), of Long Riston (1770-1807) 22 enclosures in E.R. (D in Key - Appendix IV). 1 encl. as surveyor in Lincolnshire. See also under commissioners.
27. Benjamin Outram, gent., of Hull. Nominated for 1 encl. in E.R. (115) but refused. Possibly lived in Alfretton, Derbyshire 1786-1793. Source: Eden (1975).
28. Edward Page of Walkington. 5 encl. in E.R. (134, 135, 136, 137, 145). See also under commissioners.
29. Gregory Page of Beverley. 2 encl. in E.R. (144, 146).
30. Richard Page of Walkington. 2 encl. in E.R. (129, 130).
31. Alexander Parke, gent. of Hornsea. 1 encl. in E.R. (157).
32. William Rawson, land surveyor of Barton on Humber. 4 encl. in E.R. (128, 132, 138, 141).
33. Henry Scott of Oulston, N.R. 4 encl. in E.R. (141, 143, 144, 148).
34. William Shipton, gent., of Green Hammerton, W.R. 2 encl. in E.R. (2 in Vale of York). See also under commissioners.
35. Richard Allen Stickney of Ridgemont, Burstwick. 1 encl. in E.R. (140).
36. Robert Stickney, gent., of Ryhill. 6 encl. in E.R. (99, 102, 104, 121, 125, 126). See also under commissioners.
37. Charles Tate, gent., of Hull. 17 encl. in E.R. (L in Key - Appendix IV). See also under commissioners.
38. David Tate, gent., of Hull. 2 encl. in E.R. (37, 60).
39. John George Wedall of North Hall, South Cave, 1 encl. in E.R. (146). See also under commissioners.
40. Christopher Wilkinson of Middleton Quernhow, N.R. 1 encl. in E.R. (67).
41. William Williamson of Burton Constable. 1 encl. in E.R. (158).

42. John Wood the younger, esq., of North Cave. 3 encl. in E.R. (R in Key - Appendix IV). See also under commissioners.

Appendix Vc. The umpires and arbitrators.

1. Richard Beatniffe Esq., of Hull. Arbitrator on 2 encl. (39, 36).
2. Tomlinson Bunting of York. Arbitrator on 1 encl. (36).
3. William Dawson of Octon. Umpire on 1 encl. (Q in Key - Appendix IV). See also under commissioners and surveyors.
4. Joseph Dickinson of Beverley Parks. Umpire on 1 encl. (C in Key - Appendix IV). See also under commissioners and surveyors.
5. John Hall of Scarborough. Umpire on 1 encl. (S in Key - Appendix IV). See also under commissioners.
6. William Hardy, gent., of Cottingham. Arbitrator on 1 encl. (95).
7. Peter Jackson, gent., of Leven. Umpire on 1 encl. (1 in Vale of York). See also under commissioners.
8. Peter Johnson, esq., of York. Arbitrator on 3 encl. (39, 54, 75). Was Recorder of York, 1759-1789. Also acted as arbitrator on a number of West Riding enclosures. Source: Rodgers (1962).
9. John Lee of Leconfield Park. Umpire on 1 encl. (136). See also under commissioners.
10. Thomas Marr, gent. of Bentley. Arbitrator on 1 encl. (95).
11. Peter Nevill, gent. of Long Riston. Umpire on 1 encl. (D in Key - Appendix IV). See also under commissioners and surveyors.
12. Robert Osborne, esq., of Hull. Arbitrator on 2 encl. (95, 118).
13. William Shipton, of Green Hammerton, W.R. Umpire on 1 encl. (1 in Vale of York). See also under commissioners and surveyors.
14. Jonathan Teal, gent., of Leeds. Umpire on 1 encl. (95). See also under commissioners and surveyors.

Appendix Vd. Other individuals

This list is necessarily incomplete because only a few sets of commissioners' minutes giving names of clerks, bankers, etc. have survived. It may be assumed that most of these individuals were involved in many more enclosures than the list suggests.

1. J. Baxby of Hull. Clerk for 3 encl. (17, 47, 52).
2. Bower, Duesbery, Hall and Thompson, bankers of Beverley. Bankers for 3 encl. (134, 137, 138). See also under Duesbery and Hall below.  
Source: Y.C.
3. George Britton of Sledmere. Banker for 1 encl. (129). He was Sir Christopher Sykes's agent in 1801.  
Source: HUL DDSY 101/66.
4. Robert Carlisle Broadley and Co. bankers. Bankers for 3 encl. (110, 117, 125).
5. James Collins, Junior of Knaresborough. Clerk for 2 encl. (79, 96) on his own. Collins and Richardson, clerks for 2 encl. (62, 71). He was the Duke of Devonshire's attorney.  
Source: Y.C.; HUL DDCV 118/1.
6. Edward Copley of York. Clerk for 1 encl. (130).
7. Stephen Dickinson of Hull. He represented the cottagers at encl. of Hornsea. Possibly related to Dickinsons, q.v.
8. Thomas Duesbery of Beverley. Clerk for 1 encl. (106) with John Lockwood. Involved in negotiations for enclosure of Little Weighton from 1793-1800 but was replaced in that year, probably because he was a landowner in Riplingham. Acted for the rector of Holmpton in that enclosure, 1800-7. He was an attorney in Beverley and also a landowner in North Frodingham (where he made many purchases during the enclosure years), in Riplingham, in Cottam, and other townships. He was a partner in the banking firm of Bower, Duesbery, Hall and Thompson, the former East Riding Bank.  
Sources: HUL DDDU; Baines (1823).
9. Thomas Frost of Hull. Clerk to 1 encl. (97).  
Source: DDHB 10/25.
10. Ralph Goforth. Clerk to 2 encl. (20, 117). Worked on last as firm of Goforth and Iveson.
11. Hall and Campbell, solicitors of Beverley. Clerks to 3 encl. (90, 129, 130). Samuel Hall of Beverley was the son of William Hall, q.v., and the brother of John Hall, q.v. He was a partner in the banking firm of Bower, Duesbery, Hall and Thompson, the former East Riding bank.  
Source: HUL DDHO 8/1-5; Baines (1823).
12. Randolph Hewitt. An attorney? in the 1750s and 1760s. Concerned with encl. negotiations for Walkington in those years.  
Source: HUL DDBA 8/102.

13. James Iveson of Hedon (1770-1850). Clerk for 2 encl. (117, 127). Born 1770, son of William Iveson, q.v. Brother of William Iveson the younger, q.v. Junior partner with his brother in the family firm of attornies, Town Clerk of Hedon, secretary of the Holderness Agricultural Society, property owner in Holderness. He married Rebecca, daughter of Robert Bell the younger.  
Sources: Craven (1972); DDIV 4,8.
14. William Iveson, the elder, of Hedon (c.1730-1796). Clerk for 2 encl. (66, 77) and for Sutton drainage (1763-4). See also under commissioners.
15. William Iveson, the younger, of Hedon (1764-1843). Eldest son of William Iveson the elder, q.v. Brother of James, q.v. Clerk for 3 encl. (125, 126, 127). Followed his father into the family law firm. He married Eleanor Dunn, the daughter of Robert Dunn, q.v., and they had 15 children. William inherited most of his father's property, he became bailiff, mayor and alderman of Hedon, was deputy sheriff of Yorkshire, and understeward for the Constables of Burton Constable. He was deeply involved in the Parliamentary elections in Hedon and was probably arrested for corruption in connection with them.  
Sources: Craven (1972); DDIV.
16. Christopher Keld of Beverley. Clerk for 2 encl. (31, 58). Beverley attorney.
17. Kirkby and Smith (of Hull?). Clerks for 2 encl. (55, 56).
18. John Lockwood of Beverley. Clerk for 8 encl. (96, 99, 107, 108, 114, 106, 110, 134), worked on some occasions with Thomas Duesbery, q.v., on others with Robert Norris, q.v. He was (in 1823) clerk of the militia in the East Riding and deputy clerk of the peace. He owned the Blue Bell (later Beverley Arms) in 1794, jointly with Alderman John Arden, M.D. He was the lessee of woods in Walkington, and was involved in a dispute concerning their conversion to agricultural land (see Chapter 5).  
Sources: Baines (1823); MacMahon (1953-5).
19. Josiah Midgley. Clerk for 1 encl. (25).
20. Munby and Iveson. Clerks for 1 encl. (52).
21. Robert Norris of Beverley. Clerk for 3 encl. (88, 110, 108), on two occasions with John Lockwood.
22. Pease and Hansons of Hull. Bankers for 1 encl. (104).
23. Pease, Knowsley, Wray and Liddell of Hull. Bankers for 2 encl. 125, 126).
24. Marmaduke Prickett of Bridlington. Clerk for 5 encl (36, 42, 68, 73, 115) on two occasions with John Taylor. A Bridlington attorney, he owned land in Skeffling, Holmpton, Beeford, Bridlington and other East Riding townships. In his will (he died in 1810 Prickett left bequests totalling £6,200.  
Source: Borthwick Institute, York.
25. John Ramsey of Beverley. Clerk for 7 encl. (25, 35, 57, 61, 64, 107, 114) and acting as attorney in early negotiations for Little Weighton, Kirk Ella etc., and Benningholme in the 1770s.

26. Robert Ramsey of Beverley. Clerk for 2 encl. (107, 114).
27. Mr. Scott. Clerk for 2 encl. (111, 113). Sir Mark Masterman Sykes's attorney for the enclosure of Fridaythorpe.
28. Henry John Shepherd. Clerk for 1 encl. (134). A Beverley attorney.
29. Randolph Sissons of South Cave. Involved in early negotiations to enclose South Cave. Became clerk to encl.
30. James Smith. Clerk for 1 encl. (78). Involved in early negotiations (1777) to enclose Hessle.
31. Smith and Thompson, bankers of Hull. Bankers for 1 encl. (127).
32. Robert Spofforth of Beverley. Clerk for 1 encl. (98) with Thomas Terry, q.v. Was involved in meeting to consider enclosure of North Frodingham as agent of Philip Saltmarsh. Also concerned in discussions about enclosure of South Cave in 1776. He was described at that date as Robert Spofforth, junior of Howden. In 1823 he (or his son?) was practising in Howden.  
Sources: Baines (1823); HUL DDCV 168/4.
33. Sykes and Broadley, bankers of Beverley. Bankers for 3 encl. (106, 107, 108, 114).
34. Mr. Sylvester. Clerk for 1 encl. (149).
35. Thomas Terry of Beverley. Clerk for 1 encl. (98) with Robert Spofforth.  
Source: HUL DDCV 168/4.
36. Edward Wolley of York. Clerk for 1 encl. (75).
37. William Thompson of York. Clerk for 1 encl. (115) with Marmaduke Prickett.

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Appendix VI. Distribution of land at enclosure by period

No. of enclosures	Enclosure date by decade	Acreage % of total	Total acreage enclosed	Church	Distribution of land at enclosure by period										Other
					> 500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	€5a			
10	Pre-1760	15,995 100.0	473 3.0	4,315 27.0	2,395 15.0	1,555 9.7	2,610 16.3	1,443 9.0	2,136 13.4	332 2.1	436 2.7	300 1.9			
36	1760-9	6,238 100.0	6,238 4.3	21,892 29.2	8,400 11.2	6,580 8.8	12,567 16.7	8,510 11.3	8,212 10.9	1,101 1.5	949 1.3	601 0.8			
32	1770-9	10,558 100.0	10,558 14.2	36,555 49.1	4,800 6.4	5,757 7.7	5,746 7.7	5,221 7.0	4,424 5.9	599 0.8	590 0.8	185 0.2			
7	1780-9	7,471 100.0	412 5.5	1,901 25.4	359 4.8	953 12.8	1,167 15.6	1,112 14.9	1,169 15.6	205 2.7	143 1.9	50 0.7			
17	1790-9	4,423 100.0	4,423 15.5	7,435 26.0	4,079 14.3	2,428 8.5	3,574 12.5	2,688 9.4	3,061 10.7	403 1.4	278 1.0	186 0.7			
27	1800-9	8,999 100.0	8,999 16.9	21,944 41.3	5,523 10.4	3,565 6.7	6,325 11.9	2,881 5.4	2,951 5.6	420 0.8	334 0.6	222 0.4			
7	1810-19	8,828 100.0	1,017 11.5	4,463 50.6	711 8.1	647 7.3	1,194 13.5	474 5.4	193 2.2	92 1.0	22 0.2	15 0.2			
4	1820-9	7,481 100.0	352 4.7	3,160 42.2	1,536 20.5	212 2.8	800 10.7	1,095 14.6	188 2.5	76 1.0	48 0.6	14 0.2			
12	Post-1830	12,044 100.0	2,705 22.5	4,958 41.2	1,130 9.4	764 6.3	936 7.8	764 6.3	556 4.6	150 1.2	65 0.5	16 0.1			

Appendix VII. Landowners at enclosure in townships in the nine districts  
The numbers in parentheses are the numbers of proprietors in each category

District 1. Jurassic hills

No.	Date	Township	Total acreage enclosed	Church	>500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a	Other
10	1769-72	Sutton in Norton	720	4		351(3)			214(3)	130(5)	13(2)	6(3)	2
35	1769-76	Acklam	779	157		237(1)			140(2)	87(3)	15(2)	10(4)	
36	1777-9	Bugthorpe	951	444	480(1)					11(1)	9(1)	7(3)	
29	1792-4	North Grimston	667	316	349(1)					15(1)	9(1)		2
11	1797-9	Settrington	2,118	973	1117(1)					10(1)	16(1)		4
34	1804	Leavening	230	202						13(1)			2
2	1825-30	Screyningham	606	256	337(1)				151(2)	93(3)	16(2)	7(2)	
35	1852-4	Acklam	301	34					505	349	72	46	10
62 proprietors				2,386	1,166	237	484		7.9%	5.5%	1.1%	0.7%	0.2%
Nos. and percentages of proprietors				37.5%	17.5%	3.7%	7.6%		7.9%	5.5%	1.1%	0.7%	0.2%
				(1)	(3)	(1)	(4)		(7)	(14)	(9)	(23)	(1)
				1.6%	4.8%	1.6%	6.5%		11.3%	22.6%	14.5%	37.1%	

District 2. High Wolds

No.	Date	Townships	Total acreage enclosed	Church	>500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a	Other
49	1767-73	Huggate	5,773	319	4,993(2)			184(1)	154(2)	102(6)	11(2)	6(2)	4
252	1768-9	Burton Fleming	3,652	68	1,499(2)	1,203(3)		552(4)	276(3)	50(3)		2(2)	2
251	1769-70	Thwing & Octon	3,685	657	1,489(1)	391(1)	231(1)	775(5)		125(5)		12(3)	5
263	1771-4	Butterwick	1,640	302	1,008(1)	326(1)						1(1)	3
245	1771-3	Kilham	6,957	1,121	4,763(5)		291(1)	451(3)	226(3)	64(3)	14(2)	19(20)	8
259	1772-6	Wold Newton	1,810	176			498(2)	951(5)	177(3)		6(1)		2
244	1774-7	Rudston	3,766	254	3,502(4)							8(7)	2
44	1775-6	Sledmere	4,959		4,959(1)								
44	1775-6	Croome	1,253		1,253(1)								
58	1778-9	North Dalton	4,294		3,154(4)		556(2)	175(1)	242(3)	72(3)	50(8)	41(9)	4
264	1800-9	Fordon/Hunmanby	6,353	352	5,076(2)	460(1)		152(1)		243(11)	39(6)	27(14)	4
20	1801-4	Weaverthorpe	2,854	584	1,906(2)		203(1)		98(1)	48(2)		11(7)	4
249	1801-5	Langtoft	3,389	1,244		343(1)	498(2)	84(6)	215(3)	160(5)	9(1)	28(19)	8
21	1801-4	Helpethorpe	2,492	472	1,540(2)	340(1)		137(1)					3
22	1801-4	Luttons Ambo	2,454	460	536(1)	840(?)		307(2)	230(3)	57(3)	9(1)	11(5)	4
46	1803-6	Wetwang	3,185	1,103	936(1)	353(1)		392(3)	59(1)	229(9)	7(1)	10(3)	16

No.	Date	Township	Total acreage enclosed										Other
			Church	>500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a		
47	1803-6	Fimber	413	1,066(1)			156(1)	142(2)	25(1)		2(1)	5	
48	1810-17	Fridaythorpe	799			202(1)	135(2)	32(2)	15(2)	16(10)		5	
261	1836-40	Foxholes	119	927(1)		265(1)	98(1)		16(2)	6(2)		6	
247	1845-51	Cottam	2,250			144(1)	70(1)	46(1)				4	
		305 proprietors	10,773	38,607	4,256	2,744	5,991	2,122	1,253	176	200	89	
		Nos. and percentages of proprietors	16.3%	58.3%	6.4%	4.1%	9.1%	3.2%	1.9%	0.3%	0.3%	0.1%	
				(31) 10.2%	(11) 3.6%	(11) 3.6%	(39) 12.8%	(28) 9.2%	(54) 17.7%	(26) 8.5%	(105) 34.4%		

District 3. Vale of Pickering fringe

No.	Date	Township	Total acreage enclosed										Other
			Church	>500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a		
12	1725	Scagglethorpe	44		416(1)		498(3)	63(1)	44(1)	38(4)			
16	1770-4	West Heslerton	269	1,019(1)	384(1)			15(1)		21(4)		2	
18	1770-2	East Heslerton	239	1,875(1)	322(1)	437(2)	223(2)	149(2)	84(3)	12(2)	6(7)	3	
273	1788-91	Filey			359(1)					9(1)			
268	1801-3	Staxton	185	536(1)		666(3)		23(1)	16(3)	24(6)		6	
269	1802-6	Flixton	635	1,007(1)		213(1)	427(3)	63(1)		51(8)	16(6)	6	
270	1802-7	Folkton	752	998(1)								2	
265-6	1803-4	Ganton, etc.	251	3,091(1)								6	
		75 proprietors	2,375	8,526	1,481	1,316	1,148	275	166	147	46	25	
		Nos. and percentages of proprietors	15.3%	55%	9.6%	8.5%	7.4%	1.8%	1.1%	1.0%	0.3%	0.2%	
				(6) 8.0%	(4) 5.3%	(6) 8.0%	(8) 10.7%	(4) 5.3%	(6) 8.0%	(22) 29.3%	(19) 25.3%		

District 4. Wold scarp/Jurassic hills

No.	Date	Township	Total acreage enclosed	Church	> 500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	< 5a	Other
127	1751-2	Welton	385	15				108(1)		184(9)	27(4)	45(19)	6
55	1754-5	Nunburnholme	1,543	82	820(1)		252(1)	198(1)	149(2)	13(1)	15(2)	14(3)	
53	1757-9	Pocklington	1,875	89	504(1)			264(2)	273(4)	458(22)	55(8)	157(49)	75
106	1764-5	North Cave	1,590	20	650(1)	395(1)		145(1)	66(1)	247(9)	9(1)	54(40)	4
120	1765-6	Brantingham	1,297	234			22(1)	362(2)	359(4)	49(3)	59(8)	1(1)	12
119	1765-6	Ellerker	1,983	306		481(1)	252(1)	512(4)	57(1)	315(13)	51(7)	7(4)	2
50	1768-70	Millington	1,490	297			299(1)	278(2)	342(5)	222(6)	21(3)	21(9)	10
104	1768-71	Hotham	2,515	524	1,361(1)			274(4)	296(10)	52(7)	6(4)		2
37	1769-77	Youlthorpe	637	59		489(1)		89(1)					
89	1769-71	Sancton	1,580	748		383(1)		105(1)	209(3)	94(3)	27(4)	13(6)	1
38	1769-72	Bishop Wilton	2,965	12	1,760(1)	377(1)		118(1)	313(5)	189(9)	95(13)	80(32)	21
129	1771-3	Melton	766	92	585(1)				75(1)		12(2)		2
127	1772-5	Welton	1,043	240					167(2)	189(6)		53(32)	2
72	1773-6	Market Weighton	5,952	1,481	820(1)	638(2)	422(2)	420(3)	766(10)	1,098(48)	78(11)	179(68)	50
107	1773-4	Everthorpe	453	6		311(1)			82(1)	15(1)	19(3)	19(13)	1
73	1775-7	Goodmanham	2,782	1,174	609(1)		438(2)	416(2)	112(2)	23(1)		9(19)	1
93	1777-83	N. & S. Newbald	5,443	1,951	848(1)	486(1)		428(3)	604(8)	422(19)	18(24)	55(18)	10
118	1785-7	South Cave	2,308	24	821(1)		239(1)	360(3)	437(6)	210(8)	105(10)	69(35)	43
128	1794-6	Elloughton/Brough	2,317	635	700(1)		261(1)	100(1)	387(6)	176(7)	18(3)	36(17)	4
37	1810-14	Gowthorpe	330	14				167(1)	149(2)				
70	1816-21	Londesborough	1,497	51	1,445(1)								1
51	1833-45	Great Givendale	644	8	558(1)				75(1)			2(1)	1
		788 proprietors	41,395	8,062	11,481	3,952	2,842	3,981	4,985	4,200	824	820	248
		Nos. and percentages of proprietors		19.5%	27.7%	9.6%	6.9%	9.6%	12.0%	10.2%	2.0%	2.0%	0.6%
					(13) 1.6%	(10) 1.3%	(12) 1.5%	(29) 3.7%	(69) 8.8%	(175) 22.2%	(110) 14.0%	(370) 47.0%	

District 5. Lower Wolds

No.	Date	Township	Total acreage enclosed	Church	> 500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a	Other
63	1741-2	Driffield	4,778	182	1,760(1)	773(2)	735(3)	578(4)	203(3)	278(12)	120(17)	148(44)	
240	1765-7	Flamborough	2,515		1,031(1)		266(1)	842(6)	206(3)	130(5)	5(1)	33(14)	2
241	1765-7	Bempton	1,517			310(1)		547(3)	291(4)	301(12)	43(6)	23(13)	2
237	1766-8	Bessingby	914		546(1)			172(1)	137(2)	47(2)		12(5)	
96	1767-72	Bishop Burton	3,130	601	838(1)		573(2)	381(3)	397(6)	243(10)	20(3)	49(20)	28
238	1768-71	Bridlington	1,940			422(1)		139(1)	435(7)	676(24)	84(11)	134(107)	50
228	1769-72	Mafferton	4,869	645	2,261(3)		290(1)	889(6)	289(4)	356(19)	62(7)	56(23)	21
232	1773-6	Harpham	1,833	216	1,614(1)				71(1)			2(1)	1
248	1774-5	Garton on the Wolds	3,843	41	3,076(2)		491(2)	138(1)	71(1)	34(1)		20(12)	6
67/68	1774-6	Bainton/Neswick	2,695	581	1,705(1)		298(1)		60(1)			7(2)	10
243	1777-83	Boynon	2,008	8	2,000(1)								
124	1792-6	Anlaby etc.	3,445	211	1,127(2)		228(1)	404(3)	613(9)	673(27)	117(17)	7(7)	65
117	1793-5	Skidby	1,152	178		364(1)		134(1)	142(2)	296(10)	14(2)	22(16)	2
256	1793-4	Speeton	1,735	6	1,723(1)							3(1)	3
66	1793-7	Southburn	1,017			319(1)	474(2)	156(1)		43(2)	15(2)	7(4)	3
59	1794-6	Tibthorpe	2,760	14	614(1)	1,447(4)	238(1)	149(1)	185(2)	95(3)		12(4)	6
102	1794-5	Walkington	2,835	746	505(1)	769(2)		553(4)		124(6)	12(2)	67(24)	59
74	1794-6	Lund	2,227	153	858(1)	359(1)		539(4)	221(3)	70(2)	7(1)	13(7)	7
75	1795-8	Holme on the Wolds	1,444			472(1)	526(2)	329(2)		77(2)	22(3)	14(5)	4
125	1796-9	West Ella etc.	1,757	119	791(1)		489(2)		187(3)	114(4)	14(2)	30(18)	13
110	1801-3	Riplingham	1,374	73	543(1)	312(1)	268(1)	171(1)				4(1)	3
97	1801-3	Molescroft	745			625(2)			99(1)		8(1)	9(3)	4
246	1801-5	Ruston Parva	888		524(1)			263(2)	69(1)	26(1)		3(2)	3
111	1801-4	Little Weighton	1,546	44	511(1)	366(1)	244(1)	296(1)	68(1)		5(1)	9(2)	3
239	1802-11	Severby/Marton	1,554		842(1)		202(1)	116(1)	180(3)	197(9)	5(1)	9(4)	3
69	1803-5	Middleton	3,454	868	1,619(2)		253(1)	297(2)	120(2)	280(16)			17
257	1811-20	Reighton	1,593	63	1,108(1)		208(1)	140(1)	59(1)	12(1)		1(1)	2
87	1818-20	Etton	2,894	36	1,010(2)	711(2)			54(1)	105(3)	72(11)		6
88	1822-7	South Dalton	1,603	36	1,500(1)				50(1)		6(1)	5(1)	6
95	1823-9	Cherry Burton	2,051	60	1,085(1)			356(2)	481(6)	20(2)	29(4)	20(6)	
126	1824-37	Swanland, etc.	3,220		575(1)	1,199(3)	212(1)	444(3)	564(7)	155(7)	41(6)	23(22)	8
241	1840-3	Bempton/Newsham	214							213(8)		1(1)	

No.	Date	Township	Total acreage enclosed	Church	> 500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a	Other
254	1843-4	Grindale	2,296	106	2,158(2)					22(1)	7(1)		3
60	1849-51	Kirkburn	36	1						24(1)	9(1)		2(2)
		871 proprietors	71,882	4,988	32,824	8,448	5,995	8,033	5,181	4,611	717	745	340
				6.9%	45.7%	11.8%	8.3%	11.2%	7.2%	6.4%	1.0%	1.0%	
					(33)	(23)	(24)	(54)	(74)	(190)	(101)	(372)	(42.7%)
					3.8%	2.6%	2.8%	6.2%	8.5%	21.8%	11.6%		

Nos. and percentages of proprietors

District 6. Hull valley

No.	Date	Township	Total acreage enclosed	Church	> 500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a	Other
134	1748	Summergangs	658						61(1)	529(22)	42(6)	11(3)	15
169	1763-8	Sutton on Hull	3,874	21	696(1)	316(1)	706(3)	1,225(9)	317(5)	489(23)	68(9)	35(14)	1
134	1764	Southcoates	322						62(1)	121(5)	22(3)	13(3)	104
226	1766-7	Brigham	1,000						111(1)	91(5)	5(1)		1
116	1766-71	Cottingham	2,603	28		301(1)	633(3)	144(1)	260(4)	924(43)	170(24)	101(42)	42
77	1769-71	Hutton Cranswick	4,021	6	2,741(3)	345(1)	251(1)	408(3)	80(1)	111(6)	31(4)	42(20)	6
82	1770-2	Lockington	2,565	199	1,083(1)	717(3)		275(2)	114(2)	126(4)	25(4)	21(13)	5
133	1771-3	Myton	178	5						108(3)	47(6)	12(4)	6
225	1776-80	Poston	993	1		470(1)	236(1)	107(1)	60(1)	94(3)	5(1)	19(8)	1
80	1785-8	Kilnwick	1,443	51	1,080(1)		238(1)		69(1)			4(1)	1
114	1785-8	Woodmansey etc.	499						59(1)	376(17)	15(2)	46(17)	3
100	1785-6	Weel	446						141(1)	141(6)	5(1)	2(1)	
99	1790-2	Tickton	221						92(1)	99(5)	10(1)	20(5)	
116	1791-3	Cottingham	1,480	390					424(5)	425(17)	82(12)	8(4)	6
202	1791-6	Leven	1,481	433					68(1)	520(22)	48(6)	18(7)	2
211	1801-8	North Frodingham	2,269	109	641(1)	372(1)	252(1)		57(1)	460(22)	54(7)	46(19)	5
81	1806-14	Beswick/Wiltholme	542	53						128(6)	17(3)	6(3)	1
203	1844-7	Brandesburton	1,323	38	814(1)				126(1)	105(6)	96(13)	15(5)	1
		573 proprietors	25,918	1,334	7,731	1,804	3,703	3,684	2,124	4,487	742	419	200
				5.2%	29.8%	7%	11.7%	14.2%	8.2%	18.7%	2.9%	1.6%	0.8%
					(9)	(5)	(13)	(28)	(31)	(215)	(103)	(169)	(29.5%)
					1.6%	0.9%	2.3%	4.9%	5.4%	37.5%	18%		

Nos. and percentages of proprietors

District 7. North Holderness

No.	Date	Township	Total acreage enclosed	Church	>500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a	Other
208	1740-1	Bewholme	1,044			358(1)	279(1)	114(1)	189(3)	97(4)		7(2)	
216	1762-3	Dringhoe etc.	1,485	92	1,283(4)				64(1)	34(2)	7(1)	5(4)	
215	1764-5	Skipsea	1,591	208		240(1)	237(2)		495(7)	357(12)	38(5)	16(7)	
217	1765-7	Ulrome	945	132		475(2)			81(1)	220(8)	14(2)	17(7)	6
212	1766-8	Beeford	3,364	297	784(1)	415(1)	433(2)	349(3)	421(5)	382(15)	13(2)	38(18)	232
207	1769-72	Atwick	1,408	27		467(2)		594(4)	186(2)	129(4)		3(4)	2
194	1770-2	Cowdens	959	122			228(1)	403(3)	466(7)	346(13)	16(2)	6(2)	3
191	1771-8	Long Riston	3,140	186	1,805(1)				338(6)	132(7)	28(4)	8(3)	12
218	1771-2	Lisset	1,115	134	877(1)							4(1)	
200	1772-81	Siggelsthorne	895	100		253(1)	206(2)	99(1)	99(1)	222(9)	8(1)	5(8)	2
206	1801-9	Hornsea	2,198	68	355(1)	488(2)	467(4)	271(4)	271(4)	362(17)	75(11)	33(23)	79
193	1802-14	Withernwick	1,701	345	572(1)	278(1)	116(1)	214(3)	214(3)	162(6)		12(9)	2
219	1819-20	Barmston	245	8		237(1)							
195	1845-7	Mappleton	1,102	126	501(1)	471(1)			151(2)	29(2)	6(1)	14(4)	1
230	1847-9	Great Kelk	859		659(2)								
196	1858-60	Rowliston	674			499(2)		175(1)					
		315 proprietors	22,625	1,845	4,539	3,541	3,877	2,661	2,975	2,472	205	171	339
		Nos. and percentages of proprietors		8.2%	20.1%	15.7%	17.1%	11.8%	13.2%	10.9%	0.9%	0.8%	1.5%
					(5) 1.6%	(10) 3.5%	(16) 5.1%	(21) 6.6%	(42) 13.3%	(99) 31.3%	(29) 9.2%	(93) 29.4%	

District 8. Middle Holderness

No.	Date	Township	Total acreage enclosed	Church	>500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	<5a	Other
160	1760-2	Burton Pidsea	1,993	168				971(7)	416(6)	359(13)	68(10)	10(4)	1
165	1762-3	Sproatley	1,236	73	567(1)		417(3)		86(1)	82(2)		4(2)	7
135	1763-4	Marfleet	861			331(1)		107(1)	163(3)	253(9)	7(1)		
183	1764-6	Aldborough	1,788	24	649(2)		320(2)		172(2)	254(8)		16(11)	128
162	1769-70	Lelley	595	71			242(2)		192(2)	83(3)		7(6)	
182	1770-2	East Newton	485	80			276(2)		71(1)	58(2)			
164	1773-7	Preston	4,101	794	991(2)		856(6)		645(9)	739(28)	7(1)	32(36)	37



No.	Date	Township	Total acreage enclosed	Church	500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	5a	Other						
158	1777-9	Tunstall	909	197				331(3)	190(3)	161(7)	8(1)	16(5)	6						
159	1783-6	Roos	1,554	337			201(1)	339(2)	231(4)	358(13)	71(13)	16(12)	1						
172	1789-90	Coniston	540				275(1)	104(1)	159(2)				2						
161	1806-13	Elstronwick	893	51				322(2)	321(4)	170(7)	25(3)	4(2)							
		276 proprietors	14,955	1,795	567	1,971	701	4,285	2,646	2,517	186	105	182						
		Nos. and percentages of proprietors		12.0%	3.8%	13.2%	4.7%	28.7%	17.7%	16.8%	1.2%	0.7%	1.2%						
				(1)	0.4%	(5)	1.8%	(3)	1.1%	(31)	11.2%	(37)	13.4%	(92)	33.3%	(29)	10.5%	(78)	28.3%

District 9. South Holderness

No.	Date	Township	Total acreage enclosed	Church	> 500a	3-500a	2-300a	1-200a	50-100a	10-50a	5-10a	5a	Other						
146	1758-60	Otringham	2,871		1,231(2)	489(1)		382(3)	303(5)	318(12)	13(2)	35(14)	100						
139	1764-5	Skeffling	1,154	7			252(1)	455(3)	138(2)	223(10)	30(4)	49(16)							
144	1766-8	Patrington	2,045	400			245(1)	401(3)	558(8)	351(15)	37(4)	46(46)	7						
138	1768-71	Welwick	1,536	33			284(1)	101(1)	517(7)	211(10)	46(6)	35(16)							
140	1770-1	Easington	1,118	141				176(1)	305(4)	395(18)	53(8)	43(26)	5						
150	1773-7	Burstock	882	4			434(2)	137(1)	202(3)	100(5)		4(1)	1						
154	1793-7	Withernsea	454	3				114(1)	160(2)	157(7)	18(2)	2(2)							
153	1793-7	Hollym	1,445	246			212(1)	559(4)	209(3)	177(7)	17(2)	19(11)	6						
143	1800-7	Holmpton	864	109		432(1)			211(3)	91(4)	8(1)	12(9)	1						
147	1802-5	Keyingham	1,404	389				633(4)	147(2)	140(6)	43(6)	18(23)	34						
149	1805-10	Ryhill/Camerton	1,396	117		725(2)		187(1)	266(4)	84(3)	8(1)	8(3)	1						
156	1806-15	Owthorne	596	40				392(3)	51(1)	66(4)	31(4)	16(8)							
136	1811-22	Paul	436	46				257(3)	77(1)	44(3)	5(1)	5(4)	2						
141	1836-43	Kilnsea	543	23				390(3)	91(1)	24(2)		15(6)							
		418 proprietors	16,744	1,558	1,231	1,955	1,427	4,184	3,235	2,381	309	307	157						
		Nos. and percentages of proprietors		9.3%	7.6%	11.7%	8.5%	25.0%	19.3%	14.2%	1.9%	1.8%	0.9%						
				(2)	0.5%	(5)	1.2%	(6)	1.4%	(31)	7.4%	(46)	11.0%	(106)	25.4%	(43)	10.3%	(179)	42.8%

Appendix VIII. Percentage of land owned by social and economic groups at enclosure in individual townships (where available)

Date of enclosure	Township	Arist-ocracy/ Gentry	Church	Instit-utions	Yeomen	Arti-sans	Lab-ourers	Women	Queries
<u>District 1. Jurassic hills</u>									
1769-72	Sutton in Norton	27.4	0.5	17.1	24.3	24.3		6.1	
1769-76	Acklam	68.3	20.1		9.7	1.1		0.5	
1777-9	Bugthorpe	50.9	46.7						2.4
1792-4	North Grimston	52.3	47.4						0.3
1797-9	Settrington	52.7	45.9						1.3
1804	Leavening	87.8	7.8		1.3				3.1
1825-30	Scrayingham	57.7	42.2						
<u>District 2. High Wolds</u>									
1767-73	Huggate	80.0	5.5	9.7	4.7				
1768-9	Burton Fleming	51.9	1.9	0.05	43.5	0.02		2.7	
1769-70	Thwing/Octon	67.1	17.8		10.8			4.1	
1771-4	Butterwick	81.4	18.4	0.1					
1771-3	Kilham	73.0	16.1	0.1	7.0	0.1		3.7	
1772-6	Wold Newton	66.3	9.7		23.3				
1774-7	Rudston	93.0	6.7		0.2				
1775	Sledmere	100.0							
1776-7	Croom	100.0							
1800	Hunmanby	88.0	5.5		4.5	0.7	0.2		1.1
1801-4	Weaverthorpe	70.3	20.5		0.7			7.2	1.3
1801-4	Helperthorpe	81.0	18.9						0.1
1801-4	Luttons	41.9	18.7		20.2	0.8		14.1	4.2
1803-6	Wetwang	42.9	37.1		17.4				2.6
1803-6	Fimber	58.9	22.8		17.9				0.4
1810-17	Fridaythorpe	18.9	43.6		23.3	0.2		8.8	5.2
1846-51	Cottam	10.3	89.5						0.2

Date of enclosure	Township	Aristocracy/ Gentry	Church	Institutions	Yeoman	Artisans	Labourers	Women	Queries
<u>District 3. Vale of Pickering fringe</u>									
1725-6	Scagglethorpe	87.7	4.0		1.7			6.6	
1770-4	West Heslerton	82.0	15.7		1.2	0.3		0.6	
1770-2	East Heslerton	89.7	7.9	0.1	2.4				
1802-6	Flixton	63.2	26.3						10.5
1802-7	Folkton	57.0	42.9						0.1
1803-4	Binnington	92.3	7.5						0.2
<u>District 4. Wold scarp/Jurassic</u>									
1751-2	Welton	64.1	5.4		7.5	11.7			11.3
1754-5	Nunburnholme	82.2	5.3			6.3			6.2
1757-9	Pocklington	46.1	4.7	2.9	9.7	23.6	0.5	1.2	8.2
1765-6	Brantingham	67.9	18.0	1.4	10.7			2.1	
1765-6	Ellerker	59.7	15.4		9.3	7.9		7.5	
1768-70	Millington	11.6	19.9	20.7	40.5	6.6		0.6	
1768-71	Hotham	57.9	20.8		18.5	0.9		1.8	
1769-77	Youlthorpe	90.7	9.3						
1769-71	Sancton	35.1	47.3		15.6			0.4	1.6
1769-72	Bishop Wilton	76.2	0.4	0.6	16.7	1.2		4.5	0.2
1771-3	Melton	87.6	12.0						0.3
1772-5	Welton	72.8	23.0		2.6	0.9		0.5	0.2
1773-4	Everthorpe	86.5	1.3	0.6	8.4	0.6		0.2	2.2
1777-83	N. & S. Newbald	32.6	35.8	0.2	18.2	5.1	1.0	4.2	2.7
1785-6	South Cave	70.6	1.0		12.8	4.0		9.6	2.0
1794-6	Elloughton etc.	64.7	27.4		5.3	0.3		1.9	0.3
1810-14	Gowthorpe	79.1	4.2						12.7
1816-21	Londesborough	96.5	3.4						0.1
1833-45	Great Givendale	86.7	1.2						12.1

Date of enclosure	Township	Arist-ocracy/ Gentry	Church	Instit-utions	Yeomen	Arti- sans	Lab- ourers	Women	Queries
<u>District 5. Lower Wolds</u>									
1740-2	Driffield	67.9	3.9		17.9	2.2	0.9	6.0	1.0
1765-7	Flamborough	85.0		1.6	3.1	7.8		0.9	1.5
1765-7	Bempton	66.2		5.7	21.0	3.0		4.3	
1766-8	Bessingby	89.0							11.0
1768-71	Bridlington	37.1		9.7	23.0	20.2		3.0	7.1
1769-72	Nafferton	70.7	13.2	0.4	9.9	2.6		2.8	0.3
1773-6	Harpham	88.0	11.8		0.1				
1774-5	Garton on the Wolds	92.8	1.1	0.1	5.8	0.1		0.1	
1774-6	Bainton	63.4	21.6	0.4	14.6				
1777-83	Boynton	99.0	1.0						
1793-5	Skidby	26.7	15.5	31.6	20.7	0.7		5.1	
1793-4	Speeton	99.7	0.3						
1794-6	Tibthorpe	90.0	0.5		5.7				3.8
1794-5	Walkington	65.6	26.3		3.7	0.7		1.5	2.2
1794-6	Lund	65.5	6.9	7.5	7.9	5.1			7.0
1796-9	West Ella etc.	81.6	6.8		1.3				10.3
1801-3	Riplingham	94.5	5.3						0.2
1801-3	Molescroft	97.2			1.1				1.7
1801-4	Little Weighton	96.1	2.8			0.8			0.2
1802-11	Marion/ Sewerby	77.0		2.8				4.6	15.6
1811-20	Reighton	91.4	4.0						4.6
1818-20	Etton	93.8	1.2		2.3	0.4			2.3
1822-7	South Dalton	96.9	2.2		0.7				0.4
1823-9	Cherry Burton	80.8	2.9		15.7	0.5			
1840-3	Newsham	79.0			0.5				10.5
1843-4	Grindale	94.7	4.6						0.5
1849-51	Kirkburn	91.7	2.8						5.5
<u>District 6. Hull valley</u>									
1756-7	Southcoates	63.3		32.3	2.5			1.8	
1766-7	Brigham	82.6							17.4
1766-71	Cottingham	78.1	1.3	2.8	8.6	5.6	0.03	3.2	0.3

Date of enclosure	Township	Aristocracy/ Gentry	Church	Institutions	Yeomen	Artisans	Labourers	Women	Queries
1769-71	Hutton Cranswick	96.1	0.1		2.5	0.6	0.1	0.4	0.1
1770-2	Lockington	86.6	7.7	0.1	3.1	1.9		0.1	
1776-80	Foston on the Wolds	95.7	0.1		2.6	0.5		0.8	0.2
1785-8	Kilnwick	91.2	3.5		4.8				0.4
1785-8	Woodmansey	59.1		5.2	21.0	7.4		2.2	5.1
1791-3	Cottingham	59.2	26.4		7.1	0.6		4.4	2.3
1791-3	Leven	27.8	29.2		34.0	4.4		4.6	
1806-14	Wilfholme	70.5	9.8		16.4				3.3
<u>District 7. North Holderness</u>									
1738-41	Bewholme	69.1			25.3				5.6
1762-3	Dringhoe, etc.	90.7	6.2		1.9	1.0	0.1		
1764-5	Skipsea	48.4	13.1		19.4	0.4		14.1	4.6
1765-7	Ulrome	65.5	14.0	0.1	3.5			8.8	8.1
1766-8	Beeford	58.8	8.8	1.1	18.8			2.0	9.8
1769-72	Atwick	67.4	1.9	16.9	6.8	0.1		6.7	
1770-2	Cowdens	36.2	12.7		33.6	1.7		11.0	4.4
1771-8	Long Riston	81.0	5.9	1.0	2.3	1.6		1.1	6.8
1771-2	Lisset	86.4	13.2			0.3			
1772-81	Siggles-thorne	68.7	11.2	0.2	14.0			5.9	
1801-9	Hornsea	62.8	3.1		21.7	6.6			5.8
1802-14	Withernwick	55.4	20.3		16.6				7.7
1819-20	Barmston	96.7	3.3						
1846-9	Mappleton	88.2	11.4						0.4
1858-60	Rowlston	100.0							
<u>District 8. Middle Holderness</u>									
1760-2	Burton Pidsea	46.1	8.4		31.0	1.7		11.5	1.1
1762-3	Sproatley	81.2	5.9	12.1		0.1			0.6
1764-6	Aldborough	63.0	1.3	20.7	11.4	0.1			3.5
1769-70	Lelley	72.9	11.9						15.1
1773-7	Preston	49.6	19.4	1.7	8.4	1.8	0.01	6.8	12.3
1783-6	Reos	49.4	21.7		26.4	1.0		1.0	
1789-90	Coniston	100.0							
1806-13	Elstronwick	71.9	5.7		12.2	10.3			

Date of enclosure	Township	Arist-ocracy/ Gentry	Instit- Church	utions	Yeomen	Arti- sans	Lab- ourers	Women	Queries
<u>District 9. South Holderness</u>									
1766-8	Patrington	56.6	19.5	0.3	4.0	8.5	10.9		
1768-71	Welwick/ Weeton	74.0	2.1		20.0	0.1	3.2	0.8	
1773-7	Burstwick	78.6	0.4		5.3		15.5		
1793-7	Hollym/ Withernsea	55.7	13.1		20.0	6.5		4.7	
1802-5	Keyingham	40.5	27.7		25.1	1.9		4.8	
1805-10	Ryhill	76.9	8.4		10.2	0.6	3.9		
1806-15	Owthorne	75.3	6.7		14.9	0.7	0.7	1.7	

Appendix IX. Tithe commutation at enclosure  
in eastern Yorkshire

Township	Date of enclosure act	Acreage allotted	Method of commutation	Acreage for tithe			% of enclosed area
				Church	Lay	Total	
Scagglethorpe	1725	1,103	Not commuted				
Catwick	1731	1,417	Rent				
Bewholme	1738	1,044	Rent				
Driffield	1740	4,778	Rent				
Summergangs	1746	658	Rent				
Welton	1750	385	Rent				
Nunburnholme	1754	1,543	Rent and land	82		82	5.3
Pocklington	1756	1,875	Rent				
Ottringham	1758	2,871	Rent				
Burton Pidsea	1760	1,993	Rent				
Sproatley	1762	1,236	Rent				
Dringhoe, etc.	1762	1,485	Rent and land	92		92	6.2
Marfleet	1763	861	Rent				
Sutton	1763	3,874	Rent and land		439	439	11.3
Aldborough	1764	1,788	Rent and land		91	91	5.1
Skeffling	1764	1,154	Rent and land		116	116	10.1
Skipsea	1764	1,591	Rent and land	204		204	12.8
Sudcoates	1764	322	Rent				
North Cave	1764	1,590	Land		209	209	13.1
Flamborough	1765	2,515	Rent				
Bempton	1765	1,517	Rent and land				
Ulrome	1765	945	Rent and land	132		132	14.0
Brantingham	1765	1,297	Land	192		192	14.8
Ellerker	1765	1,983	Land	300		300	15.1
Bessingby	1766	914	Rent and land		54	54	5.9
Beeford	1766	3,364	Rent and land	298		298	8.9
Cottingham	1766	2,603	Not commuted				
Brigham	1766	1,000	Rent and land		55	55	5.5
Patrington	1766	2,045	Rent and land	382		382	18.7
Bishop Burton	1767	3,130	Rent and land	343		343	11.0
Huggate	1767	5,773	Rent				
Hotham	1768	2,515	Land	157		157	6.2
Millington	1768	1,490	Rent and land	295		295	19.8

Township	Date of enclosure act	Acreage allotted	Method of commutation	Acreage for tithe			% of enclosed area
				Church	Lay	Total	
Burton Fleming	1768	3,652	Rent and land	68	445	513	14.0
Welwick/ Weeton	1768	1,536	Rent and land		168	168	10.9
Bridlington	1768	1,940	Rent and land		265	265	13.7
Thwing	1769	3,685	Rent and land	479		479	13.0
Youlthorpe	1769	637	Land	5	7	12	1.9
Nafferton	1769	4,869	Rent and land	632	13	645	13.3
Acklam	1769	779	Rent and land	128		128	16.4
Atwick	1769	1,408	Rent and land		161	161	11.4
Sancton	1769	1,580	Land		295	295	18.7
Lelley	1769	595	Rent and land	71		71	11.9
Hutton Cranswick	1769	4,021	Rent and land		588	588	14.6
Bishop Wilton	1769	2,965	Rent and land		238	238	8.0
Sutton in Norton	1769	720	Land		111	111	15.4
West Heslerton	1770	1,170	Rent and land	221	52	273	16.0
East Heslerton	1770	3,037	Rent and land	239	42	281	9.3
Easington	1770	1,118	Land	138		138	12.3
East Newton	1770	485	Land	80		80	16.5
Great Cowden	1770	959	Rent and land	122		122	12.7
Lockington	1770	2,565	Rent and land	133	43	176	6.9
Myton	1771	178	Land	5	7	12	6.7
Long Riston	1771	3,140	Rent and Land	186		186	5.9
Lisset	1771	1,015	Land	134		134	13.2
Butterwick	1771	1,640	Land	252		252	15.4
Kilham	1771	6,957	Rent and land	1,033		1,033	14.9
Melton	1771	766	Rent and land	89		89	11.6
Sigglesthorpe	1772	895	Rent and land	100		100	11.2
Wold Newton	1772	1,810	Rent and land	150	225	375	20.7
Welton	1772	1,043	Land	202		202	19.4
Burstwick	1773	882	Rent and land		110	110	12.5
Market Weighton	1773	5,952	Land	1,398		1,398	23.5
Harpham	1773	1,833	Rent and land	216		216	11.8
Preston	1773	4,101	Rent and land	789		789	19.2



Township	Date of enclosure act	Acreage allotted	Method of commutation	Acreage for tithe			% of enclosed area
				Church	Lay	Total	
Everthorpe	1773	453	Rent and land	6	61	67	14.8
Garton	1774	3,843	Land	41	1,369	1,410	36.7
Bainton	1774	2,695	Land	394		394	14.6
Rudston	1774	3,766	Rent and land	93	271	364	9.7
Croom	1775	1,253	Not commuted				
Goodmanham	1775	2,782	Land	741		741	26.6
Foston	1776	993	Rent and land		137	137	13.8
Sledmere	1776	4,958	Rent				
North and South Newbald	1777	5,443	Rent and land	1,253		1,253	23.0
Wallingfen	1777	4,328					
Bugthorpe	1777	951	Land	387		387	40.7
Tunstall	1777	909	Rent and land	138		138	15.2
Boynton	1777	2,008	Rent and land	8		8	0.4
North Dalton	1778	4,294	Land		600	600	14.0
Roos	1783	1,554	Land	214		214	13.8
Kilnwick	1785	1,443	Land	241		241	16.7
Woodmansey	1785	499	Land		47	47	9.4
Weel	1785	446	Land		61	61	13.7
South Cave	1785	2,308	Not commuted				
Filey	1788	681	Not commuted				
Coniston	1789	540	Land		104	104	19.3
Tickton	1790	221	Not commuted				
Leven	1791	1,481	Land	286		286	19.3
Cottingham	1791	1,480	Land	340		340	23.0
Hessle etc.	1792	3,445	Land	160	393	553	16.1
North Grimston	1792	667	Land	237		237	35.5
Speeton	1793	1,735	Not commuted				
Hollym/ Withernsea	1793	1,899	Land	249	72	321	16.9
Southburn	1793	1,017	Not commuted				
Skidby	1793	869	Land	159	68	227	26.1
Walkington	1794	2,835	Land	478		478	16.8
Lund	1794	2,227	Land	146	291	437	19.6
Tibthorpe	1794	2,760	Land		702	702	25.4
Elloughton	1794	2,317	Land	507		507	21.9
Holme on the Wolds	1795	1,444	Land		405	405	28.1
West Ella etc.	1796	1,757	Land	110	323	433	24.6

Township	Date of enclosure act	Acreage allotted	Method of commutation	Acreage for tithe			% of enclosed area
				Church	Lay	total	
Settrington	1797	2,118	Land	716		716	33.8
Holmpton	1800	864	Land	60	152	212	24.5
Hunmanby	1800	6,353	Land	352	1,103	1,455	22.9
Ruston	1801	888	Land		194	194	21.9
Riplingham/ Little Weighton	1801	1,374	Rent				
Helperthorpe	1801	2,492	Land	470		470	18.9
Weaverthorpe	1801	2,852	Land	549		549	19.3
Hornsea	1801	2,198	Land	43	335	378	17.2
North Frodingham	1801	2,269	Land	94	361	455	20.1
Langtoft	1801	3,389	Land	704		704	20.8
Staxton	1801	1,456	Rent and land	185	9	194	13.3
Luttons Ambo	1801	2,455	Land	460		460	18.7
Molescroft	1801	745	Land		377	377	50.6
Keyingham	1802	1,404	Land	263		263	18.7
Withernwick	1802	1,701	Land	254		254	14.9
Marton/Sewerby	1802	1,554	Land		385	385	24.8
Flixton	1802	2,418	Land	593		593	24.5
Folkton	1802	1,752	Land	469		469	26.8
Middleton	1803	3,454	Land	868		868	25.1
Wetwang	1803	3,185	Land	670		670	21.0
Fimber	1803	1,809	Land	403		403	22.3
Binnington	1803	3,348	Land	247		247	7.4
Leavening	1804	230	Land	202		202	87.8
Ryhill	1805	1,396	Land	94	114	208	14.9
Owthorne	1806	596	Land	40	117	157	26.3
Elstronwick	1806	893	Land	43	128	171	19.2
Wilfholme	1806	542	Land	26	29	55	10.2
Gowthorpe	1810	330	Land	14		14	4.2
Fridaythorpe	1810	1,834	Land	276		276	15.1
Reighton	1811	1,593	Land	63	166	229	14.4
Paull	1811	604	Land	30		30	5.0
Londesborough	1816	1,497	Rent				
Etton	1818	2,894	Rent				
Barmston	1819	245	Rent				
South Dalton	1822	1,603	Rent				

Township	Date of enclosure act	Acreage allotted	Method of commutation	Acreage for tithe			% of enclosed area
				Church	Lay	Total	
Cherry Burton	1823	2,051	Not commuted				
North Ferriby	1824	3,220	Land		594	594	18.5
Scrayingham	1825	606	Land		187	187	30.9

B I B L I O G R A P H Y

A: PRIMARY SOURCES

1. Manuscripts

(a) County Record Office, Beverley

AP	Acts of Parliament
CSR	Commissioners of Sewers
DDAN	Anderson family of Burnby and Kilnwick Percy
DDBD	Miss L. Bird, Beverley
DDBL	Legard family of Ganton and Anlaby
DDBR	Bower family of Welham
DDBV	Miscellaneous documents
DDCC	Constable family of Burton Constable
DDCK	Messrs. Watson, Carrick and Sons, Hull
DDGR	Grimston family of Garton with Grimston and Kilnwick
DDHB	Broadley family of Anlaby etc.
DDHI	Hildyard family of Winestead
DDHU	Osbaldeston family of Hunmanby
DDHV	Howard-Vyse family of Langton
DDIV	Iveson family of Hedon
DDKP	Denison family of Kilnwick Percy
DDMT	Messrs. MacTurk and Son, South Cave
DDMW	Market Weighton Drainage Board
DDPK	Mr. G.W.A. Park, Hull
DDPY	Messrs. Powell and Young, Pocklington
DDQR	Society of Friends, Hull
DDRI	Bethell family of Rise
DDTR	Messrs. Taylor, Broomer & Co., Howden
DDWR	Mr. P.J. Wrangham

DDX           Miscellaneous

PR            Parish registers, churchwardens' accounts, vestry minutes,  
              tithe awards

QDE 1         Land Tax returns

R.D.B.        Register of Deeds, Beverley

TTBF/TTBM/  
TTYK         Turnpike trusts

(b) Brynmor Jones Library, Hull University

DDBA         Barnard family of South Cave

DDCB         Burton family of Cherry Burton

DDCV         Messrs. Crust, Todd and Mills, Beverley

DDDU         Thomas Duesbery of Beverley

DDGE         Gee family of Bishop Burton

DDHO         Hotham family of South Dalton

DDKG         Dr. King

DDLA         Langdale family of Holme on Spalding Moor

DDLG         Greame family of Sewerby

DDMM         Mr. K.A. MacMahon

DDSQ         St. Quintin family of Harpham and Scampston

DDSY         Sykes family of Sledmere

DDWA         Pennington family of Warter

DDWB         Boynton family of Burton Agnes

DDX         Miscellaneous

DRA         British Records Association

DSJ         Messrs. Stamp, Jackson and Sons, Hull

DX           Small collections

(c) Hull Libraries: Local History Library

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