

DERBYSHIRE ARCHAEOLOGICAL  
AND  
NATURAL HISTORY SOCIETY.

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ENCLOSURE ACTS AND AWARDS RELATING TO  
DERBYSHIRE.

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## PREFACE.

### ENCLOSURE FACTS AND STATISTICS.

A VERY competent authority<sup>1</sup> has said "The difficulty in the way of gaining an understanding of the true effects of enclosure . . . is the lack of statistical evidence". It is understandable enough that this difficulty should arise for the enclosures of the 16th and 17th centuries, but it is surprising that the same difficulty should obtain with reference to the Parliamentary enclosures of the 18th and 19th centuries. The problem is not wholly the lack of evidence upon certain points, but also the existence of widely differing estimates given by different authorities concerning the same phenomena.

The first important statistics upon the question are, we think, those given in the *Reports* of the Parliamentary Committee and Select Committees of 1795, 1797, and

<sup>1</sup> Prof. W. Hasbach. *The English Agricultural Labourer*, 1908, App. II (V) p. 179.

1800.<sup>1</sup> These, especially the 1797<sup>2</sup> report, contain tables of the numbers of enclosure acts passed in each year for each county. These were taken bodily by Sir John Porter for his *Progress of the Nation*, the figures in which replaced the earlier estimates in Chalmers' *Estimate of the Comparative Strength of Great Britain*. In 1870 Sir Robert Hunter in the *Statistical Journal*<sup>3</sup> gave a similar table of enclosure acts in counties, under three headings, Acts passed in the 18th century, Acts passed 1800-42, and Enclosures under the General Acts, 1845-69. Much more detailed statistics appear in the late Dr. Slater's<sup>4</sup> book, and in Prof. Gonner's work cited below. This last work contains some twenty statistical appendices, the data in which are drawn primarily from the acts, though some are taken from the awards and from "good estimates."<sup>5</sup> Dr. Slater's tables on the other hand are based entirely upon such enclosure acts as were to be found in the library of the British Museum (Dr. Slater having assumed that the British Museum collection was more or less a complete one), and upon these only in so far as their preambles contain specific mention of open field arable land.

Various Blue Book lists of enclosure acts and awards have been issued from time to time. In 1865 the Deputy Keeper of the Public Records printed a list<sup>6</sup> of plans attached to awards enrolled in Chancery, and in the courts of King's Bench and Common Pleas. The next year this was followed by a list<sup>7</sup> of the awards themselves, including

<sup>1</sup> *Report from the Select Committee . . . on promoting the cultivation of waste . . . Lands . . . 1795, Report from the Committee . . . on promoting the cultivation of Waste . . . Lands . . . and common Arable Fields, 1797, Report of the Select Committee . . . on . . . the means of facilitating . . . the Enclosure of Waste Lands . . . Common Arable Fields . . . , etc. (800). All reprinted by the Commons Preservation Society, 1866.*

<sup>2</sup> Reprint above cited pp. 50-7.

<sup>3</sup> *Statistical Journal*, 1870, p. 404.

<sup>4</sup> *The English Peasantry and the Enclosure of Common Fields*, 1908.

<sup>5</sup> *Common Land and Inclosure*, 1912. Appendices.

<sup>6</sup> *Report*, XXVI, 1866, App. pp. 1-22, 1-15.

<sup>7</sup> *Report* XXVII, 1866, App. pp. 1-29.

a few enrolled among national records other than those mentioned above. Early lists of enclosure acts, together with other local acts had already been published in Bramwell's<sup>1</sup> *Analytical Table of Private Statutes*, and in Vardon's<sup>2</sup> *Index to Local and Personal and Private Acts*, 1798-1879. In 1843 a list of enclosure acts alone appeared in *Lord Worsley's Return*, several times re-issued, having been revised to date, and last appearing in 1914.<sup>3</sup> The Stationery Office *List of Acts Local and Personal*<sup>4</sup> includes particulars of all acts 1800-99. Enclosure awards deposited or enrolled among county records are indexed in a Blue Book<sup>5</sup> issued in 1904, based upon the answers returned to a questionnaire circulated to all Clerks of the Peace in 1913. Awards under the general acts of 1845 *et seq.* are listed in another Blue Book<sup>6</sup> issued in 1893.

Most of these lists however are put together in a very haphazard and unmethodical fashion. The two reports of the Deputy Keeper do not tally with one another, much less with all the remaining lists, and while the 1914 Blue Book is generally very reliable, so far as it goes, that of 1904 is a perfect masterpiece of muddle and inaccuracy, every Clerk of the Peace having compiled his county list according to his own ideas, and the national return being composed simply of the county lists combined. It will be understandable enough that the value of the lists varies widely from county to county. Some of them are so carefully compiled that it would be almost impossible to improve on them, others are so confused and inaccurate as to be almost worthless. Like the lists in the Deputy Keeper's Reports, the Blue Book of 1904 contains some

<sup>1</sup> 2 Vols. 1813 and 1835, reprinted 1813.

<sup>2</sup> 1840.

<sup>3</sup> P.P. (H.C.) 325 of 1843 . . . P.P. (H.C.) no. 399 of 1914.

<sup>4</sup> 1900.

<sup>5</sup> No. 50 of 1904.

<sup>6</sup> No. 455 of 1893. A few county lists have been printed. For a bibliography of these see a note by the present author in *Bull. Inst. Hist. R.*, Vol. XVIII no. 54, pp. 97-101, 1941.

references to non-Parliamentary enclosures. Another respect in which this book is of great value is that it is the only printed record of enclosures under the early General Acts,<sup>1</sup> the awards for which unlike all others, were never enrolled nationally, but only locally. Such enclosures, forming a class intermediate between those of the 18th century, which were generally attained with complete disregard for all interests save those of the dominant landed class, and the latest enclosures under the General Acts, where considerations of public interests have been paramount, deserve very much more attention than they have ever received.

As we have indicated above, Dr. Slater's lists of enclosure acts purport to include all acts covering lands which included any proportion of open field arable land. Acts relating to the enclosure of common meadow, pasture, and waste alone, are excluded from them.<sup>2</sup> Although there are many errors in these lists, some of which it is believed have been corrected in those below, Dr. Slater's decision has generally been accepted as to whether or not any act included reference to open field arable, though in some instances it has been possible to correct a few of his mistakes by reference to the 1866 Report which gives quite full particulars of the lands affected, or to the 1904 Blue Book, or by inquiry from students of local history in the county concerned.

It is submitted then that the lists below are likely to be useful to historians in that they contain:

(1) A complete list of Enclosure Acts and of enclosures under the General Acts.

(2) An indication (based upon Dr. Slater's work) which acts included any proportion, however small, of

<sup>1</sup> Especially of enclosures under the 1836 act, 6 & 7 Wm. IV. c. 115.

<sup>2</sup> Though acts including common field *and* waste or meadow, however small the proportion of common field might be, are included. Dr. Slater's working methods are described above upon the authority of a letter to the author.

open field arable, and which acts related to common meadow and waste alone.

(3) A list (we believe the only one in print), apart from the scattered and inaccurate references in the 1904 Blue Book), of enclosures under the General Acts of 1836 *et seq.*

(4) Particulars of all formal agreements enrolled with the various Clerks of the Peace, and relating to non-Parliamentary enclosures in the counties concerned, and similar particulars of such agreements c. 1750-1840, enrolled in the national courts.

(5) Details of the enrolment of all enclosure awards enrolled either in the national courts at Westminster or among the records of the various counties. (It seems that acts rarely made no provision for the enrolment of awards somewhere or other, and such awards as were not enrolled either at Westminster or with the Clerk of the Peace were generally entered among the records of local manorial courts. In Middlesex and Yorkshire, however, they seem often to have been enrolled in the local statutory registries of deeds).

(6) Notes of all enclosures in parishes which at the time of enclosure were in one county, but which have since been transferred to another. It is hardly necessary to point out that in such instances the records of both counties should be searched if one fails to trace the enclosure award in one of them.

(7) Notes of all mistakes in previous compilations upon such important data as dates, areas, etc., in so far as it has been possible to check these, and of all major changes in the official names of parishes which have taken place subsequent to the enclosures. These it is hoped will enable the enquirer to identify with some degree of assurance the data relating to any particular enclosure.

Though this work cannot claim to be anything more than a mere compilation it is hoped that at any rate it may be a useful one. It is quite certain that despite all our care

it must contain errors. We shall be very grateful if any fellow student noting such will be good enough to send us a postcard correcting them. Similarly we shall be indebted to any user of the lists who is able to fill any of the gaps which still remain in them. Such help will be duly acknowledged if ever this work appears in a complete edition covering the whole country, as we hope that perhaps some day it may. Meanwhile such corrections will be entered in a copy of this work deposited in the library of the London School of Economics, and in another, available for reference in the library of the Public Record Office. Copies of the various county sections are being sent to the Clerks of the Peace throughout the country, and these will be available similarly for corrections and additions relating to the separate counties.

## INTRODUCTION.

### EARLY METHODS OF ENCLOSURE.

There seems little need here to enter into a detailed discussion of either the Open Field System or of the Enclosure Movement. It may suffice to call attention to the fact that the English enclosure act evolved quite naturally from the methods which had been adopted to carry out enclosure in earlier times. Throughout the 17th century it had been usual for lords and tenants who desired to enclose their lands to do so by private agreement,<sup>1</sup> either with or without securing confirmation of this in the Chancery or the Court of Exchequer. Sometimes it appears that a Chancery suit was undertaken in order to bring pressure to bear upon a dissentient minority. Naturally there followed from this a demand for a general act confirming decrees obtained in this fashion, and when a bill to this effect was rejected in 1664 the same end was achieved by the introduction within the next century of a whole series of private acts, many of

<sup>1</sup> Curtler *The Enclosure and Redistribution of Our Land*, 1920, p. 136.

these, especially the early ones, confirming arrangements already come to by private agreement. It was natural that enclosure by act should develop in an age when the power of the legislature was rapidly overshadowing that of the monarchy. After all both the Chancery Decree and the Private Act are essentially the answer of the sovereign to the petition of the subject, the Chancery Decree being issued when the petition has been addressed to the king in his Chancery, the Private Act when the petition has been addressed to the king in his court of Parliament.<sup>1</sup> And in fact, as Lord Ernle<sup>2</sup> points out, after the Restoration the jurisdiction of the Chancery was first supplemented, then ousted, by the Private Act of Parliament.

#### ENCLOSURE BY PRIVATE ACT.

Stray enclosure acts appear before 1702, but they are rare in the extreme. There are but six in all.<sup>3</sup> Two more follow in Queen Anne's reign; eighteen in that of George I, but the number swells to 229 in 1727-1760, and after 1760 the tide of enclosure flows fast. The table opposite shows which counties have enclosure acts before 1760.

It will be seen that these amount to but 255 acts in all, and that nearly half of these are accounted for by the three Midland counties of Warwick, Northampton and Gloucester, and the vast areas of the West and East Ridings of Yorkshire.

From these early acts, sanctioning existing agreements, there gradually developed the more "typical" enclosure act appointing commissioners to make the partition, and confirming in advance the award they should make. The vast majority of the acts from 1760 onwards are of this

<sup>1</sup> Gonnor *op. cit.* pp. 55-6 and 183.

<sup>2</sup> Ernle *History of English Agriculture*, 1917, p. 162.

<sup>3</sup> The eight earliest enclosures of this sort are: Radipool, Dorset, 1602, Marden, Herefs., 1606, Malvern Chase, Gloucs., Herefs., Wors., 1664, Horton, Gloucs., 1668, Hambleton, Rutlands., 1692, Salford, Oxon, 1696, Ropley, Hants., 1709 and Farmington, Hants., 1713.



type, and operations under this kind of act are quite familiar to the student from the admirable accounts given in any of the works cited. Enclosures under acts of this sort are listed in sections A and B.

COUNTY	1702	1702-14	1714-27	1727-60	Total before 1760
Bedfordshire ..	—	—	—	2	2
Berkshire ..	—	—	1	5	6
Buckinghamshire ..	—	—	—	3	3
Derbyshire ..	—	—	1	6	7
Dorset ..	1	—	—	2	3
Durham ..	—	—	—	4	4
Gloucestershire ..	2	1	3	11	17
Hampshire ..	—	1	—	12	13
Herefordshire ..	1	—	—	—	1
Hertfordshire ..	—	—	—	1	1
Huntingdonshire ..	—	—	—	3	3
Kent ..	—	—	—	1	1
Lancashire ..	—	—	2	5	7
Leicestershire ..	—	—	—	16	15
Lincolnshire ..	—	—	—	15	15
Norfolk ..	—	—	2	5	7
Northamptonshire ..	—	—	—	21	21
Northumberland ..	—	—	—	8	8
Nottinghamshire ..	—	—	—	10	10
Oxfordshire ..	1	—	—	5	6
Rutlandshire ..	1	—	—	4	5
Somerset ..	—	—	2	1	3
Staffordshire ..	—	—	3	3	6
Suffolk ..	—	—	—	2	2
Warwickshire ..	—	—	2	31	33
Wiltshire ..	—	—	1	6	7
Worcestershire ..	—	—	—	3	3
Yorkshire E. Riding ..	—	—	1	15	16
„ N. Riding ..	—	—	—	13	13
„ W. Riding ..	—	—	—	17	17
Total ..	6	2	18	229	255

## THE GENERAL ACTS.

The enormous expense attaching to enclosure carried out by this method early caused a demand for a General Act to simplify and cheapen proceedings.<sup>1</sup> After a hundred and forty years of more or less continuous agitation this demand was at last met by the passing of the General Enclosure Act of 1801.<sup>2</sup> This act, which arrived on the statute book after a great part of the work of enclosure had already been completed without its aid, was a "clauses act" only. References to it are incorporated in almost all the special enclosure acts passed in the years following 1801. The next general act of any great importance was that of 1836.<sup>3</sup> This permitted enclosure by the consent of a majority of the proprietors (generally at least two-thirds), without application to Parliament. No account of enclosures under it has appeared in any of the Parliamentary publications (save for the very incomplete references in the second of the three Blue Books cited below), and they have been almost entirely neglected by historians. This is unfortunate, since in some respects they are the most interesting of all enclosures, lying as they do in a class intermediate between those enclosures carried out essentially by Parliamentary authority, often without the real consent of many of the landowners affected, and those effected by agreement of the landowners concerned, without the formality and expense incurred by an application for Parliamentary sanction. This act properly related to open fields only, though actually many enclosures of lands other than open field were quite improperly carried out by its means. It was extended to cover lands other than open field by a further act, four years later.<sup>4</sup> Enclosures under these two acts

<sup>1</sup> Gonner *op. cit.* pp. 56-8 and references there cited.

<sup>2</sup> 41 Geo. III c. 101.

<sup>3</sup> 6 and 7 Wm. IV c. 115.

<sup>4</sup> 3 and 4 Vic. c. 31.

are listed below in sections C and D. It is probable that some at any rate of those listed in section C, further enquiry will transfer to section D.

The third really important general act was that of 1845.<sup>1</sup> This set up a body of Enclosure Commissioners, who had power to authorise the enclosure of lands not including any "waste of a manor," by Provisional Order, without Parliamentary sanction, and had the more restricted power of authorising the enclosure of lands including the waste of any manor or manors by a similar provisional order, but which had to be confirmed by Parliament, after inclusion in the schedule of an annual enclosure act. Sections E (I) and (II) and F. (I) and (II) give lists of all enclosures carried out under the 1845 act, and the (annual) general acts which followed it. That is: sections C-F give complete lists of all enclosures carried out under any general act except the first (clauses) act. For references to acts merely incorporating the general clauses it will usually be sufficient to take all the private acts in sections A and B from 1801 onwards.

#### ENCLOSURE AWARDS.

Among the many series of historical records relating to the story of the countryside which are preserved either in the various local repositories within each county, or among the national archives in the Public Record Office, there, are few, if any, to rival in interest and importance the long line of enclosure awards, covering largely the period of the reign of King George III, 1760-1820, but as will be seen in the lists below, on occasion dealing with a period half a century after this, and about a century before it. Especially with regard to agrotechnical matters and the social and economic problems which are so closely interwoven with them, there is all the difference between the awards, which form an extensive, continuous, and

<sup>1</sup> 6 and 7 Vic. c. 118.

fairly systematic series, and the scanty, isolated and fragmentary scraps of evidence, which, apart from the enclosure returns of 1517,<sup>1</sup> 1549 and the 1620's, and '30's, are our sole source of information as to the agrarian problem in earlier ages. The fact that the series of enclosure awards is almost a complete one makes it possible too, to summarise its contents, and to base an argument upon them with some degree of confidence and honesty, and without the haunting fear that records not quoted because they have disappeared may contain evidence very much outweighing that in the records cited. Therefore it is not too much to claim that these enclosure awards of Georgian times are in their evidential value infinitely more weighty than all other enclosure records taken together. It is surprising then that so little attention has been given to them by local historians.

The primary purpose of the awards was at once to achieve and to register the change from the ancient methods of husbandry, the use of open field arable land, of common meadow, and of common pasture—the “common” *par excellence*—to the modern system of land ownership, tenure, and cultivation “in severalty.” But the awards have much more than merely legal or agrotechnical interest and importance. They form the best—in many cases the only—source of accurate information as to the distribution of land ownership in English villages of a century and a half ago. They are full of useful information as to the types of land tenure prevalent in the different districts. In perhaps half the villages of the country they serve as ultimate title deeds to a great part of the land, both that belonging to the villages of the country they serve as ultimate title deeds to a great part of the land, both that belonging to ordinary proprietors, and that allotted to rectors, vicars, and lay impropietors

<sup>1</sup> Dealt with most admirably by the late I. R. Leadam in his *Domesday of Inclosures* (1897).

in lieu of tithe and glebe. They record the lands forming the endowments of ancient village charities and schools. They are the final authority for information as to the course and breadth of the highways, the existence of foot-paths, bridle ways, and rights of way, and the courses, breadths, and liability for cleansing of most of the service drains. The awards and the plans which are generally appended to them register the ownership of hedges and fences, they distinguish between titheable and non-titheable lands (many villages in the Midlands having had their tithes commuted largely under enclosure acts, so that the enclosure awards in many counties are better sources of information as to tithe than are the tithe awards), and they specify the allotments of land for public purposes—generally to the parish Surveyors of Highways for use as parish gravel pits—which are the greater part of such land as still remains vested in the ownership of such minor local government bodies as Parish Meetings and Parish Councils.

Accordingly the enclosure awards are invaluable sources of information, not only to the historian or antiquary and to him whether his interest be mainly ecclesiastical or civil, economic or social, but also to the present day administrator who is concerned with land drainage, highways, footpaths, the provision of allotments, charity administration, or the use made by the minor local government bodies of the endowments entrusted to them.

#### ENROLMENT.

It is no wonder that as is noted in the *Report*<sup>1</sup> of the Public Records Commission of 1910-16, the enclosure awards are "more often consulted than any other documents in the county repositories," and no less an authority than Lord Passfield,<sup>2</sup> in the evidence which he

<sup>1</sup> *Rep.* III Pt. 1 p. 10.

<sup>2</sup> *Rep.* III Pt. 3 p. 10.

gave before the same commission was at pains to point out the value of these records to the local, and for that matter, to the national historian. His arguments were re-enforced by those of Sir Lawrence Chubb, who in his capacity as Secretary to what was then the Footpaths and Commons Preservation Society, had had much occasion to use the awards for evidential purposes. Sir Lawrence estimated that "many" of the awards existed in one copy only, and that "a considerable proportion" of them had entirely disappeared. Another witness put this proportion as high as a third. It is because so many of the original awards have been lost that we have thought it well to include here details of the "enrolment" of all awards where such enrolment could be traced. The original award *should* of course be either in the parish chest of the place concerned, or in the custody of its parish council or parish meeting. Even where it is still in proper custody it is often difficult of access to the enquirer, especially the enquirer from outside, and there are evident advantages to the student who intends to examine a whole series of awards in finding them all together in one place, in recognised custody. Any series of enrolled copies is therefore particularly valuable, though very often the enrolled awards lack the plans which are attached to nearly all the original awards. It was quite usual for an enclosure act to order that in addition to the commissioners' original award, which was to be deposited with the public books and writings of the parish concerned, a duplicate copy, with or without its plan, should be entered on the rolls of some court of record. At first this enrolment was often carried out in some of the national courts, the Chancery, or the Court of King's Bench, latterly usually in the Court of Common Pleas, and, for parishes having Duchy property, usually in the records of the royal Duchy of Lancaster; afterwards often among the county records. Early records are often to be found among the minutes of Quarter Sessions, for

later ones the counties often purchased special volumes in which enclosure awards are to be found entered among registrations of annuities, lists of Papists' estates, parochial agreements for the establishment of "Gilbert" Unions, and administrative oddments generally. Sometimes awards were entered among the records of the courts of honours or manors, and it may well be that the work now in progress in the Record Office, that of listing all the court rolls known to survive in England, may lead eventually to the discovery of a number of enrolled enclosure awards whose whereabouts are now unknown. It seems certain that there was some substance in the allegation made that some commissioners, anxious to ensure that the award deposited in the parish should be the only copy, and that its custodian therefore should receive any fees payable upon its consultation or extraction, disregarded the terms of the act, and enrolled the award nowhere at all.

#### OTHER ENCLOSURE RECORDS.

Normally, therefore the enquirer interested in the enclosure of any particular parish has three principal sources of information open to him, the *House of Commons Journals*, which will give an account of the proceedings leading to the passing of the act; the act itself; and the award executed in pursuance of it, or the enrolled copy of this award if the original is not to be found. Data concerning these last two will normally be found in the columns below, and from these it is a simple matter to turn up the first named. When the original award is not to be found, particulars of the enrolment given below will often enable one to obtain access to such an enrolled copy. From these three sources it should not be difficult to make out the story of any particular enclosure as a more or less continuous narrative. Even so, however, the story will lack beginning, middle and end.

Obviously, for enclosures of open field—by far the most interesting variety—it should begin with the gradually-growing discontent of the leading proprietors in the place with the rigid and inelastic open field system, which prevented them from modernising their methods of husbandry as they wished; the informal discussions they would hold among themselves and the tentative enquiries made of the attorneys who specialised in this class of business as to the cost of an attempt at enclosure. Probably in many cases this would be followed by a visit to a neighbouring township which had recently been enclosed, or by long discussions with its proprietors after business had been concluded on market day. Then would come the ceaseless propaganda among the smaller and more conservatively minded landowners in favour of the scheme, the insistence upon the benefits that could be expected to accrue from it; the modernisation of obsolete technique and the abolition of outworn customs which it would make possible. Farmers would benefit by the enormous increase of productivity which was confidently predicted, the lord of the manor would receive a sufficient compensation for his not-very-valuable interest in the soil of the common, the incumbent could have his tithe commuted at a handsome valuation, the highways might well be improved while the enthusiasm for progress lasted, the “deserving poor” would find small plots in severalty much easier to work than scattered scraps in the open fields, and would be much better off without the largely illusory benefits of the common (even if they secured no compensation whatever for e.g. common “rights” which had actually been exercised by pure usurpation, they would have no difficulty in finding work upon the now large, well cultivated farms). Certainly they would benefit by the removal of the very real temptation to idleness which the possession of a large common entailed. The undeserving poor, especially the insubordinate



squatters, living in riotous squalor in their tumbledown hovels on the common, would be both better and better off if they were compelled to work regularly for an employer. Everyone in the parish would gain by the increase of employment in hedging, ditching, fencing, draining, and the fall in the rates which was confidently expected as soon as the common ceased to form a constant attraction to all the beggars, wastrels, and drunkards in the district.

Then the story should deal with the methods used to reduce the small freeholders at last to give a reluctant consent, and with the gradual buying out of those who proved recalcitrant to the last, until finally the promoters had the necessary quantum of consent in support of their proposal.

Of all this, however, the greater part of the records have perished and the story can but be pierced together from casual and fragmentary references. It is clear, however, that this, or something very like it must have happened before ever the enclosure petition was drafted by the local attorney, to be presented to the House by one of the County Members, and to be embodied in a Bill, and finally in an Act of Parliament.

The missing middle of the story, how when and where the Commissioners met, how they regulated their proceedings, dealt with the infinity of claims, just, unjust and dubious, submitted to them, tried to harmonise conflicting interests, and eventually reduced what they regarded as the systemless chaos of the open-field parish to something more in accordance with their conception of what a reasonably well-ordered parish should be, can hardly be discovered without the aid of the Commissioners' working papers. It is very doubtful whether many of the commissions kept any minutes at all (there was no statutory rule that they should do so), and of the few commissions that were business-like

enough to keep proper minute books but few records are known to survive. Neither the British Museum nor the Public Record Office has any; nor are there any among the collections of the London School of Economics. It is very much to be desired that such minute books as are known to survive should be properly edited and published, since until this is done the student will never be able to obtain a grasp of the commissioners' working methods.<sup>1</sup>

The end of the story is not yet. Nor will it arrive until the much discussed "Land Question" shall finally be settled (if indeed any such settlement is possible), in a fashion which shall be just, as well to the landowner and the peasant as to the community at large, whose vital interests are so closely concerned in it. Whether enclosure tended to land monopoly, as is often alleged; what was its effect in the long run upon the productivity of English land; did it actually result in the "high farming" advocated by its pioneers, or was its outcome at last the reversion to something approaching prairie methods, bringing rural depopulation and unemployment in their train; were the smaller proprietors actually maintained in the possession of their holdings or, if they were dispossessed in later years, how far may enclosure be fairly blamed for their disappearance; what prospects had they of attaining the precarious dignity of a farm tenancy of their own, and how far did they go to swell the ranks of the new urban proletariat, whose existence nowadays, divorced from all means of production, both manufacturing and agricultural, is the cause of so much concern to all men of goodwill.

<sup>1</sup> We believe that the only minute books to be so printed are that for Drayton Parslow, Bucks., 1797-1801, edited by Mr. G. Eland in *Records of Buckinghamshire*, Vol. XI, No. 25, 1923, and that for East Drayton, Notts., edited by the present author and printed in the (Nottinghamshire) Thoroton Society *Transactions*, Vol. XLI, 1937. It is thought that the only published account of and guide to such records is an article by the present author in *Eng. Hist. Rev.* Vol. LVII, pp. 250-63, April, 1942.

These questions and many like them are not unworthy of attention, and given, it should at length be capable of solution. It will be more than adequate recompense for the labour involved in this compilation, if its publication contributes, in however modest a degree, towards the elucidation of such questions and the solution of such problems.

### DERBYSHIRE FIELD SYSTEMS.

The map prefaced to Professor Gray's book<sup>1</sup> is based upon his researches into the mediaeval field structure of townships in all the counties in England. According to this, evidence of mediaeval, Tudor and Jacobean times all shows Derbyshire to have lain on the fringe of the great Midland area formerly owned, occupied, and cultivated under "Germanic" open-field usages. The boundary of his two- and three-field area cuts off the north western corner of the county, leaving about three fifths of the total area of the shire within his open-field region. Dr. and Mrs. Orwin,<sup>2</sup> as a result of their later enquiries, have been able elsewhere very substantially to modify some of Professor Gray's findings. So far as this county is concerned, however, they are in general content with his conclusions, and the main difference between their map and his is that they push the boundary of the two and three field area a little further to the north-west than he has it. Sir Paul Vinogradoff<sup>3</sup> chose Derbyshire (together with Essex by way of contrast), for his studies in the size and nature of village settlements. Apart from these three studies and a few casual references in the *Victoria County History*, little work seems to have been done upon Derbyshire field systems. The brief remarks below then concerning

<sup>1</sup> *English Field Systems*, Cambridge, Mass., U.S.A., 1915, frontispiece.

<sup>2</sup> *The Open Fields*, 1938, p. 65.

<sup>3</sup> *English Society in the Eleventh Century*, 1908, pp. 269-73.

the agrarian structure of the county are based almost wholly upon the works cited.

Concerning open-field cultivation in Derbyshire all four have relatively little to say. Professor Gray<sup>1</sup> examined his favourite sources of information, mediaeval charters and *inquisitiones post mortem*, and Tudor and Jacobean manorial surveys. He succeeded, however, in obtaining definite evidence as to open-field structure for but three townships, Glapwell, 12th cent., Osmaston, 1247-1353, and Shirebroke (*recte* Shirebrook) 2 Hen. V (1414-15).

Each of these three townships is clearly shown to have been in three fields. So, clearly, as far as the evidence goes in the limited portion of the county for which data are available, either the two-field system never existed generally here, or it disappeared in relatively early times, and the three-field system early achieved a supremacy which it retained until the time of enclosure.

Elsewhere Prof. Gray<sup>2</sup> lists the counties mainly characterised by three-field usages and those where two-field cultivation remained. He includes Derbyshire however in neither list, though such of its neighbouring counties as were under 'Germanic' open-field cultivation Yorkshire, Nottinghamshire, Leicestershire, and Staffordshire—are shown to have been characterised by the prevalence of three-field usages.

#### EARLY ENCLOSURES IN DERBYSHIRE.

I have been able to find little concerning mediaeval enclosure disputes and disturbances locally.<sup>3</sup> Apparently there was throughout the greater part of the county so great an area of unreclaimed waste that little objection would be raised to the enclosure of any reasonable amount of it. The county was included among those in which

<sup>1</sup> *Op. cit.*, pp. 460-1.

<sup>2</sup> *Op. cit.*, pp. 70-1.

<sup>3</sup> See Appendix I.

Wolsey's Depopulation Commission of 1517<sup>1</sup> inquired as to the extent and consequences of enclosure. Neither the original Chancery returns nor the Lansdowne transcripts include any of the Commission's findings as to this county. The Exchequer proceedings supply information, however, as to another inquisition taken for this county in 1518. The total area affected<sup>2</sup> was however only 620 a.,—0.1 per cent. of the county area, and of this only 40 a. were actually enclosed. The remaining acreage was "severed" or "converted." Altogether seven places were affected.<sup>3</sup> The Depopulation Act of 1536<sup>4</sup> did not apply to the county, so presumably not a great deal of agrarian change was taking place locally at this time. It is not possible to confirm this suggestion here as in other counties by reference to Leland's work,<sup>5</sup> since Derbyshire is one of the counties which he never even entered during his tours. He has a few casual references to it, but none bearing upon its agrarian condition. A few years later, however, the tide of enclosure seems to have reached the county. The appendix contains documents relating to an interesting enclosure dispute at Chinley in 1569. Apparently by the end of the century further enclosure was taking place, with the usual consequences of rural depopulation and impoverishment, and grave threats to public order. At any rate it was thought worth while to include Derbyshire among the counties to which the last depopulation act, that of 1597,<sup>6</sup> was to apply. Disturbances were apprehended in the county at the time of the Midland Revolt of 1607.<sup>7</sup> It does not seem clear whether

<sup>1</sup> Prof. E. F. Gay in *Trans. R. Hist. S. N.S.*, Vol. XIV, 1900, p. 238 and I. S. Leadam *Domesday of Inclosure*, 1897, Vol. I, pp. 3-4.

<sup>2</sup> *Ibid.*, N.S. Vol. XVIII, 1904, p. 233.

<sup>3</sup> *V.C.H. Derbys.*, Vol. 2, p. 172. The will of Richard Horton (1525) mentions land in Repton he had enclosed.

<sup>4</sup> 27 Hen. VII, c. 22, Slater, *English Peasantry* . . . , 1907, App. D., pp. 324-5, and Miss Leonard, in *Trans. R. Hist. S.*, N.S. Vol. XIX, 1905, p. 124.

<sup>5</sup> *Itinerary* . . . , c. 1536-43, ed. Miss L. T. Smith, 5 Vols., 1907-12.

<sup>6</sup> 39 Eliz. c. 2, Slater, *op. cit.*, App. D., p. 328.

<sup>7</sup> Gay, *Ibid.*, pp. 215, 216, 222.

any serious commotions took place. Again in 1630 Derbyshire was among the counties whose justices and sheriffs were circularized by the Council with the injunction to send in a return of enclosures taking place in the previous two years. It seems that Derbyshire was one of the counties from which it proved difficult to obtain a reply, and when at last an answer was elicited, few enclosures were reported, and the justices of one division reported a desire to maintain and even to extend tillage.<sup>1</sup>

Prof. Gonner<sup>2</sup> found little further evidence as to 17th century enclosures in the county, apart from the Privy Council letters above cited. He thought it doubtful whether there had been much—or even any—enclosure of common field in the shire by the end of the 17th century, though by then the east of the county is described by the topographers as ‘fruitful’ which often means ‘enclosed.’ Probably much of the forest area in the east of the county was enclosed in the 16th century, and perhaps under the influence of this there may have been some enclosure of open field in the south.<sup>3</sup> Blith<sup>4</sup> wrote in 1652, and in rebutting the allegation that enclosure necessarily involved the conversion of arable to pasture, included (eastern?) Derbyshire in the counties which were formerly woodland ‘which now inclosed are grown as gallant cornfield as be in England.’

Blome<sup>5</sup> speaks of the south and east parts of the county as generally enclosed, the former presumably from open field, the latter probably from waste. Ogilby’s<sup>6</sup> great road book appeared in 1675, and by a calculation based

<sup>1</sup> Miss Leonard, *op. cit.*, pp. 128 and 133. Gonner, p. 65.

<sup>2</sup> p. 269.

<sup>3</sup> V.C.H. Derby, Vol. 2, p. 175. In the 15th and 16th centuries enclosures for sheep-farming in Derbyshire on a large scale were made by stone walls instead of hedging.

<sup>4</sup> *English Improver Improved*, 1652.

<sup>5</sup> *Brittania*, 1673.

<sup>6</sup> *Through England on a Side Saddle* (c. 1695), 1889, p. 77.

upon the road maps in it, Prof. Gonner has worked out that at the time the county was 19th of the 37 counties dealt with in order of the percentage of open land still remaining. If his supposition is justified, and the proportion of fenced road shown in Ogilby's maps is in general a fair indication of the percentage of open land in the countryside, Derbyshire in 1675 had some 30 per cent. of its area still open. Ogilby's route maps give however only two roads through the county, that from Leicester *via* Derby to Stockport and Manchester, and a road from Derby to Coventry. By about this time the north of the county seems largely to have been in severalty, though even so a substantial area in this part of the county remained to be enclosed by act in the 18th century. It is likely enough that in this part of the county much land was 'enclosed' whether or not it was hedged or walled.

When Celia Fiennes<sup>1</sup> toured England towards the end of the 17th century, she visited the county. Her description of it is but a general one, however. "You see neither hedge nor tree, but only low drye stone walls round some ground, Else its only hills and dales as thick as you Can Imagine." . . . "All Darbyshire is but a world of peaked hills." The *Dictionarium Urbanicum*<sup>2</sup> is the best authority for the west of the county, and it describes this part of the shire at the beginning of the 18th century as 'not so fruitful' as the east.

According to Mr. Fussell,<sup>3</sup> Young is the earliest writer to reveal any material information about the county. Near Derby he found new arable enclosures under the old open-field course of fallow, wheat, beans, or peas. There were some turnips. The Norfolk course was practised in the district south of the Trent. From Derby to Matlock the country was all enclosed, and it was similarly enclosed

<sup>1</sup> *Dictionarium Urbanicum*, 2nd edn., 1714.

<sup>2</sup> *Ibid.*

<sup>3</sup> In *Agricultural History*, Ref., p. 60.

from thence to Chatsworth. Between Middleton and Chesterfield were a few reclaimed cornfields. In the hills the alternate husbandry was followed. Marshall<sup>1</sup> includes such of Derbyshire south of the Trent in his "Midland Station" of which he remarks generally: "Thirty years ago much of this district was in an open state; and some townships still remain open; there are others, however, which appear to have been long in a state of inclosure; and in which, no doubt, the present system of management originated."

There are two agricultural reports<sup>2</sup> on the county. Brown, the first reporter, was "an entire stranger," but "acquainted with rural subjects." He says *inter alia* "I believe that within the last fifteen years above one fourth part of the whole county has been enclosed." The second reporter was a mineral surveyor who says that only thirteen open fields still remained, these being 'in an unproductive and very disgraceful state,' although lying on the best 'stratum' in the county. The expense of enclosure was the reason why these still remained open. Farey gives also a list of 36 commons, some very small and disgraceful nuisances, e.g. "Elmton Common exhibits one of the most lamentable instances of deep cart ruts and every other species of injury and neglect that can perhaps be shewn on useful land, part of it has been ploughed at no distant period, as completely exhausted as it could be, and then resigned to Weeds and Paltry." Hollington, though on a 'rich Red Marl soil,' was 'overgrown with rushes through neglect.' Roston Common, near Birchwood Moor, is "miserably carted on, cut up, and in want of draining; in wet seasons it generally rots the sheep depastured on it; few can stand it two or three years." In general, it was much more injurious than beneficial to

<sup>1</sup> *Rural Economy of Midland Counties*, 1790, Vol. I, p. 8.

<sup>2</sup> T. Brown, *General View* . . . , 1794; G. Farey, *idem*, 1811-17 (not 1811-18 as in Curtler, *Enclosure and Redistribution of Our Land*, 1920).



the parishioners and the public. Glover quotes with approval Farey's opinion of the impolicy of allowing commons to remain open solely for the benefit of the cottagers' cows. He has a fair amount to say about local enclosure.<sup>1</sup> Scarcliffe he (quite wrongly) asserts to have been the first parliamentary enclosure in England. On the whole he thinks that enclosure has been a benefit. "The complaints of injury done to the poor by inclosures are not much insisted on in this county." "Such complaints as were made were largely, not from common right owners, but from tenants at will, paying little or nothing for their cottages, and actually entitled to no common right at all. Following enclosure there was a marked decrease in the number of geese kept by cottagers, "but many continue to keep them in the lanes and fields."<sup>2</sup> Enclosure had been a great benefit to the tithe owner, e.g. at Hartington, tithes worth £120 p.a. were commuted for an allotment, later sold for £28,000. It was a mistake to lease lands still titheable after enclosure, and an equally gross one not to specify in the application exactly what compensation the tithe-owner was to receive. On enclosure, as a rule, all minerals except lead ore (which belonged to the Crown) were reserved to the lord of the manor, with compensation clauses as to lands damaged in working minerals. Enclosure was in general far too expensive. To carry out that of Hollington Common would cost much more than £10 per acre for division and allotment only—that of Kirk Ireton, where there were 280 a. of common cost more than £10 per acre, although only one commissioner was employed.

On the strength of such evidence as this Dr. Slater<sup>3</sup> concludes that the enclosure history of Derbyshire closely resembles that of the West Riding, and this seems to be about as much as it is safe to say.

<sup>1</sup> *History and Gazetteer* . . . , 1829., Vol. I, pp. 186, 187-9.

<sup>2</sup> *Ibid.*, p. 218.

<sup>3</sup> *English Peasantry* . . . , 1908, pp. 228-9.

## SURVIVAL OF OPEN LANDS IN DERBYSHIRE.

From what has been said above it will not be supposed that Derbyshire is likely to contain a great deal of open arable field to this day. The official return of open lands<sup>1</sup> estimates that in 1873, open arable lands survived in some 11 parishes, with a total open area of 1120 a., and supposes that other open arable lands in the county might increase this area to a total of 1750 a. No doubt this is an over-estimate, but I give the figures for what they are worth. Open common and waste is estimated at 21,000 a., and this figure may not be very wide of the mark.

## DERBYSHIRE ENCLOSURE ACTS AND AWARDS.

The classified schedules below<sup>2</sup> display one or two features which are worthy of comment. Enclosures of lands including open field arable<sup>3</sup> are eleven more in number than those of waste<sup>4</sup>, etc. alone. The enclosures of these two classes are, in general, in very different parts of the county, the former along the rich and fertile valleys of the Trent, the Derwent, and the Dove, the latter largely on the moorlands and their fringes.

Derbyshire enclosure acts begin rather early with that for Scarcliffe, etc., 1726, but this is an isolated example, and the tide of enclosure does not set in until about 1760. From then until 1824 there is a general current of enclosure in the county with only occasionally a two-or three year period with no acts passed, 1763-4, 1769-70, 1774-5-6, 1784-5, 1799-1800-1801.

There are no marked peak periods, though there were as many as three acts in 1762, in 1765, in 1791 and in 1815, and four in 1787. One's general impression, after a study of the lists, is that they reveal the enclosure of arable as a

<sup>1</sup> P.P. (H.C.), 85 (1874). For a criticism of this see Slater, *op. cit.*, pp. 36-43.

<sup>2</sup> Lists A-G.

<sup>3</sup> List A.

<sup>4</sup> List B.

continuous and fairly regular process. To some extent this applies also to the enclosure of waste. There are almost as many such enclosures before as after 1790, whereas in some other counties enclosure of waste alone was just beginning to develop by this date. Enclosures under the General Act of 1836<sup>1</sup> are, as one would expect, few in number. Twyford is on the Trent near Repton, and one might quite well find the open fields of a village community surviving there until 1844. Kinder, is, however, high on the moors, and it seems very unlikely that it should have had open fields at this date. Perhaps the enclosure here was of a pasture, and was wrongly carried out under the 1836 act. The lists of enclosures under the acts of 1836 and 1840<sup>2</sup>—Nil . . . . is very much what one would expect. Such wastes as remained were not so much the property of village communities as desolate wastes belonging to manorial lords, and there was little point in enclosing them until there became available the even cheaper and more expeditious procedure used after 1845. The list of open-field enclosures under the acts of 1845 *et seq.*<sup>3</sup>—Nil—again is in no way surprising. No doubt there were few if any open fields to be enclosed. That of enclosures of waste carried out under these same acts<sup>4</sup> shows a kind of tidying-up process applied to such open lands—of two or three different varieties—as still remained in the county. The last schedule<sup>5</sup> seems to require little comment.

Rather more is known in Derbyshire than in most other counties of the acts and awards under which the enclosure movement was carried out. This is partly due to the work of that indefatigable antiquary the late Dr. J. C. Cox,

<sup>1</sup> List C.

<sup>2</sup> List D-NIL.

<sup>3</sup> List E-NIL.

<sup>4</sup> List F.

<sup>5</sup> List G.

who was a Derbyshire man, and whose books have been used very extensively in checking the lists below. Partly it is due to the fact that the County Council of Derbyshire was among the first to take an intelligent interest in the welfare of the county and parish records of all kinds.

The Derbyshire Record Committee which reported in 1872 went to great pains to list the enclosure acts relating to the county, and to ascertain the whereabouts of as many as possible of the awards.<sup>1</sup> Of the awards directed to be deposited with the Clerk of the Peace all save three were to be found in the county record room, though in many cases the enrolled copies had no plans. A circular letter enquiry was sent to the parochial authorities in the effort to find out what had happened to the original awards. The replies disclosed a very unsatisfactory state of affairs, the great majority of the awards being out of their proper custody. Some had been purposely destroyed, "unlawfully detained in the muniment room of . . .," "in the custody of the squire," "borrowed four years ago and never returned," etc. One was sold by auction at the sale of a solicitor's goods, and another left in pawn by a drunken overseer at a public house.

### TABULAR SUMMARY.

Wherever possible, place names have been given in their generally accepted *modern* forms. All acts in the official return,<sup>2</sup> are included. These in Dr. Slater's lists,<sup>3</sup> as including open field arable, are in list A. These not in Dr. Slater's list presumably relate to meadow and waste alone. These are in list B. The 1836<sup>4</sup> Act authorised the enclosure of open field alone, though it was frequently used to carry out the enclosure of open lands of other

<sup>1</sup> Cox, *Three Centuries* . . . , Vol. II, pp. 270-1.

<sup>2</sup> P.P. (H.C.) 399, 1914.

<sup>3</sup> *The English Peasantry* . . . 1908, App. 2.

<sup>4</sup> 6 and 7 Wm. IV, c. 115 (1836).

classes,<sup>1</sup> Unless evidence to the contrary is available it is assumed here that the act was properly applied, so that enclosures under it are of common field. These are in list C. This act was extended in 1840<sup>2</sup> to cover lammas lands, etc., 1840, and enclosures carried out under the 1836 and 1840 acts are listed in list D.

The General Act of 1845<sup>3</sup> authorised enclosure of lands other than common pastures by provisional order alone. This provision remained in force until the sixth amending act,<sup>1</sup> with an exceptional clause in favour of enclosures actually in progress in 1852. So for some ten years from 1845 proposed enclosures not including the waste of a manor were not submitted to Parliament for approval. After 1852 all enclosures required statutory authorisation, and this was given in the annual General Act. Lists E and F cover enclosures in those two classes. The data have been obtained from the various official blue books,<sup>2</sup> from the Enclosure Commissioners' annual reports, and from the Ministry of Agriculture memorandum, for awards from 1893 onwards.<sup>1</sup> Enclosures by agreement listed in list G must be a very small proportion of these actually carried out. They are the ones of which formal written record survives either in the Public Record Office, or among the county records. It has not been possible to classify them like the others, into enclosures of lands containing common field, and those consisting of common pasture and meadow, etc.

<sup>1</sup> Cooke *Inclosures and Rights of Common* 1864, p. 84.

<sup>2</sup> 3 and 4 Vic. c. 31 (1840).

<sup>3</sup> 6 and 7 Vic. c. 118 (1845).

<sup>4</sup> 15 and 16 Vic. c. 39 (1852).

<sup>5</sup> *P.P.* above cited also *P.Ps.* 455 (1895) and 50 (1904).

<sup>6</sup> No. 702/LG.

<sup>7</sup> Such local lists as are available have been consulted and the data have been checked by various gentlemen whose help is acknowledged elsewhere.

## CONTRACTIONS USED.

- \* Enrolled copy of award has plan attached.
- ( ) Estimated acreage.
- a. Acres.
- Ch. Chapelry, *or* Award enrolled on Chancery Close Roll in Public Record Office.
- Cox. *Three Centuries of Derbyshire Annals*, 1890, *Calendar of Records of Derbyshire*, 1899.
- c.p. Common pasture.
- C.P. Award enrolled on Common Pleas Recovery Roll in Public Record Office.
- C.R. Award enrolled among County Records in custody of Clerk of the Peace.
- D.B.L. Derby Borough Library.
- D. of L. Award enrolled among records of Duchy of Lancaster in Duchy Office, loose awards and enrolment volumes numbered *lib.* 1, e, etc.
- (H.) Hamlet.
- K.B. Award enrolled on King's Bench Plea Rolls in Public Record Office.
- (L.) Lordship or Liberty.
- (M.) Manor.
- n.s. (area) not specified.
- O.Fs. Open arable fields.
- (P.) Parish.
- P.P. Parliamentary Papers.
- S.C.L. Sheffield City Library.
- (T.) Township or Tithing.
- (V.) Vill, *or* Village.
- V.C.H. *Victoria County History*.
- yl. yardlands.

A. ENCLOSURE BY PRIVATE ACT OF LANDS INCLUDING OPEN FIELD ARABLE.

Date of Act. Copy of Act is to be seen in.	Place(s).	Area est. in Act. Given in Award.	Date of Award.	Award enrolled.	Notes.
1726	Scarliffe and Palterton (Ts.)	970	1730	C.R.	550a. O.F., 420a. Wastes, etc. This act is not in Cox's lists. ( <i>Three Centuries</i> . . .), though it is noted in his text. Act not 1727 as in Slater, 1729 as in Glover, or 1730 as in 1904 <i>Blue Book</i> . Not Scarcliffe as in 1914 <i>Blue Book</i> . S. and P. are not one township as in 1904 <i>Blue Book</i> . Slater Indexes as W.c.M. and S. only, 1904 <i>Blue Book</i> as Ashton and Shardlow Moor. 50ca. O.F., 420a. C.P. etc.
1756/ D.B.L. 4660	Aston and Shardlow Moor in Weston cum Membris (M) and Sawley Prebend in Aston on Trent (T).	n.s.	1757	C.R.	
1760/ 1761/	Markeaton, Mackworth and Al- lestry ( <i>recte</i> Allestree) (M) or (Ms) in Mackworth (P)	n.s./ 2490	1763	C.R.	Act not 1761 as in 1904 <i>Blue Book</i> . D.B.L. has (?) Commissioners survey of 1760 and a pre-enclosure survey of 1737.
1761/	Elvaston and Thulston (Ts)	n.s./ 884	1762	C.R.	Act not 1762 as in Slater. It confirms articles of agreement. E. and T. were one township not two as in 1914 <i>Blue Book</i> . Not Thurlston, and award not 1763 as in Cox <i>Calendar</i> , and White, 1857).
1761/	Aston upon Trent (T)	1500/	1763	C.R.	Act not 1762 as in Slater and 1904 <i>Blue Book</i> . Not Ashton as in 1904 <i>Blue Book</i> . Award not 1762 as in Cox <i>Calendar</i> . . .

Date of Act. Copy of Act is to be seen in.	Place(s).	Area est. in Act. Given in Award.	Date of Award.	Award enrolled.	Notes.
1762/ D.B.L. 4660	Draycott (M) in Wilne (P)	n.s./ 1120	1764	C.R.	Slater indexes as D. only. He and 1904 <i>Blue Book</i> give date of act as 1763. (?) Glover's Little Wilne, 1763. Act not 1768 as in Slater. Williamson says award 1763-4 enrolled C.R. C. 64/6149.
1762/ D.B.L. 4660	Scropton (M) and (P)	n.s.	1764	Ch. 4 Geo. III 1763-4* C.R.	Slater indexes as T. only and he and 1904 <i>Blue Book</i> give date of act as 1768. Cox <i>Calendar</i> . . . gives date of award as 1765.
1762/ D.B.L. 4660	Litton (M) in Tideswell (P)	1000/ 1127	1764	C.R.	Slater indexes as T. only and he and 1904 <i>Blue Book</i> give date of act as 1768. Cox <i>Calendar</i> . . . gives date of award as 1765.
1763/ D.B.L. 4660	Long Eaton (M) in Sawley (P)	1600/	1766	C.R.	131 oxgangs. Slater indexes as L.E. only. Not Long Eaton as in 1904 <i>Blue Book</i> . Award not 1767 as in Cox <i>Calendar</i> . . . Mrs. W. Bain- briggs and Mr. W. E. Brown, Surveyor, have copies of plan.
1765/ D.B.L. 4660	Hartshorn(e) ( <i>recte</i> Hartshorne) (M) and (P).	n.s./ 918	1766	C.R.	Not Hartshorn as in 1914 <i>Blue Book</i> .
1765/ D.B.L. 4660	Ashford and Sheldon (Hs) in Bakewell (P)	n.s./	1767	C.R.	Act not 1764 as in Slater. Not A. and S. (H) as in 1904 <i>Blue Book</i> .
1766/ D.B.L. 4660	Repton (P)	n.s./ 636	1769	C.R.	Total cost of act, including fencing vicar's allotment but not others £890. 10s. 4d. Award area given excludes roads. Total area affected 1805 a. including roads; 1762 a. excluding them.



1766/ D.B.L. 4660	Willington (P) .. .. .	1300/	1768	C.R.	
1768/	Littleover (L) in Mickleover (P)	1200/ 531	1769	C.R., and K.B., II Geo. III.	Slater indexes as L. only. Town Clerk of Derby has certified copy of award.*
1768/	Normanton near Derby (P) (ow Normanton in Derby County Borough)	700/ 552	1769	C.R., and K.B., II Geo. III, 1770	Glover indexes as South Normanton 250 a. Town Clerk of Derby has certified copy of award, minus plan —plan in D.B.L.
1771/	Fairfield (T) (H) or (L) in Hope (P)	860/ 921	1772	C.R., and D. of L., Lib. I	Slater indexes as F. only and estimates area as (1000 a.) Glover says 800 a. 800 a. C.P. plus a certain open arable field. Incomplete copy of award in Derby Library (MS. 3559).
1771/	Monyash (M) in Bakewell (P)	1210/ 1376	1776	C.R.	Cox says this enclosure includes waste only, and has Mony Ash.
1771	Stapenhill and Winshill .. . ?	?	?	P.R.O.	I take it this is the enclosure of Stretton Hordington (i.e. Horninglow), Bond- end and Braunston (i.e. Braunston), of Slater. Award not 1777, as in Cox <i>Calendar</i> . . . 600 a. O.F., 610 a. C.P. (?) <i>Qu.</i> Act 800 a. Survey in D.B.L.
1772/ D.B.L. 4634	Ockbrook (L) .. .. .	1000/	1773	C.R.	Slater says 700 a. Actually 700 a O.F., 300 a. C.P.

Date of Act. Copy of Act is to be seen in.	Place(s).	Area est. in Act. Given in Award.	Date of Award.	Award enrolled.	Notes.
1773/ D.B.L.	Bonsall Leys and Green in Bon- sall (P)	500/ 490	1774	C.R.	Slater says this act covered waste only. Copy of award also in D. of L. 1778.
1773/ D.B.L.	Church Broughton (M)	260/ 388	1775	C.R.	160 a. O.F., 100 a. C.P. Total not 360 a. as in Slater.
1777/ D.B.L.	Tibshelf (T) .. .. .	446/	?	?	42 a. O.F., 404 a. C.P. Act directs copy of award to be deposited with St. Thomas's Hospital, London.
1777/ D.B.L.	Killamarsh (M)	410/ 328	1779	C.R.	60a O.F., 350a C.P.
4634 1778/ D.B.L.	Bolsover (M) in Bolsover and Clown(e) ( <i>recte</i> Clown though O.S. has Clowne (Fs)	n.s./ 1592	1779	C.R.	Slater indexes as B. and C. Award not 1780 as in Cox <i>Calendar</i> . . . and Glover.
1780/ D.B.L.	Findern (L) in Mickleover (P)	500/ 494	1781	K.B., 21 Geo. III, 1781*	Slater indexes as F. only. Messrs. J. H. Powell of Derby have copy of award. Findern P.C. has original.
4660 1780	Hilton (M) and (H) in Marston upon Dove (P)	1000/	1781	C.R., 21 Geo. III 1781*	Slater indexes as H. only, 400 a. O.F., 600a. C.P.
1782/ D.B.L.	Sandiacre (T) and (L)	660/	?	C.P. 25 Geo. III, 1785	Not Sandiacre, 662 a. as in Slater.
4660 1783/ D.B.L.	Boilstone ( <i>recte</i> Boyleston) (M) and (P)	500/	1784	C.R.	Act not 1773 as in White 1857. Award from parish chest now in C.R.
4634 1786/ D.B.L.	Weston upon Trent (P)	1500/ 1600	?	K.B., 27 Geo. III, 1787	Original award in custody of Messrs. Taylor, Simpson and Mosley, of Derby.

- 1787/ Barrow upon Trent (M) and (H) 1000/ C.R., and Not Barrow upon Trent as in Deputy  
in Barrow upon Trent (P) 1135 C.P., 28 Keeper's Report 26. Award in possession  
of Messrs. Taylor, Simpson and  
Mosley of Derby.  
1788\*  
1787/ Sawley (H) 750/ C.P., 28 *Qu.* (?) Glover's Long Eaton in Sawley  
D.B.L. Original award  
4660 in possession of Messrs. Taylor,  
Simpson and Mosley of Derby.  
1787/ Little Eaton (L) within Little 900/ C.P., 29 *Qu.* (?)  
Chester (M) Geo. III Slater indexes as L.E. only. *Qu.* (?)  
1789\*  
1787/ Melbourne and Kings Newton 2500/ Slater indexes as M. and K.N., Deputy  
D.B.L. (Ls) in Melbourne (P) 1582 Keeper's Report 26 as M. only. Not  
4660 King's Norton as in Slater.  
1788/ Parwich *als.* Parwick (*recte* Par- 1000/ Act not 1786 as in Slater, award not  
wich) 928 1779 as in Cox *Calendar* . . .  
1788/ Spondon (H) or (L) 1000/ Act not 1786 as in Slater. Award area  
D.B.L. 471 from White. Town Clerk of Derby  
4660 has certified copy of award.  
1789 Marston upon Dove, Hatton, 830/ Not Hatton, Horn etc. as in Slater, or  
Hoon, and Hoon hay (Ls) Hatton Hoon as in 1914 *Blue Book*.  
in Marston upon Dove (P) Geo. III Hatton, Hoon, and Hoonhay are  
1797 separate and distinct names. Hat-  
ton is a small village, Hoon township  
comprises just five farms, Hoonhay  
is now the name of a farmhouse on  
the road between Tutbury and  
Marston-on-Dove. (See *Bulwers'  
Derbyshire*, 1895 and *Walker's Place  
Names of Derbyshire* in D.A.J., 1914).  
[W.F.] Act also orders award to be  
enrolled in D. of L. Apparently it is  
not to be found there. Original is  
in office of C.C.  
270 O.F. (230) a, C.P.

Date of Act. Copy of Act is to be seen in.	Place(s).	Area est. in Act. Given in Award.	Date of Award.	Award enrolled.	Notes.
1789/ D.B.L. 4660	Osmaston next Derby (L) or Ls) except Moor Meadow and Sin- fin Moor	500/	1791 (1790)?	C.P., 29 Geo. III, 1789	Certified copy of award in possession of Derby Town Clerk.
1790/ D.B.L. 4770	Mickleover (L) or (L)	800/ 665	1792	K.B. 37 Geo. III, 1797 C.R.	Act not 1790 as in D.B.L. copy. <i>Qu.</i> award 1791? (Williamson). Not in Slater, I think, however, that O.Fs. were included. Cox <i>Calendar</i> . . . says award 1742.
1791/ D.B.L. 4634	Doveridge als. Dovebridge (now Doveridge) (P)	n.s.	1793	C.R., and K.B., 39 Geo. III, 1798	Not in Slater, I think, however that O.Fs. were included.
1791/ D.B.L. 4634	Eggin(g)ton ( <i>recte</i> Egginton) (M) and (P)	1060/	1798	C.R., and K.B., 39 Geo. III, 1798	Not in Slater, I think, however, that O.Fs. were included. Not Chaddesdon as in the <i>blue books</i> . Copy of award in Derby Library (MS. 3920). † White.
1791/ D.B.L. 4634	Chaddesden (L) in Spondon (P)	900/ ?	1793 (1792)†	K.B., 33 Geo. III, 1793*	Act in D.B.L. is dated 1790. Area not n.s. as in Slater. Original award in possession of Messrs. Taylor, Simpson and Mosley of Derby. Certified copy with Derby Town Clerk.

1793/	Taddington and Priestcliff(e) ( <i>recte</i> Priestcliffe) (H) or (Hs) in Bakewell	1600/	1795	C.R.	Slater indexes as T. and P. only. Award not 1748 as in Cox <i>Calendar</i> . . . or 1794 as in Glover.
1794/	Ilkeston (L)	760/ 740	1798	C.R.	
1795/ S.C.L.	Barlb(o)rough ( <i>recte</i> Barlborough) (M)	900/ 600	1798	C.R.	Cox <i>Calendar</i> . . . gives place as Barl- borough and award as 1748. Glover says act 1789, open fields 250 a., commons, etc. 250 a. Actually 250 a. O.F. 650 a. C.P. Plans and books concerning this enclosure are in Shef- field Library Fairbank Collection. <i>Qu.</i> Award of 1811 (Williamson). 200 a. O.F. and Mesne Inclosure. and 1070 a. C.P. Cox <i>Calendar</i> . . . gives award as 1811. Plans and books concerning this enclosure are in Sheffield Library Fairbank Collection.
1795/ S.C.L.	Eckington (M) and (P)	1270/ 980	1804	C.R.	C.C. has certified copy of award.
1797/	Etwall (P)	1600/ 834	1797	K.B., 39 Geo. III, 1799	
1798/	Hartington (M) and (P)	12000/	?	?	There was an abortive attempt at enclosure here 5 July, 1757 ( <i>Derby</i> <i>Mercury</i> , 27 May, 1757). Original award is in parish chest. Certified copy in Duke of Devonshire's estate office, Buxton.
1802/	Alvaston (M) and Bo(u)lton ( <i>recte</i> Boulton) (H) in Alvas- ton and Bo(u)lton (Ps) and (Ts)	1200/	1805	K.B., 45 Geo. III, 1805*	Derby Town Clerk has certified copy of award.

Date of Act. Copy of Act is to be seen in.	Place(s).	Area est. in Act. Given in Award.	Date of Award.	Award enrolled.	Notes.
1802/	Chellaston (P)	700/	1804	C.R., and K.B., 45 Geo. III, 1805*	
1803/	Great Hucklow (T) or (L) in Hope (P)	400/	?	?	Not Great Hacklow as in Slater. Total acreage is mesne fields. Award also enrolled in D. of L. <i>Lib.</i> 4. ? Original in C.C. offices. Not in Cox <i>Caten- dar</i> . . .
1803/	Brassington als. Brasson ( <i>recte</i> Brassington) (T) in Brad- bourne (P)	4000	1807†	C.P., 48 Geo. III, 1808*	Slater indexes as Brassington and Bradbourne only. Not Bradborne as in Deputy Keeper's <i>Report</i> 27.† Glover. Presumably this is Glover's Aldwark in Brassington.
1804/	Little Hucklow (T) in Hope	400/ 341	1814	C.R.	Act not 1808 as in 1904 <i>Blue Book</i> , or 1808 as in Glover. Not L. Hacklow as in Slater who says also act area is 600 a. Acreage is O.F. and mesne fields. Award also enrolled in D. of L. Award not enrolled in C.R. as stated in 1904 <i>Blue Book</i> . Original in Hope Parish Chest.
1805/	Chelmorton and Flagg (Hs) in Bakewell (P)	1300/ 1771	1809	C.R.	Slater indexes as C. and F. only. Cox <i>Calendar</i> . . . says award 1810.
1806/	Hope, Aston, Bradwell and Thornhill (Hs) in Hope (T) and (P)	1400	1819	C.R.	Slater indexes as H.B. and T. only. Cox <i>Calendar</i> . . . gives award as 1820. Glover indexes as A. in H. B. in H. 718 a., and says award mentions no other places.

1806/	Bakewell and Over Haddon (Ms) and (Ts) in Bakewell (P)	2800/ 2674	1810	C.R.	Extract of award giving His Majesty's allotment only in D. of L. <i>Lib.</i> 4 P. 176. Award not 1811 as in Cox <i>Calendar</i> . . . Presumably this is Glover's Ashford in Bakewell, enclosed 1807.
1807/	Wheston and Tideswell (Ts) in Tideswell (M)	4000/ 2941	1821	C.R.	Acreege consists not wholly of mesne inclosures as in Slater. Award is also enrolled in D. of L. Commons 2713 a., mesne lands 218 a., old enclosures 1481 a.
1808/ S.C.L.	Hathersage, Hathersage Out-seats and Derwent (Ts) or (Hs) in Hathersage (P)	10000/ 7408	1830	C.R.	Copy of award in Derby Library (MS. 3567). Plans, books and papers concerning this enclosure are in Sheffield Library Fairbank Collection. Glover has enclosed 1810.
1809/ Bill D.B.L. 4060	Elton and Winster (Ts) in Youlgrave (P)	1500/	?	C.P., 3 Geo. IV, 1822*	1914 <i>Blue Book</i> wrongly has Youlgrave. Slater indexes as E. and W. only. Not E. and W. (1) in Y. as in Deputy Keeper's <i>Reports</i> 26 and 27. Not 500 a. as in Slater and 1914 <i>Blue Book</i> . (?) Glover's Winster Bank <i>Pasture</i> 100 a.
1809/	Dore (M) in Dronfield (P)	5000/	1822	C.R.	Slater and 1914 <i>Blue Book</i> index as Dronfield only. Acreege consists of mesne inclosures.
1810/ D.B.L. 4635	Great and Little Longstone and Wardlow (Ts) in Bakewell and Hope (Ps)	1500/	1824	C.R.	Not Langstone as in Slater. Not Wardlow and award not 1825 as in Cox <i>Calendar</i> . . . All authorities except 1914 <i>Blue Book</i> omit B. and H. Copy of award (1825) in Derby Library (MS. 3523).

Date of Act. Copy of Act is to be seen in.	Place(s).	Area est. in Act. Given in Award.	Date of Award.	Award enrolled.	Notes.
1811/ D.B.L. 4635	Beeley (T) in Bakewell (P)	2000/ 2278	1832	C.R.	1904 <i>Blue Book</i> and Slater index as Beeley only. Glover says enclosed 1813-14, Commons 2278 a., old enclosures 925 a. Cox <i>Calendar</i> . . . says award 1824. Plans and books concerning this enclosure are in Sheffield Library Fairbank Collection. Glover says commons only.
1813/ S.C.L.	Whitwell (P)	950/	1823	C.R.	Act not 1814 as in Slater. Messrs. Taylor, Simpson and Mosley of Derby have original award. Act not 1814 as in Slater, Commons 3275 a., open fields 74 a. also old enclosures 457 a. Apparently there was an abortive attempt to enclose this place in 1785. There is a copy of the Bill in S.C.L. Cox says award 1828.
1815/ D.B.L. 4636	Breadsall (P)	1461/	1817	K.B., 57 Geo. III, 1817* C.R.	M, by Y. and Y. are two (Ts) not one, as in 1904 <i>Blue Book</i> . Both Slater and 1914 <i>Blue Book</i> have Youlgrave. Acreage consists of mesne inclosures. Cox <i>Calendar</i> . . . says award 1819.
1815/ D.B.L. 4636	Brampton (M) (P) or (Ch).	3000/ 3349	1827	C.R.	Slater indexes as Y. only, and describes area affected (from act) as "mesne or intermixt lands." Glover has act 1814. Commons etc. 270 a., open fields etc. 32 a., Middleton Common etc. 612 a., Kenslow common pasture 313 a. Act in D.B.L. says 300 a.
1815/ D.B.L. 4635	Middleton* by Youlgr(e)ave (vete Youlgrave) and Youlgr(e)ave (Ts) (Hs) or (Ms) in Youlgr(e)ave (P)	1160+/ 1227	1818	C.R.	

*Youlgrave is correct*



1816/ S.C.L.: D.B.L./	Homesfield ( <i>recte</i> Holmesfield) (H) in Dronfield (P)	3000/ 1820	C.R.	Slater indexes as H. only. Cox <i>Calendar</i> . . . says award 1822.
4636				
1817/ D.B.L.	Hulland, Hollington, Ednaston and Brailsford fields in Hol- lington (T) in Longford and Brailsford (Ps)	880 1820/	C.R.	There were also 600 a. old enclosure. Slater indexes as H. only. It can hardly be Hollington (T) in Long- ford and Brailsford (Ts), as in Cox <i>Three Centuries</i> . . ., Cox <i>Calendar</i> . . . indexes also Hulland and Ed- naston.
1818/ D.B.L. 4636	Norbury (P)	100 +/ 558 1820	C.R.	Area Roston common 100 a., open fields n.s. Not 200 a. as in Slater, who says 100 a. of total were O.F., 100 a., C.P. Cox, <i>Calendar</i> . . . says award 1821.
1820/ D.B.L. 4636	Smisby (P)	550/ 1826†	K.B., 9 Geo. IV, 1828*	†Glover.
1821/ S.C.L.: D.B.L.	Whittington and Coniston in Whittington (P)	284/ 612 1825	C.R.	C. only is indexed in 1904 <i>Blue Book</i> . W. only in Cox <i>Three Centuries</i> . . . and in Glover. Award also mentions 927 a. old enclosures.
4636				
1824/ S.C.L.: D.B.L.	Snelson (P)	160/ 1828	C.R.	Amending act (D.B.L. 4637) passed 1827. Award not 1824 as in Cox <i>Calendar</i> . . .
1834/ D.B.L.	Kirk Langley (L)	230/ 1837	C.R.	

Date of Act. Copy of Act is to be seen in.	Place(s).	Area est. in Act. Given in Award.	Date of Award.	Award enrolled	Notes.
<b>B. ENCLOSURE BY PRIVATE ACT OF LANDS NOT INCLUDING OPEN FIELD ARABLE.</b>					
1731/ C.R.	West Broughton (T) in Dove- bridge now Doveridge (P)	?/190	1731	C.R.	Cox <i>Calendar</i> . . . indexes as B. only.
1748/ C.R.	Langwith and Ple(a) sley ( <i>recte</i> Pleasley) (Ms) and (Ps) and Stoney Houghton and Shire- brook (Hs) in Langwith and Pleasley.	1000/ 300/	1748	C.R.	Not Shirbrook as in 1914 <i>Blue Book</i> , Cox <i>Calendar</i> . . . indexes as L. and P. only, and says award 1749.
1755/ C.R.	Breaston Cow Pasture in Wilne in Breaston (P)	300/	1755	C.R.	1914 <i>Blue Book</i> indexes as B. only, Cox as Beaston. Common Pasture. Cox <i>Calendar</i> . . . indexes as B. only, and says award 1756. Presumably this is Glover's Breaston, 1757.
1757/ C.R.	Wingworth (M) and (P) and Tupton (H) in North Wing- field (P)	400/	1758	C.R.	1904 <i>Blue Book</i> says <i>South</i> Wingfield. (?) Extract of award in D. of L. p. 427. Cox <i>Calendar</i> . . . says award 1757.
1762/ C.R.	Winster (H) in Youlgreave (P)	400/ 405	1764	C.R.	Act not 1768 as in 1904 <i>Blue Book</i> . This is not, as asserted by Glover, the second act to be passed for the County. Survey of 1763 in D.B.L.
1766/ C.R.	Darley Common in Darley (L)	4000/	?	?	Cox <i>Calendar</i> . . . indexes as D. Abbey, Glover as Darley in the Dale. Actually Dale N. of Matlock.
1768/ C.R.	Nuns Green in Derby (Borough)	?	none		Act authorises sale of part of Green in order to raise money to improve remainder of it. See also 1792.

- 1769/  
D.B.L.  
4660 Part of Belper Bank belonging  
to Highbedge *als.* (*et recte*) Heage  
1200/  
599 1771 C.R.  
Not B. Wood as in 1914 *Blue Book*, nor  
Highbedge—Heage as in that of 1904.  
Award not 1769 as in Cox, *Calendar*
- 1771 Priestwood Common in Mack-  
worth, Kedleston, and Meynell  
Langley (Ps) 200/  
? K.B.,<sup>14</sup>  
Geo. III,  
1773 Original award in  
Mackworth parish chest.
- 1771/  
D.L.B.  
4660 Holland Ward *als.* Hollin Ward  
(*recte* Hülland Ward) includ-  
ing lands in Mugginton, Wind-  
ley, Mercaston, Turnditch,  
Hulland, Biggin, Ireton Wood  
and Ideridgehay (now Idridge-  
hay). 1500/  
1773 D. of L.  
p.1.  
Original\*  
in C.R.  
D. of L. has also office copy of 1846.  
Common was divided among par-  
ishes named.
- 1772/  
D.B.L.  
4634 Buxton (L) in Bakewell (P) 800/  
978 1774 C.R.  
Copy of award also in D. of L. *Lib.* 2,  
p. 71. Cox *Calendar* . . . indexes  
as Buxton only. Act describes land  
as open field (? but not arable).  
Not H.W. and H.O. as in the *Blue*  
*Books* and Glover. Indexed by Cox  
*Calendar* . . . as H. and W.
- 1773 Hognaston Wynn *als.* Hognas-  
ton Oldfield (now Hognaston  
Winn) in Hognaston (L) 500/  
516 1774 C.R.  
Not H.W. and H.O. as in the *Blue*  
*Books* and Glover. Indexed by Cox  
*Calendar* . . . as H. and W.
- 1776/  
Bonsall, Wirksworth and Mat-  
lock (Ps) 850/  
733 1776 C.R., and  
D. of L.,  
1778 Act not 1775 as in 1904 *Blue Book*,  
though so dated in D.B.L. copy.  
Cox *Calendar* . . . gives award as  
1778. Not under separate acts as in  
Glover.
- 1776/  
Lea (M) in Ashover, Crich, and  
South Wingfield (Ps) 600/  
1022 1779 C.R.  
Indexed in 1914 *Blue Book* as A., C.,  
and Southwinfield. The Ordnance  
Survey and the Ministry of Health  
both include the <sup>g</sup> in the name,  
though the local people do not. Cox  
*Calendar* . . . wrongly has the place  
as Lea. Glover wrongly has act  
1777.

Date of Act Copy of Act is to be seen in.	Place(s).	Area est. in Act. Given in Award.	Date of Award.	Award enrolled.	Notes.
1777/	Shirland (M)	350/ 232	1780	C.R.	
1777/	Stretton (M) in North Wingfield and Morton (Ps)	700/ 503	1780	C.R.	Not Northwingfield as in 1914 <i>Blue Book</i> .
1779/ D.B.L. 4634	Ashover (M)	3000/ 3684	1779	C.R.	Award not 1777 as in Cox <i>Calendar</i> . . . Not act 1780, award 1783, as in Glover and Williamson. Survey 1780 in D.B.L.
1779/ D.B.L. 4634	Hasland, and Calow in Hasland (M) and (P)	500/ 543	1779	C.R.	Hasland was not a (P) as in 1904 <i>Blue Book</i> . Cox <i>Calendar</i> . . . is the only authority for C. which does not appear in title of act. He says Award 1771. Glover has H. in Chesterfield.
1781/ S.C.L.	Staveley (M) and (P)	611/ 491	1782	C.R.	Act not 1788 as in 1904 <i>Blue Book</i> .
1780/	Matlock (M)	1500/ 1719	1784	C.R.	
1781/	Stoney Middleton ( <i>recte</i> Stony Middleton) (M)	800/	1784	C.R.	Award 1783 according to Glover.
1781/	Dale Moor <i>als.</i> Stanton Moor in Dale and Stanton (Ms), now Stanton by Dale, ( <i>recte</i> Dale Abbey)	110/ 103	?	C.P., 22 Geo. III, 1782*	D. and S. (M) according to Deputy Keeper's <i>Report</i> 27.
1783/ D.B.L. 4634	Morley Moor Morley Lyme, (now Morley Lime) and Smalley Common, in Morley and Smal- ley (Ls) in Morley (P)	500/ 509	1786	C.P., 26 Geo. III, 1786*	Indexed in 1914 <i>Blue Book</i> as M. only. Copy of award in Derby Library (MS. 1466). Glover gives no date for act. Act in D.B.L. is dated 1784. Act is for enclosing and letting common in aid of poor rate, etc. Act not 1784 as in Glover.
1785/	Marston Montgomery	87/ 89	none		

1785/	Holbrooke ( <i>recte</i> Holbrook) (L) in Duffield (P)	500 (? 300)	1789	C.R., 26 Geo. III, 1786*	Dr. Slater (wrongly?) lists this as including O.Fs. Copy of award in Derby Library (MS. 3919).
1786/	Crich and South Wingfield (Ms)	450/C. 150 70/250 S.W.	1788	C.R.	Not Southwingfield as in 1914 <i>Blue Book</i> . Not C. and S.W. (Ps) as in 1904 <i>Blue Book</i> . Award not 1789, as in Cox <i>Calendar</i> . . .
1786/	Duffield, Belper, Hazlewood and Makeney, (Ls) in Duffield (P), and in Belper Ward and Chevin Ward	1500/	1791	K.B., 34 Geo. III, 1793*	Duffield P.C. has award. ? Copy with Messrs. A. J. Cash and Sons, Derby.
1791/ D.B.L. 4634 1792	Heanor and Codnor (Ls) or (Ls) in Heanor (P)	600	?	K.B., 37 Geo. III, 1797	Not Hennor as in 1914 <i>Blue Book</i> .
1792/ D.B.L. 4635 1796/ S.C.L. 1797/	Nuns Green, Derby Stanley (M) and (L) in Spondon (P) Beighton (M) and (P) South Normanton (M) and (P)	48 100/ 82 600/ 300	1792 1799	K.B., 34 Geo. III, 1794* C.R. ? C.R.	This is not in the official list of enclosure acts. It authorises the sale of 48 a. of the Green (left open by the act of 1768 <i>supra</i> ), towards the cost of paving, cleansing, lighting, etc. the town streets. Deputy Keeper's <i>Report</i> 24 indexes as M. only. Original award now deposited among C.R. Award not 1800, as in Cox <i>Calendar</i> . . . Glover has S. Normanton, 1768, 250 a. ? The same.
S.C.L. 1797/	Lea Moor <i>als.</i> Sapperton Moor and Hare Hill, etc. in Sapperton (T) or (L) in Church Broughton (P)	120/	?	K.B., 39 Geo. III, 1799	The place is not Sopperton as in 1914 <i>Blue Book</i> .

Date of Act. Copy of Act is to be seen in.	Place(s).	Area est. in Act. Given in Award.	Date of Award.	Award enrolled.	Notes.
1802/ D.B.L. 4635	Wirksworth (M) and (T)	700/ 764	1806	C.R.	The act also orders the protection of a spring in order to secure a water supply for the inhabitants of W. town. Award not 1807 as in Cox <i>Calendar</i> . . . Old enclosures 2225 a.
1802/ D.B.L. 4635	Sinfin Moor etc. in Melbourne	1000/ 894	1804	C.R. and K.B., 45 Geo. III, 1805	Not <i>Sinfin</i> Moor as in Deputy Keeper's 27, or <i>Melborne</i> as in 1914 <i>Blue Book</i> . Award not 1805 as in Cox <i>Calendar</i> . . . Indexed in 1904 <i>Blue Book</i> as S.M. only. S. Moor 797 a., Osmaston Moor Meadow and Normanton M.M. 97 a. Additional powers given by another act in 1826. Books and papers concerning this enclosure are in Sheffield Library Fairbank Collection. S.M. belonged to M. church and was a detached part of M. parish. Old enclosures (award) 2180 a.
1803/ S.C.L. 1803	Norton (M) in Norton (T) in Norton and Dronfield (Ps) Eyam (M)	130/ 112 3000/ 2185	1815 1812	C.R. C.R.	Award not 1818 as in Cox, <i>Calendar</i> . . .
1803/ D.B.L. 4635	Wormhill (L) in Tideswell (P)	800/ 1116	1822	C.R.	
1803/ D.B.L. 4635	Kirk Ireton and Callow (Ts) in Kirk Ireton and Wirksworth (Ps)	260/ ?	?	K.B., 47 Geo. III 1807*	Extract of award with plan in D. of L. <i>Lib.</i> 4 p. 8. Not <i>Calors</i> and Kirk Ireton (T), as in Deputy Keeper's <i>Report</i> 26, or K.I. and C. (Ts) and (Ps), as in Deputy Keeper's <i>Report</i> 27.

1803/ S.C.L.	Walton (M) in Chesterfield (P)	200/	?	?	Plan only for this enclosure is in Sheffield Library Fairbank Collection.
1808	Quarn <i>als.</i> ( <i>et recte</i> ) Quarndon (T)	100/	?	K.B., 57 Geo. III, 1817*	Not Q. (Ts) as in Deputy Keeper's Report 27.
1809/	Stanton ( <i>i.e.</i> Stanton in the Peak) (T) (H) and (M) in Youlgr(e)ave, ( <i>recte</i> Youlgrave)	850/ 851	1819	C.R.	Area given in award excludes roads, etc.
1810/	Whitfield (T) and (H) in Glossop (M) and (P)	1000/ 1952	1813	C.R.	
1812/ D.B.L. 4635	Alfreton (P)	280/ 264	1816	C.R.	Award not 1812 as in Cox, <i>Calendar</i> ...
1812/	Pinxton (P)	25/	1829	C.R. and Notts. C.R.	This enclosure is also indexed under Notts., but is here reckoned as wholly in Derbys. Very little of the 25 a. was in Notts.
1815/ D.B.L.	Little Rowsley (M) or (H) in Darley (P)	180/ 218	1817	C.R.	
4635					
1817/ D.B.L.	Barlow (H) and (Ch.) in Great and Little Barlow (Ts) in Dronfield and Staveley (Fs)	1200/	1820	C.R.	
4636					
1819/ D.B.L.	Oker Hill and Cross Green, in Wensley and Snitterton (T) in Darley ( <i>i.e.</i> D. in the Dale) (P)	130/	none		Glover says O.H. was c. 120 a. Act is for enclosing and letting or leasing common in aid of poor rates. It contains no provision for making or enrolment of award.
4638					Not Butnell as in 1904 <i>Blue Book</i> . Glover indexes as Baslow.
1823/ D.B.L.	Baslow (T) and Bubnell, Curbar and Froggatt (Hs), in Bakewell (P)	3900/	1826	C.R.	
4637					
1824/ S.C.L.	Chindley ( <i>recte</i> Chinley) (H) in Glossop (P)	50/	?	?	

Date of Act. Copy of Act is to be seen in.	Place(s).	Area est. in Act. Given in Award.	Date of Award.	Award enrolled.	Notes.
1825/ D.B.L.	Carsington Hill, stinted pasture in Carsington (F)	374/	1831	C.R.	Cox, <i>Calendar</i> . . . says award 1829.
4737 1826/ D.B.L.	Whittle (H) in Glossop (F)	220/	1828	C.R.	Cox, <i>Calendar</i> . . . says award 1825. Total old and new enclosures 1916 a.
4637 1827/ D.B.L.	Stainsby and Heath (Ms) in Ault Hucknall and Heath (Fs)	300/	1832	C.R.	Not S. and H. (M) as in 1914 <i>Blue Book</i> and Cox, <i>Calendar</i> . . ., not <i>Stains- bury</i> as in 1904 <i>Blue Book</i> , which indexes act as 1826. Not 390 a. as in 1914 <i>Blue Book</i> . Old enclosures in 1914 <i>Blue Book</i> . Old enclosures 3664 a. Glover has in A. H. Parish.
1828 D.B.L. 4637	Ollersett(t) ( <i>recte</i> Ollersett) and Phoside (Hs) in Glossop	470/	1829	C.R.	D. of L. has copy of award. Award not 1828 as in Cox, <i>Calendar</i> . . . O. Moor was 230 a., P. Common 240 a.
1829/ D.B.L. 4637	Great Hamlet in Glossop (F)	750/	1830	C.R.	According to 1904 <i>Blue Book</i> G.H. is a parish. <i>Qu.</i> G.H. township in Glossop parish? According to Bulmer, 1895, G.H. is a hamlet in Hayfield (P). Award not 1829 as in Cox, <i>Calendar</i> . . .
1833/ D.B.L. 4637	Middleton by Wirksworth (T) in Wirksworth (F)	n.s.	1836	C.R.	Not Wirksworth as in 1904 <i>Blue Book</i> . Cox, <i>Three Centuries</i> indexes as M. by W. only. Award not 1838 as in Cox, <i>Calendar</i> . . .
1837/ D.B.L.	Newbold (H) and (M) in Chester- field	120/	1839	C.R.	Act not 1836 as in 1904 <i>Blue Book</i> . This says Newbold (M), that of 1914 says Newbold (H). Award not 1831 as in Cox, <i>Calendar</i> . . .



1839/ D.B.L.	Totley (T) in Dronfield (P)	1200/	1842	C.R.	
4637					
1830/ S.C.L.	Unstone (M) in Dronfield (P)	170/	1842	C.R.	
1840/ S.C.L.:	Dronfield (M)	150/	1846	C.R.	
D.B.L.					
4637					
1841/	Brimington (T) and (M)	112/	1853	C.R.	
C. ENCLOSURES OF OPEN FIELD, ETC. UNDER THE GENERAL ACT OF 1836.					
1836	Kinder (M) in Hayfield (T) and Glossop (P)	?	1840	C.R.	
1836	Twyford and Stenson (P)	200	1844	C.R.	Cox, <i>Three Centuries</i> . . . indexes this enclosure as under special act. Bagshaw.
D. ENCLOSURES OF WASTE, ETC. UNDER THE GENERAL ACTS OF 1836 AND 1840.					
Nil.					
E. ENCLOSURES OF OPEN FIELDS, ETC. UNDER THE GENERAL ACTS OF 1845 ET SEQ.					
(i) <i>By Provisional Order not needing specific Parliamentary confirmation.</i>					
(ii) <i>By Provisional Order confirmed in pursuance of annual General Act.</i>					
Nil.					
F. ENCLOSURES OF LANDS NOT INCLUDING OPEN FIELD ARABLE UNDER THE GENERAL ACTS OF 1845 ET SEQ.					
(i) <i>By Provisional Order not needing specific Parliamentary confirmation.</i>					
Nil.					

Date of Act.  
Copy of Act  
is to be  
seen in.

Area est. in  
Act. Given  
in Award.      Date of  
Award.      Award  
enrolled.      Notes.

(ii) *By Provisional Order confirmed in pursuance of annual General Act*  
Ministry of Agriculture and:

1847	Elmton Common in Elmton	264	1850	C.R.	1904 <i>Blue Book</i> omits date of act. Cox <i>Calendar</i> . . . gives award as 1851.
1847	Brough and Shatton Common in Hope	570	1852	C.R.	Not B. and Stretton as in Cox, <i>Three Centuries</i> . . . Act not 1846 and common not Shattow as in 1904 <i>Blue Book</i> . Award not 1853 as in Cox, <i>Calendar</i> . . .
1848	Tansley Common in Crich	570	1855	C.R.	1904 <i>Blue Book</i> omits date of act.
1850	Dalbury Lees Green, etc. in Dalbury	34	1854	C.R.	1904 <i>Blue Book</i> omits date of act.
1855	Bamford Common in Bamford (T) in Hathersage (P)	860	1857	C.R.	1904 <i>Blue Book</i> omits date of act.
1864	Siddal's Close and Chequers Closes ( <i>recte</i> Chequers Close), in St. Alkmund's and St. Peter's, Derby, and St. Andrew's, Litchurch (Ps)	60	1867	C.R.	1904 <i>Blue Book</i> omits date of act. Not Siddles' Close as in Cox, <i>Three Centuries</i> . . . Award not 1865 as in Cox, <i>Calendar</i> . . . Certified copy of award with Derby Town Clerk.
1865	Creswell, in Bradwell (T) in Hope and Creswell (Ps)	45	1872	C.R.	Cox, <i>Calendar</i> . . . gives a Creswell award of 1772 in mistake I think for this. Cox, <i>Three Centuries</i> . . . indexes as Creswell in Bradwell (P) B. in H. in 1914 <i>Blue Book</i> , C. in H. in that of 1904, which also omits date of act.

*Creswell not in Parish merely a certain area of land still called Creswell Park*

## C. ENCLOSURES BY PRIVATE AGREEMENT WITH AWARD DEPOSITED OR ENROLLED AMONG COUNTY OR NATIONAL RECORDS.

Nil.

but an agreement of 1773 is known to exist for Castle Gresley (Derby Library MS. 1322) *Vide Bull. Inst. Hist. R.*, XV, 45, p. 202. Deputy Keeper's *Report* 26 (but not *Report* 27), indexes an award for Ticknall in K.B., 43 Geo. III, 1803, and one for Melbourne (M) or (L), in C.P., 51 Geo. III, 1811. I do not think these can be enclosure awards unless they relate to otherwise unrecorded enclosures by private agreement.

Chinley was privately enclosed in part, 1568 (App. 1), Eyam Pasture 1708 (App. 2), West Hallam c. 1713, Radbourne, apart from a scrap of common, almost entirely before 1766, Milton c. 1765 (Glover), Ticknall 1765 (Glover), Stanton by Bridge 1766, (Parish Account Book, 1684 onwards), Harleston 1774 (P.R.) and Swarkeston 1777 (P.R.). Most of these references I owe to the kindness of Mr. W. Fraser.

## NOTES AND QUERIES.

No Derbyshire enclosures were carried out under public acts (save, of course, those under the General Acts). All the acts above noted in A and B are private acts. Amending (confirming, etc.) acts are recorded for Sinfin Moor, Melbourne, etc., 1802 (1827 for maintaining drains, etc., set out under the award of 1802), and Snelston 1824 (1826), Pinxton 1812-29 is indexed as partly in Notts., but is here counted as wholly in Derbyshire. Stapenhill and Winhill 1771 were formerly in Derbyshire but have now been transferred to Burton-on-Trent which is reckoned in Staffordshire. Burton-on-Trent, 1812-23, is indexed as partly in Staffs., but is here reckoned as wholly so (the 1914 *Blue Book* indexes under both counties on p. 63, but has no cross-reference on p. 16). Croxall, Derbys., 1791-4, included also Edingale, Staffordshire. Both places are now in Staffordshire, Croxall having been transferred in 1894. These four enclosures are indexed as partly in Leicestershire:— Derby Hills in Castle Donington (M) 1770-2, 300a/255a, Derbys C.R., Ravenstone *als.* Raunston (*recte* Ravenstone), (L) or (L) 1770-? 250a, Appleby (P) 1771-71, and (Over and) Nether Seal 1799-?. The first two and the last seem certainly to be properly reckoned as now entirely in Leics., though the Castle Donington award (Glover's Derby Hills in Castle Donington, 255a.), is enrolled only in Derbys. C.R. Appleby Parva and Appleby Magna are both in Leics., and I think I am right in taking this land also as now entirely in Leics. (though the award is enrolled only in Derbyshire C.R.). Glover gives the land as partly in Derbyshire, enclosed "56 years ago" (1773).

In completing my list I have received much help from H. W. Skinner, Esq., Clerk of the Peace for the County of Derby, from Mr. W. Fraser of Stapenhill, from Mr. J. P. Lamb, City Librarian of Sheffield, who has given me much information concerning the valuable Fairbank Collection

in his charge, and from Mr. F. Williamson and Mr. F. N. Fisher, late and present Hon. Editors of the *Journal* of the Derbyshire Archaeological and Natural History Society. It is my pleasant duty to make this acknowledgment of the help I have received. I owe my thanks also to the Leverhulme Research Trustees and their Secretary, Dr. L. Haden Guest, M.P. for the interest they have taken in my work, and the assistance they have given me in completing this further instalment of it.

I shall be very grateful to have notes of correction from any reader who can find errors or omissions. Any such corrections will be inserted, and the help properly acknowledged, if the work ever appears in a single volume covering the whole country, as it is hoped that perhaps some time it may.

W. E. TATE.

#### APPENDIX I.

I owe to the kindness of the Hon. Editor this reference to an early enclosure dispute at Horsley. The original records are P.R.O. Assize Rolls, Derbyshire 1269 m. 7d. which were extracted by Mr. C. E. Lugard.

*Horsley.* Novel disseisin whether Gerard de Fanacurt has disseised Henry de la Grene of Horsley of common pasture for all manner of beasts during the above year in 2 acres of pasture in Horsele.

Gerard was not attached and has not come. His bailiff comes and says that the assize ought not to be made, because the manor of Horsley is the King's ancient demesne in which this writ does not run. The King demised the manor to Gerard to farm for life. The Bailiffs who held the manor of the King before the demise began to enclose the 2 acres and it is fully lawful for the lord to enclose the waste, so long as sufficient pasture remains to the other tenants. Henry has sufficient pasture for his beasts during the whole year.

Henry cannot deny this, therefore let Gerard go *sine die*, and Henry is in mercy.

Gerard de Fanacurt was governor of the royal castle of Horston from 26 Nov., 1266 to *ante*, 1275. The manor also went with the castle on appointment. Horston is next to Horsley and has now lost its identity, being all in Horsley at the present time.

The above extract was quoted in a paper by F. N. Fisher on Horston Castle in the *D.A.J.* Vol. LIX, p. 20.

#### APPENDIX 2.

##### ENCLOSURE RIOTS AT CHINLEY, A.D. 1569.

The documents noted below are reprinted from the *Journal of the Derbyshire Archaeological Society*, Vol. XXI, pp. 61-8, 1899. See also *Tawney, op. cit.* pp. 327-9.

Among the deeds of the Bradshaw Family belonging (in 1899) to Chas. E. Bradshaw Bowles, Esq., of Wirksworth, is an interesting document relating to the enclosure of certain common lands at Chinley. The transaction was greatly resented by many of the inhabitants, who endeavoured by force to retain their ancient privileges. Their riotous proceedings on this occasion were the cause of an official inquiry, embodied in the "Interrogatories" given below. The disturbance took place on 10th April, 1569, and appears to have been carried to serious lengths sufficient to warrant the interposition of State authority.

From an indenture made 15 Nov., 1568 it appears that a lease of a parcel of herbage called Mayston Field, *alias* Chynley, was granted for thirty-one years by the Duchy of Lancaster to one Lawrence Mynter, at a yearly rent of £14. 13s. 4d., to begin as soon as the lease of the same to George Grymesdich expired. The very day Mynter obtained his lease, he sold it again to Richard Celey, who sold it on the 2nd October following to Godfrey Bradshaw, "who has now sold to Anthony Bradshaw his brother, and to Leonard and Francis (sons of the s<sup>d</sup>

Godfrey) for a certain sum of money, a certain portion of the said ground called 'Oxstyeferne' *alias* 'Okya fearn syde' and 'Hynd Thorn,' Buttyng and boundyng upon Chyndley Brook of the east part, or syde; upon the Ashen Cleugh on the north part or syde, then up so on forth of the old Dych or mear which leadeth through the Stowpes beyond on the west part or syde, and upon the Boars Cleugh on the south parte or syde, being in the said parcell of herbage called Maystonfyeld, *alias* Chynley, which piece of ground aforesaid is by estymacion one Neighbourshipp and a half neighbourshipp."<sup>1</sup>

(Signed by Godfrey Bradshaw).

This abstract shows the connection of the Bradshaws with the land in question. It is clear that they had acquired it as a speculation, after the fashion of the time, and that like good business men they were endeavouring to secure the maximum yield from their investment.

*Interrogatories* to be furnished upon the behalf of Godfrey Bradshaw (? plaintiff, against) Edward Kyrke, Thos. Bawden, — Kyrke, Otwell Kyrke, Edward Shower, Ranulphe Mellour, Roger —, — Whyte, Will. Rydge, John Hatfield, Robert Burnes, John Bawdon, Richard Kyrke, and others.

- (1) *In primis*. Whether do you know certayne the Herbage or ground commonly called Maynstonfield *alias* Chynley.
- (2) *Item*. Whether Godfrey Bradshaw have the sayd herbage or farm by Lease or not, and if so, from whom, and by whom [was] the said herbage demised to the said Godfrey Bradshaw.
- (3) *Item*. Whether did the said Godfrey graunte any part or portion of the said herbage unto this deponent? yea or no.
- (4) (Very imperfect).
- (5) *Item*. Whether hath Otwell Kyrke erected and buldyd one house upon the seid herbage and included certain parcells of the same . . . .? was the enclosure made in ryotous manner or not, and how many persons were at the doing thereof, and what were their names?

<sup>1</sup> The Editor explains this thus: One neighbourhood—16 Cheshire acres: one Cheshire (or forest) acre—about two statute acres (actually 10,240 sq. yds.). The area then is a trifle more than fifty statute acres.

- (6) *It.* Whether hath one Charles Kyrke builded upon the same herbage and taken in a p'cell of the same, and whether was the same done in ryetous manner or with fforce? yea, or no, and how many p'sons were there, and what there names.
- (7) [defective].
- (8) Whether hath Ranulphe Mellour taken a p'cell of the p'misses, and whether was the same done in riotous manner and w<sup>th</sup> force, and howe meny p'sons were at the doinge thereof, and what weapons had they, and what is there names?
- (9) *Item.* Whether hath Edward Kyrke taken in any peces or p'cells of the same herbage in lyke ryotouse manner as is aforesaid, and howe meny p'sons were p'sent at the doinge thereof and what is their names?
- (10) *Item.* Howe many howses hath the sayd Otwell Kyrke and others buylded upon the seyde Herbage, and howe manye sundrye and dyverse p'cells of the same be taken in by the sayd p'ties, and what eu'ye of them have taken in thereof, and of what valewe the sayd howses and Intacks the w<sup>ch</sup> the sayd p'ties have taken in be of, and whether they be worthe to be lett for syxe pounds a yere or not, and whether dyd they not w<sup>th</sup> great force and in Riotouse manner buyld the sayd Intacks, and take in the sayd enclosures, and howe manye p'sons were at the doing thereof, and what weapons had they, and what were there names?
- (11) *Item.* Whether the sayd Thomas Rawlynson Edward Kyrke Thomas Bawdon Will. Ridge and others did riotouslye and forcibly pull downe one newe dyche made by the sayd Godfrey, and threaten to kill, murther, and mayme the sayd Godfrey Bradshawe, and how meny p'sons were at the doinge thereof, what weapons had they, and what were there names?
- (12) *Item.* Whether dyd. the sayd Godfrey Bradshawe for his own Savegard obteyne warrand for the p'ser'vacon of the Quenes M<sup>ties</sup> peace owt of the Queenes benche at Westmynster ageynst Thomas Bowden, Thomas Rawlynson Richard Shower and others, and whether the sayd Rich<sup>d</sup> Shower was served w<sup>th</sup> one of the sayd Warrants or not, and if he were not, what was the cause?
- (13) *Item.* Whether dyd the sayd Godfrey Bradshaw delyver



to George Bowden and other occupiers of the sayd herbage a letter from the Right Honorable Sr Raulphe Sadler chaunceller of the Duchie, and from Mr. Bromley Attorney of the sayd Duchie whoe required them by the same letter to kepe in reparacion all the houses, hedges, and dyches environinge the sayd herbage, and whether they doe p'forme the contents of the sayd letter yett? yea or no, and what is the cause they obe<sup>y</sup> not, and p'form the effect of the sayd letters?

- (14) *Itm.* Whether dyd Thomas Rawlynson, Raulphe Mellour, Thomas Bowden, Edward Shower, Edwarde Kyrke, and others riotouslye assemble and mete together in the sayd Herbage (not regarding the sayd letter to them dyrected) with unlawfull weapons marchinge towards a place called Chynleye Hyll. Howe many were there, and what weapons had they, and what was there entent in soe doing? and whether about Twesday before our Lady day in Harveste last past, did they riotouslye pull downe one p'cell of ground enclosed by the sayd Godfrey Bradshawe in Chynleye aforesayd, and whether they soe did by the consent counseil and commaundement of William Beard and Raulphe Bradley of the Haughe, or by the counseil of ether of them or eny other, and howe you knowe the same to be trewe?

- (15) *Itm.* Whether dyd Reynold Kirke, Thomas Rawlynson and others gyve unto Willm Beard, a pece of ground in the sayd herbage called Half a Neyghbourshipp to maynteyn them geynst the Quenes Ma<sup>tie</sup> and ageynst the sayd Godfrey, an to thentent that the sayd Beard should from tyme to tyme send them ydill ryotouse p'sons to assyste them in there yll doinge?

*Itm.* Dyd Raulphe Mellour, Reynold Kyrke, Richard Kyrke, Otwell Kyrke, Thomas Rawlynson w<sup>t</sup> a great number of others aforesayd riotouslye assemble and mete together in the Forest of the Highe Peake to consult to mayntene there wicked enterpryses, and soe about the tenthe daye of June last paste marched on to a place called Bakewell—Howe many they were in number, what weapons they and every of them had, and what was there p'pose, to do at Bakewell, and with whom had they conference there, and to what extent and purpose?

*Itm.* Whether Edward Kyrke would have hyred and

gyven money to anye p'son to have burned a howse of the sayd Godfrey Bradshawe in the said Chinleys or not, and how you knowe the same to be trewe?

*Item.* Whether the sayd Thomas Rawlynson Willm. Ridge. Thomas Bowdon, Reynold Kyrke and others doe suffer xxi p'cells of the ground to be taken in <sup>in</sup>, the sayd [herbage] or thereabouts, and whether they suffer them all to stand excepte one p'cell taken in by the sayd Godfrey, and whether they Riotouslye uphold and mayntayne, and in what sorte they mayntayne, the same with howe many p'sons, and what weapons have they, and what want they soe to doe.

*Item.* Howe many tymes Edward Kyrke, Reynold Kirke, Edward Shower, Nichs Aston Thomas Lomys Anthony Barber and the other have riotouslye assembled and gathered grete stores of money to meyntheyn there unlawfull doings and what is the cause they be doe?

(19) [erased].

(20) *Item.* Whether Edward Bradshawe beinge appoynted officer to serve the sayd Warrants came to Heyfield to attacke the said Thomas Rawlinson, Thomas Bawdon, Otwell Bawdon, George Andrewe, Reynold Kyrke, Richard Shower and others, was ryotously by them resysted—howe manye p'sons were they, and what weapons had they, and what ys ther names?

*Item.* Whither the sayd p'tyes or eny of them dyd ryotouslye assemble themselves together in great companies at the Towns of Hayfeld w<sup>th</sup> unlawfull weapons, that is to say, w<sup>th</sup> bowes, pytche fforks, clobbes, staves, swords, and daggers drawen and Ryotouslye dyd then and there assaulte and p'sue the sayd Godfrey and Edward Bradshawe, and in ryotouse manner dyd reskewe and take from them the Bodye of the sayd Richard Shower, being attacked; the Quenes officer George Yeaveley constable of Bawdon then beinge p'sent commaunding the peace to be kepte—yea, or no—howe many p'sons were at the doinge thereof?

*Item.* Whither dyd not the p'sons before resyted ryotouslye resyste the sayd Edward beinge then offycer as aforesayd, and would not suffer him to arreste suche p'sons as were conteyned in his sayd warrant and p'cepte, and howe you knowe the same to be trewe, how many

p'sons were they that soe dyd, and what were there names ?  
*Itm.* Whitherr dyd Thomas Rawlynson, Thomas Bawdon beinge on foote, and Raulphe Mellour upon his horse backe, ryotouslye followe the sayd Edward Bradshawe and Godfrey Bradshawe the space of one quarter of a myle from the sayd towne of Heyfield, and w<sup>th</sup> drawen weapons had ryotouslye like to have slayne and murdered the sayd Godfrey and Edward Bradshawe—what weapons had they—and howe you knowe the same to be true—and how many p'sons were they, and what are there names ?

*Itm.* Whither dyd the sayd Edward Rawlinson and others about may daye paste . . . and in ryotouslye manner assemble themselves together in the sayd pasture or Herbage called Chinleys, w<sup>th</sup> bowes, staves, clubbes, pytchforkes, spades, mattockes and pull downe a pece or p'cell of enclosede ground enclosed by the sayd Godfrey Bradshawe, and why dyd they soe, and whether was not the same enclosed by ther consents ?

*Itm.* Whether Edward Shower Richard Kyrk Anthonye Bradshawe and other of the p'sons aforesayd dyd ryotously and at another tyme by nyght about the tenth daye of April in the XI<sup>th</sup> yere of the Quenes Ma<sup>ties</sup> Reigne that nowe is, the sayd p'cell of grounde beinge newlye enclosed agayn by the sayd Godfrye by ther consents, beinge quick setts w<sup>th</sup> xliii hundreth quicksetts willowes and willowe stacks, pull downe the same agayne, and utterlye destroy and cutt the sayd stacks and quick-setts in peics—and howe you know the same to be trewe ?

*Itm.* Whither dyd Edward Kyrke Otwell Kyrke Raulphe Mellour w<sup>th</sup> the moste parte of the sayd p'sons before named agree in May last paste and before grass tyme that the sayd Godfrey should take in a peice of ground in the sayd herbage and erecte a howse thereupon, and afterwards in ryotouse manner pulled down the same inclosure, and how many p'sons were at the doyinge thereof, and what weapons had they, and what ther names ?

*Itm.* Whither dyd Reynold Kirke aboute May daye last paste, and dyverse tymes synce, and before or any other tyme confederate, consulte, practise, or otherwise confer and talke w<sup>th</sup> one Mr. Bircles of the Countye of Chester, at the howse of the sayd Reynold in the countie of Derb: or elsewhere, touching or concerning prophesies by noblemen

or otherwise, and what books of prophesies have your or the said Bircles seen or heard, and what is the effect thereof, and howe often have you or he perused, used, or conferred of the same, or about such purposes, and with whom ?

*Itm.* Whither did you after any such conference practyse consultacon or talks, assemble, or confederat in companye or companies, to, or about a place in the sayd countye of Derb. called the Lord's Yate, and who were the p'sons soe assembled, howe many were they, and when and howe often have they soe done, and whether were not William Beard in the sayd countie of Derby gent., and Raulphe Bradley of Haughe in the same countye yeom. then thereat eny suche assemblye, what meant they by such assembly and what dyd the sayd Books of prophesye conteyne ?

*Itm.* Whither dyd not Reynold Kyrke Raulph Mellour Richard Kyrke Thomas Bawdon Edward Coqswar, and others ryotouslye assemble themselves at a place called Chinley Hall in the Countye of Derby aforesaid, about June last past, or eny tyme eells, w<sup>th</sup> bylles staves pych-forkes mattsacks daggers or other weapons defensyve and invasyve, and soe arayed and marched forward to have pulled downe a certeyn close of one Godfrey Bradshawe in Chynley aforesayd, or to have done some other unlawfull acte. And whither dyd not George Yeavly and Edward Barbar use some persuasion or speche for the surceasinge and appeasinge of that ryotouse pretence and entent to the sayd Reynold or eny other, what be th name of suche p'sons w<sup>ch</sup> soe assembled. What was there purpose and entent, and whither dyd not the sayd Reynold Kyrke and others the same day of the sayd assemblye and at the towne of Chapell of Ffrythe in the sayd countie of Derby move, entreat, speke to, or persuade w<sup>t</sup> the sayd Godfrey Bradhsawe to lett passe or not to comp ——— of the sayd riotouse assemblye and whether dyd you consent and [vow?] that the sayd . . . . should have and enioye that pece of ground in Chinley aforesaid w<sup>ch</sup> the sayd Godfrey dyd lately there enclose, and put your hand seale and marke to eny such agreem<sup>t</sup>, and whither dyd you or enye other to your knowledge afterward ryotouslye pull downe or distroye eny more enclosure or eny part thereof. When was the same done, and by whose counsell, Howe many p'sons were at the doing thereof ?

Whither dyd Nicolas Broke, Dan Molt, Edw<sup>d</sup> Kerke, Rufe Meller, Rafe Garb, Rob. Tonsted . . . . John Buzgard [?] Xpof Elote, Will Kerke, . . . . Samson Ward, Otwell Kerke, Charles Kerke, Will Barber, Edw<sup>d</sup> Sowden, Richard Shower, Antoney Redferne, Antoney Warde, on Easter Daye last paste and dyvers tymes before . . . . [three more lines complete the MS. They are illegible].

It is clear<sup>1</sup> that on Godfrey Bradshaw's acquisition of the land, he began to hedge and ditch it, so excluding the other inhabitants from the exercise of their common rights of pasture. Therefore the villagers, led by twelve of their number, forcibly broke down the hedges and filled up the ditch, and at the same time, in order to protect their grazing land from further encroachment, divided up the land into small allotments, held by each man in severalty. Bradshaw obtained warrants for the preservation of the peace, addressed to the ringleaders, and induced the Chancellor of the Duchy to send them a letter directing them not to interfere with any future enclosures. They received the letter, but massed in force on Chinley Hill, pulled down such hedges as still remained and organised an agitation throughout the district. Part of the land was given to Beard in return for his support, a war chest was raised, presumably by a levy on the inhabitants, and a meeting called in High Peak Forest. A further conference was arranged at Bakewell, and meantime it was decided that someone should burn down Bradshaw's house, and that if his enclosures were remade, the land in dispute should be divided into twenty-one separate parcels. The Bradshaws tried to get their warrant executed by the petty constable, so the opposition threatened him with murder, and one of the party came near to carrying out the threat. They\*rescued their associate from arrest, chased the Bradshaws and the constables from Hayfield,

<sup>1</sup> This paragraph is summarised from Tawney, *loc. cit.*

and camped on the disputed territory to deal with any attempt to re-erect the hedges.

The last few items suggest that the leaders of this village revolution made their mistake when they allowed themselves to become involved in high politics. The mysterious Mr. Bircles, if he really existed (the Catholic Record Society knows nothing of him), was probably more concerned with the restoration of a Catholic monarchy than with any matter of agrarian reform. This was the year after Mary Stuart's dash across the Border, and the Government was not unreasonably rather nervous of prophets and prophecies, especially such as might be supposed to intend the exploitation of an economic grievance for political ends. On the other hand it may be that the imputation of political designs behind the disturbances was merely a little propaganda of the Bradshaws, designed to strengthen a case which they must have known as a somewhat feeble one.

### APPENDIX 3.

#### AGREEMENT OF THE FREEHOLDERS IN EYAM TO THE AWARD FOR DIVIDING EYAM PASTURE, A.D., 1702.

This document is printed in the *Journal of the Derbyshire Archaeological Society*, Vol. XX, 1898, pp. 1-11. This agreement also was in 1898 in the possession of C. E. B. Bowles Esq., of Wirksworth.

To all Christian People to whom these presents shall come We William Eyre of Highlow in the Co. of Derby Esq<sup>r</sup> John Bradshaw of Brampton in the Co. of York Esq<sup>r</sup> Henry Bradshaw of Marple in the County of Chester Esq<sup>r</sup> Benjamin Ashton of Hathersage in the County of Derby Gent. Thos Wright of Eyam in the s<sup>d</sup> County of Derby Gent. Rich<sup>d</sup> Bagshaw of Castleton in the s<sup>d</sup> County of Derby Gent Rob<sup>t</sup> Moore of Woodseats in the s<sup>d</sup> County of Derby Gent Martha Moorewood of Alfreton in the s<sup>d</sup> County of Derby Sp<sup>r</sup> and Mary Moorwood of Alfreton afs<sup>d</sup> Daur. & Legatees of John Moorwood late of Alfreton afs<sup>d</sup> Esq<sup>r</sup> deced. Rich<sup>d</sup> Mills of Chesterfield in the s<sup>d</sup> County of Derby Gent Joseph Hunt Clk. Rector of

Eyam afs<sup>d</sup> Thos Robinett of Wales in the s<sup>d</sup> County of York Gent  
 John Wilson of Eyam afs<sup>d</sup> Yeom. Rob<sup>t</sup> Middleton of Eyam afs<sup>d</sup>  
 Ironmonger Francis Moor of Eyam afs<sup>d</sup> Yeom. Tho<sup>s</sup> Froggat  
 of Calver in the s<sup>d</sup> County of Derby Yeom. Rob<sup>t</sup> Tagg of Normanton  
 in the s<sup>d</sup> County of Derby Yeom. Geo Brownhill of Banford  
 (? Bamford) in the s<sup>d</sup> County of Derby Yeom. and Amy his wife  
 John Townsend of [. . .] in the s<sup>d</sup> County of Derby Yeom.  
 James Hibbert of Eyam afs<sup>d</sup> Yeom. Godfrey Massland of Baslowe  
 in the s<sup>d</sup> County of Derby Yeom. Humphrey Brushfield of Fowlowe  
 in the s<sup>d</sup> Co. of Derby Yeom Tho<sup>s</sup> Gould of Chesterfield afs<sup>d</sup> Yeom  
 and Dorothy his wife Ann Redferne of Eyam afs<sup>d</sup> widow Alex<sup>r</sup>  
 Dam of Basslowe afs<sup>d</sup> Yeoman Peter Furnyse of Eyam afs<sup>d</sup> Yeom.  
 Philip Sheldon of Eyam afs<sup>d</sup> Yeom. Pp. Sheldon of Eyam afs<sup>d</sup>  
 Yeom. Rob<sup>t</sup> Morten of Brosterfield in the s<sup>d</sup> County of Derby  
 Yeom. Thos Gregory of Fowlowe afs<sup>d</sup> Yeom. Tho<sup>s</sup> Wylde of Fowlowe  
 afs<sup>d</sup> Yeom. Thos Brushfield of Fowlowe afs<sup>d</sup> Yeom Eliza Frith of  
 Eyam afs<sup>d</sup> widow Mary Fearn of Eyam afs<sup>d</sup> widow Adam Gile  
 of Chesterfield afs<sup>d</sup> Ironmonger Christ<sup>r</sup> Leyland of Briningred in  
 the County of Chester Yeom. all Freeholders within Eyam afs<sup>d</sup>  
 send Greeting Whereas we together with the Heirs and Legatees  
 of the late Marquess of Hallyfax are promiscuously seized in  
 Comon of a certain mean and undivided Pasture called Eyam  
 pasture within the Liberty of Eyam afs<sup>d</sup> the Occup<sup>r</sup> and Enjoym<sup>t</sup>  
 whereof is of very great Loss and Inconvenience to the s<sup>d</sup> owners  
 and proprietors of the same for want of a Just & Adequate  
 Stint for Adjustm<sup>t</sup> or an Equal Division or partition thereof  
 Wherefore to the Intent that for the future every parclar free-  
 holder may have and Enjoy his equal share proporcon thereof  
 without the Surcharge or Oppression of one freeholder more than  
 another We the s<sup>d</sup> freeholders of Eyam afs<sup>d</sup> seriously considering  
 the Inconveniences that did unavoidably happen both to us and  
 our Tenants for want of such Stint or Division as afs<sup>d</sup> & Con-  
 cluding a Division to be the more secure Method to prevent future  
 Trouble and Confusion Did Unanimously & Mutually Consent  
 & Agree to Elect Nominate & App<sup>t</sup> John Hall of Darley Hall  
 in the s<sup>d</sup> County of Derby Gent R<sup>d</sup> White of Wardlow in the s<sup>d</sup>  
 County of Derby Yeom. and Sam<sup>l</sup> Eaton of Blackwell in the s<sup>d</sup>  
 Co. of Derby Yeom. to Survey Separate and Divide the s<sup>d</sup> parcel  
 of Gro<sup>d</sup> called Eyam pasture (Quantity & Quality consid<sup>d</sup>) into  
 adequate & proportionable parts according to every Mans'  
 Quantity & proportion of freehold Land in Eyam afs<sup>d</sup> to Order  
 Allot & Determine unto every parclar. freeholder within Eyam

afs<sup>d</sup> w<sup>t</sup> Quantity of the s<sup>d</sup> Eyam pasture he sh<sup>d</sup> distinctly have & enjoy in Severalty & where the same sho<sup>d</sup> lye And also to set forth & direct the ways to be used to every freeholders Part & what fences sho<sup>d</sup> be made therein & how & by whom the same sh<sup>d</sup> be respively made And whereas the sd John Hall Rich<sup>d</sup> White and Sam<sup>l</sup> Eaton as such Surveyors Directors & Arbitrators did accordingly undertake the Managem<sup>t</sup> of the s<sup>d</sup> Survey Division and Allotm<sup>t</sup> who having bestowed a great many Days thereon did Survey the whole pasture into 153 acres 3 roods & 36 perches which upon Serious Deliberation they did Order app<sup>t</sup> & Allot to the s<sup>d</sup> freeholders in Eyam To hold in Severalty the sev<sup>l</sup> pieces & parcels of Land hereinafter ment<sup>d</sup> in such Quantities & lying in such places in the s<sup>d</sup> Pasture as are herein after expressed beginning at the East End of the s<sup>d</sup> pasture & so going regularly on to the West End thereof thereby to keep a more Intelligible Regular & Certain Order (that is to say) unto the s<sup>d</sup> Francis Moore at the extreame Eastward point of the s<sup>d</sup> Pasture the Quantity of four Acres & two Roods of the Land of the s<sup>d</sup> Pasture for his proportionable Share & Dividend thereof To the s<sup>d</sup> John Wilson at the West End of the s<sup>d</sup> fran Moors part the Quantity of six Acres two Roods & six and twenty perches of the s<sup>d</sup> pasture for his Share part thereof the Land allotted to the s<sup>d</sup> Francis Moore lying Eastwardly & the Land allotted to the s<sup>d</sup> Tho<sup>s</sup> Froggat lying Westwardly thereof . . . . (20 more allotments and clauses as to highways and fences . . . .) And Whereas We the s<sup>d</sup> Freeholders of Eyam afs<sup>d</sup> are very well pleased contented & satisfied with the s<sup>d</sup> Division & Allotm<sup>ts</sup> of Lands laying forth & appointing of ways & fences Surveying & other Managem<sup>t</sup> & proceedings of them the s<sup>d</sup> John Hall Rich<sup>d</sup> White & Sam<sup>l</sup> Eaton as will appear by our Sealing and Executing of these presents Therefore We the s<sup>d</sup> freeholders for the Coroborating Confirming & Establishing of the s<sup>d</sup> Division Allotm<sup>t</sup> & other Proceedings afs<sup>d</sup> Do Severally Mutually & Reciprocally Declare & Affirm that we are very well pleased & contented with the s<sup>d</sup> proceedings And for that Reason We do severally mutually respively reciprocally for ourselves and our sev<sup>l</sup> & respive Heirs Estors. Admors. & Ass<sup>s</sup> Cov<sup>t</sup> promise Grant & Agree Each with the other & to & with the sev<sup>l</sup> & respive. Heirs Extors. & Admors. of each other that We will stand to obey abide perform fullfill & keep the sev<sup>l</sup> & respive Orders Divisions Allotm<sup>ts</sup> Surveyings Appointings & Direcons of them the s<sup>d</sup> John Hall Richard White & Sam<sup>l</sup> Eaton of & concerning the premes in such manner & fform as the same are Ordered



Directed Surveyed & allotted by these presents And We thro' whose Lands Ways are laid out and directed as afores<sup>d</sup> will also permit and Suffer the severall freeholders of Eyam above mentioned to pass & repass thro' the same without any of our Molestation or Interruption And to that End We Do severally and respectively Grant to all & every the s<sup>d</sup> persons who have such Right and Title to the s<sup>d</sup> Ways free Ingress Egress and Regress upon into and out of the same And that we and Every of Us our several Heirs Executors and Admonrs will at any time hereafter as Councel Learned in the Law shall Advise make do and Execute any further or better Conveyance Assurance Deed or Instrument whatsoever for the better and more perfect Assuring Coroborating Confirming and Establishing of the Divisions Allotments Directions and proceedings aforesaid And We do hereby severally and particularly Covenant Promise and Grant to & with Rowland Merill of Eyam afs<sup>d</sup> and Thomas Hardy of Eyam afs<sup>d</sup> that We will upon Demand well & truly pay unto them the said Rowland Merill & Thomas Hardy or one of them our severall and respective parts Shares and proportions of the Charges Disbursements and Expences concerning as well the s<sup>d</sup> Division and Allotments as the charges of this present Writing In Witness whereof the s<sup>d</sup> freeholders have hereunto Set their Hands & Seals this 12th day of Nov<sup>r</sup> in the first Year of the Reign of our most Gracious Sev<sup>r</sup> Lady Ann by the Grace of God over England &c. Queen Annoq Dom., 1702

Wm. EYRE

THOS WRIGHT

ELIZA FRITH

ANN REDFERNE

HUMPHREY BRUSHFIELD

RICH MILNES JUNR.

J. BRADSHAWE

THOS FROGGAT

FRAN: MOWER

p (PETER FURNISSE)

ROBERT MIDDLETON

ADAM GILL

BEN ASHTON

FRAN: SHARPE

ROBT MORTEN

p (PHILIP SHELDON)

JOHN WILSON

[Endorsed—" Dated 12th Nov., 1702. Copy of Freeholders in Eyam their Agreem<sup>t</sup> to the Award for Dividing Eyam Pasture]."