

## **Enclosure stories: narratives from Northamptonshire\***

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### **Abstract**

This paper rethinks and revises enclosure narratives, thickening the concept of enclosure by researching a particular place and period: the English Midland county of Northamptonshire in the period between the sixteenth and the nineteenth centuries. It argues that while many elements of the landscape were dramatically reshaped by enclosure, the parliamentary enclosures of the late eighteenth and early nineteenth centuries were nevertheless part of a much longer process of landscape change. The paper points to the complexities within enclosure thought and experience, drawing particular attention to individuals and groups – including female landowners, ordinary villagers and animals – too often entirely written out of the ‘enclosure story’.

### **Keywords**

Enclosure, landscape, narrative, improvement, women, vermin, riot.

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## Introduction

Enclosure, as a social and ideological process, holds a central place in recent theoretical discussions on the politics of geographical restructuring, extending from regional episodes in histories of landscape and culture – notably in the remaking of the Georgian English countryside – to global narratives of society and space, encompassing all manner of forms and sites of power relations transforming the present. The brief period of parliamentary enclosure in the English Midlands, and the dramatic telling of its process and experience, has long been central to longer national narratives of appropriation and dispossession, and like the industrial revolution in England, conventionally placed in the advance of progressive world histories of all political persuasions, cast as a canonical act on the world stage. Like the slave trade or the Irish famine, enclosure has been enlisted as one of the social crime scenes in the global narrative of modernization, one of England's domestic historical traumas, an episode 'limited in time and place but also immanent with the possibility of recurrence'.<sup>1</sup> So a recent article 'Spaces of Enclosure' setting out a matrix of neo-liberal privatization, including corporate mining and global war, opens with a quotation from John Clare's poem on the early nineteenth-century enclosure of his home village of Helpston in Northamptonshire, a lament which intersects personal and particular memories with larger histories of culture and nature, of law and freedom.<sup>2</sup> In much the same way, Patrick Keiller's recent film 'Robinson in Ruins' brings together images of landscape and stories about opposition to enclosure – including the failed 1596 Oxfordshire rising and the Otmoor riots of the 1830s – as part of a wider critique of the current global financial crisis and a call for an anti-capitalist uprising drawing on the earlier rebellions.<sup>3</sup>

In this paper we revisit Northamptonshire, the canonical enclosure county, to rethink and revise enclosure narratives. In contrast to recent expansive and generic redefinitions of enclosure that carry with them the danger of casting the analytical net so wide as to thin the concept of enclosure beyond meaning, we will thicken the concept at source in researching a specific period and place. Enclosure's antonym – the commons – has also been thinned beyond historical-geographical recognition as a sort of open access public space or a form of common property.<sup>4</sup> Even in Georgian England common land was complex, as a form of governance and experience as well as material resource, encompassing arable and meadow land that was farmed according to collectively sanctioned regulations and more marginal land over which parishioners had legal rights, most notably for grazing, fishing and collecting fuel. The land was nevertheless privately owned, often by major estate landlords, as common land still is in extensive areas of the northern uplands of England.<sup>5</sup> Through its striking visual impact on the landscape, and in the cultural imagination, enclosure can obscure detailed and subtle processes and experiences of economic and social change and continuity.

This is not to say that enclosure narratives are purely a local, topographical matter. Instead, enclosure always registered in the mind as well as on the ground, both performatively and discursively. In Georgian England, the enclosure of fields and commons was a wide ranging cultural and political act, resonant with larger social narratives of exclusion and dispossession, of deserted villages and invasive powers, tales of a world we have lost. For villagers tutored in the imaginative geography of the Bible, stories of exile and oppression, of forfeited and promised lands, might

have material force as a response to events in their own parish, of fenced spaces and stopped pathways. Contemporary anti-enclosure sentiment and actions have often been reconstructed as episodes in the genealogy of radical protest, placed within a 'people's history' which draws connections between anti-enclosure movements including the Diggers and Levellers and other radical heroes like the Tolpuddle martyrs and the victims of Peterloo.<sup>6</sup> Yet anti-enclosure feeling was sometimes a conservative response to change, aligned to Tory landed interests that were losing political ground in the commercialisation of the countryside and its restructuring in the name of 'improvement', the progressive ethos of the time. In such discourses the quickset hedges enclosing commonable fields were aligned to the high walls and palings of nouveau riche parkland, as the rural virtues of Old England, of stability, dwelling and deference, were seen to leave the land.<sup>7</sup> When we look closer at the archival record, the story – both mythically and materially – is a complicated one, in which the enclosed landscape can be culturally permeable, allowing the continuity and renovation of community practices, while at other times and places new hedges and fences presented barriers on which resistance was focused.

This paper considers the intersection of these processes and experiences in an account of the creation and meaning of a regional landscape undergoing enclosure that includes episodes of particular places in the making. It draws on research conducted as part of the Changing Landscapes, Changing Environments project at the Universities of Hertfordshire, Sussex and Lincoln and funded under the AHRC's Landscape and Environment Programme. Revisiting one of the most familiar and controversial topics of the long eighteenth century, the project explored the origins,

experience and legacy of parliamentary enclosure in Northamptonshire and in doing so, asked important questions about enclosure's long-term cultural impact.

For many historians, the enclosure of the English Midlands was first and foremost a story of dispossession and loss.<sup>8</sup> Just as the medieval open fields were swept away by a new geometric landscape of straight hedges and roads, so too communal modes of agriculture gave way to new notions about a countryside in which private property was king. Jeanette Neeson has estimated that 49 per cent of those with land – and hence access to common rights – in Northamptonshire were dispossessed at enclosure, a finding which broadly concurs with E. P. Thompson's assessment that enclosure made the poor 'strangers in their own land'.<sup>9</sup> Yet relatively little consideration has been given to the enduring histories that surround enclosure episodes, and still less to the question of how individuals and communities understood and experienced the changing landscape around them. This is what this paper – and the larger project of which it is a part – aims to do.

### **Enclosure landscapes**

Lying at the heart of the English Midlands, Northamptonshire is often seen as the classic parliamentary enclosure county.<sup>10</sup> It experienced high levels of enclosure in the century after 1730: about two-thirds of Northamptonshire parishes were subject to an enclosure Act in this period and an estimated 50 to 60 per cent of the land in the county was enclosed by parliamentary means.<sup>11</sup> Parliamentary enclosure certainly left its mark on the landscape, effecting a visual transformation which in

many parts of the Midlands is still visible 200 years later.<sup>12</sup> Enclosure under Parliamentary Act brought an end to the communal management of the open fields, extinguishing common rights and allocating discrete portions of land to individual landowners as private property. The new allotments were usually rectangular and the hedge lines straight producing a rectilinear pattern of fields often laid out with little reference to earlier field boundaries. Oliver Rackham estimates that somewhere in the region of 200,000 miles of hedgerow were planted nationally in the century after 1750, much of it in the Midlands.<sup>13</sup> The impression of uniformity was further underlined by the fact that the hedges were typically made up of a single species, usually hawthorn (*Crataegus monogyna*), also known as 'whitethorn' or 'may'.<sup>14</sup> The comprehensive nature of the process by which the fieldscape was remodelled is signalled by comments from an early eighteenth-century tithe case from Litchborough, where the defendant argued that fifty years after the 1648 enclosure, 'the lands, furlongs and nature of the said field [are] wholly altered and so confounded by the said Inclosure... that it is become impossible to [discover] where or how either the glebe land or lands of the other proprietors did lie before the said Inclosure'.<sup>15</sup>

Nor were the hedgerows the only new feature in the landscape. Enclosure commissioners had the power to re-align existing roads and stop up other routes, as well as determine the width of roads and verges.<sup>16</sup> Many pre-enclosure roads were re-aligned to offer more direct routes across the landscape and completely new road networks were sometimes laid out, as under the 1809 enclosure Act for Helpston, Glinton, Peakirk, Maxey, Northborough and Etton.<sup>17</sup> The straight roads and rectangular fields east of Peakirk were created when Borough Fen was drained and

enclosed under an Act of 1812, while the settlement of Newborough – organized, like the fields and roads, on a grid system – came into being a few years later in the 1820s.<sup>18</sup>

Other changes to the landscape included the construction of new outlying farmsteads. Whereas the scattered open field strips which made up each tenants' holding in the pre-enclosure period had been cultivated from farmsteads in the villages, enclosure tended to consolidate individual holdings into ring-fenced blocks. In these circumstances, it made sense to relocate farmhouses to sites on the newly consolidated farms. This was not always done immediately, and as late as 1794 James Donaldson could remark that there were few instances in the county of farmhouses 'properly situated in the centre of their farms'.<sup>19</sup> New outlying farmsteads were, however, constructed following enclosure at Aynho, Wicken and Boughton near Northampton amongst other places.<sup>20</sup> Boughton's fields were enclosed in 1756 and a new farmhouse styled as a gothic folly was built in the 1770s as part of a wider programme of building works on the Earl of Strafford's estate which included an obelisk, gatehouse and several triumphal arches.<sup>21</sup> The 4<sup>th</sup> Duke of Grafton also built a number of model farmhouses on his estate in the south-west of the county in 1839-41 including Stoke Plain in Stoke Bruerne and Grove Farmhouse in Shutlanger, both parishes having been enclosed under a late Parliamentary Act of 1840.<sup>22</sup>

Nevertheless the comprehensive re-planning of the local landscape seen at places like Lilford in the Nene valley – where the local landowner removed the village and demolished the church at the same time as enclosing the open fields and remodelling his parkland – remains relatively unusual.<sup>23</sup> Whilst Northamptonshire

has a higher proportion of post-1700 settlement desertions (11 per cent) than either Leicestershire (five per cent) or Oxfordshire (three per cent), most were not directly associated with parliamentary enclosure.<sup>24</sup> Where villages were removed in order to create new parkland settings for country houses in the eighteenth or early nineteenth centuries as at Brockhall and Overstone, enclosure had usually taken place by non-parliamentary means a century or more earlier.<sup>25</sup> Similarly, model villages like Sywell were by and large Victorian rather than Georgian interventions in the landscape, as were the estate cottages, schools and churches built on the Spencer estate around Althorp.<sup>26</sup>

The length of time which elapsed between enclosure and Victorian efforts to remodel the countryside underlines the long-term nature of the changes which shaped the modern landscape. Even in the heart of the English Midlands the parliamentary enclosures were part of a much longer process of landscape change and enclosure ongoing since at least the late fifteenth century.<sup>27</sup> In the case of Northamptonshire, no less than 35 parishes or townships were partially or wholly enclosed before 1600, and another 74 before the first wave of parliamentary enclosures began around 1730.<sup>28</sup> According to the 1607 Inquisitions of Depopulation, more than 27,000 acres in the county had been enclosed and almost 1,500 people evicted between 1578 and 1607.<sup>29</sup> Much land in the western and central parts of the county was enclosed for sheep grazing and families like the Spencers, Ishams and Treshams kept huge numbers of sheep on the sites of former hamlets and villages.<sup>30</sup> Elsewhere 'field closes' – enclosures managed outside the communal arable system but still seasonally thrown open to common grazing – prefigured more formal enclosure arrangements, as they also did in other parts of England.<sup>31</sup> Thus whilst privately

owned land was not always physically hedged, hedgerows were far from an unknown feature in the landscape. Peter Tillemans' early eighteenth-century pen and wash drawings of Northamptonshire document the open nature of the pre-enclosure countryside at the same time as suggesting it was neither as bleak nor as unvaried as later pro-enclosure commentators would argue.<sup>32</sup> Although in some areas there was said to be 'not a hedge, or a tree for more than a mile together' as John Mastin noted of pre-enclosure Naseby in the 1790s, elsewhere hedges were relatively common.<sup>33</sup> Hedging accounts for Guilsborough in 1764-5 reveal the existence of considerable numbers of hedges and hedgerow trees in the pre-enclosure landscape, and here at least the earlier hedgerows were clearly re-used at parliamentary enclosure.<sup>34</sup>

### **An improved landscape?**

Whilst neither privately owned closes nor hedgerows were a completely new feature in the mid eighteenth-century landscape, the commissioners' fondness for straight lines meant that the field and road patterns created by parliamentary enclosure were distinct from the more irregular fieldscapes created by earlier piecemeal enclosures in neighbouring areas. Opinions on the new hedges themselves – and the landscapes they delineated – varied widely. The Northamptonshire poet John Clare abhorred the new hedges and fences, writing moving elegies to the lost pre-enclosure landscape. For Clare, the new hedges imprisoned men and sheep, restricting their freedom of movement.<sup>35</sup> Clare was the son of a farm labourer but others further up the social hierarchy felt similarly, if for very different reasons.

Having previously enjoyed 'excellent scampering over downs, heaths and commons', John Byng, Viscount Torrington considered that 'riding is ruin'd by the new enclosures'.<sup>36</sup> Some people found the new post-enclosure landscape disorientating or even traumatic. The Northamptonshire artist George Clarke reportedly lost his way in new enclosures between Scaldwell and Lamport in the winter of 1867. Having been missing all night, a local search party was dispatched who found Clarke,

'in a very sad condition, having got into a part of a field bounded by two fences, which had confused him, and he had walked backward and forward until he fell exhausted. A cart was procured, and poor Clarke was taken home, but he was never really well again and died about a year afterwards.'<sup>37</sup>

Yet Byng's foxhunting contemporaries amongst the aristocracy and gentry appreciated the added difficulty and excitement created by the new hedgerows.<sup>38</sup> The Pytchley country in the north and west of Northamptonshire was known for its huge thorn fences and double ditches and as Brooksby noted in *The Field*,

'In the Pytchley country you want a good horse; for on a bad one you will see nothing; on a fair one you will lose your nerve, but on the best, you will be able to enjoy yourself as you can nowhere else in the world.'<sup>39</sup>

Agricultural commentators and improvers were equally enthusiastic advocates of newly hedged landscapes. The pro-enclosure clergymen Reverend James Tyley, rector of Great Addington, described the unenclosed heaths so beloved by Clare as 'unbroken tracts [that] strained and tortured the sight', while Arthur Young used picturesque terminology to describe recently enclosed landscapes in the Midlands, south of England and Wales.<sup>40</sup> There were, nevertheless, differences of opinion even within polite society and individuals on occasion changed their minds about

enclosure and improvement. In 1792, at the outset of his career the landscape gardener Humphry Repton told a sceptical John Byng that enclosure was 'a fine invention and a noble thing'. Later, during the decline of career in 1816, he was highly critical of enclosure as part the unsympathetic and excessive landscape modifications carried out on the estates of the nouveau riche, a viewpoint in part informed by Repton's own exclusion from landed society.<sup>41</sup>

Contemporaries thus varied widely in their assessments of the landscapes created by parliamentary enclosure, and individual landowners who embraced the improving ideology espoused by men like Young and William Marshall might nonetheless feel ambivalently about certain aspects of improvement. One example from Northamptonshire will suffice. Elizabeth Prowse of Wicken Park on the Northamptonshire/Buckinghamshire border was a committed improver.<sup>42</sup> As a propertied woman actively involved estate management and improvement, she also represents a group – that is, female landowners – almost entirely written out of the enclosure story. Having gained control of the Wicken property at her husband's death in 1767, Prowse spent more than 40 years improving the newly-enclosed estate. Alongside extending the house and landscaping the gardens, park and woodlands, Prowse invested in drainage works, hedging and marling on both the home farm and tenants' farms. She also experimented with new crops and new agricultural technologies, as well as convinced her tenants to take long-term leases, presumably as a means of encouraging them to make similar improvements.<sup>43</sup>

At the same time, Prowse sometimes felt uneasy about both the visual and socio-economic consequences of improvement. In an estate notebook, she criticized

improvements made by her predecessor at Wicken, noting how he had cut down an avenue and 'destroyed' a pond.<sup>44</sup> The reference to the destruction of the avenue hints at wider anti-improvement sentiments, and Prowse was certainly deeply aware that the social and economic costs of enclosure were often borne disproportionately by the poor. She quotes Nathaniel Kent on the subject in her memoirs, and like him, saw agricultural labourers as the very 'nerves and sinews' of rural society, instituting a programme of educational and philanthropic projects at Wicken which directly benefited the poorest local residents.<sup>45</sup> This included improving the estate cottages, providing free schooling for the cottagers' children, selling subsidized foodstuffs and founding a Sunday school.<sup>46</sup>

### **Experiencing enclosure**

Contrary to the fears of critics of improvement like Robert Southey, Edmund Burke and William Cowper – shared in part by more recent leftist histories which have pointed to enclosure's calamitous impacts on the poor – parliamentary enclosure did not always signal a sudden and catastrophic end to traditional and communal ways of life.<sup>47</sup> Looking at enclosure from the kind of long-term perspective adopted in this paper helps to highlight some of the things that did not change. In Northamptonshire at least, there are clear continuities in the social and cultural life of communities before and after enclosure. One strand of the Changing Landscapes, Changing Environments project focused on the local church, investigating how the supposedly catastrophic changes brought about by parliamentary enclosure were registered in church buildings, landholding and parish administration. The results were surprising:

while enclosure Acts reorganized both the glebe and tithes, with the glebe usually being consolidated into blocks and the tithes commuted for new allotments, the architecture and ceremonies of the local church were little affected by enclosure.<sup>48</sup> Despite securing valuable new landholdings, only a handful of Northamptonshire churches were rebuilt in the years immediately following enclosure and in most places, churches were re-pewed only in the first half of the nineteenth century, some decades after the parishes had been enclosed.<sup>49</sup>

Evidence from a large sample of Northamptonshire churchwardens' accounts and vestry minutes demonstrates that enclosure also left the organisation of the parish vestry and the traditional round of items paid for by it largely unchanged. Parish sponsored vermin control is one such item, of interest here for what it tells us about how communities experienced enclosure but also of potential significance within the wider literature on animal geographies which has so far said little about vermin.<sup>50</sup> Across early modern Britain, churchwardens paid out bounties on a variety of animal and bird species – including sparrows, hedgehogs, moles, foxes and polecats – designated as vermin by Tudor Acts of Parliament because of the threat they posed to scarce food supplies.<sup>51</sup> Given they were paid from parish rates, one might expect vermin bounties to disappear once the common fields had been enclosed and the benefit of vermin control accrued to individual landowners rather than the community at large. Yet vermin payments continued unhindered through the eighteenth-century enclosures, trailing off only in the 1820s and 1830s as parish government was reformed. This was the case even in places like Staverton and Yelvertoft where more than 90 per cent of the parish was enclosed under Parliamentary Act.<sup>52</sup> In other words, parish sponsored vermin control continued even in those communities where

parliamentary enclosure had its biggest impact and we might therefore expect to see the most radical changes to the social and cultural life of communities.

That bounties were still paid on a whole array of animal and bird species suggests that professional vermin catchers and village children alike continued to have access to the post-enclosure allotments in order to kill vermin. As a comparison of the churchwardens' accounts and other local records demonstrates, vermin bounties were paid to a wide variety of individuals drawn from across the social and age spectrum – including sizeable farmers, labourers, cottagers' children, elderly paupers and gamekeepers to big estates – most of whom brought in only a small number of animal carcasses in any one year. This then was a highly participatory – if also strongly gendered – activity, a form of popular hunting sanctioned by parish vestries which continued into the post enclosure period, even as the Game Laws were increasingly tightened in the last quarter of the eighteenth century.<sup>53</sup> As one mid-eighteenth century newspaper had it, 'in the Country where they have no Game, those pass for Sportsmen who shoot Sparrows'.<sup>54</sup>

The Common Law did not recognize entry into private property whilst pursuing vermin as trespass.<sup>55</sup> An important ruling of 1809 in the Hertford Assizes drew a distinction between vermin and game including foxes, determining that foxhunters could be prosecuted for trespass where they pursued their quarry over private property but leaving the law on vermin untouched.<sup>56</sup> Vermin catchers' right to enter another individual's property was rendered increasingly doubtful as property rights solidified in the mid nineteenth century, but as late as the early twentieth century, defendants brought before the Northamptonshire Petty Sessions for game trespass

continued to claim that they had been shooting vermin – including small birds, crows and rats – rather than game, a defence which was successful in a significant number of cases.<sup>57</sup>

The evidence of vermin control tells us about some of the ways contemporaries experienced enclosure, particularly how they encountered and physically negotiated the new hedgerows. Whilst both former commoners and those shooting game were excluded from the new allotments, parishioners pursuing vermin could enter into privately owned closes. This underlines the permeable nature of the new hedgerows – at least while the hedges were still young – as well as the new ideas of private property embodied by them. The post-enclosure countryside was after all a living landscape which took time to grow – and to heal. While the new hedgerows were not always the ‘physical check to movement’ Nicholas Blomley has suggested, they were, nevertheless, an important site at which enclosure could be negotiated.<sup>58</sup>

### **Opposing enclosure**

In early sixteenth-century Northamptonshire, hedge-breaking was a relatively common way of contesting enclosure.<sup>59</sup> The point in breaking hedges was to allow cattle to graze on the land, but by filling in the ditches and digging up roots those involved in enclosure protest made it difficult and costly for enclosers to re-enclose quickly. That hedges were not only dug up but also burnt and buried draws attention to both the considerable time and effort which was invested in hedge-breaking and to the symbolic or ritualistic aspects of enclosure opposition.<sup>60</sup> Nor was hedge-breaking

the only means of opposing enclosure and the consequent loss of common rights. Other forms of direct action against enclosure including impounding or rescuing livestock, the continued gathering of previously common resources such as firewood, trespass in parks and warrens, and even ploughing up land which had been converted to pasture or warrens, all of which might involve landowners and tenants in surprising alliances against manorial tenants or freeholders who sought to enclose land. Numerous such incidents were reported to the Star Chamber and Chancery courts at Westminster, whose records also preserve evidence of individuals and groups attempting to prosecute Northamptonshire landowners over illegal, depopulating enclosures.<sup>61</sup> Thus the Midland Rising of 1607 – a wave of enclosure riots and public assemblies which began in Northamptonshire in late May and later spread to Leicestershire and Warwickshire – was preceded by more than a century of small-scale, local enclosure riots often combined with litigation at the central equity courts. The rioters of 1607 again focused their attention on hedgerows, pulling down and burning hedges in enclosed townships like Rushton, Newton, Pytchley and Haselbech, all of which had been depopulated for sheep grazing in the decade or so before the uprising.<sup>62</sup> In these instances, hedge-breaking functioned not as a means of negotiating an ongoing enclosure within a specific locality, but as a wider commentary on the actions of individual landowning families like the Treshams of Rushton as well as a demand that the king take action to address illegal depopulating enclosures.

Like the opponents of the sixteenth-century enclosures, those fighting parliamentary enclosure in the later eighteenth century also combined legal proceedings with direct action at least some of which was focused specifically on hedges. Opposition to

social and agricultural change might be registered in a number of different ways in eighteenth and early nineteenth-century England, of which both violence against animals and tree maiming – the latter closely related to hedge-breaking – have been the subjects of recent historical-geographical interest.<sup>63</sup> Neeson's study remains the most detailed account of opposition to the eighteenth-century enclosures in Northamptonshire. She highlights considerable resistance to enclosure which usually began long before the Bill was taken to the Commons and continued long after the Act received the Royal Assent.<sup>64</sup> As she points out, anti-enclosure petitions were lodged for 18 Northamptonshire enclosures and one in three successful bills went before Parliament with more than 10 per cent of local landholders refusing to sign them. That 22 per cent of bills were dropped without facing any formal parliamentary challenge may indicate the strength of local opposition, as may the number of years between the first unsuccessful attempts to enclose parishes like Corby, Aynho and Ringstead and their final enclosure up to 60 years later.<sup>65</sup> Other non-parliamentary means of negotiating enclosure included local counter-petitions, appeals to neighbouring landowners for support, anonymous threatening poems, refusals to mark out lands for survey and even the theft of the enclosure plan and field books for Wellingborough, all of which put enclosers to additional time and expense.<sup>66</sup>

Enclosure riots were also recorded at West Haddon, Raunds, Werrington and Wilbarston, often following rejected parliamentary petitions.<sup>67</sup> Opponents of the West Haddon enclosure sent a petition to Parliament in March 1764, but the bill was passed later in the spring. In July 1765, an advert appeared in the Northampton Mercury inviting 'Well-Wishers' to take part in a football game in the open fields on the 1<sup>st</sup> August, the day after the final common-field harvest had been completed. The

assembled mob pulled up fences standing in the fields and burnt them, along with other fencing waiting to be put up, altogether said to be worth £1,500.<sup>68</sup> Hedge-breaking and wood-stealing were also reported at Hardingstone, Duston, Warmington and Northampton, while at Guilsborough, gates and fencing were stolen from the local landowners involved in the 1764 enclosure.<sup>69</sup>

One of the Guilsborough landowners, John Bateman, had also run into resistance a few years earlier when he had enclosed parts of the open fields for plantations and improvements to his garden. We know from a number of suits and countersuits lodged at the Assizes that Batemen attempted to prosecute various locals for trespass, claiming they had taken 'great & frequent pains' to continue a footway by trampling the grass in his closes, filling in ditches and removing gates.<sup>70</sup> Something similar was reported after the enclosure of Northampton, when the Mercury ran a notice threatening with prosecution those who 'since the Shutting up of the common... have taken the Liberty to force a Way, by Breaking down the Fences, Riding, and exercising their Horses'.<sup>71</sup> There was still considerable ill feeling about the enclosure of the common and the new network of route ways it created two years later, when the gates and stiles were again pulled down by unknown persons, this time in the middle of the night.<sup>72</sup> Enclosure re-routed or removed rights of way, hence people acted out their hostility to the new landscape and landholding structures by continuing to use stopped footpaths. Through repetitive bodily action, they literally re-inscribed old route ways onto the post-enclosure landscape, trampling the grass under human feet and horses' hooves – a practice which recalls Ingold's and Tilley's ideas about dwelling and taskscapes.<sup>73</sup> Importantly, we only know of these incidents because of the subsequent court cases or the threats of

legal action which appeared in local newspapers, a reminder of the methodological difficulties inherent in recovering the kinds of repetitive and everyday activities which so often go unrecorded in archival sources.

With the obvious exception of John Clare, the commentaries on the visual and social impacts of the new hedgerows discussed earlier mostly represent the views of large landowners and land agents, all of whom had an economic or professional interest in enclosure and improvement. By contrast, the accounts of enclosure riots – like the example of vermin control – reveal much about the ways more ordinary people experienced enclosure episodes. They allow us to explore popular reactions to enclosure and the strategies, including hedge-breaking, trespass, litigation and parliamentary counter-petitions, by which individuals, groups and communities could oppose it. The evidence from Northamptonshire clearly demonstrates that hedges and fences were seen as sites at which to contest enclosure. Hedges were broken as part both of local negotiations over ongoing enclosures and as a wider commentary on the progress and impacts of depopulating enclosure, as in the 1607 Midland Rising. Moreover just as hedge-breaking was not the only means of negotiating enclosure, so too field boundaries were not the only sites at which anti-enclosure protest could take place. Instead, individuals and groups might oppose enclosure at the village pound or on former commons where villagers continued to collect firewood, wild foods or fish, as well as by moving through the landscape along discontinued rights of way. Many of these sites continued to be significant foci for enclosure protest throughout the period under discussion here, just as several of the same strategies for opposing enclosure – notably, hedge-breaking and animal trespasses – are also evident in both the sixteenth-century and eighteenth-century

accounts of protest. Thus there are clear continuities in the way communities reacted to enclosure over the period, at the same time as there are also obvious discontinuities: there were, for example, fewer public assemblies and appeals to the law in the eighteenth and early nineteenth centuries, in part because enclosure was no longer illegal as it had been in the sixteenth century.<sup>74</sup>

### **Landscape in the making: stories so far**

This paper set out to rethink and revise enclosure narratives, to thicken the concept of enclosure by researching a particular landscape in the making. In telling Northamptonshire's enclosure story, the paper has pointed to the complexities of the enclosure process, arguing for a more nuanced account of enclosure's long-term impact. Parliamentary enclosure reshaped certain elements of the landscape – most notably hedges, roads and farmsteads – producing the 'planned countryside' which today dominates much of the English Midlands. Yet it was also part of a much longer process of landscape change. Enclosure in its parliamentary form was by no means an unprecedented innovation in the landscape: in Northamptonshire as in other parts of England, considerable acreages were enclosed in the fifteenth and sixteenth centuries, and elsewhere informal enclosure arrangements sometimes prefigured the division and hedging of the land under Parliamentary Act. Moreover, enclosure neither completely closed down access to the countryside nor brought an end to traditional ways of life. Important aspects of village life including church services, architecture and administration were largely untouched by enclosure and, as the example of vermin control demonstrates, the new hedges were not always the

impermeable barriers to movement Clare and others imagined them to be. Instead, both foxhunters and vermin-catching parishioners continued to pursue their prey across the newly enclosed landscape: the hedges could be negotiated via gaps, gates and stiles and the new allotments entered, if only in certain circumstances. Nor did parliamentary enclosure fully complete the process whereby complex use rights eventually gave way to individualized property rights. The legal right of vermin catchers to enter another man's property continued into the nineteenth century, and the fact that those prosecuted for game trespass in the early 1900s continued to claim they had been shooting vermin indicates just how long memories might survive about these rights of access.<sup>75</sup>

Just as enclosure experiences varied across time and space, so too opinions on the new landscapes created by enclosure were widely divergent. The politics of enclosure were, of course, immensely complicated and landowners themselves sometimes felt ambivalently about the enclosure of their lands, as the example of Elizabeth Prowse demonstrates. As a result, landowners might support more ordinary villagers in their opposition to enclosure, though these alliances were continually shifting and potentially highly transitory. In discussing these individuals and groups, the paper has also brought new archival materials to bear on the enclosure story. By using the records of parish administration, the accounts and correspondence of propertied women, and court papers and other documents relating to enclosure opposition, the paper has highlighted the role played by ordinary villagers and female landowners in negotiating enclosure in both its parliamentary and earlier forms. It has thereby drawn attention to some of the people

so often written out of the enclosure story, assigning them an active role in the unfolding histories of the English countryside.

In eschewing the established narratives of enclosure, the paper has pointed instead to a landscape made up of a multiplicity of enclosure stories. In doing so, it borrows something both from Barbara Bender's ideas about landscapes which are 'always in the making' and from Doreen Massey who, in a recent essay reflecting on Keiller's film 'Robinson in Ruins', argued for a way of understanding landscape as 'a simultaneity of stories-so-far', all of them political in being ongoing and unfinished.<sup>76</sup> Unlike the model of a palimpsest periodically wiped almost clean and written over, thinking about landscape in this way encourages us to recognize a cumulative, constantly unfolding longer-term perspective on change. It helps us focus on enclosure not as the inevitable outcome of new capitalist ideas about space, property and the individual – or as Whiggish histories might have it, the key moment in the long march of Enlightenment – but instead as both an ongoing process and a contested practice. At the same time, it also enables us to take account of narrative precisely as a perspective, as a representation, a way of making sense of transformations and dislocations, as well as continuities, in the histories of land and life.

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<sup>1</sup> P. Linebaugh, 'Enclosures from the bottom up', *Radical History Review* 108 (2010), pp.11-27, quotation on p. 11.

<sup>2</sup> A. Vasudevan, C. McFarlane, A. Jeffrey 'Spaces of enclosure', *Geoforum* 39 (2008), pp. 1641-1646

<sup>3</sup> *Robinson in Ruins*, P. Keiller (director), (2010). For discussion of the Oxfordshire rising and Otmoor riots, see J. Walter, 'A 'rising of the people'? The Oxfordshire rising of 1596', *Past and Present* 107.1 (1985), pp. 90-143; D. Eastwood, 'Communities, protest and police in early nineteenth-century Oxfordshire: the enclosure of Otmoor reconsidered', *Agricultural History Review* 44.1 (1996), pp. 35-46.

<sup>4</sup> For some of the ways that enclosure and commons have been used in wider historical and contemporary contexts see the recent special issue of *Radical History Review* 108 (2010) edited by A. Chazkel and D. Serlin.

<sup>5</sup> S. Daniels and B. Cowell, 'Living Landscapes' in J. Bate (ed.), *The public value of the humanities* (London, Bloomsbury, 2011), pp.105-117; C. P. Rodgers, E. A. Straughton, A. J. L. Winchester and M. Pieraccini, *Contested common land: environmental governance past and present* (London and Washington DC, Earthscan, 2011).

<sup>6</sup> A. Howkins, 'From Diggers to Dongas: the land in English Radicalism, 1649-2000', *History Workshop Journal* 54.1 (2002), pp. 1-23; K. Navickas, 'What happened to class? New histories of labour and collective action in Britain', *Social History* 36.2 (2011), pp. 192-204.

<sup>7</sup> R. Crawford, *Poetry, enclosure and the vernacular landscape* (Cambridge, Cambridge University Press, 2002); N. Everett, *The Tory view of landscape* (New

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Haven and London, Yale University Press, 1994); S. Daniels, *Humphry Repton: landscape gardening and the geography of Georgian England* (New Haven and London, Yale University Press, 1999); S. Daniels, 'The trip to Jerusalem', *Culture, Theory and Critique* 50 (2009), pp.307-321.

<sup>8</sup> See for example, J. L. and B. Hammond, *The village labourer, 1760-1832: a study in the government of England before the Reform Bill* (London, Longmans, 1911), pp. 211-12; K. D. M. Snell, *Annals of the labouring poor: social change and agrarian England, 1660-1900* (Cambridge, Cambridge University Press, 1985); J. M. Neeson, 'English Enclosures and British Peasants: current debates about rural social structure in Britain c. 1750-1870', *Jahrbuch für Wirtschaftsgeschichte* (2000), 22-25. In contrast, J. D. Chambers and G. E. Mingay, *The agricultural revolution, 1750-1880* (London, Batsford, 1966) challenged the Hammonds' dire view of enclosure, arguing that it contributed to the growing wealth of the Victorian countryside. For a useful overview of some of these arguments see J. V. Beckett, *The agricultural revolution* (Basil Blackwell, Oxford, 1990), pp. 41-44.

<sup>9</sup> J. M. Neeson, *Commoners: common right, enclosure & social change in England, 1700-1820* (Cambridge, Cambridge University Press, 1993), p. 226; E. P. Thompson, *Customs in common* (New York, New Press, 1993), p. 184. Leigh Shaw-Taylor offers a different view, arguing that small farmers, agricultural labourers and the poor made less use of the pre-enclosure commons than has been previously suggested and that as a result, parliamentary enclosure and extinguishing of common rights associated with it did not contribute significantly to the creation of an agricultural proletariat (L. Shaw-Taylor, 'Labourers, cows, common rights and parliamentary enclosure: the evidence of contemporary comment c. 1760 - 1810', *Past and Present* 171 (2001), pp. 95-126 and 'Parliamentary enclosure and the

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emergence of an English agricultural proletariat', *Journal of Economic History* 61.3 (2001), pp. 640-62).

<sup>10</sup> W. Tate, 'Inclosure movements in Northamptonshire', *Northamptonshire Past & Present* 1.2 (1949), pp. 19-33.

<sup>11</sup> Tate, 'Inclosure movements', p. 30; E. C. K. Gonner, *Common land and inclosure* (London, MacMillan, 1912), pp. 280 and 285.

<sup>12</sup> N. Blomley, 'Making private property: enclosure, common right and the work of hedges', *Rural History* 18.1 (2007), pp. 1-21; J. M. Neeson, 'The opponents of enclosure in eighteenth-century Nottinghamshire', *Past and Present* 105 (1984), pp. 114-39.

<sup>13</sup> O. Rackham, *Trees & woodlands in the British landscape* (London, Phoenix Press, 2001), p. 189.

<sup>14</sup> G. Barnes and T. Williamson, *Hedgerow history: ecology, history and landscape character* (Oxford, Oxbow, 2006), p. 5.

<sup>15</sup> Northamptonshire Record Office (hereafter NRO), Grant B1, bundle 1 (in box X5261).

<sup>16</sup> Commissioners for each enclosure were appointed by the Act of Parliament to oversee the redistribution of land and draw up the final record of the enclosure known as the Award. For a general introduction to enclosure and the sources relating to it, see S. Hollowell, *Enclosure records for historians* (Chichester, Phillimore, 2000).

<sup>17</sup> J. Steane, *The Northamptonshire landscape* (London, Hodder and Stroughton, 1974), pp. 234-6; J. Barrell, *The idea of landscape and the sense of place 1730-1840: an approach to the poetry of John Clare* (London and New York, Cambridge University Press, 1972).

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- <sup>18</sup> Steane, *Northamptonshire Landscape*, p. 238.
- <sup>19</sup> J. Donaldson, *General view of the agriculture of the county of Northampton* (Edinburgh, Adam Neill and Company, 1796), p. 42.
- <sup>20</sup> B. McDonagh, 'Women, enclosure and estate improvement in eighteenth-century Northamptonshire', *Rural History* 20.2 (2009), pp. 143-62.
- <sup>21</sup> Steane, *Northamptonshire landscape*, p. 246; N. Pevsner and B. Cherry, *The buildings of England: Northamptonshire* (Harmondsworth, Penguin, 2<sup>nd</sup> edition, 1973), pp. 109-10; *List of Buildings of Special Architectural and Historic Interest*, available online at [www.imagesofengland.org.uk](http://www.imagesofengland.org.uk).
- <sup>22</sup> Steane, *Northamptonshire landscape*, p. 240; Pevsner and Cherry, *Northamptonshire*, p. 67; *List of Buildings of Special Architectural and Historic Interest*.
- <sup>23</sup> B. McDonagh, 'Enclosure, agricultural change and the remaking of the local landscape: the case of Lilford (Northamptonshire)', *Northamptonshire Past & Present* 64 (2011), pp. 45-52.
- <sup>24</sup> K. J. Allison, M. Beresford and J. Hurst, *The deserted villages of Northamptonshire* (Leicester, Leicester University Press, 1966), p. 15.
- <sup>25</sup> Allison et al., *Deserted villages of Northamptonshire*, pp. 36 and 44; G. Baker, *The history and antiquities of the county of Northampton* (London, Nichols & Son, 1822), Vol. I, pp. 53 and 60.
- <sup>26</sup> Changing Landscapes, Changing Environments project. See the Landscape and Environment Programme website [www.landscape.ac.uk/research/larger/changing\\_landscapes.htm](http://www.landscape.ac.uk/research/larger/changing_landscapes.htm).
- <sup>27</sup> Work on the chronology of enclosure has highlighted the scale of enclosure in the period before 1700 – by which date Wordie estimates that up to 71 per cent of the

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country had been enclosed – while research on enclosure’s geographies has drawn attention to those parts of south-west and south-east England where early enclosure had its biggest impact. J. R. Wordie, ‘The chronology of English enclosure, 1500-1914’, *Economic History Review* 36, pp. 483-505; J. Chapman, ‘The chronology of English enclosure’, *Economic History Review* 35 (1984), pp. 557-9; J. Thirsk, *England’s Agricultural Regions and Agrarian Society, 1500-1750* (London, Macmillan, 1987).

<sup>28</sup> Changing Landscapes, Changing Environments project. Based on a database of Northamptonshire enclosure dates compiled from J. W. Anscomb, *Northamptonshire Inclosures*; D. Hall, *The open fields of Northamptonshire* (Northampton, Northamptonshire Record Society, 1995); and the Northamptonshire volumes of the Victoria County History and the Royal Commission on the Historical Monuments of England. For estimates of early enclosure in parts of western Northamptonshire and in the surrounding counties see J. E. Martin, ‘Sheep and enclosure in sixteenth-century Northamptonshire’, *Agricultural History Review* 36.1, pp. 39-54; D. Hayter, ‘Pastures and profits: sheep and enclosure in sixteenth century Kings Sutton and Chipping Warden hundreds’, *Cake and Cockhorse* 15 (2003), pp. 255-74 and 304-11; J. Thirsk, ‘Agrarian history, 1540-1950’, in Victoria County History, *Leicestershire Vol. II* (Oxford, Oxford University Press, 1954), pp. 199-264; M. Reed, ‘Enclosure in North Buckinghamshire, 1500-1750’, *Agricultural History Review* 32.3 (1984), pp. 133-44.

<sup>29</sup> S. Hindle, ‘Imagining insurrection in seventeenth-century England: representations of the Midland Rising of 1607’, *History Workshop Journal* 66 (2008), pp. 21-61; E. F. Gay, ‘The Midland Revolt and the Inquisitions of Depopulation of 1607’, *Transactions of the Royal Historical Society, New Series* 18 (1904), pp. 195-244. For a discussion

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of the problems and potential of the Inquisitions, see E. Kerridge, 'The returns of the Inquisitions of Depopulation', *English Historical Review* 70 (1955), pp. 212-28.

<sup>30</sup> J. E. Martin, *Feudalism to capitalism: peasant and landlord in English agrarian development* (Basingstoke, Macmillan, 1983), p. 181; Martin, 'Sheep and enclosure'; Steane, *Northamptonshire landscape*, pp. 187-90.

<sup>31</sup> Field closes are mentioned or implied at Papley (par. Warmington) and Rushton around 1540 (The National Archives (hereafter TNA), STAC2/23/34 and 2/28/111) and at Guilsborough in the 1750s (NRO, B(G) 30 and 40). Whyte, *Inhabiting the landscape*, pp. 100-1 refers to field closes in Norfolk, whilst the Contested Common Land project at the Universities of Lancaster and Newcastle has pointed to the existence of similar arrangements in north-west England (<http://commons.ncl.ac.uk/>).

<sup>32</sup> I. Waites, 'Extensive fields of our forefathers: some prospect drawings of common fields in Northamptonshire by Peter Tillemans, c.1719-21', *Midland History* 36.1 (2011), pp. 42-68. We are grateful to Ian Waites for bringing to Tillemans material to our attention.

<sup>33</sup> J. Mastin, *The history and antiquities of Naseby in the county of Northampton* (Cambridge, Francis Hodson, 1792), p. 48.

<sup>34</sup> NRO, B(G)1: Enclosure accounts and expenses of hedges allotted to Bateman, 1764-5.

<sup>35</sup> Cited in Steane, *Northamptonshire landscape*, pp. 232-3; Neeson, *Commoners*, p. 5.

<sup>36</sup> C. Bruyn Andrews (ed.), *The Torrington diaries containing the tours through England and Wales of the Hon. John Byng between the years 1781 and 1794* (New York, Henry Holt and Company, 1938), Vol. IV, p. 39.

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- <sup>37</sup> The editor, 'Northamptonshire worthies. George Clarke', *Northamptonshire Notes and Queries*, New Series 4 (1912-20), pp. 36-40.
- <sup>38</sup> C. C. Trench, 'Nineteenth-century hunting', *History Today* 23.8 (1973), pp. 572-80; R. Carr, 'Country sports', in G. E. Mingay (ed.), *The Victorian Countryside* (London, Routledge, 1981), Vol. II, pp.475-87. The conversion of land to pasture and improved drainage also contributed to better riding (Carr, 'Country sports', pp. 476; G. Paget, *The History of the Althorp and Pytchley Hunt, 1634-1920* (London, Collins, 1937), p. 6).
- <sup>39</sup> Cited in Paget, *History of the Althorp Hunt*, p. 7 and 27.
- <sup>40</sup> J. Tyley, translated by D. Hatton, with an introduction and notes by J. Wake, 'Inclosure of the open fields in Northamptonshire', *The Reminder* 94.3 (1928), pp. 1-7; A. Young, *A six weeks tour through the southern counties of England and Wales* (Dublin, J. Milliken, 1768), pp. 106 and 115; A. Young, *A farmer's tour through the east of England* (London, Strahan, 1771), Vol. I, p. 182.
- <sup>41</sup> Daniels, *Repton*, pp. 76 and 52-4.
- <sup>42</sup> For more on Elizabeth Prowse, see McDonagh, 'Women, enclosure and estate improvement', especially pp. 152-6 and B. McDonagh, 'All towards the improvements of the estate: Elizabeth Prowse at Wicken (Northamptonshire), 1764-1810', in R. W. Hoyle (ed.), *Landscape, improvement and anti-improvement in early modern Britain* (Ashgate, forthcoming, 2011).
- <sup>43</sup> NRO, 364p/67-69: estate ledgers, 1768-84; Gloucestershire Record Office [hereafter GRO], D3549/14/1/2, pt 3, *passim*: Elizabeth Prowse's memoirs.
- <sup>44</sup> NRO, 364p/61.
- <sup>45</sup> GRO, D3549/14/1/2, pt 3, p. 86; N. Kent, *Hints to gentlemen of landed property* (London, 1775), pp. 228-30.

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<sup>46</sup> NRO, 364p/39; 364p/66; 364p/67-69, *passim*; 364p/70, 2 Apr. 1778, Mar. 1776, Dec. 1777; 364p/501; GRO, D3549/14/1/2, pt 3, p. 74; VCH *Northants* V, p. 435.

<sup>47</sup> R. Southey, 'On the state of the poor' in *Essays, moral and political* (London, 1832); W. Cowper, *The task* (London, 1785); Everitt, *Tory view*, particularly pp. 71-3, 92-104 and 170-2.

<sup>48</sup> Glebe was property assigned to a local church which was used to support the clergyman. It usually included the parsonage house and gardens along with agricultural land, which the clergyman might either farm himself or lease out. Parishioners paid one-tenth of their annual agricultural produce to the Church as tithes. These were paid either in kind or cash, but were usually given up in exchange for parcels of land – typically equal to one-fifth of arable and one-ninth of pasture – when a parish was enclosed under Parliamentary Act.

<sup>49</sup> This statement is based on a survey of the faculty registers of the Diocese of Peterborough dated between 1709 and 1840, which are stored at Northamptonshire Record Office. The information from the faculties was cross-referenced against information on standing buildings evidence for church building work in the period 1700-1900, drawn from Pevsner's *Buildings of England*, the List of Buildings of Special Architectural and Historic Interest and site visits carried out by project team members in conjunction with English Heritage staff. Exceptions include: St John Evangelist, Wicken which was rebuilt in association with an informal enclosure of 1757; St Peter and St Paul, Cosgrove where the church was comprehensively remodelled in the years between the enclosure Acts of 1767 and 1775; and Lilford, where the church was demolished shortly after the enclosure of the open fields in 1772. See also M. Cragoe, 'Landscape, enclosure and popular culture in

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Northamptonshire, c.1750-1850', seminar delivered at the Institute of Historical Research, 10 March 2009.

<sup>50</sup> On animal geographies, see for example, S. Whatmore and L. Thorne 'Wild(er)ness: reconfiguring the geographies of wildlife', *Transactions of the Institute of British Geographers* 23 (1998), pp. 435-54; C. Philo and C. Wilbert C (eds) *Animal Spaces, Beastly Places* (London, Routledge, 2000); D. Matless, P. Merchant and C. Watkins 'Animal landscapes: otters and wildfowl in England 1945–1970', *Transactions of the Institute of British Geographers* 30 (2005) pp. 191-205; H. Lorimer 'Herding memories of humans and animals', *Environment and Planning D: Society and Space* 24 (2006), pp. 497-518. On vermin see R. Lovegrove, *Silent fields: the long decline of a nation's wildlife* (Oxford, 2007); C.J. Griffin, 'More-than-human histories and the failure of grand states schemes', *Cultural Geographies* 17.4 (2010), pp. 451-72; J. Sheail, 'Wartime rodent-control in England and Wales', in B. Short, C. Watkins and J. Martin (eds) *The front line of freedom: British farming in the Second World War* (British Agricultural History Society, Agricultural History Review Supplement 4, 2007) pp. 55-66.

<sup>51</sup> Lovegrove, *Silent fields*, pp. 27-9; Karl H. Dannenfeldt, 'The control of vertebrate pests in Renaissance agriculture', *Agricultural History*, 56.3 (1982), pp. 542-59.

<sup>52</sup> This and the following two paragraphs are based on a systematic analysis of parish sponsored vermin regimes in 96 Northamptonshire parishes, representing one-third of the historic county. For all parishes, detailed surveys of surviving churchwardens' and constables' accounts were conducted for the period 1700-1900. The records of 41 parishes (some 43 per cent) of the original sample made references to bounties for vermin and it is on these that the following section is based. See also M. Cragoe and B. McDonagh, 'Introducing continuity to narratives of

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parliamentary enclosure: the limits of change in a Midland landscape', presented at the RGS-IBG annual conference, 26 August 2009.

<sup>53</sup> For newspaper advertisements warning against game trespass and charting the foundation of various societies for the preservation of game, see *Northampton Mercury*, 31 August 1772, 9 September 1776, 24 August 1778, 9 August 1800, 20 September 1800 and 31 October 1818. We are grateful to Sarah Webster who collected this information from the *Mercury* as part of the Changing Landscapes, Changing Environments project.

<sup>54</sup> *Public Advertiser*, 23 May 1760.

<sup>55</sup> T. Cunningham, *A new and complete law dictionary* (London, J. F. and C. Rivington, 1783), Vol. II, p. 122; G. Jacob, *A new law dictionary* (London, H. Woodfall and W. Strahan, 1762), p. 315.

<sup>56</sup> *The Times*, 26 July 1809. E. Griffin, *Blood sport: hunting in Britain since 1066* (New Haven. Yale University Press, 2007), p. 140 also discusses the 1809 case.

<sup>57</sup> See, for example, J. Bouvier's edition of M. Bacon, *A new abridgement of the law* (Philadelphia, T. & J. W. Johnson, 1856) for changing legal attitudes to vermin catching. T. Young, 'Popular attitudes towards rural customs and rights in late nineteenth and early twentieth century England', University of Hertfordshire thesis (2008). Our thanks to Tracey Young for bringing these cases to our attention.

<sup>58</sup> Blomley, 'Making private property', p. 13.

<sup>59</sup> See, for example, TNA, STAC2/26/250, 2/27/111 and 2/28/111.

<sup>60</sup> B. McDonagh, 'Subverting the ground: private property and public protest in the sixteenth-century Yorkshire Wolds', *Agricultural History Review* 57.2 (2009), pp. 191-206. Both Christopher Dyer and Nicholas Blomley make a similar point about the protracted nature of enclosure riots: C. Dyer, 'Conflict in the landscape: the

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enclosure movement in England, 1220-1349', *Landscape History* 29 (2007), pp. 21-33; Blomley, 'Making private property', p. 11-12.

<sup>61</sup> See, for example, TNA, STAC2/19/160, 2/26/250, 2/30/38 and 2/19/28. B.

McDonagh, 'Making (and breaking) private property: negotiating early enclosure in Yorkshire and Northamptonshire', presented at the Landscape, enclosure and rural society in post-medieval Britain and Europe conference held at the University of Hertfordshire, 25-26 June 2009.

<sup>62</sup> On the Midland Rising, see Martin, *Feudalism to capitalism*, pp. 184-6.

<sup>63</sup> C. Griffin, 'Animal maiming, intimacy and the politics of shared life: the bestial and the beastly in eighteenth- and early nineteenth-century England', *Transactions of the Institute of British Geographers*, 2011 (forthcoming); 'Protest practice and (tree) cultures of conflict: understanding the spaces of 'tree maiming' in eighteenth- and early nineteenth-century England', *Transactions of the Institute of British Geographers*, 40, 1 (2008), pp. 91-108.

<sup>64</sup> Neeson, *Commoners*, p. 262.

<sup>65</sup> Neeson, *Commoners*, pp. 271 and 273-4.

<sup>66</sup> Neeson, *Commoners*, pp. 263-9.

<sup>67</sup> Neeson, *Commoners*, pp. 194 and 278.

<sup>68</sup> Neeson, *Commoners*, pp. 191-4.

<sup>69</sup> *Northampton Mercury*, 20 and 27 February 1764; Neeson, *Commoners*, pp. 278-9.

<sup>70</sup> NRO, B(G)28; B(G)30; B(G)31; B(G)34; B(G)39; B(G)40; B(G)44; B(G)46-50; B(G)53-61: legal papers and letters relating to the Assize cases of c.1750.

<sup>71</sup> *Northampton Mercury*, 10 May 1784. We are grateful to Sarah Webster for bringing both this and the next reference to our attention.

<sup>72</sup> *Northampton Mercury*, 4 March 1786.

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<sup>73</sup> T. Ingold, 'The temporality of the landscape', *World Archaeology* 25.2 (1993), pp. 152-74; T. Ingold, 'Building, dwelling, living: how animals and people make themselves at home in the world', in T. Ingold, *The perception of the environment: essays on livelihood, dwelling and skill* (London, Routledge, 2000), pp. 172-88; C. Tilley, *A phenomenology of landscape* (Oxford, Berg, 1994).

<sup>74</sup> A point also made by Neeson, *Commoners*, p. 289.

<sup>75</sup> Young makes the more general point that memories of and beliefs about traditional rights might linger even where the practices themselves fell away (Young, 'Popular attitudes', p. 249).

<sup>76</sup> B. Bender, 'Introduction: contested landscapes', in B. Bender and M. Winer (eds), *Contested landscapes: movement, exile and place* (Oxford, Berg, 2001), p. 3; D. Massey, 'Landscape/space/politics: an essay', pp. 8 and 22. Massey's essay was produced as part of the AHRC-funded project 'The future of landscape and the moving image' and appeared on the project website <http://thefutureoflandscape.wordpress.com>.